



Convention on the Rights of the Child

Distr.: General
5 November 2013
English
Original: French

Committee on the Rights of the Child Sixty-fourth session

Summary record of the 1827th meeting

Held at the Palais Wilson, Geneva, on Monday, 23 September 2013, at 3 p.m.

Chairperson: Ms. Sandberg

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The meeting was called to order at 3 p.m.

Consideration of reports submitted by States parties *(continued)*

Combined third and fourth periodic reports of Lithuania on the implementation of the Convention on the Rights of the Child (continued) (CRC/C/LTU/3-4; CRC/C/LTU/Q/3-4 and Add.1)

1. *At the invitation of the Chairperson, the delegation of Lithuania took places at the Committee table.*
2. **Ms. Čižienė** (Lithuania) said that weekly religious instruction was optional: the choice of whether or not to attend was left to parental discretion for children under 14 and to the pupils themselves from the age of 14. Those pupils who did not attend the lessons were offered civics classes.
3. **Mr. Pagojus** (Lithuania) said that the expressions “person under the age of 18” and “minor” or “underage child”, which could be used indiscriminately in criminal law, were absolutely synonymous. The term “child” was used in civil law, so there was no confusion in practice. The fact that a child could be emancipated by court order from the age of 16 did not affect his or her status as a minor under criminal law.
4. Minors requesting emancipation must provide proof of their practical independence, particularly from a financial point of view. It was an unusual step, which was usually taken for the purpose of marriage. As a result of awareness-raising efforts in recent years, the number of child marriages had fallen sharply, with only 77 in 2012, compared to 200 in 2006.
5. Since the age of sexual consent had been raised from 14 to 16 years in 2010, the question of raising it yet again, to 18, just three years later on, had not been broached.
6. **Ms. Šliužienė** (Lithuania) said that a new National Anti-Discrimination Programme, adopted for the period 2012–2014, provided for information campaigns and public debates. Significant efforts had been made in partnership with the media to change the perception of disability. NGOs working primarily in such areas received grants to fund their projects. Similarly, the Ministry of Culture had adopted a new Programme for the Integration of Roma People into Lithuanian Society in March 2012. The number of Roma children attending mainstream schools was on the increase.
7. **Mr. Cardona Llorens** urged the State party to not merely finance NGOs working on behalf of persons with disabilities, but indeed to take the lead in that area.
8. **Ms. Wijemanne** (Country Rapporteur) pointed out that, although Roma and persons with disabilities indisputably deserved particular attention, anti-discrimination initiatives should be broader in order to cover all segments of the population requiring such assistance, including poor children, those from single-parent families, those in alternative care, those with behavioural problems and those in conflict with the law.
9. **Ms. Zinkevičiūtė** (Lithuania) said that the State provided various forms of assistance to children with disabilities. For example, it guaranteed their right to mainstream education and to free medicines. It also made social housing available to the families concerned, and worked with the media on public awareness-raising campaigns, seeking donations to charities with a simple telephone call.
10. **Ms. Muhamad Shariff** asked to what extent inclusive education, as set forth in legislation, existed in practice and how teachers were trained.
11. **Ms. Čižienė** (Lithuania) said that out of 350,000 students attending mainstream schools, 40,000 had a disorder or disability. Moreover, 10,000 children with disabilities

received support and private lessons. The State budget for schools allocated LTL 3,300 per pupil and LTL 14,000 per pupil who required a special education. Subsidies were also paid for textbooks. Each school was free to choose the textbooks they wished to purchase with the funds, and pupils subsequently received them free of charge.

12. **Mr. Cardona Llorens** asked whether children with mental disabilities were actually accepted in mainstream schools. He believed that there was still some reluctance and that education facilities failed to meet the children's needs.

13. **Mr. Mezmur** asked whether the authorities had indeed failed to record all children who dropped out of school and whether measures had been taken to address the problem.

14. **Ms. Čižienė** (Lithuania) said that teachers who taught children with special needs in their classrooms could attend lectures and seminars as part of their continuing training. They were also supported by a network of professionals. For example, Lithuania had, around 500 speech therapists and 100 social educators working in schools.

15. **Ms. Šliužienė** (Lithuania) said that the National Education Strategy for 2003–2012 had laid the foundations for the integration of persons with disabilities in mainstream schools and in the workplace. The strategy had particularly focused on making the numerous legislative changes required for integration. The new strategy for the period 2013–2019, while following the first, placed greater emphasis on the social dimension.

16. **Ms. Čižienė** (Lithuania) said that the database set up in 2009 recorded the number of children who were not enrolled at school and those who were enrolled but failed to attend any or less than half of their classes. Furthermore, the overall figure of 4 per cent of pupils dropping out of school or truanting needed to be recalculated as the database contained some errors. Accordingly, a large number of pupils thought to be absentees had actually moved abroad with their families unannounced.

17. **Ms. Aldoseri** asked what measures were taken when children who had not reached the compulsory school-leaving age of 16 were identified as non-attenders.

18. **Ms. Čižienė** (Lithuania) said that responses were decided on a case-by-case basis depending on the reasons for non-attendance and could take the form of social measures or counselling. For children under the age of 16, emphasis was placed on continuation of general schooling, while for those aged 16 and over, vocational training was encouraged.

19. **Ms. Šliužienė** (Lithuania) said that a personalized support project had been in place for two years, in partnership with local communities, for young persons over 16 without an education or a job in order to enable them to return to school or seek employment. Some 2,000 young persons stood to benefit at an investment of around 1.2 million euros.

20. **Ms. Zinkevičiūtė** (Lithuania) said that children with disabilities were sometimes temporarily placed in specialist care facilities, where they were cared for by a physiotherapist and a psychologist. They could also be accompanied by one of their parents, whom the carers taught how to deal with their child's disability. The Government endeavoured to combat discrimination against persons with disabilities by applying the relevant principles developed at the European level.

21. **Ms. Tarvydienė** (Lithuania) said that, upon leaving such institutions, orphaned or abandoned children with disabilities were looked after in municipal care facilities and then placed in the care of guardians or foster parents before their eventual adoption. The Lithuanian Government had plans to replace the overly large care facilities with residential care centres the size of a family home, which would take in no more than eight residents. Such centres would be required to apply for accreditation and would be regularly monitored by social services. Children in conflict with their families could temporarily be placed in care facilities where social workers could assess their particular needs.

22. **Ms. Herczog** asked whether the State party intended to follow the European Union directives which invited member countries to favour the placement of children in need of alternative care, particularly children under the age of 3, in foster families rather than institutions.

23. **Ms. Tarvydienė** (Lithuania) said that the Government intended to implement a system of care focused on the recruitment and training of foster families and guardians, particularly for under-3s. Children already benefiting from care provided under the PRIDE programme described in section 126 of the periodic report were regularly monitored.

24. **Ms. Miškinienė** (Lithuania) said that the staff who cared for children placed in small, family-like centres were trained in the various tasks they must perform, such as cooking and laundry management. During the crisis, the Government had maintained the same level of benefits for poor families raising children and had taken measures to combat juvenile poverty, in particular by increasing youth employability.

25. **Ms. Tarvydienė** (Lithuania) said that “baby boxes” were not regulated and had been established on the initiative of hospitals. In fact, out of the current eight boxes, five were located in hospitals. Between 2009 and 2013, 27 children had been left in baby boxes, 5 of them later reclaimed by their biological mothers. Meanwhile, the others had been placed with foster families or adopted. While recognizing the fundamental right of children to know their origins, the Lithuanian Government had to respect another equally important right, that of the right to life. Baby boxes had apparently prevented a number of infanticides. It should also be noted that the Civil Code did not authorize adoption before the baby was 3 months old, giving the mothers concerned time to reflect on their decision.

26. **Ms. Herczog** said that it would be preferable to provide pregnant women who found themselves in difficult personal circumstances with counselling rather than baby boxes.

27. **Ms. Zinkevičiūtė** (Lithuania) said that child abandonment was not exclusive to Lithuania and that in other places in the world children were even sold, including for organ trafficking which was not the case in Lithuania. Furthermore, some apparently stable mothers, who one would not think capable of abandoning their children in a baby box, often did because of post-partum depression.

28. **Ms. Herczog** asked whether measures had been introduced to place abandoned children with their extended families.

29. **Mr. Gastaud** asked whether any steps had been taken to prevent child abandonment.

30. **Ms. Tarvydienė** (Lithuania) said that it was not always easy to establish contact with home-birth mothers, who apparently resorted to baby boxes more than others. That was why some 600 social workers provided assistance to “at-risk” families in social distress. Children without parental care were mostly looked after by other members of their family.

The meeting was suspended at 4.30 p.m. and resumed at 4.40 p.m.

31. **Ms. Zinkevičiūtė** (Lithuania) said that the number of neonatal deaths was three to four times higher for home births.

32. **Ms. Herczog** said that the State party should consider setting up “baby friendly” hospitals to encourage women to give birth in medical centres, thereby reducing the risk to both mother and child.

33. **Ms. Wijemanne** said that, in the absence of such facilities, the State party might consider putting in place a home-care system as part of primary health care, and training midwives to specialize in home deliveries so as to avoid foetal distress and disabilities.

34. **Ms. Zinkevičiūtė** (Lithuania) said that her country which had an operational health system and high-quality obstetric care, had no reason to envy other countries.
35. **Ms. Čižienė** (Lithuania) said that the youth suicide rate had declined thanks to the State party's prevention measures taken in campaigns to establish, where appropriate, crisis management centres in schools and to train teachers in the psychological care of children and adolescents.
36. **Mr. Pagojus** (Lithuania) said that the Lithuanian Riflemen's Union was a semi-governmental organization under the auspices of the Ministry of Defence. It provided theoretical and military training to adults and children. The latter, however, were not trained in the use of firearms.
37. **Ms. Urbonė** (Lithuania) said that specialized training based on European best practice was now provided nationwide to the police and other law enforcement officers in order to raise awareness of the support and care required by minors in the criminal justice system.
38. **Mr. Pagojus** (Lithuania) said that there were no juvenile courts in Lithuania but, as part of the judicial reform, specialized judges would soon be trained in the administration of juvenile justice. Between 2008 and 2012, the proportion of minors sentenced to custodial sentences had dropped from 59 per cent to 48 per cent. However, of all minors sentenced to imprisonment, less than a third were actually incarcerated. Moreover, alternatives to detention, and reduced sentences had recently been introduced, particularly the wearing of electronic bracelets.
39. **Mr. Cardona Llorens** asked whether public defenders were aware of the needs and rights of juvenile offenders.
40. **Mr. Pagojus** (Lithuania) said that public defenders handling cases involving children were specialized in juvenile law.
41. **Ms. Urbonė** (Lithuania) said that since 2007 there had been a specially trained officer to attend to juvenile offenders in every police station.
42. **Ms. Belian** (Lithuania) said that for administrative offences such as possession or consumption of small quantities of drugs, alternative sentences to imprisonment were routinely applied, provided that the individual concerned agreed to be treated in a specialist medical centre.
43. **Ms. Urbonė** (Lithuania) said that the Government had ratified the Convention on the Reduction of Statelessness in May 2013. Stateless children could obtain Lithuanian citizenship if their parents regularly resided in Lithuania.
44. **Ms. Tarvydienė** (Lithuania) said that a free child helpline run by volunteers who offered advice and support to children had been established in 2009 in partnership with a specialist NGO. Any adult or child calling in to report an abuse or violation of the rights of the child was referred to specialist lawyers and psychologists from the State Child Rights Protection and Adoption Service.
45. **Ms. Zinkevičiūtė** (Lithuania) said that the Ministry of Health had established a Mother and Child Board in September 2013, which was responsible for ensuring respect of the rights of the child, particularly in terms of health.
46. **Mr. Pagojus** (Lithuania) said that children, regardless of their age, had the right to form associations at school or in other contexts, on condition that three adults formed part of the association.
47. **Ms. Zinkevičiūtė** (Lithuania) said that the new bill on child protection expressly prohibited corporal punishment. Several awareness-raising campaigns on the use of other

forms of discipline in education had been organized with a view to changing the attitudes of parents and teachers.

48. **Mr. Mezmur**, supported by **Ms. Khazova** (Country Rapporteur), said that Parliament had rejected a proposal to prohibit corporal punishment in 2010 and that a new proposal submitted in 2012 again advocated a ban, while reaffirming the right of parents to discipline their children. The delegation's comments on the matter would be welcome.

49. **Mr. Bitinas** (Lithuania) said that the issue had been long debated in Parliament. In 2012, the political majority had changed when the Social Democrat coalition had come to power, and seemed willing to revisit the issue, with a view to a total ban.

50. **Ms. Urbonė** (Lithuania) said that a new Act on the protection of children and adults against domestic violence, adopted in 2011, strengthened the rights of victims of all forms of violence and tightened criminal sanctions against perpetrators.

51. **Ms. Čižienė** (Lithuania) said that education in the Convention was a compulsory subject in the school curriculum, starting from primary school level.

52. **Mr. Cardona Llorens** asked whether child prostitutes were treated as victims or offenders and whether reintegration and rehabilitation measures were available to them.

53. **Ms. Tarvydienė** (Lithuania) said that, as part of the implementation of a national programme for the prevention of violence against children in 2011–2013, five NGOs had introduced a support service for victims of domestic violence and trafficking. The service, run by specialized social workers, had supported nearly 760 children in 2012.

54. **Mr. Pagojus** (Lithuania) said that prostitution was considered to be an administrative offence in Lithuania and that only prostitutes over the age of 16 were subject to sanctions.

55. **The Chairperson**, speaking as a member of the Committee, stressed that such a provision did not conform to the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, which provided that any minor involved in prostitution was, by definition, a victim and never an offender.

56. **Ms. Pagojus** (Lithuania) said that a new Administrative Code, awaiting adoption, addressed the problem by prohibiting the prosecution of minors involved in prostitution.

57. **Ms. Wijemanne** asked whether children from minority groups, such as the Roma, were really integrated in schools.

58. **Ms. Urbonė** (Lithuania) said that schools were free in Lithuania and that an education kit, containing mostly textbooks, was provided free of charge to disadvantaged pupils. The Education Act provided that students from minority backgrounds could receive a bilingual education; they attended core courses in Lithuanian and other courses in their native language.

59. **Ms. Khazova** commended the State party on its efforts to protect the rights of the child, despite the many challenges it still faced, owing to its particular history and the consequences of the financial crisis. She hoped that the country would continue its efforts and that corporal punishment would soon be prohibited.

60. **Mr. Bitinas** (Lithuania) thanked the Committee for its recommendations and promised that they would be duly taken into account.

The meeting rose at 5.55 p.m.