



**Meeting of the States Parties  
to the Convention on the  
Rights of the Child**

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COMMITTEE ON THE RIGHTS OF THE CHILD

Forty-first session

SUMMARY RECORD OF THE 1103rd MEETING (Room B)

Held at the Palais Wilson, Geneva,  
Wednesday, 18 January 2006, at 3 p.m.

Chairperson: Ms. KHATTAB

SUMMARY

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES  
(*continued*)

Second periodic report of Lithuania (*continued*)

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

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES (agenda item 4) (*continued*)

Second periodic report of Lithuania (CRC/C/83/Add.14); core document (HRI/CORE/1/Add.97); list of issues to be taken up (CRC/C/LTU/Q/2); State party's written replies (CRC/C/LTU/Q/2/Add.1) (*continued*)

1. *At the invitation of the Chairperson, the delegation of Lithuania resumed their places at the Committee table.*

2. Mr. STANIULUS (Lithuania) said that according to a census carried out in 2001, the country had a Roma population of 2,750, and Lithuanian schools had 597 Roma students enrolled, or 0.11% of the total school population. The programme for social integration of Roma, undertaken during the 2000–2004 period, was mainly intended to promote the right to education, health and social protection for the members of the Roma community while also affording them the means of preserving their cultural identity. In 2005 and 2006, the Roma social centre in Kirtimai continued to receive funding of some 2 million litai a year. A new programme for the 2005–2010 period was currently under development and consultations were under way in that regard with representatives of the Roma community.

3. Mr. PUODŽIUKAS (Lithuania) said that the Ministry of Education had published textbooks in Romani and that specific training was given to teachers to enable them to better deal with Roma children, who mainly attended regular schools.

4. Ms. MURAUSKAITĖ (Lithuania) said that the law guaranteed every child, including Roma children, the right to free health care up to age 18 and that in practice, no discrimination had been observed in the exercise of that right.

5. Ms. SMITH said that, according to the European Roma Rights Centre, many Roma would not register as such with the authorities because of the stigmatization they suffered. That stigmatization was thought to lead to discrimination, in particular with regard to the exercise of the right to housing. In that context, it would be useful to launch public awareness campaigns to fight against Lithuanians' negative view of the Roma.

6. Ms. MURAUSKAITĖ (Lithuania) said that Roma were not subject to any discriminatory treatment. Though access to employment had enabled many Roma to integrate into Lithuanian society, some, in striving to preserve their way of life, did face difficulties with integration.

7. Mr. PUODŽIUKAS (Lithuania) said that under the terms of Article 138 of the Constitution, any international instrument duly ratified by Parliament was directly enforceable by the courts. Thus, the Supreme Court and the Supreme Administrative Court had ruled on a score of cases by applying the provisions of the Convention on the Rights of the Child, which had been invoked by the plaintiffs in support of their claims.

8. Article 26 of the Constitution enshrined the free exercise of freedom of religion and opinion within the limits of respect for law and order and the freedom of others. Certain so-called traditional religious communities had been granted a

certain number of privileges by the State, authorizing them to give courses of religious instruction in publicly-owned establishments of general education. The other, nontraditional religious communities were free to teach their religion in their own schools. The distinction between traditional and nontraditional communities by no means prevented the latter from fully exercising their right to freedom of religion. Parents were free to give their children the religious education of their choice. As of the age of 14, children had the right to make their own choice to take the traditional religious communities' courses of religious instruction or morals courses.

9. Mr. FILALI, noting that Lithuanian legislation did not expressly prohibit corporal punishment, asked whether parents or teachers who, in inflicting corporal punishment, injured a child slightly would incur criminal sanctions.

10. Mr. PUODŽIUKAS said, with regard to corporal punishment, that the law made a clear distinction between parents' prerogatives and those of teachers: the latter were strictly forbidden to employ corporal punishment. A teacher who used force against a student would be liable to dismissal for cause and to the sanctions provided in Article 104 of the Penal Code. Parents, on the other hand, were free to punish their children as they saw fit, provided the punishment did not amount to physical or psychological torture and did not diminish the child's dignity. Public awareness campaigns against the excessive use of corporal punishment were currently being carried out.

11. Ms. MIKALAUSKAITĖ said that a bill that would outlaw the disciplinary use of corporal punishment by parents was currently under development.

12. Mr. FILALI asked whether, on their arrival in Lithuania, Chechen children, who had often experienced serious trauma, received special care.

13. Ms. MURAUŠKAITĖ (Lithuania) said that these children had free access to doctors and psychologists. They were accommodated in centres, then placed, to the extent possible, in regular schools, with the aim of integrating them into Lithuanian society as soon as possible.

14. Ms. MIKALAUSKAITĖ (Lithuania) said that 3,000 children with special needs were currently being schooled in specialized establishments, as compared to 9,000 in 1990. Most children with disabilities were now attending regular schools. In 2003 the Ministry of Education had created 53 centres for teaching and psychological services. In 2004 the Government had approved a programme for the implementation of specialized educational services. Spending under that programme, which had been 3 million litai in 2005 and was expected to be the same in 2006, covered such things as training courses for teachers to facilitate the integration of children with disabilities into regular classes.

15. Mr. LIWSKI asked whether the measures taken to improve services to children with disabilities also benefited rural areas, where the difficulties of access to services were notorious.

16. Mr. PUODŽIUKAS (Lithuania) said that the government's budget for children with special needs was 10% higher than the budget allocated to other children. In 2005, school buses were placed at the villages' disposal to facilitate transport of children with special needs.

17. Ms. SMITH pointed out that, according to the figures, some children with disabilities received no schooling at all.
18. Ms. MURAUSKAITĖ (Lithuania) said that the number of unschooled children with disabilities was falling year by year. Some parents would not register their children for school and refused to have teachers come to their homes to give lessons.
19. Mr. PUODŽIUKAS (Lithuania) added that some children with disabilities were accommodated in day centres with the goal of avoiding institutionalization.
20. Mr. PARFITT asked for details on institutions for children with disabilities and the organizations in charge of them.
21. Mr. PUODŽIUKAS (Lithuania) said that the largest institution for children with disabilities could accommodate a hundred children, some 90 being boarders. There were however establishments with fewer than sixty students. Control was generally exercised by the cantons, except in the case of some establishments that reported to municipalities or the Ministry of Education and Science.
22. Ms. MURAUSKAITĖ (Lithuania) said that the Office of the Child's Rights Protection Ombudsman, created in 2000, currently had nine advisers, whereas there had earlier been four. Each adviser was in charge of a specific field: social and health issues, justice, schools, municipalities, etc. All were empowered to receive complaints from individuals or bodies corporate. Information campaigns were being conducted so that children would be more willing to air their problems. The number of investigations had doubled between 2001 and 2005 and the Ombudsman was receiving more and more requests. He also took part in the drafting of laws, chaired conferences and cooperated with NGOs, and was empowered to inspect children's institutions; he also played a role in the promotion of the Convention on the Rights of the Child. The Ombudsman held his five-year appointment—renewable once—from Parliament, and reported to the latter, not the executive branch.
23. Mr. FILALI asked whether the Ombudsman was able to demand information from the Ministry of the Interior or the Ministry of Justice and to ask for a legal proceeding to be opened.
24. Ms. MIKALAUSKAITĖ (Lithuania) said that the Mediator could ask for any information required by the investigation and could initiate a proceeding if there was evidence that an offence had been committed.
25. Ms. MURAUSKAITĖ (Lithuania) said that the exemption from payment of the care is guaranteed for all the children until the 15 years age whatever their marital status. Patients' rights were protected by the Civil Code and specific legislation. For care to be provided, the patient's consent, or that of his or her parents or guardians if the patient was under 16, was necessary.
26. Ms. ARMONAVIČIENĖ (Lithuania) said that the promotion of breastfeeding up to the age of 6 months was one of the major objectives of the National Food and Nutrition Strategy. In 2004, the Ministry of Health issued two significant decrees aimed at the implementation of the criteria of the "baby-friendly" initiative in hospitals and of the International Code of Marketing of Breast-milk Substitutes in the public health system. Six hospitals were now certified baby-friendly and certification was pending at three more. The 2005 national survey on breastfeeding

had showed a positive trend. Approximately 53 % of the women nursed their child for up to 3 months, 44% up to 4 months, and 31% up to 6 months.

27. Ms. ALUOCH asked for details on the role played by NGOs in the promotion of breastfeeding.

28. Mr. LIWSKI asked whether facilities were designed to allow working women to nurse their child.

29. Ms. ARMONAVIČIENĖ (Lithuania) said that the right to breastfeed was part of the country's labour laws. A more detailed answer on this subject would be provided at a later date. It was up to women to negotiate with their employer, in their employment contract, for breastfeeding facilities. Many Lithuanian NGOs were campaigning for breastfeeding and took part in a certain number of programmes. Discussions were in hand for the public financing of those NGOs.

30. Mr. PARFITT noted that abortion seemed to be a very widespread means of birth control, whereas legislation and medical authorities strictly limited the practice.

31. Ms. ARMONAVIČIENĖ said abortion had never been considered a family planning method in Lithuania. That was a particularly delicate issue in a mainly Catholic country. Lithuania endorsed the objectives of the WHO strategy on sexuality and reproductive health in many fields (maternal health, disease control, neonatal and postnatal health, etc.), but with regard to abortion, the prevailing opinion was that it should not be authorized.

32. Ms. SMITH said that even though the abortion issue was not within the Committee's purview, reproductive health certainly was. Given the very large number of early pregnancies in Lithuania, it was important to inform adolescents. She asked whether reproductive health issues were dealt with at school.

33. Ms. MURAUŠKAITĖ (Lithuania) said that the contraception issue was dealt with in biology courses but that some teachers avoided it, so that very often it was not thoroughly gone into.

34. Ms. ARMONAVIČIENĖ (Lithuania) said that family physicians had a duty to talk to girls about reproductive health, as that was part of primary health care.

35. The CHAIRPERSON pointed out that in general young people spoke to their physician only if there was a problem and that only school awareness programmes were likely to reach all adolescents. She asked the delegation to return to the issue of prostitution.

36. Mr. LIWSKI wished to obtain details on adolescents' mental health and in particular on youth suicides.

37. Ms. ARMONAVIČIENĖ said that tuberculosis cases had become rare thanks to the TB prevention and control programme set up in cooperation with Norway, which had given methodological and financial support. The youth suicide rate, unfortunately, was among the highest in the world. The authorities had created a suicide prevention Web site and set up toll-free hotlines for children and adolescents. The whole mental health policy was to be re-examined to bring it in line with the WHO Mental Health Declaration for Europe and, at the same time, to draw up a plan of action for suicide prevention and control.

*The meeting was suspended at 3:35 p.m.; it resumed at 3:55 p.m.*

38. Ms. ASTRAUSKIENĖ (Lithuania) said that iodine deficiency, which was endemic, was being taken into account in all public health legislation. A new programme calling for case by case monitoring, information campaigns and economic measures had been set up in 2003, and iodized salt had been added to the list of tax-free goods. In 2005 the Ministry of Health had published a decree that salt must contain 20 mg/kg of iodine. Such iodized salt was already being used by 65% of the population according to a study carried out in 2004. Iodine deficiency research was to be undertaken in 2006 and the organizations with responsibility for the problem were working closely with the National UNICEF Committee, which was providing methodological and financial support. As more than half of the country's drinking water was polluted by nitrates, a national environment and health programme and a plan of action had been introduced over the 2003–2006 period to analyse water and, in particular, to make sure babies and pregnant women did not consume polluted water. Finally, Lithuania had ratified the Kyoto Protocol in 2002 and had adopted the principal directives necessary for its entry into force.

39. Mr. PUODŽIUKAS (Lithuania) said that kindergarten, now attended by 35% of all preschool children, would become compulsory in 2006, as it helped socialize children and better prepare them to enter primary school. It was entirely free of charge. An extension of school bus service was also planned. The school dropout rate was falling in spite of the apparent increase recorded in 2005, which resulted from the creation of a new database affording a more exact census of the student population. Programmes to get dropouts back to school had been set up with the assistance of the European Union, and young people's associations were mobilizing against school dropouts. Sports centres that stayed open evenings, weekends and during school holidays had also been created to encourage young people to engage in sports activities.

40. To advance democracy in schools, a student parliament elected every two years, with a membership of some one hundred children, had been set up in 2000 in cooperation with NGOs. It had looked at such issues as examinations, sports activities and holidays, and had submitted very interesting ideas to the various ministries concerned.

41. Ms. SMITH asked whether the concept of school democracy was taught in the context of teacher training. She would be glad to obtain details of the school timetables, which seemed very onerous.

42. Mr. PUODŽIUKAS (Lithuania) said that at each educational establishment, a school board made up equally of teachers, parents and students had responsibility for examining the school's curricula and budget. Since independence, an in-depth reappraisal of curricula and textbooks as well as establishments' structure had been conducted. High schools had been made separate establishments, for which purpose many jobs had had to be created. Moreover, the Government had adopted a national programme to train teachers in new fields and to improve existing training.

43. Ms. MIKALAUSKAITĖ (Lithuania) said that the municipal authorities were required to regularly monitor the situation of children placed temporarily in homes or foster families. When the situation within the biological family was deemed unlikely to improve, the case was referred to a judge, who could strip the parents of their parental authority and order long-term placement in the structure that seemed best suited to the child.

44. Ms. SMITH, who found it surprising that matters involving a child's separation from his or her parents should be dealt with by a simplified procedure (para. 203 of the report), asked whether there were many procedures in the State party leading to the forfeiture of parental authority. She would be glad to know, in particular, whether such procedures were hedged about with legal guarantees that could protect parents and children alike and ensure that no child was adopted against his or her parents' will. Finally, she would appreciate further information on the cases where parents had seemingly taken the easy way out by agreeing to forfeit their parental authority.

45. Ms. MIKALAUSKAITĖ (Lithuania) explained that the guardianship regime did not involve any forfeiture of parental authority; rather, it consisted in temporarily placing a child in a foster family while social services endeavoured to prepare the child to return to his or her biological family. Once the current reform was complete, all guardianship cases would be reviewed by a judge, who would have sole authority to decide their treatment and, as appropriate, any sanctions to be taken against parents guilty of ill-treatment.

46. At present, half of all children removed from their home environment were placed in foster families, the other half in group homes. Only 10 to 15% of these establishments were managed by local communities, but under decentralization the plan was for the latter were to be given more responsibilities and additional funds to match. To prevent decentralization from creating inequalities between communes, quality standards had been developed for group homes. Establishments unable to meet the requirements would not be granted approval by the appropriate national authorities.

47. Under the above-mentioned reform, children whose parents had had their parental authority set aside would be proposed for domestic rather than international adoption, and the adoptive parents would receive financial assistance. Generally, very young children were quickly adopted, but such was not the case with children aged 8 and up, many of whom had disabilities; a special programme had been set up for them to facilitate their adoption abroad.

48. Mr. MICKEVICIUS (Lithuania) said that trafficking in persons resulted from a range of factors, among which were poverty and poor education, the recrudescence of prostitution in foreign countries, people's freedom of movement, and the victims' ignorance of what awaited them abroad. Hence, a major public awareness campaign was being carried out in the media. Precise, reliable data were not available on the real scope of the phenomenon in Lithuania, nor on the proportion of juveniles concerned, but Lithuania was known to be at once a country of origin, of transit and of destination. According to EUROPOL, 1,000 Lithuanian women were sent abroad each year for purposes of prostitution. Lithuania was cooperating with foreign countries individually to dismantle the networks and arrest the culprits.

49. A new campaign against human trafficking and prostitution had been adopted for 2005–2008 under the responsibility of the Ministry of the Interior. It stressed prevention and the victims' reintegration into society.

50. The Penal Code had been amended and the penalties for trafficking in persons were now up to twelve years' imprisonment when the victims were adults and up to fifteen years' imprisonment if the victims were juveniles under 14 years or groups of children. Forced labour had become subject to criminal prosecution and, under

the terms of the bill to amend and augment the Administrative Offences Code, prostitutes' customers would be punished on the same basis as the prostitutes themselves. Finally, trafficking victims who had been forced into prostitution would no longer be subject to prosecution but would be granted a temporary residence permit.

51. Ms. SMITH thanked the delegation for the frank and useful dialogue engaged in in examining the report of the State party and was pleased with the authorities' manifest determination to advance the rights of the child in Lithuania, though it still needed to be made effective through the allocation of the necessary resources. She drew the delegation's attention to the concerns that would be raised by the Committee in its concluding observations, such as family violence, the large number of children institutionalized, adolescents' health and the education system.

52. Ms. MURAUSKAITĖ (Lithuania) said that the authorities were determined to make Lithuania a country fit for children and that society's attitudes toward the rights of the child were evolving.

*The meeting rose at 6 p.m.*