



**Convention on the
Rights of the Child**

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COMMITTEE ON THE RIGHTS OF THE CHILD
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**WRITTEN REPLIES BY THE GOVERNMENT OF LITHUANIA
CONCERNING THE LIST OF ISSUES (CRC/C/OPAC/LTU/Q/1) TO BE
TAKEN UP IN CONNECTION WITH THE CONSIDERATION OF THE
INITIAL REPORT OF LITHUANIA UNDER ARTICLE 8 (1) OF THE
OPTIONAL PROTOCOL TO THE CONVENTION ON THE RIGHTS OF
THE CHILD ON THE INVOLVEMENT OF CHILDREN IN ARMED
CONFLICT (CRC/C/OPAC/LTU/1)**

[Replies received on 24 August 2007]

**ADDITIONAL INFORMATION IN CONNECTION WITH THE
CONSIDERATION OF THE INITIAL REPORT OF LITHUANIA ON
THE OPTIONAL PROTOCOL ON THE INVOLVEMENT OF
CHILDREN IN ARMED CONFLICT (CRC/C/OPAC/LTU/1)**

- 1. Please inform the Committee whether Lithuania assumes extra-territorial jurisdiction over war crimes which involve conscripting or enlisting children into armed forces or armed groups or making them take a direct part in hostilities, in particular if committed by or against a Lithuanian citizen.**

Point 1 of article 7 of the Criminal Code of the Republic of Lithuania provides that persons shall be criminally liable under this Code regardless of their citizenship, their place of residence, the place of commission of the crime, or the liability of the committed act under the laws of the place where the crime was committed, for, *inter alia*, crimes against humanity and war crimes (arts. 99 to 113 of the Criminal Code), liability for which is specified in international agreements. Among the crimes mentioned that are subject to universal jurisdiction, there is also criminal liability for conscripting or enlisting children under 18 years of age into the armed forces, which is stipulated under article 105 of the Criminal Code.

- 2. Please provide disaggregated data (including by sex, age and country of origin) on the number of unaccompanied asylum-seeking, refugee and migrant children who have come to Lithuania from areas affected by armed conflict since 2003.**

Statistical data on the number of unaccompanied minors by sex, age and citizenship is provided in the annex (see below). None of the unaccompanied minors was granted asylum in the Republic of Lithuania; however, they were each provided with additional protection and issued a temporary residence permit.

- 3. Please provide information on what measures are being taken to facilitate the physical and psychological recovery and social reintegration of children who may have been involved in armed conflicts abroad, and whether training in this regard is being provided to professionals working with asylum-seeking, refugee and migrant children.**

Article 32(2) of the Law on the Legal Status of Aliens of the Republic of Lithuania (*Official Gazette*, 2004, No. 73-2539) stipulates that unaccompanied minor aliens, regardless of the lawfulness of their stay in the territory of the Republic of Lithuania, shall have the following rights: to be provided with free accommodation and be supported according to the procedure laid down by the Minister of Social Security and Labour of the Republic of Lithuania; to study at general education schools and vocational schools according to the procedure laid down by the Minister of Education and Science; to receive free emergency medical treatment according to the procedure laid down by the Minister of Health; to be provided with free social services according to the procedure laid down by the Minister of Social Security and Labour; to receive legal assistance guaranteed by the State; to contact the representatives of non-governmental or international organizations of the Republic of Lithuania.

According to article 77 of this law, the principle of the safe third country is not applied to unaccompanied minor aliens. Clause 101 of Order No. 1V-361 of the Minister of the Interior of the Republic of Lithuania as of 18 November 2004, On Approval of the Procedure for Examination of the Aliens' Applications for Asylum, Decision-Making and Enforcement, stipulates that applications for asylum filed by the unaccompanied minor aliens shall be examined under an emergency procedure.

Article 79(5) of the same law establishes that the **Refugees Reception Centre** as a budgetary agency providing social services for aliens who have been granted asylum in the Republic of Lithuania and unaccompanied minor aliens, as well as for easing the social integration of the aliens who have been granted asylum.

The Refugees Reception Centre has an infrastructure of social services that meets the child's needs and European Union (EU) standards, ensures material assistance, provides social and psychological services, and organizes the activities and education of children. Pre-school children are provided with the opportunity to freely attend pre-school education establishments. School age aliens are guaranteed the right to education in general education schools. Children are also offered additional Lithuanian-language courses according to a specially adapted programme.

The Refugees Reception Centre accommodates not only alien children who have come with their families, but also unaccompanied minor asylum-seekers. Pursuant to the Republic of Lithuania Law on the Legal Status of Aliens (*Official Gazette*, 2004, No. 73-2539), asylum-seekers shall be accommodated at the Foreigners' Registration Centre while the Ministry of the Interior makes a decision concerning the granting of asylum. Aliens who have been granted asylum shall be accommodated at the Refugees Reception Centre. However, in order to protect the best interests of the child and having regard to articles 17 and 18 of the EU Council Directive 2003/9/EC, unaccompanied minors, although only with the status of asylum-seekers, are immediately accommodated at the Refugees Reception Centre in Rukla after they come to Lithuania.

Unaccompanied minor aliens are provided with all facilities corresponding to their age and needs (material, hygienic, household, teaching, etc.). They receive social assistance, education, teaching, legal and psychological assistance and medical aid services. Proper conditions are created during the period of examining the application for asylum and integration (having been granted asylum). Unaccompanied minor aliens are accommodated in separate premises meeting their needs, and they are granted institutional care (the Refugees Reception Centre, pursuant to the rules of accommodating unaccompanied minor aliens, shall be appointed temporary guardian and representative of the child's interests).

Courses in social-skills development and moral education, as well as in familiarizing them with Lithuanian society, are organized for unaccompanied minor asylum-seekers.

Children are acknowledged to be the most vulnerable group of refugees: 80 per cent of minors currently staying in the Refugees Reception Centre have come from the areas affected by armed conflict (Chechnya, Afghanistan), where they were in

stressful conditions. According to the data of psychologists, the negative impact of the stressful situation is stronger when it affects an immature personality experiencing deep psychological trauma and finding itself in the alien environment. The Refugees Reception Centre therefore pays considerable attention to the provision of psychological assistance for children. The funds of the European Refugee Fund have been used to equip a psychological relaxation room, and children's occupation and fine arts therapy rooms in the centre. Unaccompanied minor asylum-seekers and alien children living in a family are specially provided with an individual psychologist's consultations and group psychotherapy sessions. This helps children who have experienced psychological traumas in their native country to adapt more successfully to the new environment and to resolve psychological problems typical of childhood/adolescence.

Seeking better social integration of children and expanding their outlook, excursions and trips to Lithuanian museums and historical places are organized. Moreover, meetings with schoolchildren from various Lithuanian secondary schools are also organized.

Pursuant to Clause 7.2.3 of the Procedure for the Provision of Support of the Lithuanian State for the Integration of Aliens Granted Asylum in the Republic of Lithuania approved by Order No. A1-238 of the Minister of Social Security and Labour of the Republic of Lithuania as of 21 October 2004, ongoing advanced training and development of skills is organized for the staff who work in the field of social integration of aliens who have been granted asylum. During the first half-year of 2007, two seminars were held for the employees of municipalities and non-governmental organizations (integration implementing institutions), other institutions and agencies who work in the field of social integration of aliens who have been granted asylum.

In 2006, the Migration Department under the Ministry of the Interior took part in the programme for the provision of support by the European Refugee Fund and implemented the project "Increasing effectiveness of the asylum procedure through the improvement of reception conditions for asylum-seekers". During the implementation, five advanced training seminars were organised, including two psychology seminars: "Communication psychology" and "Crisis and trauma psychology". The seminars analysed the issue of establishing a link and communicating with children who have experienced psychological and physical traumas during the armed conflict. Representatives of various institutions and agencies participating in the asylum procedure took part in the seminars.

The Migration Department under the Ministry of the Interior, pursuant to the Regulations of the Migration Department under the Ministry of the Interior, regularly organises advanced training courses and seminars for the staff of migration offices. One of the issues always touches the procedure and problems of granting asylum in the Republic of Lithuania. During these events, employees of migration offices are not only acquainted with the asylum procedure and actions that must be taken after they receive applications for asylum in the Republic of Lithuania, but they are also trained to work with vulnerable groups (including unaccompanied minor asylum-seekers). Presentations are made by qualified civil servants of the Migration

Department who have experience in dealing with vulnerable groups and who have participated in international training sessions of the like nature.

4. Could you please clarify the role which those members of the Lithuanian Riflemen's Union who have not reached the age of 18 would have in the event of war.

The Law on the Riflemen's Union of the Republic of Lithuania (*Official Gazette*, 1997, No. 69-1736; *Official Gazette*, 1999, No. 47-1468) and other relevant legislation do not stipulate any functions for members of the Lithuanian Riflemen's Union who have not reached the age of 18, i.e. junior riflemen, in the event of war.

5. Please inform the Committee whether measures have been taken to make the principles and provisions of the Optional Protocol widely known, including among members of the armed forces.

The Commission for the Implementation of International Humanitarian Law (for more details see the report on the implementation of article 6 of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict) coordinates dissemination of information on the international humanitarian law. The subject of the international humanitarian law has already been included into the training programmes of the Lithuanian Armed Forces and the Police. It is also instructed in the Military Academy of Lithuania, the School for Non-commissioned Officers, Vilnius University and Mykolas Romeris University.

The Law on Procedure of Publication and Coming into Force Laws and Other Legal Acts of Republic of Lithuania (*Official Gazette*, 1993, No. 12-296; *Official Gazette*, 2002, No. 124-5626) lays down that the laws, the international agreements and other legal acts shall be published in the *Official Gazette* and on the Internet sites of the Seimas as well as the institution which has adopted them. Furthermore, all information relating to the implementation of the international humanitarian law in Lithuania is placed on the website of the responsible authority – the Ministry of National Defence (at www.kam.lt)

Annex

Unaccompanied minors by citizenship and age

Citizenship	2003			2004			2005			2006			2007 (I half-year)		
	0-13	14-15	16-18	0-13	14-15	16-18	0-13	14-15	16-18	0-13	14-15	16-18	0-13	14-15	16-18
Afghanistan			1					1							
Armenia		1													
Byelorussia			1												
Estonia	1														
Georgia								1	1						
Nigeria								1							
Pakistan						2						1			
Russian Federation		3	13	1		6			5			2			
Stateless			2		1	1									
Ukraine		2													
Uzbekistan													3	1	
Total	1	6	17	1	1	9		3	6			3	3	1	
	24			11			9			3			4		

Unaccompanied minors by citizenship and gender

Citizenship	2003		2004		2005		2006		2007 (I half - year)	
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
Afghanistan	1				1					
Armenia	1									
Belarus		1								
Estonia		1								
Georgia					2					
Nigeria						1				
Pakistan			2				1			
Russian Federation	9	7	2	5	1	4	2			
Sri Lanka										
Stateless	1	1	2							
Ukraine		2								
Uzbekistan									3	1
Total	12	12	6	5	4	5	3		3	1
	24		11		9		3		4	
