



Strasbourg, 20 February 2018

GRETA(2018)4

Reply from Lithuania
to the Questionnaire for the evaluation of the implementation
of the Council of Europe Convention on Action against
Trafficking in Human Beings by the Parties

Second evaluation round
(Reply submitted on 6 February 2018)

Introduction

In accordance with Article 38, paragraph 1, of the Convention on Action against Trafficking in Human Beings, GRETA evaluates the implementation of the Convention following a procedure divided into rounds. At the beginning of each round, GRETA selects the specific provisions on which the evaluation procedure is based.

GRETA has decided that the second evaluation round of the Convention will start on 15 May 2014. For the second evaluation round, GRETA has adopted a questionnaire to be sent to all states parties which have undergone the first round of evaluation, following a timetable approved by GRETA. States parties are requested to transmit to GRETA a reply to this questionnaire within five months from the date it was sent.

Following a first round of monitoring, which provided an overview of the implementation of the Convention by each state party, GRETA has decided to examine during the second evaluation round the impact of legislative, policy and practical measures on the prevention of trafficking, the protection of the rights of victims of trafficking, and the prosecution of traffickers. The adoption of a human rights-based approach to action against trafficking in human beings remains at the centre of this new evaluation round. In addition, particular attention is paid to measures taken to address new trends in human trafficking and the vulnerability of children to trafficking. GRETA has selected provisions of the Convention which are mainly related to these issues.

The reply to the questionnaire should be submitted in one of the official languages of the Council of Europe (English and French), and preferably also in the original language. The reply to the questionnaire should contain all the relevant information on the implementation of the Convention since GRETA's first evaluation report. Particular emphasis should be put on the practice and impact of legislative and other measures taken. Where appropriate, in order to avoid unnecessary repetition, the reply may refer to information contained in the report submitted by the national authorities on measures taken to comply with the Committee of the Parties' recommendation concerning the implementation of the proposals made in GRETA's first evaluation report.

States parties should provide copies or extracts of relevant legislation, regulations and case law mentioned in the reply to the questionnaire (as an appendix to the reply). These copies/extracts should be supplied in the original language and, wherever possible, also in one of the official languages of the Council of Europe.

A variety of stakeholders and civil society representatives should be effectively consulted in the preparation of the reply to the questionnaire, to ensure that the information provided is as comprehensive as possible.



**LIETUVOS RESPUBLIKOS VIDAUS REIKALŲ MINISTERIJA
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Executive Secretary of the Council of Europe Convention
on Action against Trafficking in Human Beings

6 February 2018 No. 1D- 692 (12)

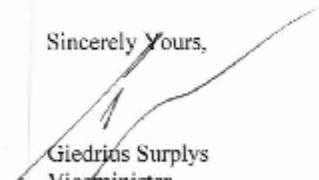
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**RE: REPLY OF LITHUANIA TO THE QUESTIONNAIRE FOR EVALUATION OF THE
IMPLEMENTATION OF THE COUNCIL OF EUROPE CONVENTION ON ACTION
AGAINST TRAFFICKING IN HUMAN BEINGS BY THE PARTIES – SECOND
EVALUATION ROUND**

Referring to your letter of 5 September 2017, please find attached the reply of Lithuania to the questionnaire on the implementation of the Council of Europe Convention on Action against Trafficking in Human Beings.

Thank you for co-operation.

Sincerely Yours,


Giedrius Surplys
Vice Minister

Enc.

Lithuania
Celebrates **100**

A. Follow-up questions

1. *Please provide information on developments since GRETA's first evaluation report on your country in the following areas:*

- *the main forms of trafficking in human beings (THB) and emerging trends observed in your country (for example, any new types or sectors of exploitation, recruitment methods, countries of origin or destination of the victims);*
- *any changes in your country's laws and regulations relevant to action against THB;*
- *the institutional framework for action against THB, in particular: any changes in respect of the composition and functions of the bodies responsible for co-ordinating national action against THB, the involvement of NGOs in co-ordinating bodies, the entities specialised in the fight against THB, and the establishment of a national rapporteur or other mechanism for monitoring the implementation of anti-trafficking strategies, policies and activities;*
- *an overview of the current national strategy and/or action plan to combat trafficking in human beings (duration, objectives and main activities, bodies responsible for its implementation, budget, monitoring and evaluation of results).*

Trends in trafficking in human beings (THB)

The Penal Code of the Republic of Lithuania incorporates two articles on THB: Article 147 "Trafficking in Human Beings" defines criminal responsibility for trafficking in adults and Article 157 "Purchase or Sale of a Child" outlines criminal responsibility for trafficking in children. In addition, Article 147-1 "Exploitation for Forced Labour or Services" defines criminal responsibility for exploitation for forced labour or services and Article 147-2 "Use of Forced Labour or Services" incorporates criminal responsibility for use of forced labour or services.

In 2014–2016, criminal cases related to THB for sexual exploitation, forced criminal activities, labour exploitation, forced marriages, and pornography, as well as to exploitation for forced labour or services and use of forced Labour or services were investigated.

The number of initiated criminal cases had been gradually increasing each year since 2012. This trend also remained in 2017. As a result of continuous counter-THB measures, the number of initiated cases for THB for sexual exploitation had been gradually decreasing each year since 2013 including the period of 2014–2016 when the majority of initiated criminal cases related to THB for non-sexual purposes. However, a new trend was fixed: the number of criminal cases for THB for forced criminal activities had been significantly increasing. These trends also remained in 2017.

In 2014–2016, criminal cases related to domestic THB when Lithuania was a target country or a transit country when the crime was disrupted in transit in Lithuania before the exploitation phase in another country and to international THB when victims were trafficked and exploited in other countries. Thus, by criminal cases, Lithuania remained the source-transit-target country. Based on criminal investigations, among foreign countries, the main target countries were the United Kingdom and Germany, other target countries were Austria, the Netherlands, France, Finland, Italy, Columbia, Norway, Ireland, Denmark, and United Arab Emirates.

In the period of 2014–2016, formally identified victims related to THB for forced criminal activities, labour exploitation, sexual exploitation, and forced marriages (besides the victims of exploitation for forced labour or services). The biggest number of the individuals were recognised as victims of THB for forced criminal activities. All victims were Lithuanians, excluding two women (one Russian in 2015 and one Columbian in 2016).

In 2016, the number of men identified as victims of THB increased and was higher in comparison to the one of identified women victims. This change was influenced by decreased number of investigations related to THB for sexual exploitation and increased number of investigations related to THB for forced criminal activities. In 2016, the number of children identified as victims of THB decreased several times in comparison to the number of such children in 2015.

The trends in recruitment remained similar as in the previous reporting period: victims were recruited through direct conversation eye to eye or on phone, excluding a couple of cases in 2016 when Internet and press were used (in exploitation for forced labour or services cases victims were mostly recruited via job ads). In 2015, traffickers misused vulnerability of victims in the majority of cases, also deceit and dependency upon traffickers were detected in a few cases. In 2016, the most popular mean used was deceit, also vulnerability of victims was misused, threats and physical violence were detected in 2 cases each.

In 2014–2016, there were 160 individuals prosecuted for THB, exploitation for forced labour or services and use of forced labour or services in the criminal procedure. In the reporting period, as in 2011–2013, the majority (app. 86,3 %) of the prosecuted traffickers were men (to compare, in 2011–2013, app. 85,7 % of traffickers were men). Traffickers were prosecuted for THB for sexual and labour exploitation, forced criminal activities and forced marriages, pornography, both forced criminal activities and forced labour, both forced criminal activities and exploitation for forced labour or services, and forced labour, exploitation for forced labour or services and use for forced labour or services, as well as for exploitation for forced labour or services. All prosecuted traffickers were Lithuanians excluding one Nigerian man in 2016. No legal persons were prosecuted.

In comparison to the previous reporting period, in 2014–2016, the number of convicted traffickers at first instance courts increased and the majority of them remained men. The penalties also remained high (up to 12 years of imprisonment). The number of traffickers convicted for THB for forced criminal activities had been increasing and the penalties for this type of crime were the highest.

To conclude, the number of disclosed cases related to THB for forced criminal activities had been increasing since 2013 when they were first registered and it remained a prevailing type of THB in 2017 with the trend to spread even more in the coming years. Also the scale of THB for forced labour and exploitation for forced labour or services might be increasing in the coming years. With the increase of those types of crimes and the decrease of THB for sexual exploitation, the number of men victims had been increasing since 2013 and they might constitute a bigger part of victims in the coming years in Lithuania what happened in 2016. In addition, with increasing numbers of third countries nationals seeking jobs in Lithuania, there might be more disclosures of THB cases related to third countries nationals trafficked to and exploited in Lithuania.

Legal regulation and organisation of coordination and monitoring

In 2015–2017, Lithuania undertook essential structural development in the field of the fight against THB as regards legal regulation and organisation of coordination and monitoring of the fight against THB, including victims' referral mechanism.

Penal Code of the Republic of Lithuania

On 12 May 2016, the Seimas of the Republic of Lithuania adopted the Law No. XII-2340 on the Amendment of Articles 147 and 157 of the Penal Code of the Republic of Lithuania (Register of Legal Acts, 24/05/2016, No. 13906, available online

<https://www.e-tar.lt/portal/legalAct.html?documentId=84e5d95021b211e6ad34b874fec21bdb>): the non-exhaustive lists of forms of exploitation of the crimes "Trafficking in Human Beings" and "Purchase or Sale of a Child" were supplemented with "forced, sham marriages" (see below in Bold).

Article 147. Trafficking in Human Beings

1. A person who sells, purchases or otherwise conveys or acquires a person or recruits, transports or holds in captivity a person by using physical violence or threats or by otherwise depriving

him of a possibility of resistance, or by taking advantage of the victim's dependence or vulnerability, or by resorting to deceit, or by accepting or paying money or by obtaining or granting any other benefit to a person who actually has the victim under his control, where the offender is aware of or seeks exploitation of the victim, irrespective of the latter's consent, for the purposes of slavery or under the conditions similar to slavery, prostitution, pornography or any other forms of sexual exploitation, **forced, sharm marriages**, forced labour or services including begging, or for the commission of a criminal offence or for any other exploitative purposes shall be punished by imprisonment for a term from two to ten years.

2. A person who commits the act provided for in Paragraph 1 of this Article in respect of two or more victims or by endangering the victim's life, or by participating in an organised group, or by being aware of or seeking the acquisition of the victim's organ, tissue or cells, or while acting in his capacity as a civil servant or a person fulfilling public administration functions and performing his duties shall be punished by imprisonment for a term from four to twelve years.

3. The victim of the criminal offence provided for in this Article may be released from criminal liability for the criminal offence which he has been directly forced to commit because of the criminal offence provided for in this Article committed against him.

4. A legal entity shall also be held liable for the acts provided for in Paragraphs 1 and 2 of this Article.

Article 157. Purchase or Sale of a Child

1. A person who offers to purchase or otherwise acquire a child or sells, purchases or otherwise conveys or acquires a child, or recruits, transports or holds in captivity a child, while being aware of or seeking that the child, irrespective of the latter's consent, be illegally adopted or exploited for the purposes of slavery or under the conditions similar to slavery, prostitution, pornography, any other forms of sexual exploitation, **forced, sharm marriages**, forced labour or services including begging, or for the commission of a criminal offence or for any other exploitative purposes shall be punished by imprisonment for a term from three to twelve years.

2. A person who commits the act provided for in Paragraph 1 of this Article in respect of two or more children or against young children, or by endangering the victim's life, or by participating in an organised group, or by being aware of or seeking the acquisition of the victim's organ, tissue or cells, or while acting in his capacity as a civil servant or a person fulfilling public administration functions and performing his duties shall be punished by imprisonment for a term from five to fifteen years.

3. The victim of the criminal offence provided for in this Article may be released from criminal liability for the criminal offence which he has been directly forced to commit because of the criminal offence provided for in this Article committed against him.

4. A legal entity shall also be held liable for the acts provided for in Paragraphs 1 and 2 of this Article.

Criminal Procedure Code of the Republic of Lithuania

On 17 December 2015, the Seimas of the Republic of Lithuania adopted the Law No. XII-2194 on the Amendment of Articles 8, 9, 28, 43, 44, 128, 185, 186, 188, 214, 239, 272, 275, 276, 280, 283, 308 and Annex of the Criminal Procedure Code of the Republic of Lithuania and on the Supplement to the Code with Articles 27¹, 36², 56¹, 186¹ (Register of Legal Acts, 30/12/2015, No. 20993, available online <https://www.e-tar.lt/portal/legalAct.html?documentId=1085d150aee411e5b12fbb7dc920ee2c>). With this Law **Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA, was implemented in Lithuania**. In addition, this Law was followed by sub-statutory legal acts, e. g. Recommendations on evaluation of special needs of victims in criminal proceedings approved by Ruling No. I-63 of 29 February 2016 by Prosecutor General of the Republic of Lithuania (Register of Legal Acts, 01/03/2016, No. 4051, available online

<https://www.e-tar.lt/portal/lt/legalAct/86bc22f0dfa611e58a92afc65dd68e97>). The Recommendations define procedures of evaluation of special needs of victims in criminal proceedings, 18 measures of special protection and the grounds to apply them.

Interdepartmental and intersectoral coordination

To strengthen the institutional framework for action against THB and involve more actors into the coordination mechanism, on 11 August 2016 the Government of the Republic of Lithuania adopted Resolution No. 785 on Coordination of the Fight against THB (the Resolution on Coordination) (Register of Legal Acts, 16/08/2016, Nr. 22334, available online https://www.e-tar.lt/portal/lt/legalAct/19730980609211_e68abac33170fc3720). The Resolution on Coordination established the institutional composition of the Commission of Coordination of the Fight against THB (the Commission of Coordination), defined its tasks and functions, responsibilities and powers, as well as set up that all state and municipal institutions represented in the Commission of Coordination plan counter-THB activities and actions which are included into the national action plan against THB approved by Minister of the Interior of the Republic of Lithuania and their representatives discuss the planned and implemented counter-THB activities and actions, as well as their results in the meetings of the Commission of Coordination and coordinate within their competence the decisions made by the Commission of Coordination in the institution or organisation which they represent. The Commission of Coordination consists of 23 high level state, municipality, non-governmental and church representatives from all responsible agencies and is tasked to coordinate all counter-trafficking efforts in (of) the country. The personal composition of the Commission of Coordination was approved on 26 September 2016 by Ruling No. 1V-673 on Approval of the Personal Composition of the Commission of Coordination of the Fight against Trafficking in Human Beings issued by Minister of the Interior of the Republic of Lithuania (Register of Legal Acts, 26/09/2016, No. 24039, available online <https://www.e-tar.lt/portal/lt/legalAct/631e9ab083b811e6b969d7ae07280e89>). Because of elections, a new composition of the Commission of Coordination was approved on 3 May 2017 by Ruling No. 1V-338 of Minister of the Interior of the Republic of Lithuania (Register of Legal Acts, 03/05/2017, No. 7390, available online <https://www.e-tar.lt/portal/lt/legalAct/f5ebc2102fc911e78397ae072f58c508>).

Representatives of municipalities and the Association of Local Authorities in Lithuania are the members of the Commission of Coordination with equal rights and responsibilities, they coordinate within their competence planning, implementation, and evaluation of counter-trafficking activities and actions, as other members of the Commission of Coordination together and each in their territory, the representative of the Association of Local Authorities in Lithuania coordinates their efforts and ensures integrity, continuity and distribution of expertise, as well as coordination of efforts of several municipalities, renders methodical assistance, if necessary, and etc. Other members of the Commission of Coordination, including the ones from the state institutions, exchange information, plan activities and actions, coordinate their implementation, discuss issues and look for solutions among themselves and together with the representatives of municipalities. In addition, representatives of central institutions are members of local counter-trafficking commissions. The members of the Commission of Coordination are chairs of counter-trafficking commissions in their municipalities. Furthermore, the municipalities' activities and actions of the national action plan against THB are implemented under coordination or methodical assistance of relevant central institutions what also ensures that their implementation is coordinated among municipalities. To conclude, the municipality counter-trafficking coordination mechanism is an integral part of the national counter-trafficking coordination mechanism and this institutional framework streamlines the coordination of counter-trafficking activities and actions at municipality level vertically and horizontally between the central authorities and municipalities themselves.

The church and non-governmental organisations (NGOs) are members of the Commission of Coordination with equal rights and responsibilities, they coordinate within their competence planning, implementation, and evaluation of counter-trafficking activities and actions, as other members of the Commission of Coordination together and each in their relevant sector and organisation, include relevant activities and actions into their plans.

Furthermore, in 2014–2015, the international project “Strengthening the Role of Municipalities in the Work against Trafficking in Human Beings in the Baltic Sea Region” aimed at strengthening the capacity

and role of municipalities in the chain of assistance to victims of THB in the Baltic Sea Region (STROM I) resulted in mapping of the situation and developing and spreading nationally and locally specific guidelines for municipalities “Guidelines for Municipalities – Stepping up Action against Human Trafficking” on how to deal successfully with cases of THB, and how to develop local referral mechanisms including the role of all local actors in preventing THB and assisting victims of this crime (funded from the Council of the Baltic Sea States Project Facility Fund).

In 2016–2017, additional efforts were devoted to strengthen the role of municipalities and involve local actors more in prevention of THB and in identification, referral and assistance of victims of this crime, implementing the transnational project “Strengthening the Role of Municipalities in the Work against Trafficking in Human Beings (STROM II)” in the Baltic Sea Region funded by the Nordic Council of Ministers and the Swedish Institute, coordinated by the Council of the Baltic Sea States Task Force against Trafficking in Human Beings (TF-THB), in Lithuania – by the Ministry of the Interior of the Republic of Lithuania (continuation of the project STROM I and ADSTRINGO project, see below). In 2017, the project resulted in developed procedures on organisation and coordination of the fight against THB on municipality level including data collection and management, planning and implementation of preventive and victim assistance and protection (identification, referral and assistance) activities, monitoring and reporting, as well as training, complementing the work of civil society organisations funded by the state, thus, the capacities of municipalities to tackle THB and to ensure assistance, protection and support for victims of THB were expanded. In addition, local actors were trained on those issues. Several municipalities adopted the procedures, arranged training and exchange of experiences among municipality actors on organisation and coordination of the fight against THB.

In 2012–2014, the Ministry of the Interior of the Republic of Lithuania and the European Institute for Crime Prevention and Control, affiliated with the United Nations (HEUNI), the TF-THB and the University of Tartu implemented the international project in the Baltic Sea Region “Adstringo: Addressing Trafficking in Human Beings for Labour Exploitation through Improved Partnerships, Enhanced Diagnostics and Intensified Organisational Approaches” (ADSTRINGO), which contributed to the implementation of one of the objectives of Priority Crime Area of the European Union Strategy for the Baltic Sea Region – take measures for prevention of THB and protection of victims in the Baltic Sea Region under the responsibility of Lithuania (Ministry of the Interior) (funded by Prevention of and Fight Against Crime Programme of the European Commission, TF-THB, Ministry of the Interior of the Republic of Lithuania and HEUNI). The project included sociological research about the methods of recruitment for THB for forced labour and the role of employment agencies and employers in this sphere in Lithuania, Estonia, Sweden and Finland, which resulted in publication of the results and recommendations in Lithuanian, Estonian, Swedish and Finnish and the development of the [Guidelines to prevent abusive recruitment, exploitative employment and trafficking of migrant workers in the Baltic Sea region](#) with the Guidelines – In Brief version for Governmental and civil society actors, natural and legal persons providing employment services and for employers about migrants victims of THB and forced labour, identification of such cases, their prevention and the rights of migrants in 2014. The publications and recommendations were presented and distributed to responsible public and private actors including diplomats, media, universities and libraries, civil society organisations and the public, as well as the international community. They were used in policy formation, planning and training.

In 2015–2016, the project “Preventing human trafficking and sham marriages: A multidisciplinary solution” (HESTIA) (with the support of Directorate General of Home Affairs of European Commission “Prevention of and Fight against Crime Programme”, coordinated by the Ministry of the Interior of the Republic of Latvia, in Lithuania – by civil society organisation Lithuanian Caritas) was implemented. The project developed a report and recommendations on sham marriages and raised awareness on THB for forced marriages and methods, procedures to fight this form of THB for law enforcement and responsible specialists. The results were spread nationally and locally. The positive effect – increasing number of disclosed and investigated crimes of this type.

On 17 December 2015, Prosecutor General, Minister of the Interior and Minister of Social Security and Labour of the Republic of Lithuania approved Recommendations regarding Identification of Victims of Trafficking, Criminal Investigations and Interagency Cooperation by Ruling No. I-327/1V-1015/A1-758 on Approval of Recommendations regarding Identification of Victims of Trafficking, Criminal Investigations

and Interagency Cooperation (the Recommendations) (available online https://www.e-tar.lt/portal/lt/legalAct/801bbb20_ad5311e5b12fbb7dc920ee2c). At the same ceremony, four NGOs rendering assistance to victims of THB supported by the state through the Ministry of Social Security and Labour of the Republic of Lithuania and IOM Vilnius Office signed a cooperation declaration on applying the document in their daily tasks. The Recommendations established unified victim identification criteria with explanation of necessary terms, defining the identification process and cooperation of relevant actors in referral of such victims, including NGOs and IOM Vilnius office. The Recommendations were distributed and explained to relevant actors through training sessions (also specialists meet once a year to discuss the needs to supplement the Recommendations (the activity of the Plan for 2017–2019, see below). The Recommendations contain the description of the role of police, border guards, prosecutors, labour inspectors, consuls, municipality specialists including child rights specialists, NGOs, IOM Vilnius Office, etc. in the referral mechanism. Since the approval of the Recommendations, any training related to identification and referral of victims also refers to the application of the Recommendations. On 24 February 2016, Minister of the Interior of the Republic of Lithuania signed Ruling No. 1V-131 on Approval of Procedures for Granting and Withdrawal of Asylum in the Republic of Lithuania which describes identification of vulnerability of asylum seekers including THB victims (available online https://www.e-tar.lt/portal/lt/legalAct/ebc768d0dadd11_e583a295d9366c7ab3). In case of THB, procedures described in the Recommendations are used for further actions. Their implementation is reviewed each year.

In addition, the Regulations on the organisation of competitions of the projects for social assistance for victims of THB for 2016–2018 approved on 22 January 2017 by Ruling No. A1-38 of Minister of Social Security and Labour of the Republic of Lithuania set out the requirements for social assistance to victims of THB for the NGOs which are financed by the State to render assistance to such victims (the assistance has to be rendered in a coordinated and complex manner and consist of social assistance, temporary accommodation, psychological care and healthcare, legal, educational and employment help, and etc. based on the evaluation of individual needs of the victim and following the individual social assistance plan). The NGOs rendering assistance to victims of THB are financed by the State through the Ministry of Social Security and Labour of the Republic of Lithuania. Extra funding to NGOs were allotted by municipalities to implement prevention and assistance projects in their territory. In addition, social services, including temporary accommodation, legal, psychological assistance, health care, organisation of education to victims of THB and their children – residents of the municipality were provided by municipality specialised assistance agencies.

National action plan against THB

On 29 August 2016, Minister of the Interior of the Republic of Lithuania signed Ruling No. 1V-598 on Approval of the National Action Plan against Trafficking in Human Beings for 2017–2019 (Register of Legal Acts, 29/08/2016, No. 22812, available online https://www.e-tar.lt/portal/lt/legalAct/5b99fd306ddc11e6a_014b8463e530a88). The National Action Plan against Trafficking in Human Beings for 2017–2019 (the Plan for 2017–2019) covers a wide spectrum of activities and actions against THB on national and local levels with responsible bodies, timeframe and financial resources under the following objectives: to strengthen counter-THB coordination, to improve THB prevention and prosecution, to strengthen the mechanism of assistance for victims or potential victims of THB and to develop competences and skills of responsible officials and specialists who may come into contact with victims of THB. The activities and actions are being implemented by state agencies and municipalities in cooperation with NGOs, where applicable (the activities and actions were cascaded into the plans of those subjects). Evaluation of results of the implemented activities and actions is conducted each year (in pursuant to the methodology for strategic planning adopted by the Government of the Republic of Lithuania).

Monitoring

On 23 November 2016, the Government of the Republic of Lithuania adopted Resolution No. 1161 on National Rapporteur of the Republic of Lithuania for counter-THB Issues (the Resolution on National Rapporteur) (Register of Legal Acts, 28/11/2016, No. 27579, available online <https://www.e-tar.lt/portal/lt/legalAct/5899f9d0b53c11e6aae49c0b9525cbbb>), which defines the tasks of the National

Rapporteur of the Republic of Lithuania for counter-THB Issues (National Rapporteur for THB) and empowers Minister of the Interior of the Republic of Lithuania to appoint National Rapporteur for THB and establish the procedures necessary to perform the tasks. National Rapporteur for THB collects statistical data and other relevant information on THB and counter-THB activities and actions, conducts their analysis and evaluates trends of THB and the results of counter-THB activities and actions, as well as issues recommendations for further progress of the fight against THB and presents them to Minister of the Interior of the Republic of Lithuania, the Commission of Coordination and the public. Minister of the Interior of the Republic of Lithuania informs the Government of the Republic of Lithuania on the recommendations by National Rapporteur for THB each year until the 1st of March. In addition, National Rapporteur for THB represents Lithuania in the Network of National Rapporteurs or Equivalent Mechanisms of the European Union (EU) and passes information to the EU Anti-Trafficking Coordinator. National Rapporteur for THB was appointed and the procedures necessary to perform the tasks were defined by Ruling No. 1V-245 on the Appointment of the National Rapporteur of the Republic of Lithuania for counter-THB Issues and Approval of Procedures on Collection and Publishing of Statistical Data and Other Information regarding Trafficking in Human Beings, as well as Activities and Actions of the Fight against Trafficking in Human Beings issued by Minister of the Interior of the Republic of Lithuania on 31 March 2017 (Register of Legal Acts, 03/04/2017, No. 5425, available online <https://www.e-tar.lt/portal/lt/legalAct/9150c680160f11e79800e8266c1e5d1b>). Procedures on Collection and Publishing of Statistical Data and Other Information regarding Trafficking in Human Beings, as well as Activities and Actions of the Fight against Trafficking in Human Beings approved on 31 March 2017 by Ruling of Minister of the Interior of the Republic of Lithuania establishes a comprehensive and coherent system on collection of data and other information on THB, activities and actions to fight against this crime, as well as their results (reliable statistical data and other information allow disaggregation (concerning sex, age, type of exploitation, country of origin and/or destination, etc.) and measuring of the results from all relevant actors, including state actors, municipalities, NGOs, IOM Vilnius Office and others who might receive relevant data through their activities. The content of the legal act was agreed with the State Data Protection Inspectorate and it respects the right to personal data protection.

B. Cross-cutting questions

Gender equality (Articles 1.1.b, 5.3 and 17)

2. *What specific measures are taken in your country to address the gender dimension of THB and incorporate gender equality into the policies to prevent and combat THB and to protect and promote the rights of victims, including through the empowerment of women and girls?*

In Lithuania, general principles are applied while developing and implementing the policies against THB and the policies are based on situational analysis, present and future trends, taking into account the most vulnerable individuals of the population. The Ministry of Social Security and Labour of the Republic of Lithuania runs different programmes aimed at decreasing vulnerability and supporting the most vulnerable. The Law on Equal Opportunities for Women and Men of the Republic of Lithuania (Register of Legal Acts, 17/11/2016, No. 26966, available online <https://www.e-tar.lt/portal/lt/legalAct/TAR.746227138BCB/FLcEVzJmSQ>) prohibits harassment, sexual harassment, or any form of discrimination (direct or indirect) on the basis of sex in the areas of employment, education and science, the supply of goods and services and social security. This Law defines the actions which are mandatory for employers, institutions of education and science, authorities responsible for the protection of consumer rights and social security systems in order to ensure equal opportunities for women and men. The National Programme on Equal Opportunities for Women and Men for 2015–2021 (Register of Legal Acts, 11/02/2015, No. 2062, available online <https://www.e-tar.lt/portal/lt/legalAct/dc012450b1ca11e48296d11f563abfb0>) was adopted by the Government of the Republic of Lithuania on 4 February 2015 with intentions to consistently, comprehensively systematically and universally promote gender equality and eliminate differences in the status of women and men. This Programme establishes areas of development of methods and mechanisms for the implementation of gender equality principles in employment, education, science and decision-making. Activities are planned and their implementation is coordinated by the Ministry of Social Security and Labour of the

Republic of Lithuania. It is supplemented by the Action Plan for the Implementation of the National Programme on Equal Opportunities for Women and Men for 2015–2021 in 2015–2017 approved by Minister of Social Security and Labour of the Republic of Lithuania on 13 April 2015 (Register of Legal Acts, 13/04/2015, No. 5755, available online <https://www.e-tar.lt/portal/lt/legalAct/8d1477a0e1b011e4a4809231b4b55019>).

Non-discrimination (Article 3)

3. *What measures are taken to ensure that trafficked persons who are members of ethnic minorities have access to the rights specified in the Convention?*

The Law on Equal Opportunities of the Republic of Lithuania (available online <https://www.e-tar.lt/portal/lt/legalAct/TAR.0CC6CB2A9E42/TYmbevkrZH>) prohibits direct or indirect discrimination based on age, sexual orientation, disability, racial or ethnic origin, religion or beliefs and other grounds established in the international agreements or laws of the Republic of Lithuania. The Law also ensures the right to legal protection and defines the procedures. The Action Plan for the Promotion of Non-discrimination for 2017–2019 approved by Ruling No. A1-250 of the Minister of Social Security and Labour of the Republic of Lithuania of 15 May 2017 (Register of Legal Acts, 17/05/2017, No. 8293, available online <https://www.e-tar.lt/portal/lt/legalAct/fa5d2b103a3f11e7b66ae890e1368363>) contains the set of measures for public awareness aimed at increasing mutual understanding and tolerance in terms of all grounds.

In addition, the norms strictly defining that trafficked persons regardless their gender, age, nationality, etc. shall be referred for and get necessary assistance based on personal needs are incorporated in the Recommendations.

NGOs provide social assistance for all victims and potential victims of THB regardless to their nationality or to the fact where they were trafficked and exploited – in Lithuania or abroad, or whether they are locals or foreigners, or belong to ethnic minorities, as in the rules approved by Minister of Social Security and Labour of the Republic of Lithuania for assistance projects by NGOs to be funded from the State budget).

4. *What specific measures are taken to ensure that trafficked persons who are irregular migrants or migrant workers are identified as victims of THB and have access to the rights provided for in the Convention?*

The Recommendations incorporate identification, referral, assistance and protection procedures for any individual – resident or migrant and they are applied to all victims of THB. In addition, the State Border Guard Service under the Ministry of the Interior of the Republic of Lithuania issued a special order and obliged both its structural units that are in charge of profiling of passengers and the Foreigners Registration Centre where illegal immigrants are temporary kept under detention and asylum seekers are housed to carry out their activities in compliance with the Recommendations. Commissioner General of the Lithuanian Police also issued a special order on identification and referral of victims of THB procedures of which are obligatory to all police units. Chief Labour Inspector of the Republic of Lithuania issued a special order on identification and referral of victims of THB for labour inspectors. The application of the Recommendations and related legal acts is explained and discussed at courses for development of professional skills of responsible officers and specialists (e. g. for border guards – during the special course on THB at the Border Guard School and refresher courses “Fight against Trafficking in Human Beings” which are arranged each year, for the police – during special courses on THB arranged 2 times per year, for prosecutors – during the special course on THB arranged by the Prosecutor General’s Office). Specialised NGOs are invited to take part in those courses, as well as they are invited to preventive raids together with police, border guards, labour inspectors to locations where illegal activities might be conducted and people might be exploited. Furthermore, NGOs start providing assistance for victims of THB and exploitation for forced labour or services since the first intake, if victims agree to receive their assistance.

Since 2013, the State Labour Inspectorate under the Ministry of Social Security and Labour of the Republic of Lithuania, implementing priorities of the Government of the Republic of Lithuania in the sphere of supervision of economic entities, has conducted the assessment of risks of economic entities related to illegal work and inspections of illegal work without prior announcement (including operations of recruitment agencies). E. g. labour inspectors carried out 7091 inspections in 2015 (those inspections were intensified in comparison to previous years) for prevention and control of illegal work: 6654 economic entities were inspected and 1254 illegal workers were found (there was a decrease in employees found under illegal work) which resulted in 805 administrative law violations reports. Two reports were forwarded to prosecutors to evaluate the data and initiate cases on THB or related crimes. In 2016, 7012 inspections were carried out: 6749 economic entities were inspected and 1129 illegal workers were found (again, there was a decrease in employees found under illegal work) which resulted in 778 administrative law violations reports. Even 65 reports were forwarded to relevant institutions to evaluate the data and initiate necessary actions within their competence. The checks showed that the number of illegal workers had been decreasing year by year, as well as the demand for illegal work because of numerous preventive activities.

The EURES Office at the Lithuanian Labour Exchange under the Ministry of Social Security and Labour of the Republic of Lithuania and 10 EURES offices in territorial labour exchanges were widely engaged in prevention of illegal work abroad: checked whether the job offer contained trustful information and met the standards of labour law of the member state (labour contract, salary, work time); raised awareness of the persons looking for work abroad (organized awareness raising events, individual consultations); strived to ensure that people who were leaving for work in other countries were not be discriminated, knew their rights and duties, had equal opportunities to work (hand-outs, information leaflets, and etc.). In addition, the police arranged special raids to the locations where sexual services might be rendered what resulted in issuing administrative law violations protocols and encouraging the prostituting persons to receive assistance.

Furthermore, the police with partners (labour inspectors, social workers, child rights specialists) took part in international operations to prevent forced labour and sexual exploitation coordinated by Europol in 2016 and in 2017.

Moreover, during a huge preventive campaign in October – December 2017, flyers in Lithuanian, Russian and English were distributed among Lithuanians and foreigners (the flyers contained information on THB and exploitation for forced labour, characteristics on suspicious job ads, and offered assistance) (also see the comment under Question 22).

Activities of international projects: STROM I, STROM II, ADSTRINGO, “Stop Traffick: Tackling Demand for Sexual Services of trafficked women and girls”, HESTIA also included the development of the mechanism of identification, assistance and protection of migrants victims of THB (see comments under Question 1).

Over and above that, continuous training sessions for responsible officers and specialists, as well as their partners were organised using the mentioned documents, material produced during projects, case studies and through discussions of relevant topics (see comments under Questions 1, 3 and 6).

All the counter-THB measures resulted in ongoing discussions on THB and exploitation, their indicators, demand reduction, increasing detection of THB cases and competent handling of such cases, development of cooperation, relevant assistance to victims of THB and exploitation, continuously spreading information to the public on THB and exploitation in mass media under the initiative of journalists themselves or in cooperation with relevant specialists and in the websites of responsible institutions and organisations, consultations for natural and legal persons on phone, by email or online (especially popular in 2017 – for businesses on legal employment). The State Labour Inspectorate under the Ministry of Social Security and Labour of the Republic of Lithuania used an “electronic consultant”, which advised by email (info@vdi.lt) and provided employers and employees with consultations on phone. The EURES Office of the Lithuanian Labour Exchange under the Ministry of Social Security and Labour of the Republic of Lithuania managed a special consultations email box (eures@ldb.lt) to provide the public with the requested information. The situation in the field of THB was analysed every year by

different aspects. The outcome was used in the action planning process including drafting the Plan for 2017–2019. Each year the Ministry of the Interior of the Republic of Lithuania conducted situational analysis in the field of THB and issued annual reports, informed politicians and relevant agencies, embassies, international organisations, EU institutions on the situation, and etc.

5. *What measures exist to ensure that male victims of trafficking are identified and provided with assistance and protection, including safe accommodation, as provided by the Convention?*

The Law on Social Services of the Republic of Lithuania (available online <https://www.e-tar.lt/portal/lt/legalAct/TAR.91609F53E29E/ijQCINVduM>) establishes the principles for provisions of social services: a person receives such social services which meet personal and family's interests and identified needs, and those services are coordinated to other assistance and support measures. The Law does not distinguish one type of services and does not limit assistance because of gender.

Assistance, support and protection to victims of THB are rendered despite of their gender. The State funds for NGOs are allotted for the selected projects to render assistance to men, women, and children (locals and migrants). The Regulations on the organisation of the projects for social assistance victims of THB competition for 2016–2018 approved on 22 January 2017 by Ruling No. A1-38 of Minister of Social Security and Labour of the Republic of Lithuania which set out the requirements for social assistance to victims of THB for the NGOs which are financed by the State to render assistance to victims of THB establish that complex social assistance shall be rendered to persons identified as victims of THB according to the identified needs preparing the assistance plan together with this person, his/her family, relatives, social assistance providers. The Regulations distinguish only between assistance for adults and children. In addition, municipalities organized necessary assistance for men, women and children residing in their territory.

Training of relevant professionals (Articles 10 and 29)

6. *Please describe how the needs for training of professionals in the area of action against THB are identified and met, with an indication of the categories of staff that receive such training, whether the training is obligatory or optional, the content and focus of the training, and the funding provided for training activities. If the impact of training has been assessed, please provide details.*

The needs for training of professionals in the area of action against THB were identified based on situational analysis and evaluation results (trends, results, problems, etc.), strategic and operational issues, other training sessions, projects, requests of professionals themselves, priorities of the Government of the Republic of Lithuania and ministries, regional, EU and international requirements and recommendations, local requirements for professionals of relevant field, etc. and they were planned and arranged by relevant agency or by two or more agencies together. All officers and specialists which might have a contact with a victim of THB were encouraged to develop their professional skills in the area of the fight against THB within their competence. For their staff, the state and municipality agencies organized training from their own budgets, excluding international projects (however, some of them also contained Lithuanian funds). The activities and actions were evaluated based on the methodology for strategic planning and the ones from the projects are evaluated by independent audit.

There is a separate chapter on development of professional skills in the Plan for 2017–2019 with activities and actions related to different topics, target groups, responsible agencies, timeframe and funds (State and municipality), see online <https://www.e-tar.lt/portal/lt/legalAct/5b99fd306ddc11e6a014b8463e530a88>). The projects mentioned in this report also contained training sessions (see comments under Question 1). The officers and specialists also were trained abroad (see below).

To summarize, training sessions on identification of victims of THB, protection of their rights, their referral, assistance, collection of evidence, investigations, special techniques, international cooperation and other related issues were arranged within competence for officers and specialists working on national and municipality levels: for police, probation and consular officers, border guards, prosecutors, judges and their assistants, lawyers, labour inspectors, labour exchanges specialists, social workers,

health care specialists, child rights specialists, heads of schools, educational assistance specialists and teachers, as well as journalists and church representatives. Training sessions for police were arranged at the Lithuanian Police School 2–3 times a year with invited instructors practitioners from the Lithuanian Criminal Police Bureau, prosecutors, judges, NGOs, other specialists. They were targeted at two groups of police officers: the ones who conduct prevention and the ones who conduct investigations, upon two separate programmes. Since 2017, a new programme Prevention and Investigation of THB consisting of 3 modules was introduced: Prevention of THB, Investigation of THB and Psychological and Psychosocial Aspects of THB. The Border Guards School organised courses and refresher training for border guards (they had a special programme on THB, see the comment under Question 24). The Prosecutor General's Office had training on evidence collection and case studies for prosecutors. On 20 October 2017, the National Courts Administration organized a seminar on THB for judges of regional and district courts, dealing with criminal cases, and their assistants in which the insights on the legal concept of THB, evidentiary problems, recognition of victims and relevant jurisprudence were shared. The Judicial training programs approved by Resolution No. 13P-164-(7.1.2) of 27 October 2017 of the Judicial Council includes training sessions for judges for 2018 on topics such as identification and prevention of THB, assistance to victims, THB evidence collection, case law, performing of inquiry of juvenile, and applying the status of refugee to victims of THB, their identification. The Ministry of Social Security and Labour of the Republic of Lithuania in cooperation with municipalities and civil society organisations arranged training for social workers on identification and rendering assistance to victims of THB. The State Child Protection and Adoption Service under the Ministry of Social Security and Labor of the Republic of Lithuania organized training for children rights and related specialists in the field of child's welfare: "Provision of preventive, protective measures and services and inter-institutional cooperation in the field of child trafficking", "Ensuring the fundamental rights and legitimate interests of the child in cases of commercial sexual exploitation of children. Assistance opportunities and prevention", "Identification of the minors who could have been affected or have been affected by trafficking in human beings, the course of pre-trial investigation and the opportunities of provision of assistance", "Case study of missing children, investigation, prevention" and "Sexual violence against children and work with juvenile offenders". The Ministry of Justice of the Republic of Lithuania organised training for lawyers counselling victims of THB. The State Labour Inspectorate under the Ministry of Social Security and Labour of the Republic of Lithuania provided training sessions for labour inspectors on identification of victims of THB for forced labour in 2015–2016. In November and December 2017, specialists from the territorial labour exchange offices participated in the training sessions on THB in Lithuania (the extent, trends, new forms), identification of THB victims among asylum seekers and irregular migrants, communication and assistance organized by the Center for Combating Trafficking in Human Beings and Exploitation. In October 2017, Vilnius territorial labour exchange office was introduced to activities and services of the Missing Persons Families' Support Center, issues on identification of victims of THB, needs of such victims, their referral and other issues. All diplomats and state servants from the Ministry of Foreign Affairs of the Republic of Lithuania which were posted to the Lithuanian embassies and consulates abroad and could perform consular functions on regular or temporary basis participated in the consular training programme (irrespectively whether s/he has carried out consular activities before, obligatory), which also contained a module on THB (1,5–2 hours) discussed by other professionals (e. g. police, diplomats, NGOs) and concluded with passing a test (the Consular Department of the Ministry of Foreign Affairs of the Republic of Lithuania elaborated the Consular Handbook covering all topics of consular activities including a manual on THB (identification of victims of THB, contact details of NGOs, referral and assistance) with recommendations, references to legislation, etc. (this Handbook and the Handbook for diplomatic and consular personnel on how to assist and protect victims of human trafficking issued by the Council of the Baltic Sea States Secretariat are available in e-format at the Ministry's Intranet). Moreover, refreshing courses were organised annually for those already working at the embassies and consulates. The Ministry of Education and Science of the Republic of Lithuania developed a new programme for schools (under the project implemented by the Centre for the special pedagogic and psychological assistance under the Ministry of Education and Science of the Republic of Lithuania). Development of competences of school staff and pupils consisted of teacher in-service training aimed at empowering them to apply effective prevention measures at their schools (two training sessions in two Lithuanian regions affected by the THB problem – Klaipėda and Panevėžys) and of lessons for pupils at their schools (the discussed topics: THB issue, its forms, the ways to identify the victims, the relevant measures that should be taken in order to help the victims). The methodological material on prevention of THB through education of pupils was distributed. The training sessions were

implemented in cooperation with the Center against Human Trafficking and Exploitation and prosecutor's offices. In order to ensure dissemination of good practices to other municipalities, a video has been created with interviews from the representatives of Klaipėda municipality administration, as well as social partners, which cooperate in the fight against THB and assisting victims of this crime. Special focus was given to the role of representatives of the education field (starting from the municipal level) in ensuring prevention of THB and assistance to the victims (the video is available in the website of the Education Development Centre on the Teachers TV at <http://mokytojotv.upc.smm.lt>). The aim of the video is to encourage other municipalities to organize counter-THB activities using cross-sectoral cooperation and involve the education sector. A specialized newsletter of the Education Development Center (subscribed by about 3500 teachers from Lithuanian schools) has been prepared in order to promote the materials. The funding was provided by the Ministry of Education and Science of the Republic of Lithuania. Furthermore, specialists working on municipality level had an extra opportunity to develop their skills in the field of the fight against THB at local seminars as regards identification of victims of THB, their assistance and referral. Also it is important to mention that THB situation and issues with their solutions were analysed at round table discussions attended by responsible governmental, municipality and NGOs specialists, including church representatives.

In addition, police, border guards, prosecutors, judges, journalists issuing products on THB developed their professional skills abroad (e. g. in 2016–2017, journalists in the international project on THB organised by the Nordic Council of Ministers, in 2016, judges in international training sessions and conferences on: THB and crimes committed by refugees organized by the European Judicial Training Network (EJTN) in Prague (Czech Republic), on THB and organized crime organized by Pontifical Academy of Social Sciences in Vatican City, on human smuggling organized by the European Judicial Training Network (EJTN) in Trier (Germany), on THB organized by European Judicial Training Network (EJTN) in Utrecht (The Netherlands)) or they received knowledge at other seminars closely related to THB (e. g. judges in seminars on the rights of victims and their interviews organised in Lithuania). International training initiatives were also arranged in Lithuania, e. g. seeking closer cooperation with foreign consuls residing in Lithuania, the Ministry of the Interior of the Republic of Lithuania in cooperation with the Nordic Council of Ministers arranged training for them in Vilnius on a special occasion – the EU Anti-Trafficking day, 18 October 2017. The consuls were introduced to THB and demand reduction, legislation, trends, national referral mechanism and to responsible officers and specialists to liaise with in any suspicion related to THB or labour exploitation. On the same day, also a 2-day international training for journalists was started in cooperation with the Nordic Council of Ministers. The journalists updated their knowledge on the recent trends and modus operandi of THB, demand reduction, data protection, victims' sensitiveness and victim-centred approach in issuing information on such cases. The training was based on analysis of the situation and real cases.

A summarized overview on training and round table discussions until 2017 is available in annual reports online in the website of the Ministry of the Interior of the Republic of Lithuania at <http://vrm.lrv.lt/lt/veiklos-sritys/kova-su-prekyba-zmonemis>.

Special measures concerning children (Articles 5, 10, 11, 12, 14, 15, 16, 28 and 30)

7. *Please describe whether and how trafficking in children is specifically addressed in your country. If there are institutions responsible for taking the lead in combating trafficking in children and a specific national referral mechanism for child victims of trafficking, please provide details.*

The protection of the rights of the child is ensured by:

(1) The State and its institutions. The management of child's rights protection is delegated to the Ministry of Social Security and Labour of the Republic of Lithuania. The Ministry of Social Security and Labour of the Republic of Lithuania develops and implements the policy for the protection of the child's rights. The Ministry of Education and Science of the Republic of Lithuania shall be responsible for the implementation of educational measures seeking to protect the child from all forms of physical or psychological violence and other infringements of the child's rights. The Ministry of the Interior of the Republic of Lithuania shall, within its remit, prepare and implement preventive programmes with regard to juvenile delinquency, violence against children, trafficking in children and other violations of the rights of the child. The Ministry of Justice of the Republic of Lithuania shall implement measures safeguarding

the provision of state-guaranteed legal aid to children. The Ministry of Health shall guarantee the availability of health services to children. The supervision and control of ensuring and protection of the child's rights and legitimate interests, also the investigation of violations of the child's rights and legitimate interests is delegated to the Ombudsman for Children Rights, etc.

(2) Municipal institutions.

(3) Public organisations, activities of which are linked to protection of the rights of the child.

On 20 October 2015, the Seimas of the Republic of Lithuania passed Law No. XII-1965 of the Republic of Lithuania on Fundamentals of Protection of the Rights of the Child setting out the following (in Articles 43(1) and (2), 47(1), (2) and (3) that (Annex 1)):

General provisions of child protection from influence of negative social environment:

1. State and municipal institutions and other natural and legal persons must protect the child from negative social environment influence. Propagation of a healthy lifestyle and legal education of children constitute fundamental directions of state social policy and activity.

2. Demonstration of physical and mental violence to children and their involving in criminal or other illegal acts shall be subject to administrative or criminal liability."

According to the provision of Article 47:

1. A child must be protected against criminal offences indicated in Chapter XXI of the Criminal Code, child pornography, purchase or sale of the child, profiting from child prostitution, enticement into prostitution or possession of items of containing pornographic materials and featuring the child or showing a person as a child.

2. Criminal offences covered by paragraph 1 of this Article shall be subject to statutory criminal liability.

3. In performing their direct professional functions relating to children, employees of educational, personal health care, social services, law enforcement and other authorities and institutions or NGOs, or other persons who receive substantiated information about criminal offences possibly committed against a child, as specified in Chapter XXI of the Criminal Code, also child pornography, purchase or sale of a child, profiting from child prostitution, enticement into prostitution or possession of items of containing pornographic materials and featuring the child or showing a person as a child, must immediately notify the child protection division of the municipal administration and/or the police, notwithstanding the confidentiality rules."

On 14 February 2017, the Seimas of the Republic of Lithuania passed Law No. XIII-204 amending the Law of the Republic of Lithuania on Fundamentals of Protection of the Rights of the Child, Articles 2 and 2¹ of which contain definitions of the main forms of violence and sexual violence against a child:

"Article 2.

1. Corporal punishment means any punishment using physical force to cause physical pain, even minor, or physical torture to a child.

2. Violence against a child means direct or indirect deliberate physical, psychological or sexual impact on the child, whether through action or omission, also degrading of his honour and dignity or neglect causing damage to or threatening life, health or development of a child."

"Article 2¹. Forms of violence against a child

Forms of violence against a child include:

(1) physical violence – deliberate physical actions, whether direct or indirect, against a child, also corporal punishment causing pain or damage to the child or his honour and dignity or threatening his life, health, development;

(2) psychological violence – continuous infringement of the child's right to his individuality, humiliation, bullying, intimidation, prevention of activities necessary for the child's development, encouraging of antisocial behaviour or other non-physical contact causing damage or threatening the child's life, health, development or damaging the child's honour and dignity;

(3) sexual violence – engaging in sexual activities with a child who has not attained the age when, according to the provisions of legal acts of the Republic of Lithuania, such engaging in sexual activities with the child are not subject to criminal liability, or sexual activities with a child through the use of coercion, force or threat or abuse of trust, power or influence over the child, also in the family, or abuse of a particularly vulnerable situation of the child, in particular because of a mental or physical disability or a situation of dependence; also exploitation of the child for prostitution, child pornography, recruiting,

coercing or involving the child to participate in pornographic performances, demonstration of pornography or other forms of sexual exploitation or abuse of the child;

(4) neglect – continuous disregard or negligent addressing of the child’s physical, emotional and social needs, causing damage or threatening the child’s life, health or development.”

Law No. XIII-204 of the Republic of Lithuania on Fundamentals of Protection of the Rights of the Child provides for main legislative and other measures safeguarding the child’s protection against violence, including sexual exploitation and sexual abuse:

“Article 6.

(9) the state shall take all necessary legal, administrative, social, educational and other measures to secure the child’s protection against all forms of violence (including corporal punishment) that he may be subjected to by his parents, other legal representatives or any other custodian.”

A Cooperation agreement No 17.3-40/D4-45/11-1 (Tripartite agreement) was signed on 27 January 2011 in order to ensure a more active cooperation between the territorial prosecutor’s offices and the territorial Child Rights Protection Division under the municipality administration (CRPD), more effective protection of the child’s rights and legitimate interests and representation of their interests between the Prosecutor General’s Office of the Republic of Lithuania, the Ministry of Social Security and Labor of the Republic of Lithuania, the Office of the Ombudsman for the Rights of the Child, on the basis of which prosecutors inform CRPD on pre-trial investigations:

- ✓ when due to the criminal offense committed it is necessary to deal urgently with issues related to child custody and supervision;
- ✓ when information that the minors have suffered from their representatives by law or from other person responsible for upbringing or care of the child or from improper performance of duties of such persons has been received during investigation;
- ✓ for the criminal offences against the minors if there are evidences showing that the minors affected have been (are) provided with improper care;
- ✓ when it is necessary to organize assistance for the minor affected by criminal offence;
- ✓ all other cases when there is a sufficient reason during the pre-trial investigation to believe that the representatives by law of the affected minor may hinder an objective investigation while participating in the process.

The tripartite agreement obliges to expeditiously provide CRPD, police or prosecutor with information about known facts of use of violence against the minor children and violations of the child’s rights that may contain the features of criminal offence. It should be noted that CRPD applies to police if there is a need to take urgent and immediate measures to ensure the rights and legitimate interests of the child. In other cases the division applies to prosecutors. Upon receipt of the prosecutor’s or police officer’s request regarding provision of information CRPD visits the family, inspects the conditions of the family environment and provides with the information that was previously available and a newly inspected information and other known circumstances relevant to the investigation.

According to clause 12 of the tripartite agreement CRPD at least once in six months organizes discussions of prosecutors of municipalities, several municipalities or county level, CRPD of municipalities and other institutions related to child’s rights protection to discuss the issues of of child’s rights representation by CRPD in the criminal process, recommendations regarding such representation and other issues related to the child’s rights protection and problems arising.

The Description of the Procedure of information on special cases related to potential violations of the rights of the child (Description of the Special cases procedure) has been approved by Order No. BV-8 of Director of the State Child Rights Protection and Adoption Service under the Ministry of Social Security and Labour of the Republic of Lithuania of 10 May 2012 (version No. BV-46 of 29 June 2017) which regulated that, in accordance with clause 2 of the Description of the Special cases, all cases related to (potential) child trafficking are deemed to be special cases, they must be immediately reported to the State Child Rights Protection and Adoption Service under the Ministry of Social Security and Labour of the Republic of Lithuania. The Description of the Special cases procedure is designed for the personnel of CRPD, personnel of children’s social care institutions (CCI) and the State Child Rights Protection and Adoption Service under the Ministry of Social Security and Labour of the Republic of Lithuania in order to establish the mechanism of cooperation in provision of information on special cases and ensuring proper

protection of the rights the affected and potentially violent child. Since 2012, the State Child Rights Protection and Adoption Service under the Ministry of Social Security and Labour of the Republic of Lithuania makes records of special cases, analyses the information provided to CRPD and CCI, and, when necessary, recommends CRPD and CCI taking appropriate actions.

In 2014, the State Child Rights Protection and Adoption Service under the Ministry of Social Security and Labour of the Republic of Lithuania prepared the Recommendations of preventive, protective measures and provision of services, and inter-institutional cooperation on child trafficking in order to help the specialists working in the field of child's welfare to identify timely the potential cases of child trafficking, to identify timely the potential victims of criminal offences and to organise and provide assistance for children, victims of THB and their parents or custodians (caretakers). The information was sent to the specialists of CRPD, social workers for work with social risk families, to CCI personnel (available online <http://vaikoteises.lt/veikla/teisine-ir-kita-informacija/metodines-rekomendacijos/metodines-rekomendacijos.html>). The above Recommendations also establish the actions of the relevant institutions (and notification to the State Child Rights Protection and Adoption Service under the Ministry of Social Security and Labour of the Republic of Lithuania or CRPD on potential or identified victim of THB – a child). They have been prepared in cooperation with many countries, municipalities and non-governmental institutions and/or organizations in order to establish uniform criteria for the identification of victims of THB, to improve the quality of pre-trial investigation, to ensure that the pre-trial investigation is carried out and the criminal acts are disclosed within the shortest possible time, and to form uniform advanced pre-trial investigation practices and to coordinate inter-institutional cooperation in providing assistance to victims of THB.

8. *What practical measures are taken to reduce children's vulnerability to trafficking and create a protective environment¹ for them, including through:*
- a. *ensuring registration of all children at birth, in particular from socially vulnerable groups;*
 - b. *raising awareness of THB through education;*
 - c. *training professionals working with children.*

The Civil Code of the Republic of Lithuania and the Law on Registration of Civil Status Acts of the Republic of Lithuania incorporate obligations to register each birth in 3 months after the birth. Upon registration, the birth certificate is issued. It contains personal data of the child and his/her parents.

Based on the Description of the procedure of keeping records of social risk families that raise children approved by Order No. A1-212 of Minister of Social Security and Labour of the Republic of Lithuania of 28 July 2006, a family social worker periodically visits the family; the family can be also visited by the specialists of CRPD.

The State Child Rights Protection and Adoption Service under the Ministry of Social Security and Labour of the Republic of Lithuania publishes information on the topics of child trafficking (new forms of THB) and possible ways of helping them, in cases of child trafficking in its website under Child Help line <http://www.pagalbavaikams.lt/lt.php/pagalba/prekyba-zmonemis>.

Taking into account the relevance of the problem of THB, at the end of 2014 the State Child Rights Protection and Adoption Service under the Ministry of Social Security and Labour of the Republic of Lithuania prepared a Writ-memo of preventive, protective measures and provision of services and inter-institutional cooperation in cases of child trafficking for the specialists of CRPD, social workers, for work

¹ The concept of a protective environment, as promoted by UNICEF, has eight key components:

- protecting children's rights from adverse attitudes, traditions, customs, behaviour and practices;
- government commitment to and protection and realisation of children's rights;
- open discussion of, and engagement with, child protection issues;
- drawing up and enforcing protective legislation;
- the capacity of those dealing and in contact with children, families and communities to protect children;
- children's life skills, knowledge and participation;
- putting in place a system for monitoring and reporting abuse cases;
- programmes and services to enable child victims of trafficking to recover and reintegrate.

with social risk families, for workers of children's social care homes in order to help identify timely the potential cases of child trafficking, to identify timely the potential victims of criminal offences and to organize and provide assistance for children, victims of THB and their parents or guardians (caretakers) (available online <http://www.vaikoteises.lt/veikla/teisine-ir-kita-informacija/metodines-rekomendacijos/metodines-rekomendacijos.html>).

In accordance with the provisions of the General Regulations of Child Rights Protection Divisions approved by Resolution No. 1983 of the Government of the Republic of Lithuania of 17 December 2002, CRPD make proposals to the relevant state, municipal institutions and bodies regarding protection of child's rights and legitimate interests, improvement of prevention of child custody (care) and legal violations in the territory of the municipality (clause 6.4), prepares and implements the measures of protection of the child's rights and legitimate interests, including those intended for improvement of prevention of child's rights violations (clause 7.3).

Minister of Education and Science of the Republic of Lithuania approved the General Programme for Human Safety by Order No V-1159 of 18 July 2012. It covers the topics of sexual exploitation and sexual abuse with due regard to the needs of girls and boys, scope of the general programmes for human safety in primary, basic and secondary education (the area of educational activity: "Psychological preparation for threats and risks") and pupils' achievements. In terms of social health, the General Programme for Health Education approved by Order No V-1290 of Minister of Education and Science of the Republic of Lithuania of 31 August 2012 defines pupils' achievements (attitudes, skills, knowledge and understanding) and the scope of content in the area of prevention of risky behaviour in primary, basic and secondary education.

Furthermore, awareness raising among pupils was arranged via a documentary movie aimed at raising awareness among pupils about the risks of THB translated into Lithuanian and made available to watch online, on the platform www.nepatogauskinoklase.lt (free of charge for registered users). Accompanying methodological material for reflection of the movie, as well as for deepening related knowledge and safety measures has been created. The measure has been implemented in cooperation with the NGO Lithuanian Centre for Human Rights. Funding for the measures was provided by the Ministry of Education and Science of the Republic of Lithuania (3.000 euros, in total).

In 2014, the Ministry of Education and Science of the Republic of Lithuania in collaboration with NGO „Paramos vaikams centras“ and the National center for special needs education and psychology initiated the development of the children's sexual abuse and violence prevention program "Protect and respect me". The aim of this program is to increase the competences of school community in recognizing possible victims of sexual abuse and to encourage the collaboration between parents, teachers and other school personnel, police and child rights protection officers in protecting the children from sexual abuse and violence. The target group of this program includes all members of school community, i.e. school administration, teachers, specialists (psychologists, special educators, speech therapists, social educators) and social partners (the representatives from child right protection services, police, local authorities). The program consists of training sessions for adults about risk and protective factors for sexual violence, identification of possible sexual abuse and also possible actions in cases of suspected sexual abuse and for pupils on self protection. The self protection material is designed for four different age groups of pupils from 1st to 12th grade. The pupils of 10th-12th grade also discuss on the risks of THB. In 2014-2015, the program was piloted in 5 schools in Marijampolė County. There were 213 adult participants (adult school community members) and 349 pupils. It is planned that in 2018 15 other schools will join the program "Protect and respect me" under financing of EU funds.

Police officers of local police units conducted preventive measures at pre-school institutions, schools, orphanages, children rehabilitation centres, social services centres, children day centres, youth centres for children, teachers and administration, visit social risk families, etc. During the events the police distributed leaflets with useful information on THB, assistance, risks and consequences.

Also please refer to the comments under Questions 1, 6, 7, 9–12.

9. *Please explain what methods are used to verify the age of a presumed victim of trafficking where the age is uncertain and there are reasons to believe that the person is a child. Would such a person be presumed to be a child until the age verification is completed?*

Article 27¹ of the Criminal Procedure Code of the Republic of Lithuania (after the previously mentioned Law No. XII-2194 of 17 December 2015 on the Amendment of Articles 8, 9, 28, 43, 44, 128, 185, 186, 188, 214, 239, 272, 275, 276, 280, 283, 308 and Annex of the Criminal Procedure Code of the Republic of Lithuania and on the Supplement to the Code with Articles 27¹, 36², 56¹, 186¹ was adopted (Register of Legal Acts, 30/12/2015, No. 20993, available online https://www.e-tar.lt/portal/legalAct.html?documentId=1085_d150aee411e5b12fbb7dc920ee2c) defines who is a minor; if doubted, the person is treated as a minor until his/her age is determined; if the person becomes 18 during the criminal procedure, the prosecutor or the court may decide to apply one or more guarantees established by the Code for minors anyway. Practitioners follow their own procedures to verify the age of a presumed victims of traffickers where the age is uncertain.

The Procedure of object investigation provided for in Article 205 of the Code of Criminal Procedure of the Republic of Lithuania is observed in Lithuania in cases where there arise well-founded doubts about the person's age or in order to detect the traces of a criminal offense and other objects relevant for the investigation, to find out the situation of the event and other circumstances relevant for the case.

The age determination procedures are defined by the Description of the procedure of determination of age, accommodation of non-accompanied foreign minors identified in the Republic of Lithuania who are not asylum seekers and other procedural actions approved by Order No A1-229/1V-289/V-491 of the Minister of Social Security and Labor of the Republic of Lithuania of the Republic of Lithuania, the Minister of the Interior of the Republic of Lithuania and the Minister of Health of the Republic of Lithuania of 23 April 2014. It should be noted that the aforementioned description establishes that in case there an error of up to two years occurs in the conclusion of investigation regarding age determination, the person is deemed to be a minor.

Also please refer to the comments under Questions 7–8, 10–12.

10. *What steps are taken in your country to ensure that the rights of the child and his/her best interests² are duly taken into consideration, in particular when it comes to:*

- a. identification of child victims of trafficking;*
- b. appointing a legal guardian, organisation or authority which shall act in the best interest of unaccompanied minors identified as victims of trafficking;*
- c. locating the child's family;*
- d. ensuring that the identity or details allowing the identification of a child victim of trafficking are not made publicly known through the media or by any other means;*
- e. access to appropriate and secure accommodation, education and health care;*
- f. issuing residence permits for child victims of trafficking;*
- g. providing counselling and information in a language that the child can understand, legal assistance and free legal aid prior, during and after legal proceedings, including to claim compensation;*
- h. carrying out best interests determination, including risk assessment, prior to any decision on the return of child victims to their country of origin, and ensuring the child's safe return in accordance with the best interests of the child;*
- i. special protection measures for children.*

There is a set of laws and other legal acts outlining the procedures to ensure the rights and best interests of children in different situations, such as the Criminal Code of the Republic of Lithuania, the Code of Criminal Procedure of the Republic of Lithuania, the Law of the Republic of Lithuania on the Legal Protection of Personal Data, the Regulations of child care organization approved by Regulation No. 405 of the Government of the Republic of Lithuania of 27 March 2002, the Regulations of child's temporary guardianship (care) approved by Order No. 56 of Minister of Social Security and Labor of the Republic of Lithuania of 18 April 2002, the Description of the procedures of identified non-accompanied minors, the Description of the procedures of special cases, the Recommendations of child trafficking

² "The best interests of the child" means that any situation should be looked at from the child's own perspective, seeking to take the child's views into consideration and with the objective of ensuring that his/her rights are respected. Any decision concerning a child should therefore be guided by what is objectively best for that child, given her/his age and maturity.

elaborated by the State Child Rights Protection and Adoption Service under the Ministry of Social Security and Labour of the Republic of Lithuania, the Description of the procedures of identification of the persons who could have suffered or might suffer from trafficking in human beings and performance of the initial actions approved by Order No. 5-V-200 of Commissioner General of the Lithuanian Police of 24 February 2015 (version of 14 May 2015), the Recommendations, the Procedure for Informing about Specific Cases Concerning Possible Infringements of the Rights of the Child Brought by a Family, Foster Family, Social Family or Child Care Institution approved by Order No. BV-8 of 10 May 2012, the Law of the Republic of Lithuania on State Guaranteed Legal Aid, and etc.

Implementing Resolution No. 695 of the Government of the Republic of Lithuania of 8 June 2004 approving the List of Indicators of Children Statistics, the Ministry of Social Security and Labour of the Republic of Lithuania and administrations of town/district municipalities, acting under the Strategic Partnership Agreement of 2005, strategically cooperate in developing social services and other child protection measures. On the basis of this agreement, CRPD of each municipal administration collects and supplies data about the implementation of the protection of child rights in municipalities to the information system of the strategic partnership (now social family support information system (SFSIS)). Since 2006, the State Child Rights Protection and Adoption Service under the Ministry of Social Security and Labour of the Republic of Lithuania has been analysing data contained in SFSIS reports. It should be pointed out that SFSIS reports (<http://vitrinos.spis.lt:8080/vtas.html>) record the number of children and cases in which they possibly suffered violence. The said table includes statistics on children subjected to violence (also sexual) in a certain municipality and country-wide, distinguishing the number of children who have experience violence by a stranger and in the circle of trust. Statistics on children exposed to sexual abuse in Lithuania are collected and processed by gender.

With a view to assessing the situation and the demand for and/or effectiveness of assistance to a child subjected to violence or sexual exploitation, the Procedure for Informing about Specific Cases Concerning Possible Infringements of the Rights of the Child Brought by a Family, Foster Family, Social Family or Child Care Institution was approved by Order No. BV-8 of 10 May 2012. They were issued for the staff of CRPD, social child care institutions (CCI) and the State Child Rights Protection and Adoption Service under the Ministry of Social Security and Labour of the Republic of Lithuania in order to establish a mechanism for cooperation in reporting special cases, especially sexual exploitation and abuse of children, and ensuring adequate protection of the rights of a victim and a child who has possible used violence.

CRPD is a structural unit of municipality administration, which is subordinate to the municipality administration director. CRPD carries out protection of the rights and the best interests of all children who live in the municipality, implements within the competence the provisions of international and national legislation that governs protection of the child's rights, represents the child's rights and legitimate interests and protects them in accordance with the legislation. When performing its functions, CRPD acts in accordance with the Law on Fundamentals of protection of the rights of the child of the Republic of Lithuania, the General Regulations of CRPD, the Description of the Procedure of General work with families approved by the Order No A1-362/V-936/V-464/1V-495 of the Minister of Social Security and Labor of the Republic of Lithuania, the Minister of Health of the Republic of Lithuania, the Minister of Education and Science of the Republic of Lithuania, the Minister of the Interior of the Republic of Lithuania of 14 July 2016. The State Child Rights Protection and Adoption Service under the Ministry of Social Security and Labour of the Republic of Lithuania within its competence coordinates activities of CRPD in accordance with the Regulations of the State Child Rights Protection and Adoption Service under the Ministry of Social Security and Labour of the Republic of Lithuania approved by Resolution No. 1114 of the Government of the Republic of Lithuania of 20 October 2005 (Regulations of the Service), summarizes and analyses the statistics of the activity of CRPD, provides methodological support to CRPD in implementation of the measures of child's rights protection and organizing child adoption in the territories of municipalities and performs the other functions referred to in the Regulations of the Service. In cases where CRPD adopts a decision that the parents of the minor detained in a foreign state cannot take a proper care of the child, to ensure his/her rights and the best interests and a temporary custody must be established for the minor, the State Child Rights Protection and Adoption Service under the Ministry of Social Security and Labour of the Republic of Lithuania in accordance with the Rules for Transportation of the children being removed from parental care and staying abroad to the Republic of

Lithuania approved by Resolution No. 1655 of the Government of the Republic of Lithuania of 24 December 2004 organizes transportation of the minor to the Republic of Lithuania.

The previously mentioned Law No. XII-2194 of 17 December 2015 on the Amendment of Articles 8, 9, 28, 43, 44, 128, 185, 186, 188, 214, 239, 272, 275, 276, 280, 283, 308 and Annex of the Criminal Procedure Code of the Republic of Lithuania and on the Supplement to the Code with Articles 27¹, 36², 56¹, 186¹ (Register of Legal Acts, 30/12/2015, No. 20993, available online <https://www.e-tar.lt/portal/legalAct.html?documentId=1085d150aee411e5b12fbb7dc920ee2c>) and Articles 51–55 of the Criminal Procedure Code of the Republic of Lithuania (participation of defendant, refusal from defendant, legal representatives, their rights and duties, and authorized representatives) incorporate the main standards related to the rights of victims including appointing a legal guardian, organisation or authority which shall act in the best interest of minors victims.

Articles 177 and 181 of the Criminal Procedure Code of the Republic of Lithuania establish that data from pre-trial investigation are not public. It is prohibited to publish data on minor victims and suspects, as well as to make copies of the documents containing data on them. Article 9 of the Criminal Procedure Code of the Republic of Lithuania establishes a possibility of non-public trials with participation of minor victims or accused (upon decision of the court). The documents related to non-public trial remain non-public (Article 9¹ of the Criminal Procedure Code of the Republic of Lithuania). The Criminal Procedure Code of the Republic of Lithuania is available online <https://www.e-tar.lt/portal/lt/legalAct/TAR.EC588C321777/RKDzuhQANj>).

The Law on Health Insurance of the Republic of Lithuania and related legal acts have established the insured persons by compulsory health insurance, for example:

- persons under the age of 18;
- women who are given in accordance with the law a pregnancy and maternity leave;
- non-working women during pregnancy 70 days (from 28 weeks of pregnancy before childbirth and 56 days after childbirth);
- one of the parents (adoptive parents) raising a child under 8 years of age and other;
- persons, according to the laws recognized as disabled;
- unaccompanied minors foreigners.

All patients covered by the Compulsory Health Insurance can receive all required services in health care institutions located in Lithuania free of charge. Payments for all these services are made from the budget of Compulsory Health Insurance Fund for health care institutions, which have entered into the agreements with the Fund.

Articles 8, 44–46 of the Criminal Procedure Code of the Republic of Lithuania define the rights of victims of crime to get counselling and information in a language that they understand, legal assistance and free legal aid prior, during and after legal proceedings, including to claim compensation (the Criminal Procedure Code of the Republic of Lithuania is available online <https://www.e-tar.lt/portal/lt/legalAct/TAR.EC588C321777/RKDzuhQANj>).

The conditions outlined in Part 1 of Article 129 of the Law on Legal Status of Aliens of the Republic of Lithuania are considered while making a decision on return of a non-accompanied foreign minor (such a minor is returned only in such case when it is established that the minor upon his/her return will have a proper care based on his/her needs, age, etc.) The Migration Department under the Ministry of the Interior of the Republic of Lithuania collects information on whether it is safe to return the minor to his/her country of origin or other related country. The decision upon the return is made and supervised by the police.

Also please refer to the comments under Questions 7–9, 11–12.

11. *What practical measures are taken in your country to identify victims of trafficking among unaccompanied foreign minors, including asylum seekers? What measures are taken to prevent their disappearance? Have there been cases of non-voluntary return of child victims of trafficking?*

Part 1 of Article 4 of the Law on the Legal Status of Aliens of the Republic of Lithuania establishes that stay and living of foreigners in the Republic of Lithuania are controlled by the police, the Migration

Department under the Ministry of the Interior of the Republic of Lithuania, the State Border Guard Service under the Ministry of the Interior of the Republic of Lithuania, in cooperation with the state and municipal institutions of the Republic of Lithuania.

After changes in legal regulation (the Description of the Procedure of the identified non-accompanied minors), since 15 June 2016, the State Child Rights Protection and Adoption Service under the Ministry of Social Security and Labour of the Republic of Lithuania immediately adopts decision regarding accommodation of non-accompanied minor foreigner in the Refugee Reception Centre (Centre) if such a minor is identified. The State Child Rights Protection and Adoption Service under the Ministry of Social Security and Labour of the Republic of Lithuania immediately sends a copy of the signed decision by electronic means to the Centre, institution or body whose officers have identified the non-accompanied minor foreigner and CRPD of the municipality in the territory of which the Centre is located. In order to implement the aforementioned provisions of the Description of the Procedure, the schedule of stand-by duty at home of the personnel of the State Child Rights Protection and Adoption Service under the Ministry of Social Security and Labour of the Republic of Lithuania on weekends and bank holidays has been approved by Order No BV-88 of Director of the State Child Rights Protection and Adoption Service under the Ministry of Social Security and Labour of the Republic of Lithuania of 4 November 2016 "Regarding implementation of the description of the procedure of determination of age, accommodation of non-accompanied foreign minors identified in the Republic of Lithuania who are not asylum seekers and other procedural actions". In addition, the Recommendations and related legal acts mentioned before are followed by officers and specialists in identifying potential victims of THB among unaccompanied foreign minors. The procedures are reflected in the standard asylum procedures (evaluating the vulnerability of asylum seekers, different risks including risk of THB are considered, if vulnerability is determined, special measures are applied, outlined in the Description of asylum procedures). According to the practice, Lithuania is not a destination country for non-accompanied foreign minors who are not asylum seekers.

The preventive measures for their disappearance are agreed and implemented by all responsible actors, based on multidisciplinary cooperation. The Centre plays the main role in this area of work. Also the Coordination Commission analysed and discussed this topic. There were no cases of non-voluntary return of child victims of trafficking in the reporting period. Furthermore, preventive measures and training sessions are incorporated into the Action Plan for 2017–2019.

Also please refer to the comments under Questions 1, 6, 7–10, 12.

12. *What programmes and services exist in your country for the (re)integration of child victims of trafficking? What solutions are provided if the reintegration of the child into his/her family is not in the child's best interests?*

The major part of implementing measures of the Action Plan for Enhancing Social Inclusion in 2014–2020 are aimed at strengthening the prevention of poverty and social exclusion among children and youth, physical, psychological and sexual violence by ensuring equal opportunities for children to grow and fully develop, promoting participation of families with children and young persons in the labour market, developing, renovating and improving the framework for public services, increasing availability of social and "secured" housing, engaging service users and the nongovernmental sector in decision-making and the supply of services.

The Law amending Law No. X-1238 of the Republic of Lithuania on Minimum and Medium Child Care adopted by the Seimas of the Republic of Lithuania enhances the current framework for minimum and medium child care and creates adequate conditions for re-socialisation and community integration of children with behavioural problems, including problems of inappropriate sexual behaviour.

The National Child Welfare Programme approved by Order No. A1-132 of Minister of Social Security and Labour of the Republic of Lithuania of 10 March 2016 and the Child Welfare Action Plan for 2016–2018 define the measures to protect a child against violence and sexual exploitation and, with due regard to the interests and needs of the child, to create preconditions for the child to grow in his biological family

by enhancing the availability to the child and his family of preventive and integrated services in crisis situations.

The Description of the Operating Model of the Child Socialisation Centre approved by Order No. V-110 of the Minister of Education and Science of the Republic of Lithuania of 3 March 2016 defines the processes of re-socialisation and social integration of children during the implementation of the medium child care measure, sets requirements for the settings of child socialisation centres and deals with other aspects relating to the organisation of education and the provision of educational assistance, which also covers sexual education of children.

As mentioned above, on 14 July 2016, the Minister of Social Security and Labour of the Republic of Lithuania, Minister of Health of the Republic of Lithuania, Minister of Education and Science of the Republic of Lithuania and Minister of the Interior of the Republic of Lithuania signed Order No. A1-362/V-936/V-646/V-495 concerning the Procedure for Joint Work with Families. Assistance to at-risk families is provided in municipalities in a coordinated manner. This ensures coordinated provision of social support, educational, health care services, communal and law enforcement support to families in municipalities in order to strengthen family responsibility, abilities and opportunities to independently handle family problems and to help them escape from social exclusion and overcome other problems encountered in the family; the support also includes assistance to children who have been exposed to sexual exploitation and their families.

On 14 September 2009, the State Child Rights Protection and Adoption Service under the Ministry of Social Security and Labour of the Republic of Lithuania launched a toll-free helpline for children 116 111, which is common across the EU. Its purpose is to enhance the protection of the rights of the child in Lithuania, increase information on social services, their dissemination and accessibility. Starting with 14 February 2011, the calls of children and adults (calling to report about a child in need of assistance) to the toll-free line 116 111 have been primarily answered by volunteer consultants of NGO "Vaikų linija" (primary assistance) who, if assistance from other institutions or organisations is necessary, connect the callers upon their consent with the consultants of child helpline of the State Child Rights Protection and Adoption Service under the Ministry of Social Security and Labour of the Republic of Lithuania who organise the provision of further necessary assistance (secondary assistance). The main function of the child helpline is to refer the caller to the social partner who is closest to the child and can secure the child's best interests as well as provide the child with necessary services. In 2016, volunteer consultants from the NGO "Vaikų linija" answered 154395 calls. It should be noted that the number of answered calls increased, as compared with 2015. According to the data of 2016, minors mainly talked about relations with their peers, psychosocial health, violence and abuse, relations with family members, and also touched upon topics related to sexuality, physical health and school. In 2016, 348 calls were referred by NGO "Vaikų linija" to the child helpline (CHL). It should be noted that a total of 571 conversations with CHL consultants were registered in 2016. Other lines also have a possibility to refer calls to the CHL since the second half of 2013. In 2016, the consultants of "Jaunimo linija" referred 9 callers to the CHL (36 callers in 2015). Children referred to the CHL talked about violence and abuse, relations with the family and other important adults, school and psychosocial health. It should be noted that more than one problem is discussed during a call. The child does not necessarily name these problems, yet a consultant is able to identify deeper and older problems which are mainly the cause of the child's call. Adults called to talk about issues related to violence and abuse: children's bullying, neglect as well as physical and psychological violence in education institutions and families, difficulties that children face when studying, the establishment of the child's place of residence, the establishment of the procedure of contacting the child if the parents live separately, etc. The CHL mainly provided children with information, consultations, emotional support; consultants acted as intermediaries, initiating assistance to children and/or families by specialists of other institutions or organisations.

According to clause 6.5 of the General Regulations of CRPD, CRPD cooperates with the state, municipal institutions and bodies, NGOs and communities on the issues of protection of child's rights and legitimate interests. In accordance with the Description of the Procedure of educational assistance, social and health care services provided in a coordinated way approved by Order No. V-651/A1-455/V-1004 of Minister of Education and Science of the Republic of Lithuania, Minister of Social Security and Labour of the Republic of Lithuania and the Minister of Health of the Republic of Lithuania of 28 August

2017, the services provided in a coordinated way with the purpose of ensuring favourable conditions for the child's welfare by helping the parents (guardians, caretakers) in creating a safe environment, in ensuring the quality of life, personal and social relationships are organized when sporadic, separately provided or being provided services of educational assistance, social or health care are ineffective, inefficient and do not ensure welfare of the children. The positions of inter-institutional cooperation coordinator have been introduced in municipalities for this purpose. Specialised NGOs funded by the State through the Ministry of Social Security and Labour of the Republic of Lithuania also render assistance to children victims of THB and their families.

Also please refer to the comments under Questions 7–11, 33–45.

C. Questions related to specific articles

Definitions (Article 4)

13. Have any difficulties been experienced in your country in identifying and prosecuting cases on the ground of trafficking for the purpose of forced labour or services, slavery and practices similar to slavery or servitude? If so, please provide details.

The THB for forced labour or services cases are identified and traffickers are prosecuted each year with no major difficulties.

14. How does your country's law define "abuse of a position of vulnerability" and what are the criteria for evaluating the vulnerability of a person subjected to THB? Please provide any relevant examples where the means used in THB offences involved an abuse of a position of vulnerability.

"Abuse of a position of vulnerability" is defined in the jurisprudence of the Supreme Court of Lithuania (Judgement of 6 January 2016 in criminal case No. 2K-43-942/2016 by the Criminal Division of the Supreme Court of Lithuania, available online <http://www.lat.lt/lt/teismo-nutartys/nutartys-nuo-2006-6bt1.html>) and in the Recommendations. The criteria for identifying victims of THB, including for evaluating the vulnerability of a person subjected to THB, are set in the Recommendations.

15. To what extent does your country's law recognise the relevance of forced marriage and illegal adoption to THB offences? Please provide any examples from case law where forced marriage and illegal adoption were considered in the context of THB.

The Lithuanian legislation recognizes the relevance of forced and sharm marriage as well as illegal adoption to THB offences (see Articles 147 and 157 of the Penal Code of the Republic of Lithuania). Pre-trial investigations were initiated for THB for forced marriages and illegal adoption (see statistics). Also there is a recent judgement by the Court of Appeal of Lithuania in criminal case No. 1A-438-628/2017 of 20 october 2017 (available online <http://liteko.teismai.lt/viesasprendimupaieska/tekstas.aspx?id=1e248bf9-ebdd-41d8-b8eb-5db7f10115ee>).

16. Can forced begging be considered as a purpose of THB according to your country's law? Have there been any cases of child trafficking for forced begging with the involvement of the child's family or legal guardian?

The Lithuanian legislation recognizes forced begging as an exploitative purpose of THB (see Articles 147 and 157 of the Penal Code of the Republic of Lithuania). There had been no criminal cases initiated for THB for forced begging of a child with the involvement of the child's family or legal guardian until 2017.

17. Can the exploitation of criminal activities be considered as a purpose of THB according to your country's law? Please provide any examples from case law.

The Lithuanian legislation recognizes the exploitation of criminal activities as a purpose of THB (see Articles 147 and 157 of the Penal Code of the Republic of Lithuania). And there had been many criminal cases initiated for THB for forced criminal activities until 2017, some of them were solved with high penalties (see statistics). Examples of case law: judgment of Criminal Division of the Supreme Court of Lithuania of 12 December 2017 in criminal case No. 2K-358-1073/2017, available online <http://www.lat.lt/lt/teismo-nutartys/nutartys-nuo-2006-6bt1.html>; judgment of Criminal Division of the Supreme Court of Lithuania of 7 March 2017 in criminal case No. 2K-6-507/2017, available online <http://www.lat.lt/lt/teismo-nutartys/nutartys-nuo-2006-6bt1.html>.

Prevention of THB (Article 5)

18. Is the impact of awareness-raising campaigns and other measures to prevent THB evaluated and how are the results taken into account? Please provide copies of any impact evaluation reports.

The impact of counter-THB measures and actions is evaluated based on the Strategic Planning Methodology approved by the Government of the Republic of Lithuania and there is a special information system SIS used for this purpose. In addition, the effect of each implemented counter-THB activity is done by responsible agency and by National Rapporteur of the Republic of Lithuania for counter-THB issues (since 2017, earlier – the Ministry of the Interior of the Republic of Lithuania) based on the recommendations by the EU Anti-trafficking Coordinator. The evaluation is internal. The reports by National Rapporteur of the Republic of Lithuania for counter-THB issues (earlier – the Ministry of the Interior of the Republic of Lithuania) are public and might be found at the website of the Ministry of the Interior of the Republic of Lithuania at <http://vrm.lrv.lt/lt/veiklos-sritys/kova-su-prekyba-zmonemis>. The results of the evaluation are taken into account in planning and implementation procedures. In addition, representative opinion polls of residents are organized each 2–3 years. The latest representative opinion poll of residents initiated by the Ministry of the Interior of the Republic of Lithuania was conducted by JSC “Baltijos tyrimai” in April – July 2016 (3088 respondents aged 15–75 individually at their home in all municipalities of the country were interviewed). It revealed that even 66 per cent of the interviewed admitted that they did not need more information on THB, 60 per cent knew about modus operandi, 57 per cent knew on how to avoid of becoming a victim of THB, and 53 per cent knew where to apply or direct others for assistance in such cases. The collected data showed that Lithuanians did not treat THB as a serious threat to public safety and the percentage of such inhabitants was increasing (94 per cent of them in 2016 in comparison to 8 per cent in 2015 and 11 per cent in 2014). To summarize, the population have knowledge and feel secure as regards threats of human trafficking. This is a great achievement illustrating that the counter-THB measures have been effective in Lithuania.

19. How does your country promote and fund research on THB and use its results in the development of anti-trafficking policy? Please provide examples of recent research.

The researchers of the Ministry of the Interior of the Republic of Lithuania continuously incorporate questions related to THB to their research works, the results are spread among specialists and the public (financed from the State budget through the Ministry of the Interior of the Republic of Lithuania). Also research is made by experts on project basis (e. g. coordination of the fight against THB on municipality level, sharm (forced) marriages, implementation of Directive 2011/36/EU of the European Parliament and of the Council of 5 April 2011 on preventing and combating trafficking in human beings and protecting its victims, and replacing Council Framework Decision 2002/629/JHA). Furthermore, a separate funded activity has been included into the Plan for 2017–2019 (“To perform the functions of the national rapporteur for human trafficking”, each year, in pursuant to the needs and recommendations of the National Rapporteur, independent research is ordered). Also see the comment under Question 18.

20. How do your country’s migration legislation and policies seek to prevent THB by enabling lawful migration?

The legal migration procedures are established by the Law on the Legal Status of Aliens of the Republic of Lithuania (available online <https://www.e-tar.lt/portal/lt/legalAct/TAR.42837E5A79DD/uCWCKWxVbe>) and secondary legal acts implementing the Law. The Ministry of Social Security and Labour of the Republic of Lithuania with its subdivisions have issued procedures for legal labour migration and early detection of irregular employment cases to prevent THB and exploitation. Also there is a special information page by the Lithuanian Labour Exchange for foreigners wishing to work in Lithuania at their website at <http://www.ldb.lt/EN/INFORMATION/SERVICES/Pages/Placementofforeigners.aspx>.

21. Please describe the measures taken in your country to prevent THB for the purpose of the removal of organs, and in particular:

- a. the legislation and regulations on organ transplantation and removal of organs, including requirements for the living donation procedure (information/consent, evaluation/selection, follow-up and registry) and criteria for authorising centres for living donation;
- b. the institution(s) in charge of overseeing and monitoring the medical care and recovery of donors and recipients and managing or supervising any waiting lists for organ transplantations;
- c. the guidance and training provided to relevant professionals to prevent this form of THB, to report cases and to identify and assist victims.

Organs, tissues and cells donation and transplantation are regulated by the Law on Donation and Transplantation of Human Tissues, Cells and Organs (available online <https://www.e->

tar.lt/portal/lt/legalAct/TAR.D00D08A48D5D/BezonXFNzB) and sub-statutory legal acts. Lithuania has a national registry managed by the National Transplant Bureau under the Ministry of Health of the Republic of Lithuania. The requirements for the Registry are approved by the Government of the Republic of Lithuania. Authorisation of centres, hospitals and tissue establishers is performed by the State Health Care Accreditation Agency under the Ministry of Health of the Republic of Lithuania. The National Transplant Bureau under the Ministry of Health of the Republic of Lithuania is responsible for overseeing and monitoring all donation and transplantation activities in Lithuania. The Bureau manages kidney, kidney-pancreas, heart, heart-lungs, lungs, liver, and cornea recipients' waiting lists, as well as collects and manages information about HPC, bone, amniotic membrane, SVF donors and recipients. The Recommendations are the document to be used for identification, referral and assistance to victims of THB, as well as to prevent THB before it is committed. In addition, also agencies have their own legal acts on internal procedures, which are also used for training sessions. THB for organs is analysed as one of forms of THB. The Action Plan for 2017–2019 includes training for medical staff.

Measures to discourage the demand (Article 6)

22. What preventive measures to discourage demand that fosters different forms of exploitation has your country adopted, in particular in the areas of:

- a. educational programmes;
- b. information campaigns and involvement of the media;
- c. legislation (including in the areas of public procurement, disclosure requirements and anti-corruption);
- d. involvement of the private sector.

The Lithuanian authorities continued implementing awareness raising and educational campaigns on THB for the general public and vulnerable groups. A numerous number of such activities were conducted by Lithuanian authorities in cooperation with civil society organisations or by civil society organisations under funding and coordination by Lithuanian authorities, e. g. many preventive activities were implemented under the projects run by NGOs funded by the Ministry of Social Security and Labour of the Republic of Lithuania, also by the police, especially informing the public on THB and assistance possibilities, as well as sharing knowledge with others, especially teachers and other school staff, parents and students at schools, vocational training entities, special schools and foster homes, social workers, child rights and other specialists working on municipality level. A tremendous number of preventive activities were organised at different schools by schools personnel and other actors and teachers were provided with an information and methodology package for teachers on prevention of THB and live video streaming of information on THB was arranged at schools. A summarized overview of preventive activities is available online in the website of the Ministry of the Interior of the Republic of Lithuania at <http://vrm.lrv.lt/lt/veiklos-sritys/kova-su-prekyba-zmonemis>.

Since 2017, preventive activities and actions for the general public and targeted at vulnerable groups, including children, unemployed and other persons under social exclusion, on national and local levels, among them measures of building specialist and public awareness on THB in order to inform about THB trends, counter-THB initiatives, provided support and problems, and to reduce the demand for services of sold persons in all the areas of their exploitation are under implementation by different actors. The Plan for 2017–2019 incorporates a separate chapter on prevention with a special preventive measure “To organise information campaigns to reduce the demand for services of sold persons in all the areas of their exploitation” for each year in 2017–2019. Also preventive activities have been implemented under projects, e. g. preventive campaigns have been implemented under the projects “Strengthening the Role of Municipalities in the Work against Trafficking in Human Beings (STROM II)”, „Preventing human trafficking and sham marriages: A multidisciplinary solution” (HESTIA), and others, see comments under Question 1). Responsible agencies communicated information on THB related issues in their websites. In 2017, a large preventive campaign was organised in the country with a special focus on the municipalities in which victims of THB had been identified. This campaign was coordinated with preventive activities under the project “Strengthening the Role of Municipalities in the Work against Trafficking in Human Beings (STROM II)”. The huge joint campaign took part in September – December 2017 covering the whole country and reaching over one million of inhabitants and guests (based on calculations by service providers) through newly produced video clips and posters on four forms of THB

(for sexual exploitation, for forced criminal activities, for forced labour and forced marriages), flyers introducing to different forms of THB and their indicators, and available assistance widely spread at public transport and public transport stops, post offices, public stands and ad boards, vulnerable families, schools, universities, churches with municipality staff, schools personnel, social care and assistance agencies, social workers for vulnerable families, children rights specialists, police, border guards, civil society organisations, and etc. For demand reduction purposes, during the campaign a trafficker was chosen as a central figure of the crime. The campaign also reminded the population on a depersonalised police email box and a trust phone line to inform of human trafficking and labour exploitation. The campaign was reflected at the EUCPN conference in December 2017. It was agreed that one of the produced tools – the flyer – would be used as an example for the EU member states.

Furthermore, in 2017, a preventive campaign was arranged within Lithuanian communities in the United Kingdom, the target country number one for trafficked and exploited Lithuanians (one of activities of the Plan for 2017–2019). Information on THB and exploitation, as well as agencies to get assistance was spread among the Lithuanian population including potential traffickers and exploiters in the United Kingdom through newly produced preventive tools: transmission of video clips and distribution of flyers on four types of THB (for forced criminal activities, forced labour, forced marriages and prostitution) in social networks, mass media used by Lithuanians and personally. It is considered to repeat such campaigns in other target countries where Lithuanians are still trafficked and exploited.

In 2017, territorial labour exchanges cooperated with more than 100 different organizations, social partners in the prevention of THB. Events organized by the territorial labour exchanges and their territorial offices, in which the preventive measures prepared by the Ministry of the Interior of the Republic of Lithuania were made public in the areas of open information, was launched by the Center for Combating Trafficking in Human Beings and Exploitation. Territorial labour exchanges with partners organized meetings, actions, events "Stop the trafficking in human beings", "Stop the trafficking of human beings in our country", "Know the danger of trafficking in human beings", etc., which identified the most common forms of THB, shared experiences on how to recognize them and on available assistance. People seeking jobs were informed about possible threats in various job search portals. NGOs provided social assistance for victims of THB and presumed victims of THB, as well as were involved in preventive activities: seminars, preventive lectures, educational trainings for youngsters, students in high schools, persons at risk, children in care, specialists, spread information in public places and media about THB threats, ways to avoid of THB, possibilities to get assistance.

Also please refer to comments under Question 23.

23. Please describe the measures taken in your country to prevent trafficking for forced labour or services, *inter alia*, by means of labour inspection and labour administration, monitoring of recruitment and temporary work agencies, and monitoring of supply chains.

Since 2013, the State Labour Inspectorate under the Ministry of Social Security and Labour of the Republic of Lithuania, implementing priorities of the Government of the Republic of Lithuania in the sphere of supervision of economic entities, has conducted the assessment of risks of economic entities related to illegal work and inspections of illegal work without prior announcement (including operations of recruitment agencies). It carried out 7091 inspections in 2015 (those inspections were intensified in comparison to previous years) for prevention and control of illegal work: 6654 economic entities were inspected and 1254 illegal workers were found (there was a decrease in employees found under illegal work) which resulted in 805 administrative law violations reports. Two reports were forwarded to prosecutors to evaluate the data and initiate cases on human trafficking or related crimes. In 2016, 7012 inspections were carried out: 6749 economic entities were inspected and 1129 illegal workers were found (again, there was a decrease in employees found under illegal work) which resulted in 778 administrative law violations reports. Even 65 reports were forwarded to relevant institutions to evaluate the data and initiate necessary actions within their competence. The checks showed that the number of illegal workers had been decreasing year by year. It might be concluded that demand for illegal work had been decreasing in the recent years. In the Lithuania the number of planned undeclared work controls was about 6500 in 2017. There was special target action for illegal work and THB for forced labour in October of 2017. The State Labour Inspectorate under the Ministry of Social Security and Labour of the Republic of Lithuania found about 266 people working illegally and 22 of them were workers from third countries.

On 12 December 2016 the State Labour Inspectorate under the Ministry of Social Security and Labour of the Republic of Lithuania signed a cooperation protocol with the State Labour Agency of the Ukraine to exchange

information on the nationals working on the territory of another country and possible labour law violations related to them (an increasing number of Ukrainians have been detected as arriving for work to Lithuania). In addition, the police arranged special raids to the locations where sexual services might be served what resulted in issuing administrative law violations protocols and informing the prostituting persons on the possibilities to get assistance. The public had been kept informed of the situation and the results of the activities conducted.

People could find a column about THB in web page of the State Labour Inspectorate under the Ministry of Social Security and Labour of the Republic of Lithuania (https://www.vdi.lt/Forms/Tema.aspx?Tema_ID=58).

The police with partners (labour inspectors, social workers, child rights specialists) participated in a joint action days against THB for labour exploitation organized by Europol in 2016 and 2017. Main objectives were intelligence gathering and information exchange followed by target discovery, awareness activities, investigation and victim safeguarding in agriculture and construction sectors. During the operations, the police with partners evaluated the procedures of the companies involved in employment services in other countries and raided the companies where employees might be exploited.

The EURES Office at the Lithuanian Labour Exchange under the Ministry of Social Security and Labour of the Republic of Lithuania and 10 EURES offices in territorial labour exchanges were widely engaged in prevention of illegal work abroad: checked whether the job offer contained trustful information and met the standards of labour law of the member state (labour contract, salary, work time); raised awareness of the persons looking for work abroad (organized awareness raising events, individual consultations); strived to ensure that people who were leaving for work in other countries were not be discriminated, knew their rights and duties, had equal opportunities to work (hand-outs, information leaflets, and etc.).

In 2012–2014, the Ministry of the Interior of the Republic of Lithuania and the European Institute for Crime Prevention and Control, affiliated with the United Nations (HEUNI), the Council of the Baltic Sea States Task Force against Trafficking in Human Beings (TF-THB) and the University of Tartu implemented the international project in the Baltic Sea Region “Adstringo: Addressing Trafficking in Human Beings for Labour Exploitation through Improved Partnerships, Enhanced Diagnostics and Intensified Organisational Approaches” (ADSTRINGO), which contributed to the implementation of one of the objectives of Priority Crime Area of the European Union Strategy for the Baltic Sea Region – take measures for prevention of trafficking in human beings and protection of victims in the Baltic Sea Region under the responsibility of Lithuania (Ministry of the Interior) (funded by Prevention of and Fight Against Crime Programme of the European Commission, TF-THB, Ministry of the Interior of the Republic of Lithuania and HEUNI). The project included sociological research about the methods of recruiting for trafficking in human beings for forced labour and the role of employment agencies and employers in this sphere in Lithuania, Estonia, Sweden and Finland which resulted in publication of the results and recommendations in Lithuanian, Estonian, Swedish and Finnish and the development of the [Guidelines to prevent abusive recruitment, exploitative employment and trafficking of migrant workers in the Baltic Sea region](#) with the Guidelines – In Brief version for Governmental and civil society actors, natural and legal persons providing employment services and for employers about migrants victims of trafficking in human beings and forced labour, identification of such cases, their prevention and the rights of migrants in 2014. The publications and recommendations were presented and distributed to responsible public and private actors including diplomats, media, universities and libraries, civil society organisations and the public, as well as the international community in 2014. They were used in policy formation, planning and training. The short-term effect – knowledge of relevant actors including businesses on the topics, “0” tolerance for forced labour and services.

In 2012–2014, the ISEC funded project run by Klaipeda Social and Psychological Support Center and its partners “Stop Traffick: Tackling Demand for Sexual Services of trafficked women and girls” focused on efficient strategies to reduce demand for the services of trafficked women and girls in five participating countries (Cyprus, Finland, Ireland, Bulgaria and Lithuania). The developed toolkit and activities raised awareness on men’s attitude to buying sex in the five participating countries and on the experiences of women and girls who had been trafficked for the purpose of sexual exploitation. Furthermore, the programme specifically targeted trade unions and private and public sector employers in the development and implementation of the programme to ensure its credibility, authenticity, engagement by civil society and ultimately its success. The results were spread nationally and locally. The short-term effect – broader knowledge on the problem, decreasing number of administrative violations protocols for prostitution, and ongoing discussions by different interests group on criminalizing the purchase of prostitution services of adults.

In 2014–2015, the Council of the Baltic Sea States Project Facility Fund (PSF) project “Strengthening the Role of Municipalities in the Work against Trafficking in Human Beings in the Baltic Sea Region” aimed at strengthening the capacity and role of municipalities in the chain of assistance to victims of human trafficking in the Baltic Sea Region (STROM I) resulted in developing and spreading nationally and locally specific guidelines for the municipalities “Guidelines for Municipalities – Stepping up Action against Human Trafficking” on how to deal successfully with cases of trafficking in human beings, and how to develop local referral mechanisms including the role of all local actors in preventing human trafficking and assisting victims of this crime. The short-term effect – raised awareness and strengthened capacities of local actors, and development of counter-THB coordination mechanisms in municipalities in practice (the STROM II project).

In 2015–2016, the project „Preventing human trafficking and sham marriages: A multidisciplinary solution” (HESTIA) (with the support of Directorate General of Home Affairs of European Commission “Prevention of and Fight against Crime Programme”, coordinated by the Ministry of the Interior of the Republic of Latvia, in Lithuania – by civil society organisation Lithuanian Caritas, and others) was implemented. The project developed a report and recommendations on sham marriages and raised awareness on human trafficking for forced marriages for law enforcement and responsible specialists. The results were spread nationally and locally. The short-term effect – increasing number of disclosed and investigated crimes of this type.

Also please refer to comments under Question 22.

Border measures (Article 7)

24. Please describe the specific measures taken in your country to strengthen the capacities of border guards to prevent and combat THB, in particular as regards:

- a. identification of possible victims of THB in the context of border control;
- b. identification of possible perpetrators of THB offences;
- c. gathering of first-line information from victims and perpetrators;
- d. identification of vulnerable persons in need of international protection among possible victims of trafficking.

The State Border Guard Service under the Ministry of the Interior of the Republic of Lithuania has officers instructors trained by the **European Border and Coast Guard Agency (Frontex)** for training in the sphere of of the fight against THB. The training of future border guards is based on the Anti-trafficking training for border guards – Trainers’ manual which was developed by the Frontex Training Unit. The aim of the training material is to assist the national trainers to equip border guards with special skills needed to effectively fight against THB, to provide a modern and easy to use training package for trainers of first and second line border guards. The training material comprises three training modules: Awareness, Identification and Interviewing. Trafficking in children is incorporated as a separate section in all three modules.

Awareness (first module) – with the aim of creating awareness, increasing understanding and enhancing knowledge among the border guard community of the crime of trafficking in human beings and the human rights violations it entails, its characteristics, actors, functioning and mechanisms.

Identification (second module) is aimed at improving the ability of the border control authorities to identify potential victims of trafficking in human beings, but also suspected traffickers. More specifically, by providing a useful tool including indicators of traffickers and potential victims, and practical real life examples, this Module will provide the officers of border guard service with an opportunity to detect and prevent this serious crime at a very early stage.

Interviewing (third module) is intended for the border guard in the second line. This module is aimed at providing a firm basis for an interview that should allow a final evaluation of whether a person is a victim, or potential victim, of human trafficking, taking into account any need for assistance as well as the most effective referral for further social, judicial and administrative follow-up, including, where relevant, to the asylum authorities.

Every year the State Border Guard Service under the Ministry of the Interior of the Republic of Lithuania also conducts refresher training on THB, the aim of which is to provide special knowledge to officers carrying border checks in order to effectively prevent and combat THB. The refresher courses are tailored to provide officers with knowledge about THB crime, violations of human rights, the related consequences and nature as well as the mechanism itself; to develop officers’ skills in identifying

potential victims of THB and suspected traffickers; to develop skills and competences of border guards to conduct initial interview of victims of THB.

25. What measures have been taken to ensure that the personnel employed by commercial carriers, including airline attendants and staff working on other means of transportation by land and sea, are able to detect possible victims of THB and inform relevant bodies in due course?

The officers of the State Border Guard Service under the Ministry of the interior of the Republic of Lithuania that perform their functions at the sea border maintain continuous cooperation with companies providing ferry services. Border guards maintain close cooperation with administrations of such companies (e. g. exchange information about persons that could be trafficked across the state border), as well as provide with methodological support and risk profiles of groups of persons that could be potential traffickers. Close cooperation is also maintained with the staff members of passenger shipping companies that are in charge of sale of tickets and registration of passengers. The aforementioned staff is also provided with practical and methodological information about persons that could be trafficked across the state border. Moreover, the information that is provided to border guards by sea carriers regarding groups of vulnerable persons crossing the border or those in possession of disorderly travel documents is verified on a regular basis. Information of this kind is also exchanged with the staff of ferry companies of Germany and Sweden.

26. What measures have been taken to promote co-operation between border control agencies as regards the establishment and maintenance of direct channels of communication? How have these channels been used for detecting transnational THB? Please provide examples of cases in which these channels were used and any difficulties encountered by border control agencies in this context.

The State Border Guard Service under the Ministry of the interior of the Republic of Lithuania is an authority responsible for border control in Lithuania. It maintains close cooperation with other law enforcement institutions, especially the police. Taking into account the fact that THB related data are considered to be sensitive data, Europol's SIENA application is used whenever there is a need to maintain cooperation on international level.

Identification of the victims (Article 10)

27. Is there a national referral mechanism (NRM) or an equivalent system for identification and referral to assistance of victims of trafficking, both nationals and foreigners, for any form of exploitation? If so, please specify the bodies involved in it and their responsibilities. If an NRM existed in your country at the time of the first evaluation, please indicate any changes that have been made to it in the meantime.

The National referral mechanism (NRM) is defined in the Recommendations. The mechanism involves all responsible specialists, which might have the first contact with victims of THB and shall refer them for assistance and support, as well as services providers for victims of THB and IOM Vilnius Office. They act within their competences.

28. Are there any formalised indicators for the identification of victims of THB for different forms of exploitation and how is their use by different professionals ensured in practice in your country?

The Recommendations define unified victim identification criteria with explanation of necessary terms, defining the identification procedures and cooperation of relevant actors in referral of such victims, including NGOs and IOM Vilnius office. The Recommendations were distributed and explained to relevant actors through training sessions and regular discussions on their application are ongoing (also specialists meet once a year to discuss the application of the Recommendations as incorporated in the Plan for 2017–2019). Since the approval of the Recommendations, any training related to identification and referral of victims also refers to the application of the Recommendations.

On 24 February 2016, Minister of the Interior of the Republic of Lithuania signed Ruling No. 1V-131 on Approval of Procedures for Granting and Withdrawal of Asylum in the Republic of Lithuania, which describes identification of vulnerability of asylum seekers including THB victims (available online https://www.e-tar.lt/portal/lt/legalAct/ebc768d0dadd11_e583a295d9366c7ab3). In case of THB, procedures described in the Recommendations are used for further actions.

29. What is considered as "reasonable grounds" to believe that a person is a victim of THB and which bodies have competence to identify victims upon "reasonable grounds"? Please provide examples from practice.

"Reasonable grounds" to identify a THB crime are characteristics of the crimes defined in the Penal Code of the Republic of Lithuania. They are explained and detailed in the Recommendations. Formal

identification can be performed by investigators, prosecutors and judges. The procedures are described in the Criminal Procedure Code of the Republic of Lithuania, the Recommendations and other documents.

30. What measures are taken in your country to encourage self-identification of victims of THB?

The self-identification of victims of THB is encouraged through spreading information on THB, its threats and possibilities to get assistance – through clarification, information and approaching. There is much of such information in mass media, especially after training of journalists on THB in 2016–2017. During the preventive campaign in 2017, the most vulnerable people were approached and issues related to THB, exploitation and available assistance were discussed (e. g. families at social risk were met by social workers, pupils at schools had discussions with teachers and police, the communities were approached by local priests (following the methodical recommendations prepared by the Ministry of the Interior of the Republic of Lithuania for the church) during which they were encouraged to speak on the problem and seek assistance).

31. What measures are taken in your country to identify victims of THB during the examination of asylum applications and during return of persons whose applications are rejected? How is communication ensured between the authorities responsible for identification of victims of trafficking and immigration and asylum authorities when there are reasonable grounds to believe that a person who is irregularly staying in the country is a victim of trafficking?

The Recommendations describe the procedures and the professionals are obliged to follow them. The State Border Guard Service under the Ministry of the interior of the Republic of Lithuania and the Foreigners Registration Centre, where illegal immigrants are temporary kept under detention and asylum seekers are housed, also carry out their activities in compliance with the Recommendations.

Protection of private life (Article 11)

32. What measures are taken by relevant professionals to protect the confidentiality of information and protect the personal life and identity of victims of THB, including as regards storing of their personal data? Are there any conflicts of interest between professional ethics, on the one hand, and the obligation to report an offence, on the other hand? If so, how are these conflicts resolved in practice?

The Law on Legal Protection of Personal Data of the Republic of Lithuania (available online <https://www.e-tar.lt/portal/lt/legalAct/TAR.5368B592234C/XSpzxvEjlg>) defines the legal regulation of processing personal data. Projects of newly drafted laws or other legal acts are coordinated with the State Data Protection Inspectorate.

The Criminal Procedure Code of the Republic of Lithuania defines the protection of the personal life and confidentiality during criminal proceedings (Articles 9, 9¹, 177, 181, 198–204). Article 44 defines that each person has the right to respect for his or her private and family life, home and correspondence, and etc. Article 177 incorporates that data from criminal investigation are not public and it is prohibited to publish data on minor victims or suspects, as well as to make copies of documents related to them and to other persons' private life, and etc. Article 181 describes the right to access to the data of criminal proceedings. Articles 198–204 define the right of the victim to request for anonymity (including partial anonymity), the grounds and procedures for its application. (The Criminal Procedure Code of the Republic of Lithuania is available online <https://www.e-tar.lt/portal/lt/legalAct/TAR.EC588C321777/RKDzuhQANj>). Practitioners observe the legislation and have not outlined any conflicts of interest between professional ethics and the obligation to report an offence.

Assistance to victims (Article 12)

33. When assistance to victims is provided by non-state actors, how do your country's authorities ensure compliance with the obligations under Article 12 of the Convention, in particular when it comes to:

- a. funding;
- b. victim's safety and protection;
- c. standards of assistance and their implementation in practice;
- d. access to medical treatment, psychological assistance, counselling and information;
- e. translation and interpretation, where appropriate?

The procedures for identification and referral of victims of THB were defined in the Recommendations. Their application is reviewed each year. The Regulations on the organisation of the projects for social assistance for victims of THB competition for 2016–2018 approved on 22 January 2017 by Ruling No. A1-38 of Minister of Social Security and Labour of the Republic of Lithuania set out the requirements for social assistance to victims of THB for the NGOs which are financed by the State to render assistance to victims of THB: the assistance has to be rendered in a coordinated and complex manner and consist of social assistance, temporary accommodation, psychological care and healthcare, legal, educational and employment help, and etc. based on the evaluation of individual needs of the victim and following the individual social assistance plan. The NGOs rendering assistance to victims of THB are financed by the State through the Ministry of Social Security and Labour of the Republic of Lithuania. Extra funding to NGOs is allotted by municipalities to implement prevention and assistance projects in their territory. In addition, social services, including temporary accommodation, legal, psychological assistance, organisation of education to victims of THB and their children – residents of the municipality are provided by municipality specialised assistance agencies.

Besides the consular assistance to the victims of any crime, Lithuanian Ministry of Foreign Affairs provides help, including financial assistance for the repatriation, for the victims of THB as a separate group. Upon establishing that a Lithuanian national is a victim of THB, diplomatic missions and consulates of the Republic of Lithuania provide assistance in return of such persons to Lithuania upon their consent. The Ministry of Foreign Affairs of the Republic of Lithuania allocates an annual budget to cover the return of Lithuanian victims.

Activities and actions of responsible institutions and funding related to assistance to victims of THB were also incorporated into the Plan for 2017–2019 (there is a separate chapter). The State funds allotted to NGOs projects related to assistance to victims of THB through the Ministry of Social Security and Labour of the Republic of Lithuania have been increasing: in 2016, 80 000 EUR, in 2017, 115 000 EUR, in 2018, 165 000 EUR. NGOs organize all needed assistance for victims of THB. The Department of Supervision of Social Services under the Ministry of Social Security and Labour of the Republic of Lithuania administrates NGOs projects and controls implementation of these projects.

To introduce to the best practice in Lithuania, the Ministry of Social Security and Labour of the Republic of Lithuania together with the Icelandic Government Agency for Child Protection implemented the project “Establishment of the Support Centre for Child Victims of Sexual Abuse” (co-funded from the European Economic Area Financial Mechanism and the state budget of the Republic of Lithuania). Upon the completion of the project child victims of sexual abuse would get integrated services in one location.

According to Article 48 of the Law on Employment of the Republic of Lithuania, victims of THB who have completed psychological social and / or vocational rehabilitation programs, if they apply to the territorial labor exchange not later than within 6 months after the completion of the psychological social and / or vocational rehabilitation program, may be involved in employment promotion programs. According to Paragraph 1 of Article 48 of the Law on Employment of the Republic of Lithuania, the following programs may be developed for increasing employment: 1) unemployment prevention; 2) integration of immigrants, national minorities into the labor market; 3) increase of the employment of persons referred to in Paragraph 2 of this Article; 4) others (available online (<https://www.e-tar.lt/portal/lt/legalAct/422c8b5042b811e6a8ae9e1795984391/vZbtWOYyTm>)).

According to Paragraph 1 of Article 47 and Part 2 of Paragraph 2 of Article 47 of the Law on the Health System of the Republic of Lithuania, the emergency care services is a State-guaranteed (free of charge) health care which is covered by the Compulsory Health Insurance Fund, state or municipal budgets, municipal public health support program. According to Paragraph 1 of Article 49 of the Law on the Health System of the Republic of Lithuania, emergency care services in the Lithuanian National Health System institutions are provided free of charge to all permanent residents, regardless of whether they are covered by the Compulsory Health Insurance. The emergency care services to citizens of foreign countries, stateless persons, not attributed to permanent residents are provided in accordance with the procedure established by the Ministry of Health of the Republic of Lithuania, unless it is subject to international agreements of the Republic of Lithuania. Provision of emergency care services and scope of it are set by Ruling No. V-208 of Minister of Health of the Republic of Lithuania of 8 April 2004.

Health care of foreigners who have submitted an application for asylum in the Republic of Lithuania, foreigners who were granted a temporary or subsidiary protection in the Republic of Lithuania, in accordance to Part 4 of Paragraph 2 of Article 47 of the Law on the Health System of the Republic of Lithuania, are assigned to the State-guaranteed (free of charge) health care.

In June and September 2017, cooperation agreements were concluded on the implementation of the measures for the integration of people experiencing social exclusion into the labor market (including victims of THB). On the basis of cooperation, persons who are facing social exclusion and are applying for a territorial labor exchange are provided with information about the projects concerning the integration of job-seekers into the labor market.

Article 8 of the Criminal Procedure Code of the Republic of Lithuania defines that the criminal procedure is conducted in the Lithuanian language, however, a pre-trial investigator, prosecutor or court must determine in the shortest possible time whether the participant of the criminal procedure speaks Lithuanian or s/he needs interpretation. The participants who do not speak Lithuanian can use the language they speak and have the right to use interpretation services free of charge.

34. What specific measures are taken to ensure that the provision of assistance to victims of THB who have been issued a residence permit for the purpose of their co-operation in the investigation or criminal proceedings is not made conditional on their willingness to act as a witness?

As regards victims of THB and illegal work, Article 49¹ of the Law on Legal Status of Aliens of the Republic of Lithuania establishes that a temporary residence permit can be issued for the foreigner who is or was a victim of THB or illegal work and cooperates with pre-trial investigation agency or court to fight THB or crimes related to THB or illegal work, when the victim worked under special exploitative conditions or the victim was a minor, if a pre-trial investigation agency or court intermediates in issuing the permit. It is issued for 6 months and might be changed based on the intermediation of pre-trial investigation agency or court.

35. What accommodation is available for victims of THB (women, men and children) and how is it adapted to the victims' needs?

The Ministry of Social Security and Labour of the Republic of Lithuania regulates the conditions by funding the selected NGOs projects. If NGOs are willing to provide social assistance for victims of THB or possible victims of THB, they shall cooperate with other organizations which can contribute in providing social assistance for victims of THB. Also NGOs have to cooperate with municipalities and local social assistance providers. Temporary shelter for victims of THB can be provided by NGOs, social services organization, foster families, and foster parents (when victims are children). According to the information by the Lithuanian Department of Statistics, in Lithuania, there are 34 crises centres, 16 organizations for mothers and their children, 5 independent living houses for people at risk. In the Refugees Reception Centre, there are places for foreigners, presumed victims of THB for the period of the decision to be adopted. During the decision making process, persons have to decide whether they do want to cooperate with law enforcement or not.

36. What measures are taken to ensure that services are provided to victims on a consensual and informed basis?

NGOs organize and provide the needed assistance after identification of needs of victims of THB, taking into consideration the interests of victims of THB. Regardless of victim of THB cooperation with law enforcement, social assistance is organized and provided to all victims.

37. Is there any follow-up provided after the termination of assistance programmes? Can victims continue to receive assistance, where necessary and taking into account their specific needs resulting from the type of exploitation (including the removal of organs), after the termination of criminal proceedings, and if so what type of assistance?

Social assistance is not connected directly to victim's participation in criminal proceedings. It means that social assistance can be provided until victims of THB have needs for social assistance.

Recovery and reflection period (Article 13)

38. Please specify in which cases a recovery and reflection period can be granted and who is entitled to it (nationals, foreign nationals). Please describe the procedure for granting a recovery and reflection period, the assistance and protection provided during this period, and any difficulties encountered in practice.

The Recommendations establish the obligation for officers and specialists to inform the victim of THB of his/her rights and those provisions have been analysed in training sessions. Resolution No. 430 of the Government of the Republic of Lithuania of 18 April 2012 establishes the right of the victim of THB to be granted a reflection period and it is considered when there are data that the person has become a victim of THB. If it is considered as a possible THB case, a potential victim of THB is informed of the possibility

to be granted a reflection period. The same Resolution establishes that the victim can get necessary assistance during the reflection period.

Residence permit (Article 14)

39. If there is a provision in your country's law that provides for the possibility of issuing a residence permit owing to the victim's personal situation, how is this interpreted in practice? Please provide examples.

As regards victims of THB and illegal work, Article 49¹ of the Law on Legal Status of Aliens of the Republic of Lithuania establishes that a temporary residence permit can be issued for the foreigner who is or was a victim of THB or illegal work and cooperates with a pre-trial investigation agency or court to fight THB or crimes related to THB or illegal work, when the victim worked under special exploitative conditions or the victim was a minor, if a pre-trial investigation agency or court intermediates in issuing the permit. It is issued for 6 months and might be changed based on the intermediation of pre-trial investigation agency or court. There is no such practice in Lithuania.

40. When a residence permit is issued for the purpose of co-operation with the competent authorities, how is "co-operation" interpreted and what does it consist of in practice?

There is no such practice in Lithuania.

41. What measures are taken to ensure that a residence permit is provided to victims of THB in compliance with the obligation under Article 12.6, which states that the assistance to a victim of trafficking should not be made conditional on his or her willingness to act as a witness?

Assistance is provided to victims of THB and third country nationals have the right to the reflection period of 30 days. Article 49¹ of the Law on Legal Status of Aliens of the Republic of Lithuania establishes that a temporary residence permit can be issued for the foreigner who is or was a victim of THB or illegal work and cooperates with a pre-trial investigation agency or court to fight THB or crimes related to THB or illegal work, when the victim worked under special exploitative conditions or the victim was a minor, if a pre-trial investigation agency or court intermediates in issuing the permit. It is issued for 6 months and might be changed based on the intermediation of pre-trial investigation agency or court.

Compensation and legal redress (Article 15)

42. Please indicate any measures taken since the first evaluation report to promote effective compensation of victims of THB, in particular when it comes to:

- a. access to information on the relevant judicial and administrative proceedings in a language the victim can understand;
- b. access to free legal assistance and legal aid during investigations and court proceedings;
- c. compensation from the perpetrator;
- d. compensation from the state;
- e. compensation for unpaid wages to victims of trafficking.

Please provide examples of compensation awarded and effectively provided to victims of THB.

Article 45 of the Criminal Procedure Code of the Republic of Lithuania stipulates that judges, prosecutors and investigators must inform victims of their procedural rights and ensure that they gain access to them. Paragraph 2 of Article 46 states that if a person is recognized as a victim or has suffered damage as a result of a violent crime, the investigator or the prosecutor must immediately inform the victim of his or her right to compensation under the the Law on Amendment of the Law on Compensation of Damages Caused by Violent Crimes. In accordance with the amended Article 8, the investigator, prosecutor or the court must determine if the victim is fluent in Lithuanian and able to properly exercise his or her rights and understand the ongoing criminal proceedings or if an interpreter is needed. In case the participant of the criminal proceedings is not fluent in Lithuanian, the state guarantees the right to make statements, give evidence and explanations, to file requests or complaints and to speak in court in their native language or any other language in which the participant is fluent. During all criminal proceedings, including the initial introduction to the case file, the participants of the criminal proceedings have the right to use interpreter services in accordance to the procedures established by the Criminal Procedure Code of the Republic of Lithuania. In addition, the rights to file a complaint or a statement in verbal or written form in the native language or any other language of the victim or his (her) representative are ensured. Finally, the Ministry of Justice of the Republic of Lithuania has recommended the State Guaranteed

Legal Aid Service, which organizes training for state-guaranteed legal assistance (including training for lawyers who provide state-guaranteed secondary legal aid), to discuss during training sessions the rights and interests of THB victims and their proper insurance.

The Law on Amendment of the Law on Compensation of Damages Caused by Violent Crimes establishes two cases under which compensation is possible: compensation in advance (before the end of the criminal proceedings) for the damages sustained during the violent crime and compensation for damages after the criminal proceedings are over. It should be noted that the possibility to get the compensation for the damages sustained before the criminal proceedings are over are quite broad and there are several possibilities.

Chapter X (Articles 109–118) of the Criminal Procedure Code of the Republic of Lithuania (Compensation of Damage, when Civil Action is Taken in a Criminal Case) establishes the right of a person who suffered material or immaterial damage due to criminal acts to file civil action in the criminal process against the suspect or accused or against persons bearing financial liability for the actions of the suspect or the accused. The civil suit filed in a criminal case shall be exempt from stamp duty. During the process, the pre-trial investigation officer, the prosecutor or the court shall take measures to ensure a potential civil suit: find the property owned by the suspect or the accused or the persons bearing financial liability for the actions of the suspect or the accused and temporarily restrict the right of ownership thereof. The prosecutor supporting the charge must file a civil suit in court, if it has not been filed, in those cases when the criminal acts caused damage to the state or a person, who cannot defend his legal interests in court due to minority, illness, dependence on the accused or other circumstances. If the accused or persons materially responsible for his actions do not have funds to compensate damage, the damage may be compensated from the funds allocated by the state for that purpose in the cases and under the procedure established by the laws.

According to Articles 55–56 of the Criminal Procedure Code of the Republic of Lithuania, a person providing legal assistance to the participants of the proceedings shall be considered an authorized representative of the victim defending his rights and legal interests. A lawyer or at the assignment of the lawyer lawyer's assistant may be the authorized representative, and at the consent of the pre-trial investigation officer, the prosecutor or the judge another person with university legal education authorized by a party to the proceedings to represent his interests may serve as an authorized representative. The head of a legal entity or an authorized employee or a lawyer may represent a legal entity. An authorized representative is allowed to participate in the proceedings, when the pre-trial investigation officer, or a prosecutor, or a court takes a decision on the participation of the representative. The representative may participate in the proceedings together with the represented person. The representative, except for the representative of the witness, may also participate instead of the represented person. The represented person may refuse from the services of the representative at any time or choose another representative. The pre-trial investigation officer, or a prosecutor, or a court takes a decision on the participation of the representative as necessary in cases for criminal acts related to person's health, freedom, sexual freedom and inviolability, child and family or morality, when a minor had suffered from those criminal acts, and in other cases, when rights and legitimate interests of a victim minor shall not be properly defended without the representative. In the cases defined by laws regulating the legal aid guaranteed by the state, a victim and a civil claimant have the right to be granted the legal aid guaranteed by the state. The authorized representative shall have the same rights as the party of the proceedings represented by them. The representative of the victim shall have the right to participate in the interview of the victim and all procedural actions performed at the request of the victim.

The quality of the legal aid guaranteed by the state is one of priorities of the Government of the Republic of Lithuania. According to the Implementation Plan of the Programme of the Government of the Republic of Lithuania, a system ensuring the quality of the legal aid guaranteed by the state shall be introduced until the third quarter of 2020. In addition, it is foreseen to introduce a legal information and legal aid information system (planned for 2020). Furthermore, the Ministry of Justice of the Republic of Lithuania presented a proposal to the Government of the Republic of Lithuania in 2017 on increasing of fees for lawyers rendering secondary legal aid as one of motivation criterion for lawyers to take part in this system. To improve the status of victims of THB, Ministry of Justice of the Republic of Lithuania drafted a project of amendment of Article 12 of the Law on legal Aid Guaranteed by the State (victims of THB shall receive secondary legal aid not taking into account the property and income levels established by the Government of the Republic of Lithuania to be granted the legal aid guaranteed by the state during all criminal proceedings). In 2017, the Ministry of Justice of the Republic of Lithuania, in cooperation with

the British Embassy, arranged discussions to exchange best practices on provision of legal aid for victims of THB.

For cases of awarded and provided compensation see statistics (Chapter E).

43. What specific measures are taken to make available the assets of traffickers to provide compensation (for example, effective financial investigations resulting in seizure of assets of perpetrators with the view to their confiscation)?

Chapter X (Articles 109–118) of the Criminal Procedure Code of the Republic of Lithuania (Compensation of Damage, when Civil Action is Taken in a Criminal Case) establishes the right of a person who suffered material or immaterial damage due to criminal acts to file civil action in the criminal process against the suspect or accused or against persons bearing financial liability for the actions of the suspect or the accused. The civil suit filed in a criminal case shall be exempt from stamp duty. During the process, the pre-trial investigation officer, the prosecutor or the court shall take measures to ensure a potential civil suit: find the property owned by the suspect or the accused or the persons bearing financial liability for the actions of the suspect or the accused and temporarily restrict the right of ownership thereof. The prosecutor supporting the charge must file a civil suit in court, if it has not been filed, in those cases when the criminal acts caused damage to the state or a person, who cannot defend his legal interests in court due to minority, illness, dependence on the accused or other circumstances. If the accused or persons materially responsible for his actions do not have funds to compensate damage, the damage may be compensated from the funds allocated by the state for that purpose in the cases and under the procedure established by the laws.

Under several grounds (Articles 67 and 71 of the Penal Code of the Republic of Lithuania) the offender can be obliged by the court to transfer some amount to the Fund for Victims of Crimes, as a penal measure.

44. Is there a possibility for victims of THB to claim damages and compensation in the country of destination after their return to the country of origin? Please provide any relevant examples.

Article 3 of the Law on Amendment of the Law on Compensation of Damages Caused by Violent Crimes of the Republic of Lithuania provides for the right for compensation for damages caused by violent crimes in the territory of the Republic of Lithuania. Aggrieved persons awarded by the court material and/or immaterial damages caused by a violent crime or for whom the court has approved an agreement on compensation or elimination of such damages shall have the right to compensation of material and/or immaterial damages caused by violent crimes under the procedure established by this Law. Decisions to compensate damages of violent crimes shall be executed by the Ministry of Justice of the Republic of Lithuania from the funds of the special program of the Fund for Victims of Crimes. The Ministry of Justice of the Republic of Lithuania cooperates with the European Commission and competent institutions of other member states to ensure the implementation of **Council Directive 2004/80/EC of 29 April 2004 relating to compensation to crime victims. Its is authorized to send applications to another member state of citizens of the Republic of Lithuania and the people legally residing in Lithuania for compensation** for damages caused by violent crimes in that member state (or the person can apply directly to the competent institution of that member state) and to make decisions on applications of people legally residing in another member state for compensation for damages caused by violent crimes in Lithuania (the person can apply directly or via competent institution in the member state s/he is legally residing). **Also the Ministry of Justice of the Republic of Lithuania provides with consultations on competent institutions of other member states, conditions and procedures for compensation. All the actions above are performed free of charge.**

Repatriation and return of victims (Article 16)

45. What steps are taken to ensure that the return of victims of THB from your country to another country is carried out preferably voluntarily and in full observance of the duty to ensure their rights, safety and dignity, including the obligation not to return a person to a country where his or her human rights are at risk of being violated (*non-refoulement* principle)? How is risk assessment carried out when deciding upon return and repatriation of victims of THB? What is the procedure and what are the modalities of cooperation with the authorities of the receiving state?

The procedures on victim identification and assistance, types of assistance described in this report are applicable to national and foreign victims including repatriation and return cases.

Consular officials provide assistance to victims of THB in accordance with the provisions of the Order on identification of victims of human trafficking abroad and use of finances for their return, approved by the

Minister of Foreign Affairs of the Republic of Lithuania. Financial means to provide such assistance are assigned by the Ministry of Interior of Lithuania. Provisions of the Order are applicable when there are serious grounds to believe that citizen of the Republic of Lithuania or stateless person, having permanent residence permit to live in Lithuania became a victim of human trafficking abroad and is willing to return to the Republic of Lithuania. If a victim was identified, a special notice is transferred to the Police Department under the Ministry of the Interior of the Republic of Lithuania, and in case a victim is willing – to persons, indicated by him/her. If there is a necessity or request that a victim of THB is to be assisted by the Lithuanian NGOs, information about a victim is also passed to the relevant NGO. A victim of THB can be provided with the following services (without being required to reimburse the financial means): tickets, temporary accommodation abroad, meal, clothing or medicines, as well as his/her expenditures for psychological, social, legal consultations, medical assistance or interpretation services. All consular services to a victim of THB are being rendered without charging a consular fee. In case of necessity, a consular official can accompany a victim to Lithuania. Consular officials always take into account request/wish of a victim whether he/she is willing to return to Lithuania or stay abroad. Victims are not required to return to Lithuania by force.

As regards foreigners in Lithuania, before their return, their vulnerability and safety are considered and then the decision is made.

46. Has any victim of trafficking who is a citizen or permanent resident of your country been returned against their will? If yes, what steps, if any, were taken to assist them after their return?

There is no information on such cases.

Corporate liability (Article 22)

47. Have there been any developments in your country's law regarding corporate liability for THB offences? Does corporate liability apply to legal persons involved in THB for the purpose of forced labour or services, including by their sub-contractors throughout the supply chain? Please provide examples of any relevant cases and the sanctions imposed.

There were no changes in the Lithuanian legislation as regards corporate liability for THB. There are no restrictions to apply corporate liability to legal persons involved in THB for the purpose of forced labour or services, including by their sub-contractors throughout the supply chain. There is no court practice yet. In addition to employers, direct contractors and other immediate subcontractors are liable and obliged to pay any outstanding taxes to the state, and also remuneration due to the third-country national for illegal work according to the Law on Employment of the Republic of Lithuania. In addition, the State Labour Inspectorate under the Ministry of Social Security and Labour of the Republic of Lithuania shall impose a fine on the contractor between EUR 868 and 2,896 for each third-country national who worked illegally, except if the contractor has requested the subcontractor in writing to provide the third-country national's employment documents, and has taken measures to check truthfulness thereof. If the contractor has already been punished for the same violation during the past 2 years, s/he shall be liable to pay a fine between EUR 2 896 and EUR 5 792 for each third-country national who worked illegally.

Aggravating circumstances (Article 24)

48. Have there been any prosecutions and convictions for THB with the aggravating circumstance of involvement of public officials in the exercise of their functions? Please provide any relevant examples.

There were no prosecutions and convictions for THB with the aggravating circumstance of involvement of public officials in the exercise of their functions.

Non-punishment provision (Article 26)

49. Is the non-punishment provision incorporated in law and/or prosecution guidelines? If so, please provide the relevant texts. Please give details, including references to case law where relevant, of cases where the non-punishment principle has been applied and the outcome of such cases.

Paragraph 3 of Articles 147 and 157 states: "The victim of the criminal offence provided for in this Article may be released from criminal liability for the criminal offence which he has been directly forced to commit because of the criminal offence provided for in this Article committed against him".

Article 487 of the Administrative Violations Code of the Republic of Lithuania, which establishes liability for rendering and buying prostitution services, states that the person who was involved in rendering prostitution services because of being dependent materially, because of service or otherwise, or using physical or psychological violence or deceit, or involved by any mean being a minor and (or) being a victim of THB recognized as such in criminal proceedings is not brought under administrative liability. Non-punishment principle is applied in THB cases where relevant, e. g. THB for forced criminal activities.

Ex parte and ex officio applications (Article 27 in conjunction with Article 1.1.b)

50. Does your country's law provide for the possibility of investigating a THB case in your country if the offence was committed on your territory, but the complaint was submitted in the country of residence of a foreign victim of THB? Please provide any relevant examples.

The Lithuanian legislation establishes for a possibility to investigate THB committed in the territory of Lithuania and filed in another country. In such a case the authorities of that another country have to send the initiated file to Lithuania via official channels. There is no such practice yet.

51. Please describe the measures taken in your country to ensure compliance with the obligation of effective investigation into THB cases, in particular as regards:

- a. setting up specialised investigation units and the number of staff involved;
- b. exchange of information with, and obtaining evidence from, other parties;
- c. use of special investigative techniques (such as informants, cover agents, wire-tapping, controlled deliveries), with an indication of how their use is regulated and whether they can also be applied in cases not related to organised crime;
- d. investigation of THB offences committed through the Internet, including the possibility of blocking websites which are used to facilitate the recruitment of trafficking victims or the dissemination of child pornography;
- e. financial investigations to disrupt criminal money flows and ensure asset recovery;
- f. use of joint investigation teams (JITs).

The Lithuanian legislation contains the relevant EU legislation and those norms are used in practice, e. g. mostly in all investigations of THB specialized investigative teams are established which contain a prosecutor, investigators and relevant specialists. Also during those investigations, special techniques are broadly used, the exchange of information via official channels is very intensive, the performance of legal requests is ensured. Cyber specialists are involved in investigations of THB cases related to Internet. Financial investigations are conducted in cooperation with specialized investigators. Joint investigation teams are also set up with other countries.

52. Have you had any cases or suspected cases of THB for the purpose of the removal of organs? How did investigations take place in such cases and what special investigation techniques were used? There have been no pre-trial investigations on THB for the removal of organs registered in Lithuania.

Protection of victims, witnesses and collaborators with the judicial authorities (Article 28)

53. What measures are taken to protect victims, witnesses and NGOs assisting victims during criminal proceedings from potential retaliation or intimidation during the investigation and during and after the criminal proceedings? In how many cases have special protection measures been used in respect of victims and witnesses of THB? Please specify any difficulties in providing victim/witness protection and creating a safe environment for their participation in investigations and court proceedings.

The measures to protect victims as in **Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA were incorporated in national legislation on 17 December 2015 with Law No. XII-2194 on the Amendment of Articles 8, 9, 28, 43, 44, 128, 185, 186, 188, 214, 239, 272, 275, 276, 280, 283, 308 and Annex of the Criminal Procedure Code of the Republic of Lithuania and on the Supplement to the Code with Articles 27¹, 36², 56¹, 186¹ (Register of Legal Acts, 30/12/2015, No. 20993, available online https://www.e-tar.lt/portal/legalAct.html?documentId=1085d150aee411e5b12_fbb7dc920ee2c). In addition, this Law was followed by sub-statutory legal acts, e. g. Recommendations on evaluation of special needs of**

victims in criminal proceedings approved by Ruling No. I-63 of 29 February 2016 by Prosecutor General of the Republic of Lithuania (Register of Legal Acts, 01/03/2016, No. 4051, available online <https://www.e-tar.lt/portal/lt/legalAct/86bc22f0dfa611e58a92afc65dd68e97>). The Recommendations define the evaluation procedures, 18 measures of special protection (non public trial, a specialized officer conducts interviews, an officer of the same gender conducts interviews, interpretation services, interview through ICT, only one interview, and etc.) and the grounds to apply them, e. g. special protection measures can be applied to the victim based on his/her social status, gender, age and other individual characteristics. The Criminal Procedure Code of the Republic of Lithuania (E. g. Articles 9, 28, 36², 56¹, 185–186¹, 239, 276, 279, 283) establishes a duty to evaluate all victims of crime whether they need a special protection to safeguard them from psychological trauma, criminal influence or other negative consequences. This has to be done filling in a special questionnaire not later than during the first interview by the officer conducting a pre-trial investigation. If the evaluation results with conclusion that the persons needs special protection, the criminal investigations has to be organized respectively, e. g. a pre-trial investigator or a prosecutor suggests to interview the victim only once and by pre-trial judge, to interview the victim using special interview premises (the suspect is not in the room during the interview), to invite a psychologist to the interview, to suggest that the interviewed victims does not participate during other interviews including trials (only a recorded video is transmitted during the trial), and etc. The Criminal Procedure Code of the Republic of Lithuania establishes: if a witness under special protection can not arrive at interviews, s/he can be interviewed using ICT (Articles 183, 279). To protect victims and witnesses, also anonymity can be applied (Articles 198-204 of the Criminal Procedure Code of the Republic of Lithuania).

Data on how many times in each case special protection measures were used could not be retrieved automatically. Special protection measures are used upon necessity based on evaluation of needs of each individual.

Specialised investigators, prosecutors coordinate with specialized NGOs the needs to shelter victims in another location and to ensure permanent assistance and support including psychological, medical and other services. The Recommendations define the procedures how this process shall be organized.

54. What other measures are taken to promote the participation of victims and witnesses in criminal proceedings and to give testimonies which accurately reflect their experiences and assist courts in establishing the truth? Can a victim of THB be assisted by a social worker, psychologist and/or NGO representative during the investigation and court hearings?

Representatives of NGOs, social workers, psychologists, can accompany and assist victims since the first intake and during criminal and court proceedings to coordinate any assistance, which might be needed by the victim. See the comments to Question 53.

Jurisdiction (Article 31)

55. Please outline the measures taken by your country to establish and exercise jurisdiction over the offences set out in the Convention, in particular with regard to offences committed outside the jurisdiction of the state (including in cases where your national is a victim of THB committed abroad).

Article 7 of the Penal Code of the Republic of Lithuania establishes a universal jurisdiction for THB (Article 147) and purchase or sale of a child (Article 157). Persons are brought under criminal responsibility despite of their citizenship and place of residence, the location where the crime was committed and whether there is criminal responsibility for that crime in laws of the location where the crime was committed. Article 8 of the Penal Code of the Republic of Lithuania defines criminal responsibility of crimes committed abroad. (The Penal Code of the Republic of Lithuania is available online <https://www.e-tar.lt/portal/lt/legalAct/TAR.2B866DFF7D43/ZpNMZQSaRN>).

International co-operation (Article 32)

56. Please provide examples of international co-operation initiatives with other states in preventing and combating THB, as well as an assessment of the impact of such initiatives, including any difficulties you have experienced in this area. Please also indicate any bilateral or multilateral agreements concluded by your country concerning mutual legal assistance and how such assistance is provided in the absence of an agreement.

The Lithuanian authorities have continued and further developed their international cooperation in different areas of the fight against THB and have ensured active participation in regional, EU and

international formats, as well as on country-by-country and projects basis. E. g. on regional level Lithuanian specialists take part in the Expert Group for Cooperation on Children at Risk and the Task Force against THB of the Council of the Baltic Sea States (11 countries around the Baltic Sea) and implement joint activities, such as regional data collection, development of municipality coordination mechanisms, and etc.), in addition, a Lithuanian expert is Adviser on THB issues at the Steering Committee to the EUSBSR PA Secure Steering Group. Furthermore, a very active cooperation has been developed with the Nordic Council of Ministers (exchange of information, joint actions and projects). On EU level Lithuanian representatives participate in the EMPACT, Europol, Interpol, Eurojust and Frontex initiatives, take part in the Network of National Rapporteurs or Equivalent Mechanisms of the EU and EASO expert group on THB, as well as the Lithuanian Governmental agencies and NGOs have implemented projects in cooperation with other EU member states, some of the projects have been funded by EU funds. Bilateral cooperation has been especially developed with Baltic Sea Region countries and the United Kingdom (the main target country for Lithuanians). On international level cooperation has been developed with international organisations and third countries (mostly information exchange and joint activities).

Lithuanian police participated in actions by Europol (see above, THB action days), prosecutors had coordination meetings at Eurojust as regards investigation of THB cases on continuous basis (including JITs).

Lithuanian professionals developed their professional skills at international training initiatives (see above).

On 12 December 2016 the State Labour Inspectorate under the Ministry of Social Security and Labour of the Republic of Lithuania signed a cooperation protocol with the State Labour Agency of the Ukraine to exchange information on the nationals working on the territory of another country and possible labour law violations related to them.

In addition, Lithuania is currently negotiating bilateral mutual legal assistance (MLA) treaties with the following states: Brazil, Mexico, Algeria, Egypt, United Arab Emirates and Ecuador.

In the absence of an international treaty or EU instrument, Lithuania applies the principle of reciprocity as the legal basis for seeking or providing MLA. In such cases, the MLA request must not violate the Constitution of the Republic of Lithuania, domestic legislation or fundamental principles of criminal procedure.

Also please see Part III. 1. C. iv. (International co-operation) of the Report concerning the Implementation of the Council of Europe Convention on Action against Trafficking in Human Beings by Lithuania (first evaluation round) and the comments to Questions 1, 6, 22 and others of this report.

Measures related to endangered or missing persons (Article 33)

57. What measures are envisaged in your country to transmit information to another party concerning a victim, witness or collaborator with the judicial authorities in a THB case, who your authorities believe is in immediate danger on the territory of another party? What protection measures are envisaged for such persons, should another party to the Convention inform you about their presence on your territory? Please provide examples from practice.

Such information is transmitted via officially established channels (Europol, Interpol, Eurojust, liaison officers). There are special procedures adopted by the Government of the Republic of Lithuania on protection of victims-witnesses and collaborators.

58. Has an early warning system for missing children been introduced in your country and is the harmonised European telephone number for missing children available? What other measures are there for early signalling to other countries about endangered and/or missing children? Has your country concluded any agreements or taken any other measures to reinforce co-operation with other countries in the search for missing people, in particular children, where your authorities have reasonable grounds to believe that missing children may be victims of trafficking or are at risk of becoming victims of trafficking? Please refer to the comments to Questions 7–12.

Co-operation with civil society (Article 35)

59. What steps are taken by your country to encourage state authorities and public officials to cooperate with NGOs and other civil society organisations, including trade unions, so as to involve them in the elaboration and implementation of anti-trafficking policies, programmes and other initiatives to

prevent THB? Please provide information on any memoranda of understanding or other agreements concluded between public bodies and NGOs in this field.

The Ministry of Social Security and Labour of the Republic of Lithuania signs agreements with specialised NGOs on cooperation in rendering assistance to victims of THB financed from the State budget. Municipalities are signing cooperation agreements with NGOs on prevention and assistance to victims of THB financed by municipalities. Cooperation agreements were concluded with the National Network of Poverty Reduction Organizations and the Missing Persons Families' Support Center for the implementation of measures for the integration of people experiencing social exclusion into the labour market (see above). Also memorandum of understanding was signed between the Catholic Church and the Police, a declaration was signed between the Catholic Church and the Ministry of the Interior of the Republic of Lithuania. Specialised NGOs have signed cooperation agreements with the police. The church, NGOs, international organisations are invited into projects and in counter-THB activities and actions. Trade unions, business, scientists were also invited into project activities, and etc.

Relationship with other international instruments (Article 40)

60. Please indicate any agreements concluded by your country in accordance with Article 40.2 of the Convention.

There have been no new agreements concluded since the first evaluation report in accordance with Article 40.2 of the Convention.

61. Please provide details of cases where victims or possible victims of THB have been granted refugee status or subsidiary/complementary protection.

There were no such cases in the reporting period.

D. Final questions

62. Which bodies and organisations contributed to responding to this questionnaire?

The report was compiled by the Ministry of the Interior of the Republic of Lithuania based on the information collected at the Ministry of the Interior of the Republic of Lithuania and the one shared by the Police Department under the Ministry of the Interior of the Republic of Lithuania and the Lithuanian Criminal Police Bureau, the Migration Department and the State Border Guard Service under the Ministry of the Interior of the Republic of Lithuania, the Ministry of Social Security and Labour of the Republic of Lithuania, the Lithuanian Labour Exchange, the State Child Rights Protection and Adoption Agency and the State Labour Inspectorate under the Ministry of Social Security and Labour of the Republic of Lithuania, the Ministry of Justice of the Republic of Lithuania, Ministry of Education and Science of the Republic of Lithuania, Ministry of Health Care of the Republic of Lithuania, the Ministry of Foreign Affairs of the Republic of Lithuania, the National Courts Administration, the Prosecutor General's Office, the Association of Local Authorities in Lithuania, municipalities, NGOs the projects of which were financed from the State budget through the Ministry of Social Security and Labour of the Republic of Lithuania.

63. Who was responsible for co-ordinating and collecting the replies to this questionnaire?

The report was compiled by the Ministry of the Interior of the Republic of Lithuania (contact person: Ms Reda Sirgediene, email: reda.sirgediene@vrm.lt).

E. Statistics on THB (per year, starting with 2010)

Criminal cases

Table 1 indicates the number of criminal cases initiated in the indicated year by articles at the initiation stage. The column "A total of investigated cases" indicates the number of criminal cases investigated the indicated year including the cases initiated that year. Criminal cases contained from one to several criminal acts (crimes).

Table 1

Year	A total of investigated cases	A total of initiated cases for Articles 147, 157, 147-1, 147-2	Among them: Articles 147, 157	Article 147-1	Article 147-2
2016	56	29	28, 1 of them also	1	

			included 147-1		
2015	55	27	27, 1 of them also included 147-1 and 147-2		
2014	38	24	24, 1 of them also included 147-1		
2013	47	23	22	1	In 1 of them investigation for Article 147-2 was initiated in 2014
2012	44	11	9	2	
2011	42	21	21		
2010	38	17	17		

Prosecutions

Table 2 reflects the number of prosecutions by articles in the indicated year.

Table 2

Year	Prosecutions	Articles
2016	67	147, 147-1 and 157
2015	53	147, 147-1, 147-2 and 157
2014	40	147, 147-1 and 157
2013	68	147, 157
2012	25	147, 147-1 and 157
2011	37	147, 157
2010	21	147, 157

Victims

In Lithuania, victims of THB are recognised by police, border guards, prosecutors and judges. Table 3 illustrates the numbers of recognised victims of THB in criminal investigations (by police, border guards or prosecutors):

Table 3

Year	2010	2011	2012	2013	2014	2015	2016
Number	15	22	14	47	47	62	52 ³

In 2010:

12 adults and 3 children were recognised as victims of THB for sexual exploitation (12 women and 3 girls). All Lithuanians.

In 2011:

19 adults and 3 children were recognised as victims of THB for sexual exploitation (18 women and 3 girls), and in 1 case the type of exploitation was not determined (a woman). 21 Lithuanian and 1 Polish citizen.

In 2012:

6 adults and 8 children were recognised as victims of THB for sexual exploitation (4 women and 6 girls) and forced criminal activities (1 woman and 3 men). All Lithuanians.

In 2013:

25 adults and 22 children were recognised as victims of THB for sexual exploitation (5 women and 4 girls), forced criminal activities (7 women, 17 men and 4 boys), labour exploitation (1 woman, 1 man, 1 girl and 1 boy), and pornography (6 women). 46 Lithuanians and 1 Polish citizen (a woman).

In 2014:

³ 7 of them became victims of exploitation for forced labour or services (Article 147-1).

44 adults and 3 children were recognised as victims of THB for sexual exploitation (7 women and 1 girl), forced criminal activities (10 women, 20 men and 2 boys), labour exploitation (1 woman, 5 men), and forced marriages (1 woman). All Lithuanians.

In 2015:

45 adults and 17 children were recognised as victims of THB for sexual exploitation (11 women and 10 girls), forced criminal activities (8 women, 17 men, 2 girls and 5 boys), labour exploitation (1 woman, 4 men), and forced marriages (4 women). 61 Lithuanian and 1 Russian Federation citizen (a woman). 14 nationals were domestically trafficked (within the borders of the country). 48 nationals were returned from other countries.

In 2016:

41 adult and 4 children were recognised as victims of THB for sexual exploitation (10 women and 1 girl), forced criminal activities (13 men and 3 boys), labour exploitation (3 women and 9 men), forced marriages (5 women), and in 1 case the type of exploitation was not determined (a woman). 44 Lithuanians and 1 Columbian citizen (a woman). 10 nationals were domestically trafficked (within the borders of the country). 35 nationals were returned from other countries.

Reflection and recovery period

As regards granted reflection and recovery period, there was only one victim from third country but she did not use this possibility (left the country).

During the reporting period, there were no victims given a refugee status and subsidiary/complementary protection.

Assistance to victims

Each year the best selected projects by NGOs for victims assistance are financed from the State budget through the Ministry of Social Security and Labour of the Republic of Lithuania. Table 4 illustrates the numbers of the people who received assistance during the implementation of those projects. The data have been provided by the Ministry of Social Security and Labour of the Republic of Lithuania.

Table 4

Year	Persons who were assisted during NGOs projects	From them:			Persons from all the assisted that NGOs or other institutions recognized as victims of THB	From them:		
		Men	Women	Children		Men	Women	Children
2010	118	-	-	-	64			
2011	128	3	125	11	76			
2012	152	55	97	17	92			
2013	129	33	96	11	74			
2014	133	46	79	11	80	30	41	9
2015	139	47	72	20	103	37	49	17
2016	179	88	80	11	136	71	57	8

Cases at the first instance courts

Table 5 contains data about THB and exploitation for forced labour or services cases at the first instance courts.

Table 5

Years	Cases received	Cases solved	Persons convicted
2010	3	6	11
2011	9	3	11
2012	8	3	7
2013	7 ⁴	6	13
2014	16 ⁵	14 ⁶	18 ⁷

⁴ Including one case under Article 147-1 (Exploitation for Forced Labour or Services).

⁵ Including one case under Article 147-1 (Exploitation for Forced Labour or Services).

⁶ Including two cases under Article 147-1 (Exploitation for Forced Labour or Services).

2015	13	9	14
2016	15	10	23

Convictions

Table 6 contains data about convictions for THB at the first instance courts resulted in penalties involving deprivation of liberty.

Table 6

No.	Gender	Nationality	Duration of the penalty		Final combined sentence / Suspended sentence
			Years	Months	
2010					
1.	Male	Lithuanian	5	8	Combined
2.	Male	Lithuanian	5	6	Combined
3.	Male	Lithuanian	4	-	Combined
4.	Male	Lithuanian	2	6	Combined
5.	Male	Lithuanian	11	-	Combined
6.	Male	Lithuanian	11	-	Combined
7.	Female	Lithuanian	7	-	Combined
8.	Male	Lithuanian	9	-	Combined
9.	Male	Lithuanian	10	-	Combined
2011					
10.	Male	Lithuanian	3	3	Combined
11.	Male	Lithuanian	2	9	-
12.	Male	Lithuanian	2	9	-
13.	Male	Lithuanian	2	3	-
14.	Male	Albanian	8	-	Combined
15.	Male	Lithuanian	12	-	Combined
16.	Male	Lithuanian	8	-	Combined
17.	Female	Lithuanian	7	-	Combined
18.	Female	Lithuanian	7	-	Combined
19.	Male	Lithuanian	5	-	Combined
20.	Male	Lithuanian	2	6	Combined
2012					
21.	Male	Lithuanian	4	-	-
22.	Male	Lithuanian	4	-	-
23.	Male	Lithuanian	7	-	-
24.	Male	Lithuanian	5	-	-
25.	Male	Lithuanian	6	-	-
26.	Male	Lithuanian	5	-	-
27.	Male	Lithuanian	4	-	Combined
2013					
28.	Male	Lithuanian	4	3	-
29.	Male	Lithuanian	12	-	Combined
30.	Female	Lithuanian	5	-	Combined
31.	Male	Lithuanian	10	-	Combined
32.	Male	Lithuanian	11	-	Combined
33.	Male	Lithuanian	8	-	Combined
34.	Female	Lithuanian	3	1	Suspended
35.	Male	Lithuanian	5	-	Combined
36.	Male	Lithuanian	11	-	Combined
37.	Male	Lithuanian	5	-	Combined
38.	Male	Lithuanian	3	6	Combined
39.	Male	Lithuanian	4	-	Combined
40.	Male	Lithuanian	6	9	Combined
2014					
41.	Male	Lithuanian	3	3	Combined

⁷ Including two persons convicted under Article 147-1 (Exploitation for Forced Labour or Services). They both got fines for 5 850 (1 694 EUR) Lt and 13 000 Lt (3 765 EUR) (they were not included in the table with penalties related to deprivation of liberty).

42.	Male	Lithuanian	3	3	Combined
43.	Male	Lithuanian	3	2	Combined
44.	Female	Lithuanian	2	6	-
45.	Female	Lithuanian	8	-	Combined
46.	Female	Lithuanian	8	-	Combined
47.	Male	Lithuanian	9	-	Combined
48.	Male	Lithuanian	5	6	Combined
49.	Male	Lithuanian	2	-	Combined
50.	Female	Lithuanian	3	6	Suspended
51.	Male	Lithuanian	3	-	Combined
52.	Male	Lithuanian	6	-	-
53.	Male	Lithuanian	4	-	-
54.	Male	Lithuanian	3	-	Suspended
55.	Male	Lithuanian	4	-	Combined
2015					
56.	Male	Lithuanian	12	-	Combined
57.	Male	Lithuanian	10	-	Combined
58.	Male	Lithuanian	9	-	Combined
59.	Male	Lithuanian	3	-	-
60.	Male	Lithuanian	8	9	Combined
61.	Female	Lithuanian	5	-	-
62.	Male	Lithuanian	8	-	Combined
63.	Male	Lithuanian	5	-	-
64.	Male	Lithuanian	5	-	-
65.	Female	Lithuanian	4	6	Combined
66.	Male	Lithuanian	11	-	Combined
67.	Male	Lithuanian	5	-	-
68.	Male	Lithuanian	8	-	-
69.	Male	Lithuanian	6	-	Combined
2016					
70.	Male	Lithuanian	5	6	Combined
71.	Male	Lithuanian	3	6	Suspended
72.	Female	Lithuanian	4	3	Combined
73.	Male	Lithuanian	5	-	Combined
74.	Female	Lithuanian	3	-	Suspended
75.	Female	Lithuanian	2	-	Suspended
76.	Male	Lithuanian	7	-	Combined
77.	Male	Lithuanian	7	-	Combined
78.	Male	Lithuanian	9	-	Combined
79.	Male	Lithuanian	7	6	Combined
80.	Male	Lithuanian	10	6	Combined
81.	Male	Lithuanian	6	-	Combined
82.	Male	Lithuanian	4	-	Combined
83.	Male	Lithuanian	9	-	Combined
84.	Male	Lithuanian	9	-	Combined
85.	Male	Lithuanian	3	8	Combined
86.	Male	Lithuanian	3	4	Combined
87.	Male	Lithuanian	5	-	Combined
88.	Male	Lithuanian	8	-	Combined
89.	Male	Lithuanian	11	-	Combined
90.	Male	Lithuanian	9	-	Combined
91.	Male	Lithuanian	6	6	Combined
92.	Male	Lithuanian	5	-	Suspended

Judgments resulted in the confiscation of assets

Table 7 contains data on the number of judgements resulted in confiscation of assets.

Table 7

Years	Number of judgments
2010	1

2011	-
2012	-
2013	-
2014	2
2015	-
2016	4

Judgements resulted in closure of a business or an establishment

In 2010–2016, there were no judgments resulting in the closure of a business or an establishment that was being used to carry out THB.

Convictions for the use of forced labour or services

In 2010–2016, there were no convictions for the use of forced labour or services of a victim of THB (the first prosecution for the use of forced labour or services was registered in 2014).

Compensation for victims

Table 8 contains data about the number of victims for whom the court of the first instance awarded compensation from the perpetrator.

Table 8

No.	Gender	Nationality	Amount awarded	Type of compensation
2010				
1.	Female	Lithuanian	50 000 Lt (14 481 EUR)	Non-pecuniary damage
2.	Female	Lithuanian	5 000 Lt (1 448,10 EUR)	Non-pecuniary damage
3.	Female	Lithuanian	5 000 Lt (1 448,10 EUR)	Non-pecuniary damage
4.	Female	Lithuanian	5 000 Lt (1 448,10 EUR)	Non-pecuniary damage
2011				
5.	Female	Lithuanian	10 000 Lt (2 896,20 EUR)	Non-pecuniary damage
6.	Female	Lithuanian	10 000 Lt (2 896,20 EUR)	Non-pecuniary damage
7.	Female	Lithuanian	2 500 Lt (724,05 EUR)	Non-pecuniary damage
8.	Female	Lithuanian	6 000 Lt (1 737,72 EUR)	Non-pecuniary damage
9.	Female	Lithuanian	3 450 Lt (999,19 EUR)	Non-pecuniary damage
10.	Female	Lithuanian	7 000 Lt (2 027,34 EUR)	Non-pecuniary damage
11.	Female	Lithuanian	60 000 Lt (17 377,20 EUR)	Non-pecuniary damage
12.	Female	Lithuanian	10 000 Lt (2 896,20 EUR)	Non-pecuniary damage
13.	Female	Lithuanian	10 000 Lt (2 896,20 EUR)	Non-pecuniary damage
14.	Female	Lithuanian	1 000 Lt (289,62 EUR)	Non-pecuniary damage
15.	Female	Lithuanian	20 000 Lt (5 792,40 EUR)	Non-pecuniary damage
16.	Female	Lithuanian	20 000 Lt (5 792,40 EUR)	Non-pecuniary damage
17.	Female	Lithuanian	2 135 Lt (618,34 EUR)	Pecuniary damage
2012				
18.	Female	Lithuanian	15 000 Lt (4 344,30 EUR)	Non-pecuniary damage
19.	Female	Lithuanian	20 000 Lt (5 792,40 EUR)	Non-pecuniary damage
2013				
20.	Female	Lithuanian	5 000 Lt (1 448,10 EUR)	Non-pecuniary damage
21.	Female	Lithuanian	5 000 Lt (1 448,10 EUR)	Non-pecuniary damage
22.	Female	Lithuanian	50 000 Lt(14 481 EUR)	Non-pecuniary damage
23.	Female	Lithuanian	21 000 Lt (6 082,02 EUR)	Non-pecuniary damage
24.	Female	Lithuanian	16 000 Lt (4 633,92 EUR)	Non-pecuniary damage
2014				
25.	Female	Lithuanian	1 000 Lt (289,62 EUR)	Pecuniary damage
			15 000 Lt (4 344,30 EUR)	Non-pecuniary damage
26.	Female	Lithuanian	5 000 Lt (1 448,10 EUR)	Non-pecuniary damage
27.	Female	Lithuanian	1 007 Lt (291,65 EUR)	Pecuniary damage
			20 000 Lt (5 792,40 EUR)	Non-pecuniary damage
28.	Female	Lithuanian	807 Lt (233,72 EUR)	Pecuniary damage
			22 000 Lt (6 371,74 EUR)	Non-pecuniary damage
29.	Female	Lithuanian	5 000 Lt(1 448,10 EUR)	Non-pecuniary damage
30.	Female	Lithuanian	15 000 Lt (4 344,30 EUR)	Non-pecuniary damage
31.	Female	Lithuanian	15 000 Lt (4 344,30 EUR)	Non-pecuniary damage
2015				

32.	Female	Lithuanian	1 000 EUR	Non-pecuniary damage
33.	Female	Lithuanian	4 000 EUR	Non-pecuniary damage
34.	Female	Lithuanian	6 000 EUR	Non-pecuniary damage
35.	Female	Lithuanian	7 240,50 EUR	Non-pecuniary damage
36.	Male	Lithuanian	2 896,20 EUR	Non-pecuniary damage
2016				
37.	Female	Lithuanian	4 000 EUR	Non-pecuniary damage
38.	Female	Lithuanian	2 000 EUR	Non-pecuniary damage
39.	Male	Lithuanian	5 000 EUR	Non-pecuniary damage
40.	Male	Lithuanian	5 000 EUR	Non-pecuniary damage
41.	Male	Lithuanian	1 000 EUR	Non-pecuniary damage
42.	Male	Lithuanian	4 000 EUR	Non-pecuniary damage
43.	Male	Lithuanian	500 EUR	Non-pecuniary damage
44.	Male	Lithuanian	275,14 EUR 200 EUR	Pecuniary damage Non-pecuniary damage
45.	Female	Lithuanian	5 000 EUR	Non-pecuniary damage
46.	Male	Lithuanian	5 000 EUR	Non-pecuniary damage
47.	Female	Lithuanian	6 000 EUR	Non-pecuniary damage
48.	Female	Lithuanian	2 000 EUR	Non-pecuniary damage
49.	Male	Lithuanian	1 448 EUR	Pecuniary damage
50.	Male	Lithuanian	1 149,74 EUR 2 027 EUR	Pecuniary damage Non-pecuniary damage

In 2017, the Ministry of Justice of the Republic of Lithuania provided 2 victims of THB with compensations for damages caused by violent crimes from the State budget: 3 040 EUR were paid for a woman of 27 years old and 4 160.03 EUR for a woman of 26 years old, as the conditions of the Law on Amendment of the Law on Compensation of Damages Caused by Violent Crimes of the Republic of Lithuania⁸ were met.

⁸ The Law on Amendment of the Law on Compensation of Damages Caused by Violent Crimes of the Republic of Lithuania provides for the right for compensation for damages caused by violent crimes. Aggrieved persons awarded by the court material and/or immaterial damages caused by a violent crime or for whom the court has approved an agreement on compensation or elimination of such damages shall have the right to compensation of material and/or immaterial damages caused by violent crimes under the procedure established by this Law. Decisions to compensate damages of violent crimes shall be executed by the Ministry of Justice of the republic of Lithuania from the funds of the special program of the Fund for Victims of Crimes.