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EUROPEAN SOCIAL CHARTER

20th National Report on the implementation of
the European Social Charter

submitted by

THE GOVERNMENT OF LITHUANIA

Articles 7, 8, 16, 17, 19, 27, and 31
for the period 01/01/2018 – 31/12/2021

Report registered by the Secretariat on

12 January 2023

CYCLE 2023

Appendix Revised Charter

Questions on Group 4 provisions (Conclusions 2023)

Children families and migrants

This questionnaire covers Thematic Group 4 – Children, families and migrants, comprising Articles:

- the right of children and young persons to protection (Article 7),
- the right of employed women to protection of maternity (Article 8),
- the right of the family to social, legal and economic protection, (Article 16),
- the right of children and young persons to social, legal and economic protection (Article 17),
- the right of migrant workers and their families to social, legal and economic protection (Article 19),
- the right of workers with family responsibilities to equal opportunities and equal treatment (Article 27),
- the right to housing (Article 31).

The ECSR will pursue the targeted and strategic approach adopted since 2019 (see Conclusions 2020 and 2021). It is therefore not asking that national reports address all accepted provisions in the Group. Certain provisions are excluded, except:

- when connected to other provisions which are the subject of specific questions
- when the previous conclusion was one of non-conformity
- when the previous conclusion was one of deferral due to lack of information
- when the previous conclusion was one of conformity pending receipt of specific information.

Moreover, given the magnitude, implications and expected longer-term consequences of the Covid-19 pandemic, the ECSR will pay particular attention to pandemic-related issues. In this connection, it is relevant to note that the reference period for Conclusions 2023 is 1 January 2018 to 30 December 2021. The Committee draws attention to relevant parts of its Statement on Covid-19 and social rights adopted on 24 March 2021.

Given the date of transmission of this questionnaire, the Committee requests that state reports be submitted by **31 December 2022** (and not the usual deadline of 31 October).

Article 7 – The right of children and young persons to protection

Excerpts from the ECSR's case law

In application of Article 7§1, domestic law must set the minimum age of admission to employment at 15 years.

The prohibition on the employment of children under the age of 15 applies to all economic sectors, including agriculture, and all places of work, including work within family enterprises and in private households. It also extends to all forms of economic activity, irrespective of the status of the worker (employee, self-employed, unpaid family helper or other).

The effective protection of the rights guaranteed by Article 7§1 cannot be ensured solely by legislation; the legislation must be effectively applied in practice and rigorously supervised. The Labour Inspectorate has a decisive role to play in this respect.

The ECSR has noted that many states' legislation is in conformity with the Charter regarding the minimum age for employment. Nevertheless, the ECSR has expressed concern about the situation in practice. There is data that suggests that in many countries there are significant numbers of children working illegally. However, there is little official data on the extent of the problem.

In application of Article 7§5, domestic law must provide for the right of young workers to a fair wage and of apprentice's appropriate allowances. This right may result from statutory law, collective agreements, or other means.

The "fair" or "appropriate" character of the wage is assessed by comparing young workers' remuneration with the starting wage or minimum wage paid to adults (aged eighteen or above).

In accordance with the methodology adopted under Article 4§1, wages taken into consideration are those after deduction of taxes and social security contributions.

Article 7§10 of the Charter guarantees protection against sexual and other exploitation of children as well as protection against the misuse of information technology and social media (for the purposes of online bullying, child pornography, grooming, harassment, etc.), which is particularly pertinent in view of the acceleration of digitalisation and online activity brought about by the pandemic.

Article 7§10 is applicable to foreign children in an irregular situation on the territory of a State Party to the Charter as not considering States Parties to be bound to comply with this obligation in the case of foreign minors who are in a country unlawfully would mean not guaranteeing their fundamental rights and exposing the children and young persons in question to serious impairments of their rights to life, health and psychological and physical integrity.

Therefore, measures should be taken to ensure the protection of unaccompanied or separated minors. The failure to care for unaccompanied foreign minors present in the country and take the necessary measures to guarantee these minors the special protection against physical and moral hazards causes a serious threat to their enjoyment of the most basic rights, such as the right to life, to psychological and physical integrity and to respect for human dignity, in violation of Article 7§10.

With a view to ensuring the effective exercise of the right of children and young persons to protection, the Parties undertake:

1. to provide that the minimum age of admission to employment shall be 15 years, subject to exceptions for children employed in prescribed light work without harm to their health, morals or education;

a) Please provide information on the measures taken by the authorities (e.g., Labour Inspectorates and social services) to detect child labour, including children working in the informal economy. In this regard, please provide information on the number of children actually working (either from existing statistics on this issue or from surveys to be conducted to obtain such information), as well as on measures taken to identify and monitor sectors where it is strongly suspected that children are working illegally (General question, Conclusions 2019).

In Lithuania, the Central Coordination Group for the Control of Illegal Work is established which consists of the State Labour Inspectorate under the Ministry of Social Security and Labour (SLI), the State Social Insurance Fund Board, the State Tax Inspectorate under the Ministry of Finance, the Financial Crimes Investigation Service under the Ministry of the Interior and the Police Department under the Ministry of Internal Affairs.

The SLI takes the lead in national efforts to enhance the local capacity to address child labour and forced labour, to control the illegal work and to ensure that the principles of international labour standards, including the elimination of child labour and forced labour, are implemented at the enterprise level. The SLI and other authorities not only carry out strict control of undeclared work, but also pay attention to measures to prevent undeclared work/promote transparent business.

Information on the number of children actually working

	2018	2019	2020	2021
Age (years)	Number of persons insured by all types of state social insurance	Number of persons insured by all types of state social insurance	Number of persons insured by all types of state social insurance	Number of persons insured by all types of state social insurance
14	239	231	192	213
15	631	666	504	743
16	3101	2974	2159	3169
17	7202	6570	4796	6678
18	17717	16370	11928	14234

The State Social Insurance Fund Board under the Ministry of Social Security and Labour

The SLI puts a lot of effort on the prevention of illegal work of children. It advises young people, their parents and employers by phone, e-mail or on the Facebook account and also encourages young workers to report possible violations in their work: unpaid wages, inappropriate working conditions, abuse of their work and rest time, etc. Illegal work can be reported anonymously by phone.

The SLI holds awareness-raising campaigns in schools and other vocational education and training establishments, local (territorial) units of the Employment Service and youth centres to highlight the rights and obligations of persons in the area of labour relations, the importance of the legality of labour relations and the negative effects of undeclared work. It also organizes consultancy seminars for small and medium-sized enterprises, start-ups, municipal institutions and other economic entities.

The SLI conducts planned and unplanned inspections to detect violations related to illegal work of minors. In 2021, the SLI carried out 3881 illegal work inspections, during which 1796 persons who worked illegally were identified, of which 27 were under the age of 18. It was 1.5 percent of total identified persons who worked illegally. When choosing companies to be inspected, particular attention is paid to companies most prone to undeclared work (construction, woodworking, other) and those hiring the majority of employees on a part-time basis and/or paying wages close to MW. The agriculture was identified as the sector

with the highest risk of illegal employment of minors – 11 minors (40.7 percent of all identified minors who worked illegally) were identified, in construction – 5 minors (18.5 per cent), in wholesale and retail trade – 5 minors (18.5 per cent), in catering and beverage activities – 3 minors (11.1 per cent), in manufacturing – 2 minors (7.4 per cent), and 1 in other activities (3.7 per cent).

In the three quarters of 2022, the SLI carried out 2,980 inspections on the prevention and control of illegal work, during which 1,548 illegally employed persons were detected, 37 of whom were under the age of 18, i.e., minors working illegally accounted for almost 2.4 per cent of the total number of illegally employed persons identified. Thus, according to the data for Q1-Q3 of 2022, compared to the same period last year, the number of illegally working minors increased to 37 persons, compared to almost half that number last year – 20 persons.

The comparative statistics of the violations determined by SLI due to illegal work of minors

	2018	2019	2020	2021
	<i>Number of violations</i>	<i>Number of violations</i>	<i>Number of violations</i>	<i>Number of violations</i>
By gender: Boys	14	28	18	12
By gender: Girls	31	13	18	15
By age group:14-16	11	5	3	0
By age group:16-18	34	36	33	27
By locality: city	36	29	32	14
By locality: village	9	12	4	13
Total	45	41	36	27

The Labour State Inspectorate under the Ministry of Social Security and Labour

In compliance with the Article 56 of the Law on Employment of the Republic of Lithuania, for undeclared (illegal) work the employers or their representatives shall be subject to a penalty ranging from EUR 868 to EUR 2 896 for each undeclared (illegal) worker. Repeated violations shall be subject to a penalty ranging from EUR 2 896 to EUR 5 792 for each person who worked illegally.

b) *The Committee concluded that the situation in Lithuania was not in conformity with Article 7§1 of the Charter on the ground that, during the school term, the daily duration of working time on non-school days is excessive and therefore the work cannot be qualified as light. Please find the following explanation of the situation in Lithuania.*

The Constitution of the Republic of Lithuania establishes that it is compulsory for young people to remain in education until the age of 16. Thus, the right to education prevails the right to work. The Labour Code of the Republic of Lithuania (Labour Code) regulates all work relations, including the work of minors. The law provides an opportunity to combine the right to study and to work including class time in the maximum working hours, so persons under the age of 16 can work. The minimum age at which individuals can start working is 14 years. Children between the age of 14 and 16 are allowed to do light work, when the nature of the particular tasks and conditions of performance do not

jeopardize children's safety, health, development, school attendance and education under compulsory education training programmes, and access to educational assistance. In Lithuania, children under the age of 14 are prohibited from working in all cases.

An employment contract with a child can be both open-ended and fixed-term, seasonal or other, as this is not prohibited by legal acts. At any time, upon request by parents, guardians or the school to terminate the employment contract, such employment contract with the minor shall be terminated.

Legal acts refer to minors under the age of 18 using the term young persons, from which two groups are distinguished: children (persons aged 14 to 16) and teenagers (persons aged 16 to 18). This division is important to note, as children and adolescents have different requirements and restrictions for employment.

Working hours of minors are regulated by Article 37. 2.1 of the Occupational Safety and Health Law of the Republic of Lithuania. It stipulates that the specifics of the working time regime must be observed for working persons under the age of 18. Children between the ages of 14 and 16 can do light work up to 6 hours a day and 30 hours a week during the non-school year (when they work at least a week), and up to 12 hours a week during the school year (up to 2 hours a day in schools on attendance days and up to 6 hours per day on non-school attendance days, if working during a trimester or semester, but not when classes are held at school). From our perspective, this regulation complies with Article 8. 1. b of the Directive 94/33/EC – young workers (two hours on a school day and 12 hours a week for work performed in term-time outside the hours fixed for school attendance, provided that this is not prohibited by national legislation and/or practice).

The work of minors between the ages of 14 and 16 is prohibited in the morning before classes – from 6 to 7 a.m. and in the evenings and at night – from 8 p.m. to 6 a.m. Teenagers are allowed to work no more than 8 hours per day including daily lessons and no more than 40 hours per week including lessons. If the mentioned persons work under an apprenticeship contract, the working time at the workplace cannot last longer than 8 hours per day (together with the daily duration of lessons (lectures) and the duration of acquiring theoretical knowledge in the company and training at the workplace) and no longer than 40 hours per week (together with the duration of weekly lessons (lectures) and the duration of theoretical knowledge acquisition at the company and training at the workplace).

The work must start no earlier than 6 a.m. and end no later than 10 p.m. (these hours are considered as night-time during which the work for minors is prohibited). Minors cannot be assigned to passive duty at the workplace or at home.

Minors between the age of 14 and 16 must rest continuously for at least 14 consecutive hours per day, and minors between the ages of 16 and 18 must rest for at least 12 consecutive hours. Persons under the age of 18 must be given at least 2 rest days per week, consecutively, if possible, one of which must be a Sunday. When the duration of working time (or practical training time) is longer than 4 hours, an additional break of at least 30 minutes must be given to rest. It counts as working time (or practical training time).

Minors are entitled to extended holidays i.e., annual leave of 25 working days (if working 5 days per week) or 30 working days (if working 6 working days per week) is granted. If the number of working days per week is less or different, 5 weeks of vacation must be granted. Children are granted annual leave or unpaid leave during the school holidays at their request. Also, 14 consecutive calendar days of rest during the student summer vacation must be ensured and at least 14 consecutive calendar days of annual leave or unpaid leave during the student summer vacation must be granted if work is performed during the entire student summer vacation of that year.

Thus, minors in labour relations are equal to adult workers in terms of rights, and in the field of labour protection, working hours, vacations and some working conditions, they have benefits established by law. A more favourable work and rest regime has been established for young people; they are prohibited from working at night, overtime and on rest days; go on business trips.

2. to provide that the minimum age of admission to employment shall be 18 years with respect to prescribed occupations regarded as dangerous or unhealthy;

In its previous conclusion (Conclusions 2015), the Committee recalled that the situation in practice should be regularly monitored and asked information on the number and nature of violations detected as well as on sanctions imposed for breach of the regulations regarding prohibition of employment under the age of 18 for dangerous or unhealthy activities.

The Government of the Republic of Lithuania is strictly regulating the list of works prohibited for minors as well as harmful and dangerous factors to their health. The full list of prohibited work and the list of factors harmful and dangerous to health is approved by the Government of the Republic of Lithuania in its Resolution No.518 of 28 June 2017 "On the Approval of the Procedures for the Employment of Persons up to the Age of 18 Years, the Organisation of Work and Vocational Training, and the Description of the Terms and Conditions of the Employment of Children".

The SLI through scheduled or unscheduled inspections is regularly monitoring the situation related to the employment of persons under the age of 18 for dangerous or unhealthy activities. From the available data for the period from 2018 to 2021, no violations regarding the work of persons under the age of 18 in inappropriate conditions and/or dangerous and health-harmful work were found. Economic entities wishing to receive methodological assistance on issues related to the implementation of legal acts regulating occupational safety and health as well as labour relations have the opportunity to invite a SLI inspector to their company for consultation.

3. to provide that persons who are still subject to compulsory education shall not be employed in such work as would deprive them of the full benefit of their education;

The Committee concluded that the situation in Lithuania was not in conformity with Article 7§3 of the Charter on the ground that, during the school term, the daily duration of working time on non-school days is excessive and therefore the work cannot be qualified as light. Detailed information is provided above in Article 7§1(b).

In Lithuania, the working hours of minors are regulated by Article 37. 2.1 of the Law on Safety and Health at Work of the Republic of Lithuania. It stipulates that the specifics of the working time regime must be observed for working persons under the age of 18. Children between the ages of 14 and 16 can do light work up to 6 hours a day and 30 hours a week during the non-school year (when they work at least a week), and up to 12 hours a week during the school year (up to 2 hours a day in schools on attendance days and up to 6 hours per day on non-school attendance days, if working during a trimester or semester, but not when classes are held at school). From our perspective, this regulation complies with Article 8. 1. b of the Directive 94/33/EC – young workers (two hours on a school day and 12 hours a week for work performed in term-time outside the hours fixed for school attendance, provided that this is not prohibited by national legislation and/or practice). The

conclusion of an employment contract for a child requires the written consent of one of the parents or other legal representative of the child, a medical certificate issued by a personal health institution stating that the child is fit for the work in question, and the written consent of the school at which the child is enrolled during the school year to the child's work. Detailed information is provided above in 1 (b).

4. to provide that the working hours of persons under 18 years of age shall be limited in accordance with the needs of their development, and particularly with their need for vocational training;

The Committee asked to provide up-to-date information concerning the monitoring activities and findings of the State Labour Inspectorate in relation to working time for young persons under 18. In particular, the Committee asked information on measures taken and sanctions imposed by the State Labour Inspectorate in relation to violations concerning work and rest time of young persons aged from 16 to 17 years old.

In Lithuania, minors can start working at the age of 14, but depending on whether they are children or adolescents, there are different restrictions on the type of work they can do, on their working and rest hours, and on the conclusion of their employment contract. More detailed information is provided above in 1 (b). Even for a person aged 14, the work must be covered by an employment contract in which the parties to the employment contract agree on the essential terms and conditions of the employment contract, i.e., the function of the work, the remuneration and the place of work, as well as the working hours and working time regime.

The SLI through scheduled or unscheduled inspections is regularly monitoring the situation in relation to violations concerning work and rest time of young persons. Violations of working and rest periods accounted for 37 per cent of total labour law infringements in 2021 (40 per cent in 2020, 45 per cent in 2019 and 60 per cent in 2018).

Before using enforcement measures such as fines or other sanctions, the SLI provides information, organizes awareness raising events and advises employers and workers on their duties of complying with national law.

The principal sanction takes the form of administrative fines based on administrative offence reports. To facilitate the application of administrative liability of the SLI inspectors, on 1 November 2021, the Law amending Articles 96, 98, 99, 100, 101 and 150 of the Code of Administrative Offences, entered into force doubling fines for violations of labour and other laws. The minimum fine for infringements of working time records was doubled to EUR 300. The maximum fine for infringements of working time records is EUR1 450 and the maximum fine for repeated infringements is between EUR 1 400 and EUR 3 000.

5. to recognise the right of young workers and apprentices to a fair wage or other appropriate allowances;

- a) *Please provide updated information on net minimum wages and allowances payable to persons under 18 years of age. Please provide information on measures taken to ensure that fair remuneration is guaranteed to young workers:*

- i) *In atypical jobs (part-time work, temporary work, fixed-term work, casual and seasonal work, self-employed people, independent workers and homeworkers.)*
- ii) *in the gig or platform economy and* iii) *having zero hours contracts.*
- iii)

Please find in the table information on gross and net **minimum wages** and the number (or proportion) of workers concerned by minimum or below minimum wage.

	2017	2018	2019	2020	2021	2022	2023
Minimum wage gross, EUR	380	400	555	607	642	730	840
Minimum wage net, EUR	335	361	395	437/447	467	533	633
Proportion of workers concerned by minimum or below minimum wage in national economy with individual enterprises (full time +part time)	13.6 per cent	10.9 per cent	10.4 per cent	9.9 per cent	9.9 per cent	-	-

Ministry of Social Security and Labour of the Republic of Lithuania

Allowances payable to persons under 18 years of age

In Lithuania, every child until the age of 18 receives a monthly EUR 80.5 financial contribution. The term can be extended up to the age of 23. This applies to the children who are engaged in general education program. An additional child allowance will be available for parents whose monthly income is lower than 1,5 state-supported income (in 2022 – EUR 294). Children from such families receive an additional EUR 47.38. Families who raise 3 or more children have a right to get an additional child allowance without considering their income. Disabled children receive a monthly EUR 43.26 allowance. The application for the allowance can be submitted electronically or in person at the municipality. No additional documents are needed, apart from the personal document. The application needs to be submitted only once and the allowance will be paid until the child turns 18. If the child is engaged in general education program the allowance can be extended up to the age of 23.

Measures taken to ensure that fair remuneration is guaranteed to young workers

The Labour Code regulates that an employee's monthly remuneration may not be less than the minimum wage approved by the Government of the Republic of Lithuania. Minimum wage (the minimum hourly rate or the minimum monthly wage) is the lowest permissible amount that can be paid to an employee for unqualified work for one hour or for the full standard working hours of a calendar month, respectively. Unqualified work is considered to be work that does not require any special qualification skills or professional expertise.

In Lithuania, the minimum wage is not differentiated for different groups of workers or regions (such a possibility was foreseen in the previous Labour Code, valid until 1 July, 2017, though actually was used once in practice).

To depoliticise the setting of the minimum wage (MW) and to mitigate sharp debates taking place between the social partners on an annual basis, the representatives of the Government, employers and employees unanimously agreed at the meeting of the Tripartite Council of 21

September 2017 that the MW level should be linked to the average wage (AW) and account for 45-50 per cent of it. It was also agreed that specific ratio should be fixed based on the average of MW/AW ratio of one fourth of EU countries with the largest MW/AW ratio published by the Eurostat during last three years, but the ratio of 45-50 per cent should be maintained. On 7 October 2022, the Government of the Republic of Lithuania approved the minimum monthly wage for 2023 amounting to EUR 840 (increased by 15 percent as compared with the previous MMW) and the minimum hourly rate amounting to EUR 5.14. The decision was made after evaluation of the economic situation in the country, the financial possibilities of the state and municipal budgets and employers, in particular, small employers, to pay higher minimum monthly wage.

The increase in the minimum monthly wage will affect approximately 140 thousand employees including around 18 thousand employees of budgetary institutions.

According to the current Lithuanian regulations, it is not possible to pay a lower wage than the minimum wage to persons under 18 years of age, and the minimum wage can only be paid for unskilled work. The possibilities of deductions from wages are regulated by the Labour Code and the Code of Civil Procedure. Minimum wage applies only to those persons who work on the basis of employment relations. The Lithuanian legislation does not allow zero-hours contracts.

- b) Please provide information on measures taken to ensure that this right is effectively enforced (e.g., through Labour Inspectorates and similar enforcement authorities, trade unions) (General question, Conclusions 2019).

The Labour Code regulates that:

-The rights granted by labour law provisions in the procedure established by Labour Code and other laws shall be defended through labour dispute resolution bodies and in court.

-Execution of this Labour Code and other labour law provisions, in accordance with the competence established by legal acts, shall be controlled, and prevention of violations thereof shall be carried out, by the SLI and other institutions.

-A participant in an employment relationship who believes that another subject of labour law has violated his or her rights as a result of non-fulfilment or improper fulfilment of labour law provisions or mutual agreements must apply to a labour dispute commission with an application to resolve the labour dispute on rights within three months or, in cases of unlawful suspension, unlawful dismissal or breach of a collective agreement – within one month of when he or she found out or should have found out about the violation of rights.

From 1st January 2022, the law amending Article 139 of the Labour Code came into force, stipulating that wages and other benefits related to employment relations, as well as per diems and compensation for business trips, must be paid only by transfer to the employee's payment account specified by the employee. The changes were introduced in order to reduce the shadow economy and protect the rights of employees.

The SLI informed that there were many complaints when employees signed that they received a higher amount than they were actually paid. When payments are made in cash in such a case, it is very difficult to defend the rights of employees and prove that the employer remains in debt. This amendment essentially eliminates this type of dispute. Please note that the SLI does not have separate statistics on the payment/non-payment of wages or other irregularities related to wages for young people. The statistics are only general, but there is a mechanism in place for wage recovery, i.e., referral to a labour dispute commission (regardless of the age of the person making the referral).

For raising public awareness with regard fair remuneration is guaranteed to young workers, trainings and seminars are held both remotely and in person. The SLI shares

information on net minimum wages and allowances payable to persons under 18 years of age through various information dissemination sources e.g., Facebook page, website www.vdi.lt and others. The SLI receives a lot of questions regarding the wages of employees under the age of 18 in its consulting activities, especially during the summer vacation period. Majority of inquiries are received in writing, by phone, and during consultation at SLI premises. During regular inspections, the working conditions as well as fair wage or other appropriate allowances of employees under the age of 18 are also inspected.

- c) The Committee recalled that the situation in practice should be regularly monitored and asked the next report to provide information on the monitoring activities and findings of the State Labour Inspectorate in relation to wages paid to young workers. The Committee asked whether all apprentices receive an allowance which cannot be less than the minimum monthly wage and also asked to be provided with examples of allowances paid to apprentices at the beginning and at the end of the apprenticeship.

The Labour Code and other legal acts do not distinguish separate rules for payment of work for employees under the age of 18. The same rules are applied for all employees (adults as well as employees under the age of 18) regarding the procedure and requirements for payment of wages.

It is possible to apply a request form regarding improperly paid wages or other appropriate allowances directly to the Labour Disputes Commission of the SLI. All the necessary information regarding this application as well as request form is accessible publicly on SLI website www.vdi.lt.

As a mean to monitor the situation in practice scheduled inspections as well as unscheduled inspections in response to received complaints and other reports related to persons under 18 years of age are carried out.

Allowances paid to apprentices. The Law on Vocational Education and Training of the Republic of Lithuania provides that students studying under formal vocational training programmes and seeking to acquire the primary qualification, may receive a learning scholarship for educational achievement and progress (however, there is no obligation to pay a learning scholarship to everyone), social student grant and/or material support. The Government of the Republic of Lithuania has established that the minimum learning scholarship is 0.5 basic social benefit (BSB), and the maximum is 3 BSBs. Also, it set the amounts of social scholarship (3 BSBs) and material support (maximum 3 BSBs) as well as the criteria for receiving them. Students who have chosen an apprenticeship form and seek their primary qualification may apply for the above-mentioned learning scholarship (for learning achievements) and other material support (if they meet the established criteria), no other allowances are foreseen. Since these students study in the workplace, they also receive a wage under an employment contract. From 1 June 2022, in Lithuania the amount of the BSB was EUR 46.

6. to provide that the time spent by young persons in vocational training during the normal working hours with the consent of the employer shall be treated as forming part of the working day;

The Committee recalled that the situation in practice should be regularly monitored and reiterated its former question to provide information on the monitoring activities and findings of the State Labour Inspectorate in relation to inclusion of time spent on vocational training in the normal working time.

Monitoring of the situation in practice is carried out through planned and unplanned inspections. Information regarding relevant legislation is continuously provided to the public

through various information dissemination sources of SLI, e.g., Facebook, website www.vdi.lt, etc.

After analysing the data of inspections carried out during the period of 2018-2021, the SLI found that there were no violations registered regarding the working hours and vocational training during the normal working hours for employees under the age of 18.

7. to provide that employed persons of under 18 years of age shall be entitled to a minimum of four weeks' annual holiday with pay;

No information required. However, if the previous conclusion was one of non-conformity, please explain whether and how the problem was remedied. If the previous conclusion was deferred or conformity pending receipt of information, please reply to the questions raised.

8. to provide that persons under 18 years of age shall not be employed in night work with the exception of certain occupations provided for by national laws or regulations;

The Committee recalled that the situation in practice should be regularly monitored and asked the next report to provide information on the monitoring activities and findings of the State Labour Inspectorate in relation to prohibition of night work for young persons under 18.

Paragraph 9 of Article 36 of the Law on Occupational Safety and Health of the Republic of Lithuania establishes the following rules of night work of persons under 18 years of age:

- 1) the work of children engaged in light work is prohibited from twenty to six o'clock;
- 2) adolescent work is prohibited from twenty-second to six o'clock;
- 3) for teenagers working on ships, the night is a period of nine hours, starting no later than twenty-two o'clock and ending no earlier than six o'clock.

Monitoring of the situation in practice is carried out through planned and unplanned inspections of the SLI. Information regarding relevant legislation is continuously provided to the public through various information dissemination sources of SLI, e.g., Facebook, website www.vdi.lt, etc.

After analysing the data of inspections carried out during the period of 2018-2021, the SLI found that there were no violations registered regarding the working hours and vocational training during the normal working hours for employees under the age of 18.

9. to provide that persons under 18 years of age employed in occupations prescribed by national laws or regulations shall be subject to regular medical control;

The Committee recalled that the situation in practice should be regularly monitored and asked the next report to provide information on the monitoring activities and findings of the State Labour Inspectorate in relation to regular medical examination of young workers.

Part 1 of Article 21 of the Law on Occupational Safety and Health of the Republic of Lithuania stipulates that the health of employees up to 18 years of age must be checked upon their employment and periodically every year until they reach eighteen years of age. The obligation regarding the health examination of employees under the age of 18 applies in all cases, regardless of occupation.

The mandatory health check-up of employees under 18 years of age is established by Order

No. 301 of the Minister of Health Protection of the Republic of Lithuania Regarding Preventive Health Checks in Health Care Institutions of 31 May 2000.

Monitoring of the situation in practice is carried out through planned and unplanned inspections. Information regarding relevant legislation is continuously provided to the public through various information dissemination sources of SLI, e.g., Facebook, website www.vdi.lt, etc. During the period of 2018-2021, the SLI identified two violations regarding health checks of employees under the age of 18 (recorded in 2018).

10. to ensure special protection against physical and moral dangers to which children and young persons are exposed, and particularly against those resulting directly or indirectly from their work.

- a) Please provide updated information on the measures taken to strengthen the protection of children, including migrant, refugees, and displaced children, from sexual exploitation and abuse (in particular in response to the risks posed by the Covid-19 pandemic) during the reference period, including information on the incidence of such abuse and exploitation.

The measures taken to strengthen the protection of children from sexual exploitation and abuse

Lithuania implemented the centralisation of the management and coordination of the system for the protection of children's rights. A permanently functioning system for the protection of the rights of the child was established, ensuring uniform practices are developed and applied in the state to protect and defend the rights and legitimate interests of the child, to respond in a timely manner to violations of the rights of the child, and to ensure that decisions are taken in a prompt manner.

From 1 July 2018, the child rights protection function has been transferred to the State Child Rights Protection and Adoption Service (Service) instead of municipalities (municipal child rights protection units) which was a case by 1 July 2018. The Service became the central institution of the Republic of Lithuania for the implementation of the policy on the protection of the rights of the child. It was given the mandate to ensure coordination of actions related to the rights of the child in all sectors at the national, municipal and local levels.

These changes are also important for protecting children from violence. The Service responds to reports of possible violations of children's rights 24 hours a day, any day of the week (including weekends and public holidays). In addition, the Law on the Fundamentals of Protection of the Rights of the Child of the Republic of Lithuania (Law on the Fundamentals of Protection of the Rights of the Child) stipulates that child rights protection specialists must respond to reports of possible violence against children with the utmost speed. This law provides that child protection specialists must respond immediately, but not later than within 6 hours of receiving the report.

To prevent sexual violence against children, in June 2016 a Help Centre for Child Victims of Sexual Abuse (Help Centre) was opened in Vilnius in cooperation with the Icelandic State Agency for the Protection of the Rights of the Child. This is the only specialised centre in Lithuania that brings together under one roof all the services needed to investigate cases of sexual violence against children. The Help Centre regularly conducts trainings, seminars, meetings and other activities for both children and adults (professionals working with children and families) to strengthen the protection of children from sexual violence.

The Service has been working on strengthening efforts to prevent children trafficking, improving prevention of human trafficking, ensuring adequate protection of the rights of the victimized child, informing and training specialists working with children on the risks of human trafficking and establishing effective prevention measures:

1) In 2018 organized internal trainings for specialists of the territorial divisions of the Service under the project "Preparation for the Transformation of the Child Rights Protection System";

2) In 2019 prepared recommendations for the Service's territorial division specialists on more effective identification of possible victims of human trafficking and a scheme of actions upon detection of a possible case of the child trafficking. The recommendations have been developed in accordance with the recommendations for identification of victims of human trafficking, pre-trial investigation, and inter-institutional cooperation, approved by the General Prosecutor of the Republic of Lithuania, the Minister of the Internal Affairs of the Republic of Lithuania and the Minister of the Social Security and Labour of the Republic of Lithuania on 17/12/2015 by Order No. I-327/1V-1015/A1-758. The Service's specialists are guided by recommendations when recognizing possible cases of the child trafficking.

3) In 2020, the Service organized a training on "Identifying Victims of Child Trafficking and Providing Assistance". The Service has developed an information tool for the children aged 12-17 living in foster care homes and organized the creation and release of information leaflets for the children about the issue of human trafficking. This measure was aimed to increase the awareness of this vulnerable group about what human trafficking is, where to go for counselling and/or help if you are a victim.

4) In August 2021, the Republic of Lithuania faced a huge challenge of illegal migrants' flow. During this period, families with minors and unaccompanied minors arrived in the Republic of Lithuania. In order to ensure their rights, the Order No. BV-277 "On the Organization of Work during the Emergency Situation due to the Mass Influx of Foreigners" was released by the Director of the Service. By this order, the Director of the Service instructed all the heads of territorial divisions of the Service to organize and carry out visits to the places of accommodation where the unaccompanied minors live at least once a week and organize and carry out visits to the places where the families with the minors live at least once in two weeks. Upon noticing the violations of the right of the child, specialists had to record them and take actions according to their competence. This order was valid by 4 July 2022 and was recognized as having lost its validity when the situation in the migrants' accommodation areas stabilized. The Service did not identify a single case of the sexual abuse against the minor in the places of accommodation, nor did receive reports of such a crime. There have been other types of child abuse cases where the perpetrators were close family members or friends. After the cancelation of the order, the Service keeps responding to every report received about a possible violation of the rights of the child in the places of the accommodation of migrants (only the scheduled visits have been suspended).

During this period, the Service also conducted training for the specialists of the Service's territorial divisions on ensuring the rights and best interests of the unaccompanied minors, refugees and the children of the migrants. The purpose of these trainings was acquainting the specialists of the Service with the differences in the legal status of the foreign minors, the specifics of ensuring their rights, best interests, and possible difficulties, also to discuss about the good practice of other European Union countries.

The Service in cooperation with the Care Centre "Užuovėja", which is also the centre for the children who are the victims of the sexual abuse, prepared recommendations for the specialists of the Service regarding communication with the children who may have experienced sexual abuse.

Since 2009, the Service's help line (both by phone and online) is available for children. Calls are confidential if desired and the anonymity of the caller is maintained. Information about the child trafficking and possible ways of help is also provided at www.pagalbavaikams.lt. Information about trafficking in human beings (children), sexual violence and help methods is presented in a way that children can understand and is clear, accessible to anyone who has the internet.

The Service has been taken actions to protect children in migration (including children fleeing Ukraine as a result of the Russian-led war against Ukraine) from sexual violence, as well as from the threat of child trafficking. The Service has focused on education on the rights of the child through:

-distribution of leaflets in Ukrainian language for both children and their parents or other persons with whom the child has arrived, providing information on the system of protection of children's rights in Lithuania, what is considered a violation of children's rights, and how to respond to a report of a possible violation of children's rights;

-special training for people and professionals caring for unaccompanied children from war-torn Ukraine in Lithuania, providing additional knowledge and facilitating communication with these children. The short videos briefly cover grief and mourning, temporary care of a child, self-help, war trauma and post-traumatic stress disorder, child support, etc.

There is also a strong focus on reducing risks by protecting children arriving from Ukraine from possible trafficking:

-a specific algorithm has been developed, which provides specific actions for institutions to act effectively when groups of children arrive in Lithuania from Ukraine, and correspondingly when unaccompanied children arrive in Lithuania from Ukraine;

-actively disseminating information in the public domain that children arriving in Lithuania will not be eligible for adoption or permanent foster care under any circumstances;

-the need to inform the Office about all unaccompanied children arriving in Lithuania has been actively disseminated to the public;

-during periods of particularly high arrivals, representatives of the Service were on duty at the registration points for foreigners in order to be able to communicate immediately with the unaccompanied minors identified.

There is no information on the incidence of children, including migrant, refugees, and displaced children sexual exploitation and abuse. Every year, an International Joint Action Days in Europe is held to detect, prevent and control crimes related to the trafficking and exploitation of children. In 2021, the Lithuanian Police, contributing to the international operation, carried out inspections and preventive measures involving more than 500 employees – police officers, municipal employees, children's rights protection officers, SE Caritas, children's camp leaders and other social partners. Communication with 3 000 people was performed, 69 vehicles and 78 locations were inspected, and internet scans were carried out, drawing attention to the comments. At-risk families, children's foster homes, children's gathering places, etc. were visited. During the measures, children were given lectures, were introduced to the most common recruitment schemes and consequences, and information on where to apply for help was provided. No signs of Criminal acts were detected during the measures.

- b) Please provide information on the impact of the Covid-19 pandemic on the monitoring of the exploitation and abuse of children, as well as measures taken to strengthen monitoring mechanisms.*

The Law on the Fundamentals of Protection of the Rights of the Child provides that any natural or legal person who becomes aware of and/or has reasonable information about a

child who has been the victim of a criminal offence and/or may be in need of assistance as a result of such an offence, is obliged to inform the police and/or the State Child Rights Protection and Adoption Service under the Ministry of Social Security and Labour (Service) or a territorial division authorised by the latter (Article 29 of the Law on the Fundamentals of Protection of the Rights of the Child). This law also provides for the responsibility of natural and legal persons to report to the police and/or the Service or the territorial unit authorised by the latter about the behaviour of a child that endangers his/her health or life, or about under-age children left without parental care, or about the necessity to protect the rights and legitimate interests of minors, or about any other possible violation of the rights of the child, or when there is a suspicion of a possibility of such a violation (Article 35 of the Law on the Fundamentals of Protection of the Rights of the Child).

The Covid-19 pandemic did not affect this obligation: neighbours, educational staff, other professionals or members of the public who noticed possible violations of the rights of the child should continue to contact the police or the Service and its authorised territorial units at any time of the day, any day of the week, to report possible violations of the rights of the child. The child protection function continued to be carried out also under quarantine, with all reports of possible violations of children's rights being responded to and dealt with, but with regard to the on-site visits, guidance was given to the child protection officers on the steps to be taken beforehand, such as whether there were any persons in the family in isolation, whether there was a risk of need for isolation, etc. Schemes have been drawn up on how to deal with a report of a possible violation of children's rights. The protection of the child from violence, abuse and exploitation has remained a necessary function in the field of child protection, and therefore, as a general rule, the handling of these cases during the quarantine period has remained largely unchanged. That is, if the child protection specialists received a report from the police about a child who may have been subjected to physical or sexual abuse or neglect by his/her legal representatives, they would go to the scene and deal with the report and assess the child's situation, as they had done before quarantine. The same was in the cases of a remote assessment of the child's situation. It could be assumed that there was a real risk to the child's physical or mental safety, health or life, or that the risk could lead to a significant harm to the child's health. In such cases, the child protection specialists went to the site and took the appropriate actions that they were already taking, i.e., to provide a safe environment for the child. The aim was to provide child protection professionals with the necessary protective equipment as much as possible. After assessing the content of the report received and establishing that there was no real risk to the child's physical or mental safety, health or life, or a risk likely to cause significant harm to the child's health, related to risk factors for the child's functioning and the social environment, as well as to the risk factors related to the child's parents or his/her other legal representatives and to their relationship with the child, the report could be examined by the child protection specialists and/or the child's situation could be evaluated by remote means. However, after the end of the quarantine period, reports of possible violations of the rights of the child and assessments of the situation of the child, which had been initiated, were, if there was insufficient objective data to take a decision on the investigation of the report or the assessment of the situation of the child and more information needed to be gathered in order to be able to investigate it or to carry out the assessment of the situation of the child, completed and carried out by means of additional meetings with the child and the child's legal representatives, visits to the place of residence or the place where the child and the child's legal representatives live or are present.

The mobile teams also worked with families and children during the quarantine period and their work was not interrupted. Although the intensive work of the mobile teams during

quarantine was mainly carried out by means of telecommunication, in complex situations (e.g., cases of violence against children), the mobile teams have helped families and children in person. The intensive work of the mobile teams was also extended after the end of the quarantine period, taking into account the best interests of the child and the individual needs of each family and a child, but not beyond the quarantine period. This ensured that the mobile teams were able to provide adequate support to children and families where a child protection need was identified during or at the start of the quarantine. A publicity campaign on "Where to go for help" to prevent violence against children was organised and implemented (launched at the end of March 2020, and finished in early June 2020). The campaign aimed to remind the public of their obligation to report any suspicion or observation of possible violence against children, to remind them where to report, where to seek help, etc. In addition, in 2020, an information booklet (6 pages) was produced for parents, guardians/carers and children, providing clear information on children's rights, including the right to be protected from all forms of violence, including physical punishment, and reminding them of the need for children to be brought up in a non-violent manner. The leaflet also provides information on where parents/other legal representatives of the child, as well as the children themselves, can go for help, advice and counselling on the violence they have experienced, on child-rearing, etc. The leaflets are available in the Lithuanian, the Polish, the Russian, the English and the Arabic languages. In total, 107 500 leaflets were printed and distributed.

Additional funding was provided to the Childline to ensure new possibilities for reporting violence, allowing children and young people to use the "chat" function, which is also important in cases where a child is, for example, unable to call.

During the quarantine, the Ministry of Social Security and Labour has been working to ensure that individuals, families, children and professionals receive high quality psychological and emotional support, and that counselling on parenting skills continues. To this end, a new section "Emotional and psychological support" on the ministry's website was created. It provides detailed information and guidance on how to help oneself and one's relatives during the quarantine period, where to go for psychological and emotional support from professionals in the field (various telephone lines, contact details of counsellors for psychological, emotional and spiritual support, and of other organisations providing assistance, etc.), and information on professional counselling (supervision). Parents could receive advice, support and counselling on parenting, education and the challenges that arise in this process, as well as on the challenges that arise due to the quarantine (e.g. tensions in the relationship with the children), etc., through the Parents' Line, a free line that continues to operate successfully and without restrictions during the quarantine.

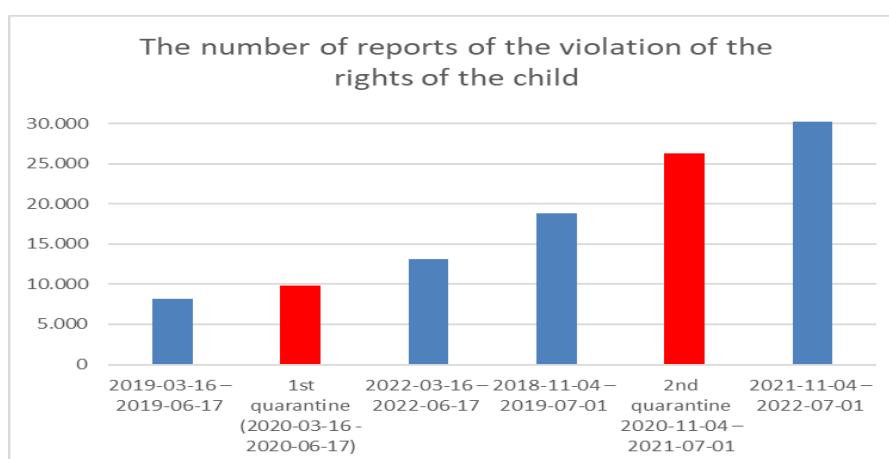
To better respond to the needs of families/individuals that have arisen, it has been decided to extend the range of services financed under the measure "Comprehensive Services for Families". It was recommended that municipalities provide the services remotely. This option is used by the majority of municipalities. Psychosocial support and mediation services are the most common. The provision of these services is coordinated according to the needs and capacities of the service users.

In cooperation with the Ministry of Health of the Republic of Lithuania, a toll-free Emotional Support Line (tel. 1809) and an Emotional Support Website (www.pagalbasau.lt) were operated.

Various recommendations were made to municipalities to ensure the provision of social services to the most vulnerable groups during the quarantine period, as well as recommendations to ensure the continuous provision of free meals to schoolchildren (a recommendation was made to continue the provision of free meals to schoolchildren during

the educational process (and in the case of distance education) through the distribution of food rations).

In the period from 16 March 2020 by 17 June 2020, the Service registered 9855 reports about possible violations of the rights of the child. Compared to the same period a year ago, during non-quarantine period, the Service registered 8149 reports about possible violations of the rights of the child, i.e., 17,3 percent less than during the 1st quarantine. During the 2nd quarantine from 4 November 2020 to 1 July 2021, the Service registered 26270 reports about possible violations of the rights of the child. Compared to the same period a year ago, the Service registered 18801 reports about possible violations of the rights of the child, i.e. 28.4 percent less than during the period of 2nd quarantine.



Due to the increased number of reports on possible violation of the rights of the child during the quarantine and subsequent periods, it is possible to assume that the reports have increased because of the public's trust to the Service, and also because the smoother Service's cooperation with the social partners. It also cannot be ruled out that psychological tension grew during the quarantine, which could have influenced the inappropriate actions or inaction towards children.

- c) Please provide information on the protection of children from all forms of violence, exploitation and abuse in the digital environment, in particular sexual exploitation and abuse and solicitation for sexual purposes (grooming).

Article 151 of the Criminal Code of the Republic of Lithuania (hereinafter – the Criminal Code) criminalises the harassment of a person under the age of sixteen. Paragraph 1 of this Article stipulates that “an adult person who has offered a person under the age of sixteen to meet for the purpose of sexual intercourse or otherwise to satisfy sexual passion or to exploit him/her for the production of pornographic products, if after this offer he took specific steps to ensure that the meeting took place, shall be punished by a fine or imprisonment restriction, or arrest, or imprisonment for up to one year”. Paragraph 2 of that Article stipulates that a legal entity shall also be held liable for the acts provided for in this Article. It should be noted that the provisions of that article also cover cases where the specified criminal acts are committed in the digital environment.

The legal acts regulating the activities of the Service and the protection of the rights of the child, oblige the Service to respond to every report received about a possible violation of the rights of the child, including reports about violations of the rights of the child in the digital environment. Article 36 of the Fundamental Law on the Protection of Children's Rights states

that the Service or Service's territorial division, upon receiving a report about a possible violation of the child's rights verbally, in writing or by any means of remote communication, begins to examine the report and meets the child, taking into account the child's age and maturity, listens to the child in a manner that is acceptable to him/her about the possible violation of his/her rights. The Service or its territorial division also assesses the child's social environment and the child's relationships with his parents or other legal representatives, as needed. In accordance with the Description of the Procedure for Assessing the Child's Situation, approved by the Order No. A1-803 of the Minister of Social Security and Labour of the Republic of Lithuania of 30 December 2019 performs the assessment of the child's situation.

During the examination of a report on a possible violation of the child's rights, if the specialist of the Service or its territorial division determines the violation of the child's rights, taking into account the age and maturity and psychological state of the potentially victimized child, informs him/her (or his/her legal representatives) about the further process and possible help.

The Lithuanian Police's "Virtual Patrol" project was created for the prevention of violations of law in the virtual space. The main task of these virtual officers is the prevention of criminal acts or administrative offences in cyberspace from publicly available sources, they respond to obvious violations of the law committed or planned to be committed in cyberspace. The "Virtual Patrol" shall immediately record all relevant information and transmit it to the relevant police unit for further investigation if it detects any violation of the law related to the sexual exploitation of children or any other violation of the law in cyberspace. When monitoring the public space, the "Virtual patrol" has received information about closed groups that are emerging on social networks, where there may be a risk of child sexual exploitation. For example, one of their titles "Dating from 9 to 14" has almost 2 000 members, users in this group of unspecified ages publish posts about looking for girls from 11 to 14 years old, or users upload possibly their own photos (the photos usually include 10-14-year-old persons) and ask to rate their beauty in the comments. Comments from this group are being monitored to identify bullying in a timely manner. During the monitoring of this group, the possible manifestations of possible bullying were recorded, the offender was identified, and the material was transferred to the police establishment.

Every year, an International Joint Action Days (JAD) in Europe is held to detect, prevent and control crimes related to the trafficking and exploitation of children.

In 2021, the Lithuanian Police, contributing to the international operation, carried out inspections and preventive measures involving more than 500 employees – police officers, municipal employees, children's rights protection officers, SE Caritas, children's camp leaders and other social partners. Communication with 3 000 people was performed, 69 vehicles and 78 locations were inspected, and internet scans were carried out, drawing attention to the comments.

At-risk families, children's foster homes, children's gathering places, etc. were visited. During the measures, children were given lectures, children were introduced to the most common recruitment schemes and consequences, and information on where to apply for help was provided. No signs of criminal acts were detected during the measures.

Since 2022, the Lithuanian Police have been involved in the new European Multidisciplinary Platform Against Criminal Threats (EMPACT) priority for 2022-2025 "Children's Sexual Exploitation". In implementing this priority, efforts to combat the sexual exploitation of

children will be channelled toward the prevention and hindrance of these criminal acts in cyberspace.

Lithuania is connected to Interpol's International Child Sexual Exploitation database (ICSE), where detected child sexual exploitation material is checked and uploaded to the ICSE database.

Since January 2015, Lithuania has been connected to the database of the USA National Centre for Missing and Exploited Children (NCMEC), through which the reports of possible cases of child sexual exploitation in relation to Lithuania identified by major companies providing social communication services are directly received (when the offender or victim uses the resources of Internet service providers registered in Lithuania).

Every year, the Lithuanian Police participate in international measures organized at the level of the European Union focused on investigating, preventing and controlling criminal cases related to the trafficking of children for the purposes of all forms of exploitation.

On 2-5 July 2018, the Lithuanian Police officers carried out prevention and control measures in cooperation with the responsible staff of the territorial divisions of the State Child Rights Protection and Adoption Service under the Ministry of Social Security and Labour (Service), social workers of the municipal administration, who take care of socially vulnerable families experiencing social risk and with representatives of non-governmental organisations. During the measure, educational institutions, children's foster homes, employment centres, etc. were visited, the communication with both employees and children was performed: human trafficking was explained, possible threats, recruitment methods, who most often become victims of crimes were discussed, as well as information on victims' rights and access to assistance, was given. Visits were made to shopping centres, buses, train stations and other places where alms are usually asked from passers-by. Special preventive attention is given to children fleeing their homes and pilfering. During the measure, minors illegally employed in private agriculture were detected.

During the actions that took place in Lithuania on 17-23 June 2019, the police officers focused on education and preventive measures carried out in cooperation with the responsible staff of the territorial divisions of the Service, social workers of the municipal administration who take care of socially vulnerable families experiencing social risks, and with representatives of non-governmental organisations. In total, 389 police officers, 22 specialists in the protection of children's rights and 88 employees of municipalities and non-governmental organisations took part in the measures implemented in Lithuania. During the measures, 3 953 persons, 68 motor vehicles, and 157 locations (enterprises and economic entities, commercial supermarkets, dwellings, etc.) were inspected. Meetings with residents were held in municipalities, officials visited libraries, children's day camps, shopping centres, entrances to buses, train stations, and other places where young people and children usually troop together. Officials communicated with foster children of the children's home, social educators and schoolchildren of educational institutions, and met with minors characterised by delinquent behaviour and their parents. During the meetings, officials familiarised the public with forms of human trafficking, and ways of exploitation, explained the threats, familiarised people with victims' rights and opportunities to receive assistance.

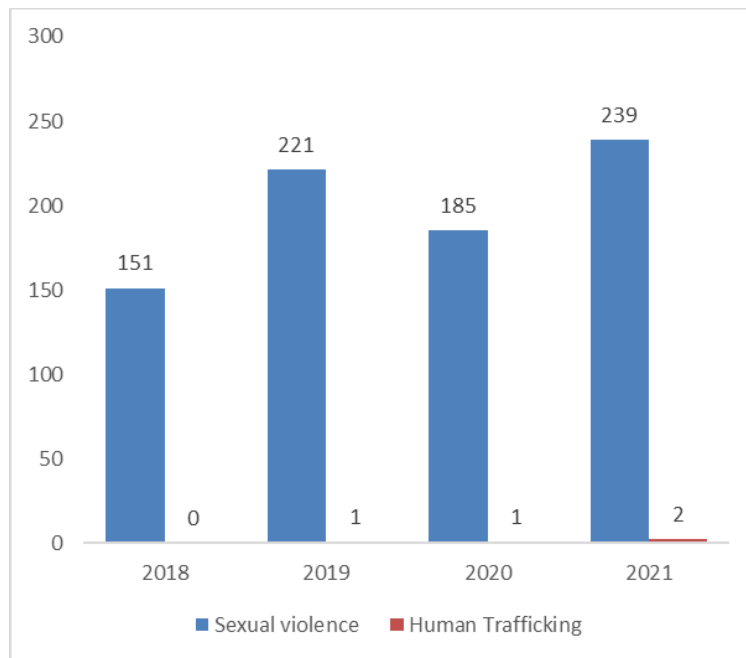
In October 2020, the Lithuanian Police contributed to the measure with the forces of the Lithuanian Criminal Police Bureau, i.e. 5 officers of the Lithuanian Criminal Police Bureau organised and performed scanning and targeted screening of 128 websites, comments, etc. in order to identify new Modus Operandi, potential threats and risks related to children exploitation, and inspected 5 persons.

From 28 June to 4 July 2021, the Lithuanian Police, contributing to the international operation, conducted inspections and preventive measures involving 544 employees: police officers, municipal workers, children's rights protection officers, SE Caritas, children's camp leaders, police supporters and riflemen. During the measure, 2 933 persons were contacted, 69 vehicles, and 78 locations were checked (including the online platform, paying attention to comments (internet scanning), and identity documents were checked. At-risk families, children's foster homes, children's gathering places, etc. were visited. In some places, when organising meetings, technical remote communication platforms were also used. During the measures, children were given lectures; they were communicated about human and children trafficking, illegal and slave labour, as well as about the aims of all forms of exploitation, as well as educational information videos on human trafficking were shown. Children were familiarised with the most common recruitment schemes and their threatening consequences, and information on where to seek help was provided. Adults were explained what to pay attention to if children consider working abroad, and preventive information was distributed. Children's behaviour was emphasised when strangers offer to give them a ride by car, what to do when lost, etc.

- d) Please provide statistical information on the extent of sexual exploitation of children, including through trafficking. The Committee recalls that States Parties must criminalise sexual exploitation, child prostitution, child pornography involving all children under the age of 18, irrespective of lower national ages of sexual consent. It seeks confirmation that this is the case in Lithuania. It also recalls that child victims of sexual exploitation should not be prosecuted for any act connected with this exploitation. It therefore requests provide information whether this principle is respected by Lithuania. The Committee reiterates its requests to be provided with updated information on the measures taken to protect children against the misuse of information technologies. The Committee asks to provide information on measures taken to detect and assist child victims of trafficking. The Committee requests to be informed about measures taken to protect and assist children in vulnerable situations, with particular attention to children in street situations and children at risk of child labour, including those in rural areas.*

Statistical information on the extent of sexual exploitation of children, including through trafficking

According to the information system of social support for the family (hereinafter – SPIS) during the period of 2021, 239 cases of sexual violence were recorded in the Republic of Lithuania (accounting for 8 percent of all cases of possible violence against children), during the period of 2020 - 185 cases (6 per cent), during 2019 – 221 cases (4 per cent) and during 2018 – 151 cases (3 per cent). In 2019 and 2020, 1 case of possible children trafficking has been identified annually and 2 cases in 2021. The number of the cases of sexual violence and human trafficking is presented in the graph bellow:



Ministry of Social Security and Labour of the Republic of Lithuania

Criminalisation of sexual exploitation, child prostitution, and child pornography

Sexual exploitation of children is criminalised in Article 149(3) and (4) (rape), Article 150(3) and (4) (sexual assault), Article 151(2) (forced sexual intercourse) and Article 151 (satisfaction of sexual desires by violating a minor's freedom of sexual self-determination and/or inviolability), Article 152 (harassment of a person under the age of sixteen) and Article 153 (molestation of a person under the age of sixteen) of the Criminal Code. Criminal acts relating to child prostitution are criminalised in Article 307(3) of the Criminal Code (gaining profit from another person's prostitution) and Article 308(3) of the Criminal Code (involvement in prostitution). While the criminal liability for the exploitation of a child for pornography is stipulated in Article 162 of the Criminal Code. Children, who are victims of acts of sexual nature, are not prosecuted according to the Lithuanian criminal law. The Service or its territorial division immediately submits information to the prosecutor or to the police for each case of possible violence.

Measures taken to protect children against the misuse of information technologies

All internet users who encounter child sexual abuse, violence or bullying, pornography, distribution of drugs, incitement to racial and national hatred in the digital space are invited to report it immediately to svarusinternetas.lt. The Internet Hotline is set up by the Communications Regulatory Authority of the Republic of Lithuania (RRT). Reports are received and investigated in accordance with the Internet Hotline's operating procedures, which have been approved by the Police Department under the Ministry of the Interior of the Republic of Lithuania and the Office of the Inspector of Journalists' Ethics in agreements with the RRT. The RRT and Oxylabs developed an artificial intelligence tool to help detect illegal and harmful content on the Lithuanian Internet. The tool was developed for free. It scans Lithuania's IP address space for harmful content. When it finds suspicious content, it automatically forwards it to the Internet Hotline for evaluation by RRT specialists. The information is related to pornography, child sexual abuse, violence, etc. When the RRT started using an automated tool in its daily operations, Internet surveillance became much more efficient.

The RRT invites all Lithuanian providers of electronic information hosting services to join the Memorandum on a Clean Internet Environment and thus express their intolerance of illegal or harmful information for minors on their service stations (servers). The laws of the Republic of Lithuania provide for an obligation for service providers to remove illegal information stored on their service stations (servers) or to make it inaccessible within a time limit set by the RRT. The Memorandum aims to create an environment of cooperation between service providers and the RRT in which the procedure for removing information or removing access to it is smoothly carried out.

The Memorandum also defines the principles for Service Providers to work towards a cleaner internet environment, such as encouraging customers to be responsible and not to post prohibited information online, expeditiously removing highly sensitive information (e.g., child sexual abuse material) etc. Service Providers who subscribe to the Memorandum acquire the right to use the Clean Internet logo created by the Authority on their websites, social networks, email signature, electronic presentation templates, public events, public information and other media to certify their compliance with the Memorandum and to contribute to the creation of a cleaner Internet environment.

Within 2021, the RRT received 3558 calls via the Internet hotline "Clean Internet" notifications of prohibited dissemination or adverse effects affecting minors on the internet. This is a record since the launch of the Internet Hotline. Compared to 2020 (1,373 reports received), the number of reports has increased by almost 2.6 times. RRT specialists investigated every single report of 380 cases received:

- 108 reports of images of child sexual abuse were forwarded to other Internet hotlines in other countries, and international Internet hotlines INHOPE members. 1551 reports were received reporting of genuinely prohibited content was repetitive, i.e., the same content, which had already been reported to INHOPE or the Police Department, and therefore no further action was taken.*
- 161 notifications were forwarded to ISPs in various countries, website owners, social network operators with NTDs (Notice and Take Down (NTD) notices on their websites or networks of prohibited content The content should be removed as soon as possible.*
- 80 reports were forwarded to the Police Department for further investigation on suspicion of prohibited content on Lithuanian service stations.*
- 31 report of suspected negative effects on minors information forwarded to the Inspector of Journalistic Ethics for further investigation to the Office of the Ethics Committee.*

Measures taken to detect and assist child victims of trafficking

The specialists of the Service or its territorial division, upon identifying or receiving the information of possible violation of the rights of the child, including the violation of the rights of the child when the child is possibly victim of human trafficking, meets and communicates with the child, assesses the child's situation, performs other actions provided by law. Considering the age and maturity and psychological state of the potentially victimized child, informs him/her (or the legal representative of the child) about further process and possible help. The specialists of the Service or its territorial division, according to the procedure, established by the legal acts, applies to the administration of the municipality of the child's place of residence and transmits information about the need for the child and/or the child's legal representative to receive services or assistance in accordance with the law, offers to include non-governmental organizations in the process of providing assistance. In the cases where the child is a victim of human trafficking (unaccompanied minor) and is in the foreign country, the Service cooperates on minor's return to the Republic of Lithuania. The specialists also participate in the interrogation of the victimized minor in accordance with the procedure

established by the Criminal Code of the Republic of Lithuania. Children who have been victims of trafficking for the purpose of sexual exploitation are also assisted through the Child Victims of Sexual Abuse Help Centre.

In addition, the Law on Assistance to Victims of Crime of the Republic of Lithuania as well as sub-legislation are being implemented. Assistance to victims of crime is provided by 26 assistance services. In 2022, EUR 500 000 from the state budget was allocated to services providing assistance to victims of all crimes. According to the available data, between January and June 2022, 1191 persons received assistance from these services, including 762 women, 388 men and 41 children. 49 persons were persons with disabilities.

Measures taken to protect and assist children in vulnerable situations, with particular attention to children in street situations and children at risk of child labour, including those in rural areas

No data are available in Lithuania about homeless children. If a child would be found in street situation, it would be considered either as the presence of a child in a precarious environment and/or as child neglect. Accordingly, such cases would be examined as a possible violation of the child's rights and appropriate decisions would be taken to ensure the best interests of the child.

Children can be assigned to temporary out-of-home placements when their parents experience various crises such as addictions. In these cases, team of specialists, including case workers, social workers, psychologists and more, work with children and their parents to ensure children's return home, to their biological families. While parents are assisted in solving their various issues, such as addictions, unemployment, lack of parenting skills and insufficient living conditions to ensure children's safety, children are temporarily placed to community-based homes or professional foster care families. Usually, this type of intervention lasts up to one year and in the cases when families do not fulfil the criteria for their children to return home, after the year, children are enrolled into permanent foster care system. Nevertheless, there are various exceptions as the goal is for children to return to their biological families. These decisions are made in courts.

The Police and the Child Rights Protection and Adoption Service strive to ensure continuous, round-the-clock protection of the child's rights and help for a child who may have been abused, a child who has witnessed domestic violence or lives in an environment where violence has taken place, and in all other cases where a child it is necessary to ensure a safe environment immediately. This is stipulated in the cooperation agreement signed on 27 May 2020 by the Commissioner General of the Police and the Director of the State Child Rights Protection and Adoption Service.

NGOs for children believe that such children need additional attention and informal communication. In solving the problem of street children, preventive measures are the most important, which comprehensively include both the busyness of children and the provision of the services they need. The Ministry of Social Security and Labour provides financing for children's day centres and projects of mobile work with youth and work with youth in the street.

The Lithuanian Police implement early prevention measures in cooperation with other institutions. For instance, Vilnius County Chief Police Commissariat established a club for children and young people with the aim to educate children and youth, to try to integrate them into society, providing and promoting the necessary personal and social abilities, without separating the child from his living environment, to strive for positive changes in

his/her behaviour. Primary prevention is intended for children to prevent social risk factors by forming a healthy lifestyle, developing resistance to negative phenomena even before encountering them. Early prevention is aimed at children belonging to a certain contingent characterized by increased criminogenic (children growing up in dysfunctional families, abusing intoxicating substances, smoking, consuming alcohol) and direct prevention is intended for children who previously behaved criminally or committed administrative or other serious violations of the law. The club has a safe environment where children gather after school and with the help of teachers, they cook meals, prepare lessons, play, attend various activities, consult with a psychologist and other specialists. The involvement of police officers in social activities was evaluated as an innovative example of preventive activities.

Children who have experienced harmful use of substances can attend the Child and Youth Rehabilitation Departments in Vilnius and Kaunas. Teenagers from the age of 16 years can register for a consultation with a psychiatrist by themselves, without being accompanied by a family member. Consultations are free and provided anonymously, there is no coercive treatment. After assessing the state of health of young people, various alternatives are offered according to the possibilities, and what could be best for the young person in the current situation is discussed.

The State Labour inspectorate conducts regular monitoring of labour law violations including the illegal employment of minors.

Article 8 – The right of employed women to protection of maternity

Excerpts from the ECSR's case law

Article 8 of the Charter provides specific rights protecting employed women during pregnancy and maternity. The aim of such protection is the protection of the health of a mother and a child. Such protection is possible where employed women are entitled to safe and healthy working conditions, i.e., such working conditions which take due regard to their specific needs during respective periods. Safe and healthy working conditions include also protection against less favourable treatment due to pregnancy and maternity.

Since pregnancy and maternity are gender-specific, any less favourable treatment due to pregnancy or maternity is to be considered as direct gender discrimination. Consequently, the non-provision of specific rights aimed at protecting the health and safety of a mother and a child during pregnancy and maternity, or the erosion of their rights due to special protection during such a period are also direct gender discrimination.

It follows that, in order to ensure non-discrimination on the grounds of gender, employed women during the protected period may not be placed in a less advantageous situation, also with regard to their income, if an adjustment of their working conditions is necessary in order to ensure the required level of the protection of health. It follows that, in the case a woman cannot be employed in her workplace due to health and safety concerns and as a result, she is transferred to another post or, should such transfer not be possible, she is granted leave instead, States Parties must ensure that during the protected period, she is entitled to her average previous pay or provided with a social security benefit corresponding to 100 per cent of her previous average pay. Further, she should have the right to return to her previous post.

With a view to ensuring the effective exercise of the right of employed women to the protection of maternity, the Parties undertake:

1. to provide either by paid leave, by adequate social security benefits or by benefits from public funds for employed women to take leave before and after childbirth up to a total of at least fourteen weeks;

a) Please provide information whether the Covid-19 crisis had an impact of on the right to paid maternity leave (in particular whether all employed women concerned – in the private as in the public sector - continue to receive at least 70 per cent of their salary during the whole length of the compulsory maternity leave during the Covid-19 crisis).

Maternity, paternity and parental benefits are usually calculated on the basis of a person's insurable income during the 12 consecutive calendar months preceding the calendar month in which the entitlement to the benefit began.

For parents who are subject to an emergency stoppage or quarantine during a pandemic and the stoppage period or part of it falls within the period for which insurable earnings are assessed, benefits are now also calculated on the basis of the 12-month period prior to the first declaration of quarantine.

Parents will receive a more favourable level of maternity, paternity or parental allowance when the benefit calculated under the general scheme is compared with the benefit calculated on the basis of the pre-quarantine income

If the person has been placed on sick leave for all or part of the period from 26 February 2020 to 30 June 2021 and the period of sick leave or part of it falls within the 12 calendar months from which the benefit is calculated, then the compensatory earnings are calculated on the basis of all the insurable earnings the person had in the period from 1 February 2019 until 31 January 2020.

For example, an employed person became entitled to childcare benefit on 15 July 2020. The benefit is calculated on the basis of the insurable earnings of the person during the period from 1 June 2019 to 31 May 2020. Suppose that the employer had declared the person on sick leave between 10 April 2020 and 30 April 2020. If a request for recalculation of the benefit is submitted, the benefit will be recalculated for this beneficiary on the basis of the insurable earnings he or she had in the period from 1 February 2019 to 31 January 2020. If this benefit is higher than the benefit calculated in the normal way, the person will be paid the childcare benefit underpayment for the previous period.

b) The Committee requests further information on the legislative framework protecting employees from discriminatory treatment related to maternity leave as well as statistical data concerning the average length of maternity leave and the number and percentage of employed women, both in the private and in the public sectors, who take less than six weeks' postnatal leave.

The legislative framework protecting employees from discriminatory treatment related to maternity leave.

Paragraph 2 of Article 59 of the Labour Code states that an employment contract may not be terminated due to participation in a case against an employer accused of violations of law or due to application to administrative bodies regarding discrimination based on gender, sexual orientation, race, nationality, language, origin, citizenship and social status, faith, marital and family status, intention to have a child/children, convictions or views, political affiliation, age, or other discriminative grounds.

Article 131 of the Labour Code defines 'Special Leave' which, among others, includes: 1) pregnancy and childbirth leave; 2) paternity leave; 3) child care leave. It also obliges the employer to ensure the employee's right to return, after special leave, to the same or equivalent workplace/position under terms of employment no less favourable than those previously, including remuneration, and to make use of all improved conditions, including the right to increased remuneration which the employee would have been entitled to had he or she been working.

From the day the employer finds out about an employee's pregnancy until the day her baby turns four months old, the employer may not give notice to the pregnant employee about impending termination of the employment contract or take a decision to terminate the employment contract on grounds other than those specified in paragraph 1 of this Article. If grounds for terminating the employment contract emerge during this period, the pregnant employee may be given notice about termination of the employment contract or a decision to terminate the employment contract may be taken only after this period is over. If an employee is granted pregnancy and childbirth leave or childcare leave during the period when her baby is under the age of four months, the employment contract may only be terminated once this leave is over.

An employment contract with an employee raising a child/adopted child under the age of three cannot be terminated on the initiative of the employer without any fault on the part of the employee (Article 57 of the Labour Code). An employment contract with an employee on pregnancy and childbirth leave, paternity leave or childcare leave cannot be terminated at the will of the employer (Article 59 of the Labour Code).

	2018	2019	2020	2021
Average daily maternity benefit, euros	40.8	44.4	49.2	54.3
Average duration of 1 maternity case, working days	72.7	81.1	78.8	79.4

The State Social Insurance Fund under the Ministry of Social Security and Labour

2. to consider it as unlawful for an employer to give a woman notice of dismissal during the period from the time she notifies her employer that she is pregnant until the end of her maternity leave, or to give her notice of dismissal at such a time that the notice would expire during such a period;

a) Please provide information:

- i) whether the Covid-19 crisis had an impact on the possibility of dismissing pregnant employees and employees on maternity leave and
- ii) whether there were any exceptions to the prohibition of dismissal during pregnancy and maternity leave during the pandemic.

The Covid-19 crisis had no impact on the possibility of dismissing pregnant employees and employees on maternity leave and there were any exceptions to the prohibition of dismissal during pregnancy and maternity leave during the pandemic.

- b) The Committee asks for further information on objective grounds for which the law requires the termination of the contract.*

Article 61 of the Labour Code prohibits the dismissal of pregnant employees and the employees on maternity leave. An employment contract with a pregnant employee during her pregnancy and until the baby reaches four months of age may be terminated by mutual agreement, at her initiative, at her initiative during the trial period, in the absence of the will of the parties to the contract, or when a fixed-term employment contract expires or a court or employer's body makes a decision that terminates the employer. The fact of an employee's pregnancy is confirmed by presenting a doctor's maternity certificate to the employer.

From the day the employer finds out about an employee's pregnancy until the day her baby turns four months old, the employer may not give notice to the pregnant employee about impending termination of the employment contract or take a decision to terminate the employment contract on grounds other than those specified in Paragraph 1 of this Article. If grounds for terminating the employment contract emerge during this period, the pregnant employee may be given notice about termination of the employment contract or a decision to terminate the employment contract may be taken only after this period is over. If an employee is granted pregnancy and childbirth leave or child care leave during the period when her baby is under the age of four months, the employment contract may only be terminated once this leave is over.

An employment contract with an employee raising a child under the age of three cannot be terminated on the initiative of the employer without any fault on the part of the employee (Points 1-3 of Paragraph 1 of Article 57 of the Labour Code). An employment contract with an employee on pregnancy and childbirth leave, paternity leave or child care leave cannot be terminated at the will of the employer (Article 59 of the Labour Code).

The same provisions regarding the prohibition of dismissal during pregnancy and maternity leave were also in force during the pandemic.

3. to provide that mothers who are nursing their infants shall be entitled to sufficient time off for this purpose;

No information required. However, if the previous conclusion was one of non-conformity, please explain whether and how the problem was remedied. If the previous conclusion was deferred or conformity pending receipt of information, please reply to the questions raised.

4. to regulate the employment in night work of pregnant women, women who have recently given birth and women nursing their infants;

- a) Please provide updated information to confirm that no loss of pay results from the changes in the working conditions or reassignment to a different post and that in*

case of exemption from work related to pregnancy and maternity, the woman concerned is entitled to paid leave.

The provisions of the Law on Safety and Health at Work of the Republic of Lithuania (Law on Safety and Health at Work) were not modified during the reporting period. Article 37(4) of this law provides that workers who are pregnant, who have recently given birth or who are breastfeeding which are transferred to another job/place of employment at the same establishment, institution or organization shall be paid at least the remuneration received prior to the transfer. Article 37(8) of the Law on Safety and Health at Work provides that pregnant workers, workers who have recently given birth or who are breastfeeding may be assigned to standby, night work, work during rest days and public holidays only with their consent; where such workers do not agree to work at night or provide a certificate that such work would harm their safety and health, they shall be transferred to day-time work or, where such workers cannot be transferred to day-time work for objective reasons, they shall be granted leave until the beginning of pregnancy and maternity leave, during which the monthly salary due to the workers is paid, or parental leave until the child reaches the age of one year.

- b) Please indicate whether the new Labour Code still contains provisions concerning night work for pregnant women and women who have recently given birth or are nursing their infant. The Committee asks for detailed information on the applicable regulations. The Committee asks to confirm that no loss of pay results from the changes in the working conditions or reassignment to a different post related to pregnancy and maternity, the woman concerned is entitled to paid leave; it furthermore asks the to confirm that the women concerned retain the right to return to their previous employment at the end of the protected period.*

Article 117 of the new Labour Code defines specific features of working time arrangements for night work. The average working time of a night worker shall not exceed eight hours per working day (shift) over a reference period of three months, unless otherwise agreed in collective agreements at a higher level than that of the employer. However, this article does not contain provisions concerning night work for pregnant women and women who have recently given birth or are nursing their infant.

The new Labour Code provides more flexibility for working time arrangement. Article 113 of this Labour Code stipulates that an employer must comply with a request to work at the employee's preferred working time when a pregnant woman and woman who has recently given birth or is nursing her infant so requests. Article 118 of this Labour Code stipulates that pregnant women and women who have recently given birth or are nursing their infant, can only be assigned passive duty and passive home duty with their consent.

There should be no loss of pay resulting from the changes in the working conditions or reassignment to a different post related to pregnancy and maternity. Employers must ensure that women have the right to return to the same or an equivalent job on terms and conditions, including pay, that are no less favourable than those of their previous job, after pregnancy, childbirth or parental leave. It must also guarantee the right of the women returning from such leave to enjoy all the better working conditions to which the worker would have been entitled if he or she had been employed, including the right to a pay rise.

The women concerned retain the right to return to their previous employment at the end of the protected period. Article 61 of the Labour Code prohibits the dismissal of pregnant employees and the employees on maternity leave. An employment contract with a pregnant

employee during her pregnancy and until the baby reaches four months of age may be terminated by mutual agreement, at her initiative, at her initiative during the trial period, in the absence of the will of the parties to the contract, or when a fixed-term employment contract expires, or a court or employer's body makes a decision that terminates the employer.

5. to prohibit the employment of pregnant women, women who have recently given birth or who are nursing their infants in underground mining and all other work which is unsuitable by reason of its dangerous, unhealthy or arduous nature and to take appropriate measures to protect the employment rights of these women.

- a) Please provide updated information to confirm that no loss of pay results from the changes in the working conditions or reassignment to a different post and that the women concerned retain the right to return to their previous employment at the end of the protected period.

The provisions of the Law on Safety and Health at Work were not modified during the reporting period. Article 37(4) of this law provides that workers who are pregnant, who have recently given birth or who are breastfeeding which are transferred to another job/place of employment at the same establishment, institution or organization shall be paid at least the remuneration received prior to the transfer.

- b) The Committee asked anew whether all the specific risks (i.e. activities involving exposure to lead, benzene, ionising radiation, high temperatures, vibration or viral agents) are included in Resolution No. 469 and are limited to the women in question. It asked for details on these restrictions. It asks for clarifying whether the new Labour Code still contains the provisions regarding the prohibition on dangerous, unhealthy and arduous work for pregnant women, women who have recently given birth or who are nursing. The Committee asks for detailed information.

The requirements are set out in the description approved by the Resolution of the Government of the Republic of Lithuania "On the Description of the Working Conditions of Pregnant, Recently Given Birth and Breastfeeding Employees". Lists of prohibited work, dangerous working conditions, harmful factors and substances for pregnant, recently given birth, and breastfeeding workers have been established. The employer, having received a certificate from a personal health care institution about the employee's pregnancy, childbirth, breastfeeding, assesses the possible occupational risk to the safety and health of the pregnant, recently given birth or breastfeeding employee.

All harmful factors and dangerous working conditions are laid down in Annexes 1 and 2 to the Description of the Working Conditions of Pregnant Workers, Workers who Have Recently Given Birth and Breastfeeding Workers, approved by Resolution No 469 of the Government of the Republic of Lithuania of 21 June 2017 'On the approval the Description of the Working Conditions of Pregnant Workers, Workers who Have Recently Given Birth and Workers who Are Breastfeeding'. Below is the text of the annexes.

Annex 1. List of Dangerous Working Conditions, Harmful Agents and Substances for Pregnant Workers, Workers who Have Recently Given Birth or who Are Breastfeeding

1. Dangerous working conditions:

1.1. working conditions relating to the activities specified in the List of Substances, Mixtures and Processes that Can Cause Cancer, as set out in the Regulations for the Protection of

Workers from Carcinogens and Mutagens at Work, approved by the Minister for Social Security and Labour of the Republic of Lithuania and the Minister for Health of the Republic of Lithuania;

1.2. working in underground mining;

1.3. working conditions under which physical and physical factors that may cause embryo or foetal damage and/or placental damage are possible:

1.3.1. shocks, vibrations, movements;

1.3.2. lifting of heavy loads which may endanger, in particular, the back and waist;

1.3.3. noise;

1.3.4. ionising radiation;

1.3.5. non-ionising radiation (electromagnetic fields);

1.3.6. unfavourable thermal environment (extreme cold or heat);

1.3.7. movements and positions, travelling (in or outside the workplace), unfavourable job position, mental and physical fatigue and other physical difficulties.

2. Harmful agents and substances:

2.1. biological substances which are classified in the second, third and fourth risk groups of biological substances in accordance with the Regulations for the Protection of Workers from the Impact of Biological Substances at Work, approved by order of the Minister for Social Security and Labour and the Minister of Health, if it is known that these biological substances or therapeutic measures to be taken due to exposure to such substances pose a risk to the health of the pregnant woman and embryo or foetus, and if such substances are not listed in Annex 2 to this Description;

2.2. Substances and mixtures meeting the criteria for classification laid down in the Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 and being ascribed according to these criteria to one or more of the following hazard classes and hazard categories to which one or more of the hazard statements apply, provided that these substances or mixtures are not listed in Annexes 2 and 3 to this Description:

2.2.1. germ cell mutagenicity category 1A, 1B or 2 (H340, H341);

2.2.2. carcinogenicity, category 1A, 1B or 2 (H350, H350i, H351);

2.2.3. reproductive toxicity, category 1A, 1B or 2 or additional category related to effects on or via lactation (H360, H360D, H360F, H360FD, H360Fd, H360Df, H361, H361d, H361f, H361fd, H361fd, H360Df, H361, H361d, H362);

2.2.4. specific target organ toxicity following single exposure, category 1 or category 2 (H370, H371);

2.2.5. specific target organ toxicity following repeated exposure, category 1 or category 2 (H372, H373);

2.2.6. acute inhalation toxicity, category 1, 2 or 3 (H330, H331);

2.2.7. acute dermal toxicity, category 1, 2 or 3 (H310, H311);

2.2.8. acute ingestion toxicity, category 1, 2 or 3 (H300, H301);

2.2.9. risk of lung injury ingestion, category 1 (H304);

2.3. chemical agents:

2.3.1. chemical agents acting under the working conditions referred to in point 1 of this list;

2.3.2. mercury and mercury compounds;

2.3.3. anti-mitotic drugs;

2.3.4. carbon monoxide;

2.3.5. known and dangerous chemical agents due to dermal absorption.'

Annex 2. List of Jobs Prohibited for Pregnant Workers

1. *Work under excess pressure, such as work in high-pressure rooms or underwater diving works.*
2. *Work involving biological agents — toxoplasma and rubella virus unless pregnant workers are protected by immunisation.*
3. *Work involving chemical agents — lead and lead compounds if they can be absorbed by the human body.*
4. *Underground mining.'*

The new Labour Code contains Chapter XI dedicated to safety and health of employees. Article 158 of this Chapter indicates that:

1. *Every employee must be provided with suitable, safe and health-friendly working conditions, as stipulated in the Law on Occupational Safety and Health of the Republic of Lithuania. This law also establishes the rights and obligations of employees and employers, the institutional system of ensuring occupational safety and health, and special provisions for the protection of individual groups of employees (pregnant, recently given birth or breastfeeding employees, persons under the age of eighteen, disabled).*
2. *Each employee's workplace and environment must be safe and harmless to health, equipped in accordance with the requirements of occupational safety and health regulatory acts.*
3. *Work must be organized in accordance with the requirements of occupational safety and health regulations.*
4. *Employee safety and health measures are financed by the employer.*

Article 159 of this Chapter stipulates that the employee has the right to refuse to work if there is a risk to his safety and health, as well as to do those jobs that he has not been trained to perform safely, if collective protection measures are not installed or he is not equipped with the necessary personal protection measures. Reasonable refusal of an employee to work cannot be considered a violation of his job duties. Finally, Article 160 stipulates that the transfer of the employer's duties or competence to other persons does not remove the employer's obligation to compensate the damage caused to the employee's health, caused by the employee's mutilation or other injury to his health, or in the event of his death, or due to his contracting an occupational disease.

Article 16 – The right of the family to social, legal and economic protection

Excerpts from the ECSR's case law

Article 16 of the Charter applies to all forms of violence against women and domestic violence and States Parties are required to ensure an adequate protection against such violence in both law and practice. It follows that States Parties must show due diligence in deploying measures such as restraining orders penal sanctions for perpetrators, adapted judicial procedures, and adequate compensation for victims, and training, particularly for police officers and other working directly with victims as well as collection and analysis of reliable data. States must ensure provision of shelter or protected accommodation for victims or for women at risk of violence, as well as services to reduce the risk of violence and support and rehabilitate victims. Victim empowerment should also be strengthened through early advice and protection measures as well as minimum or supplemented income for victims or would-be victims.

States Parties are required to ensure the economic protection of the family by appropriate means. The primary means should be family or child benefits provided as part of social security, available either universally or subject to a means-test.

Family benefits must constitute an adequate income supplement for a significant number of families. Adequacy is assessed with respect to the median equivalised income (Median equivalised income (Eurostat): the income of a household is established by summing all monetary income received from any source by each member of the household. In order to reflect differences in household size and composition, this total is divided by the number of "equivalent adults" using a standard scale (the so-called modified OECD equivalence scale). The resulting figure is attributed to each member of the household.).

With a view to ensuring the necessary conditions for the full development of the family, which is a fundamental unit of society, the Parties undertake to promote the economic, legal and social protection of family life by such means as social and family benefits, fiscal arrangements, provision of family housing, benefits for the newly married and other appropriate means

- a) *Please provide updated information on measures taken to reduce all forms of domestic violence against women including information on incidence and conviction rates.*

The law permits rapid government action in domestic violence cases. For example, police and other law enforcement officials may, with court approval, require perpetrators to live separately from their victims, to avoid all contact with them. As part of the improvement of legislation, the Criminal Code was amended to include liability for unlawful stalking, and amendments to the Law of the Republic of Lithuania on Protection against Domestic Violence were adopted, introducing the Emergency Protection Order against Domestic Violence into the legal system. The warrant will be issued by a police officer for 15 days. The amendments to the Law on Protection against Domestic Violence will enter into force in 2023.

The police are active in preventing domestic violence by focusing on its causes rather than its consequences. For example, if a report of domestic violence is not confirmed, but the first check establishes that there was a conflict (without criminal or administrative consequences) between the subjects of the close environment, police officers will carry out a re-examination of the circumstances no later than within 3 working days, during which they will make a further assessment of the circumstances by communicating with all the parties involved in the incident. At least once a quarter, they also analyse the reports of domestic violence recorded in the Police Register of Recorded Events and draw up a list of persons at increased risk of domestic violence, with whom preventive measures are organised at least once a month.

In implementing measures to reduce victimisation, police officers also cooperate with other interested institutions (prosecutor's offices, courts, child rights protection units, specialised assistance centres, other non-governmental organisations) at least once a quarter on issues related to the prevention, investigation and suppression of domestic violence, and regularly initiate meetings and exchange contact details of the persons responsible for such matters, as well as discuss topical issues and problems, etc.

Preventive meetings are also held in communities to promote intolerance of domestic violence, where community members are trained to recognise domestic violence, are informed about what assistance is available, and are encouraged not to tolerate and to report incidents of domestic violence they are aware of. Meetings are organised with

municipal representatives and relevant institutions and social partners to promote intolerance of domestic violence.

NGOs implement projects that contribute to the prevention of domestic violence through public awareness of the various forms of violence, its consequences and the need to prevent it, and to promote intolerance of violent behaviour.

Training for prosecutors and assistant prosecutors is very important measure. One of the projects "Improving the Quality of the Work of the Justice Chain and Strengthening Competences to Protect Victims of Domestic and Gender-Based Violence" during the period of 2020-2023 with the support from the EEA and Norway Grants;

According to the publicly available data of the Department of Informatics and Communications under the Ministry of the Interior of the Republic of Lithuania (DIC), 7133 criminal acts related to domestic violence were recorded during the 2020-year period. Accordingly, 5 802 criminal acts of similar nature were recorded during the 2021-year period (a decrease of 18.7 per cent compared to 2020 data is observed). The majority of victims of domestic violence are women. In the 2020 period, a total of 7 338 victims of criminal acts related to domestic violence were registered, including: 1701 men (23.2 per cent) and 5 637 women (76.8 per cent). Accordingly, during the 2021 period, a total of 6,137 victims of criminal acts of a similar nature were registered, including: 1,513 men (24.7 per cent) and 4,624 women (77.3 per cent). According to statistics data, most victims of domestic violence criminal acts experience physical violence. During the 2020 reporting period, 149 people suffered material damage, 4,796 people suffered physical violence, 27 suffered sexual abused and 172 suffered psychological abuse. Meanwhile, in the 2021-year period, 121 people suffered material damage, 3,819 suffered physical violence, 29 were sexually abused and 144 people were subjected to psychological abuse. In 2020, a total of 6 475 criminal acts were investigated (5 152 criminal acts were investigated during the 2021 period accordingly).

The Criminal Code contains a targeted legal regulation, which creates a basis for the court to assess more strictly the relevant criminal acts when they are directed against the close relative or family member of the perpetrator. For example, under Article 129(2)(3) of the Criminal Code, any person who intentionally killed his close relative or family member shall be punished; under Article 135(2)(3) of the Criminal Code, any person who intentionally causes serious injury or illness to his or her close relative or family member shall be punished; Article 138(2)(3) of the Criminal Code provides for criminal liability against any person who causes bodily harm or illness which is not serious; in particular, Article 140(2) of the Criminal Code provides for criminal liability against any person who, by beating or other violent actions, causes to a person physical pain or negligible bodily harm or a short-term illness. Article 248 of the Criminal Code enshrines clarifications on the concepts of "close relatives" and "family members". Paragraph 1 of that Article states that close relatives shall be parents (adoptive parents), children (adopted children), brothers, sisters, grandparents and grandchildren, and paragraph 2 of that article states that the family members of the perpetrator shall be the parents (adoptive parents), children (adopted children), brothers, sisters and their spouses living together with him, also the spouse of the perpetrator or the person living with him in common law (partnership) and parents of the spouse.

Following the Committee's request, we provide some examples of the application of the above-mentioned legal regulation in case law:

By judgement of the Kaunas District Court of 30 March 2018, E.P. was found guilty under Article 140(2) of the Criminal Code for the fact that in 2018 on January 1, at around 04:30 a.m., while under the influence of alcohol, he threw an empty beer bottle at a close relative and family member, his minor son E.P., and hit him in the head, and therefore, because of a bruised wound in the head, causing negligible bodily harm and physical pain to the victim.

(Judgement of the Criminal Division of Kaunas Regional Court of 27 June 2018 in criminal case No 1A-485-594/2018).

D. K. was convicted for the fact that on 14 January 2018 at around 23.25 p.m., in his home, while under the influence of alcohol (intoxication not determined), during the domestic conflict, by inflicting at least three punches on the face and an unspecified number of punches on the chest, caused physical pain to a close family member, his cohabitant I.K. (Ruling of the Criminal Cases Division of Šiauliai District Court of 13 June 2018 in criminal case No 1A-20-519/2018).

L. V. was convicted in accordance with Article 135(2)(3) of the Criminal Code for the fact that on 26 December 2017 at around 7:00 p.m., in her place of residence, in the kitchen of the flat, while under the influence of alcohol, and this had an influence on the committing the criminal act, during a mutual conflict resulting from personal disagreements, she stabbed her husband V.V. once in the left chest, causing him an injury - a stab wound on the left side of the chest, the accumulation of blood on the left side of the chest, thus severely impaired the health of a family member - the spouse V. V. (Judgement of the Criminal Cases Division of the Šiauliai District Court of 14 June 2018 in criminal case No 1-61 -309/2018).

E.N. was convicted according to Article 129(2)(3) and (6) of the Criminal Code for the fact that he, realising that by intensively hitting on vital parts of the body, using mauling tools, inflicting multiple bruised and stab-cut injuries, caused great physical suffering and pain to the victim, extremely brutally killed his close relative - brother A.N. (Judgement of the Lithuanian Court of Appeal of 20 July 2018 in criminal case No 1A-225-02/2018).

According to the DIC data, a total of 39 718 criminal acts were recorded in Lithuanian police institutions in 2021 (3 807 acts (8.7 per cent) less than in 2020), of which 14.6 per cent acts are related to domestic violence (5 801). In 2020, 43,525 criminal acts were recorded (5 205 acts (10.7 per cent) less than in 2019), of which 16.4 per cent were acts related to domestic violence (7 126). In 2019, these acts amounted to 15 per cent. In 2018, 9,523 criminal acts related to domestic violence were registered, 7 688 in 2019, and 7 126 in 2020. Comparing the number of police-recorded criminal acts related to domestic violence in 2020 and 2021, a decrease of 18.6 per cent is observed in 2021 (by 1 325 acts less). In 2021, a total of 10 criminal acts for rape related to domestic violence were registered (Article 149 of the Criminal Code) (9 in 2020); sexual assaults (Article 150 of the Criminal Code) – a total of 19 acts (by 9 acts, i.e., 90 per cent more than in 2020).

According to the data of the Police Crime Events Register, 3 280 fewer domestic violence were received in 2021, i.e., 5.4 per cent less (total – 57,230) than in 2020; there was a 20 per cent decrease in the number of domestic violence pre-trial investigations initiated, a total of 2 179 fewer pre-trial investigations were initiated (8 649 in total). In line with the decline in the overall crime rates: reports received, and criminal acts registered, the trends in the decrease of the number of pre-trial investigations initiated in respect thereof are also observed.

In 2021, 5 152 criminal acts related to domestic violence were investigated (88.7 per cent of all such criminal acts recorded). In 2020, 6 468 criminal acts related to domestic violence (90.7 per cent of all recorded criminal acts) were investigated. The investigation decreased slightly by 2 per cent compared to 2020.

The trends in criminal acts of victims of domestic violence in 2021 remain similar to those in 2020. 6 082 persons were affected by criminal acts of domestic violence, i.e., 16.6 per cent less than in 2020, of which: 4 594 women, 1 485 men. 88 per cent of victims are adult persons. A steady downward trend in the number of children affected by domestic violence (under the age of 18) is observed. The number of children affected (under 18) is only 1.3 per cent less (total 747, of these 380 for girls and 367 for boys) than in 2020. Nearly 70 per cent of victims of domestic violence are women, and 12 per cent are children. Lithuania conducts continuous monitoring of domestic violence, including with regard to children, and responds to violations of children's rights in a timely, expeditious and competent manner. Following a decrease in registered criminal acts of domestic violence in 2021, a 22.9 per cent decrease in the number of suspected persons who have committed criminal acts related to domestic violence (a total of 4 477 suspects registered) is observed.

Every year of all pre-trial investigations initiated, over 30 per cent are terminated in the absence of the crime, therefore, a small proportion of the pre-trial investigations initiated on the basis of reports of potential domestic violence are mainly indicated by the fact that the majority of the reports are received due to events of this nature which do not have the evidence of criminal acts related to domestic violence.

To reduce the scale of domestic violence and focus on its causes, not its consequences, the police are actively engaged in conducting preventive activities. For example, if a report of domestic violence has not been confirmed, but when it is found during the first inspection that there was a conflict between the subjects of the close environment (without having caused criminal or administrative liability), police officers shall, at least within 3 working days, conduct a re-check of the circumstances, during which all the circumstances related to the event are additionally assessed through communication with all the participants in the event. Also, at least once a quarter, conduct an analysis of reports of domestic violence recorded in the Crime Events Register by the Police and draw up a list of persons at increased risk of domestic violence, with whom preventive measures are organised at least once a month.

When implementing measures to reduce victimisation, police officers also cooperate with other interested institutions (public prosecutors' offices, courts, child rights protection units, specialised assistance centres, and other non-governmental organisations) on the prevention, investigation and prevention of domestic violence issues at least once a quarter, with which they regularly initiate meetings and exchange contact data of responsible persons as well as discuss relevant issues, problems, etc.

Preventive meetings of police officers in communities on inducing intolerance of domestic violence are also carried out, during which members of the communities are taught to recognise domestic violence, informed about who and what kind of help provides, encouraged to not tolerate and report cases of domestic violence known to them. Meetings with representatives of municipalities and interested institutions and social partners on promoting intolerance to domestic violence are organised.

The Criminal Code was supplemented by liability for unlawful persecution of a person, as well as the amendments to the Law on Protection against Domestic Violence of the Republic of Lithuania introduced an urgent warrant for protection against domestic violence into the legal system. A police officer will be able to issue the warrant for 15 days. The amendments to the Law on Protection against Domestic Violence of the Republic of Lithuania will enter into force in 2023.

- b) For States Parties not having accepted Article 31, please provide updated information on the availability of adequate affordable housing for families.*

Under the Law on Support for the Acquisition or Rental of Housing of the Republic of Lithuania, support for housing acquisition or rental shall be provided, inter alia, pursuant to the principle of social justice – to persons and families on the basis of an assessment of their property, income received and other factors relevant to the social situation of the person and the family.

Support for housing acquisition shall be provided by:

- 1) granting subsidies to recipients of housing loans partially reimbursed by the state to cover part of the housing loan;*
- 2) reimbursing part of housing leasing.*

Support for housing rental shall be provided by:

- 1) letting social housing;*
- 2) reimbursing part of housing rental.*

At the end of 2021, the Parliament (Seimas) adopted amendments to the Law on Support for the Acquisition or Rental of Housing, which aim to increase the availability of social and other municipal housing, to establish more favourable conditions for the provision of one's own housing, and to clarify the regulation of the sale of municipal housing.

The amendments provide for that single-parent families will be able to apply for social housing rent without a queue. This will allow a better access to housing for some of persons who are at a higher risk of poverty or social exclusion.

- c) Are family or child benefits provided subject to a means-test? If so, what is the percentage of families covered?*

To support families raising children, universal child benefit is paid for all children without regard to family income.

According to the currently regulation, for every child from birth to the age of 18 years and over, if he/she is studying under the general curriculum, but not longer until he/she reaches the age of 23, is paid a monthly child benefit in the amount of 1.75 BSB (EUR 80.5) without regard to the family income.

An additional child benefit in the amount of 1.03 BSB (EUR 47.38) is paid additionally for low-income families raising one or two children, families raising three or more children and disabled children. An additional child benefit is paid to children from birth to the age of 18 years (to the age of 23 years, if a child studies according to the general education curriculum):

- if the family is raising one or two children and the average family's income per person per month does not exceed 2 SSI (EUR 294);*
- if the family is raising three and more children and for disabled children, an additional child benefit is paid without regard to family income.*

In 2021, 517064 children (persons) received a universal child benefit and 144083 of them received an additional child benefit.

d) Please provide information about the amounts paid in child/family benefit as well as the median equivalised income for the reference period.

Please find below the information about the amounts paid in child/family benefit.

	2018	2019	2020	2021
Recipients of universal child benefit, number of persons	491972	516525	517870	517064
Amount spent for universal child benefit, million of euros	161.16	304.60	365.65	426.13

Ministry of Social Security and Labour

Equivalised disposable income of household per month

	2018	2019	2020	2021
Equivalised income per month, euros	710	779	883	1001

The Lithuanian Department of Statistics

e) Is there a length of residence requirement imposed on nationals of other States Parties lawfully resident in your country for eligibility to child/family benefits?

According to the Law on Family Benefits of the Republic of Lithuania (hereafter – Law on Family Benefits), entitlement to the child benefits is based on residence. These benefits are paid from the state budget. The provisions of the Law on Family Benefits apply to the following foreigners residing in the Republic of Lithuania:

1) foreigners holding a long-term residence permit of the Republic of Lithuania in the European Union (for the long-term residence permit the foreigner has to reside in the Republic of Lithuania for at least 5 years);

3) foreigners appointed as guardians (guardians) of a child, a citizen of the Republic of Lithuania, or of a foreign child, whose guardianship (custody) has been established in the Republic of Lithuania or the guardianship (custody) has been taken over by the competent authority of the Republic of Lithuania, and of foreign children, whose guardianship (custody) has been established in the Republic of Lithuania or the guardianship (custody) has been taken over by the competent authority of the Republic of Lithuania (no length of residence requirement for this category of foreigners);

4) foreigners who have been issued a temporary residence permit in the Republic of Lithuania as intending to work in the Republic of Lithuania in a job requiring high professional qualifications (no length of residence requirement for this category of foreigners);

5) foreigners who have been issued a temporary residence permit and allowed to work in the Republic of Lithuania and who are working in the Republic of Lithuania or have been working in the Republic of Lithuania for a period of at least 6 months and are registered with the Employment Service under the Ministry of Social Security and Labour of the Republic of Lithuania as unemployed, with the exception of foreigners who have been allowed to come to Lithuania for study;

6) persons to whom, in accordance with the Regulations on the coordination of social security systems of the European Union, the Law on Family Benefits shall apply (no length of residence requirement, this provision applies to foreigners who are legally resident in the territory of one of the EU Member States and are in a situation which is not confined in all respects within a single EU Member State according to the Regulation (EU) No 1231/2010 extending Regulation (EC) No 883/2004 and Regulation (EC) No 987/2009 to nationals of third countries who are not already covered by these Regulations solely on the ground of their nationality);

7) citizens of a Member State of the EU or a Member State of the European Free Trade Association belonging to the European Economic Area and their family members, who have been issued documents confirming the right to reside in the Republic of Lithuania and who have been residing in the Republic of Lithuania for at least 3 months. The persons mentioned in this paragraph who are employed or self-employed and their family members are exempted from the requirement to reside in the Republic of Lithuania for at least 3 months;

8) foreigners who have been granted a temporary residence permit as intra-corporate transferees for a period of at least 9 months;

9) foreigners who have been granted asylum or temporary protection in the Republic of Lithuania (no length of residence requirement);

10) citizens of Australia, Japan, United Kingdom, the United States of America, Canada, New Zealand, South Korea, and their family members, who have been issued temporary residence permits in the Republic of Lithuania and who have been residing in the Republic of Lithuania for at least 3 months. Citizens of these countries who are employees (including self-employed persons) and their family members are exempted from the requirement to reside in the Republic of Lithuania for at least 3 months.

Please note that entitlement to the social insurance benefits for parents bringing up children is not based on residence requirement or the length of residence in Lithuania. The conditions for entitlement and payment of social insurance benefits do not depend on nationality. Persons insured under maternity social insurance (i.e., all employed workers and some categories of self-employed) and having a maternity social insurance record of not less than 12 months during the last 24 months before the first day of the childcare leave can receive social insurance childcare benefit. Each parent (adoptive parent) or guardian of a child who fulfils these conditions is entitled to receive childcare benefit for the part of the two months non-transferable parental leave provided in the Labour Code or the period of the parental leave. If two or more children are born to the insured person, or if the insured person adopts or fosters two or more children, the insured person is entitled to receive a childcare benefit for each child individually, considering the number of children born, adopted or fostered simultaneously. If one of the parents (adoptive parents) or guardians fails to take the two months non-transferable parental leave, the other parent (adoptive parent) or guardian is not entitled to and is not entitled to receive a childcare benefit for the period of unused two months of the non-transferable parental leave. There is a possibility to choose the period for receiving childcare benefit either until the child reaches the age of 18 months or until the child reaches 24 months. Parents (adoptive parents) and caregivers can use their months not all at once but divide them into parts.

From 1 January 2023, the amendments of the Law on Sickness and Maternity Social Insurance of the Republic of Lithuania regarding social insurance paternity benefit entered

into force. The minimum insurance period for the entitlement to paternity benefit was reduced from 12 months during the last 24 months, up to 6 months during the last 24 months. The entitlement to the paternity benefits is not based on residence requirement or the length of residence in Lithuania.

- f) What measures have been taken to ensure that vulnerable families can meet their energy needs, in order to ensure their right to adequate housing (which includes access to essential services)?

According to the Law on Cash Social Assistance for Poor Residents of the Republic of Lithuania, families and single residents who are unable to obtain themselves enough funds for living, shall be entitled to cash social assistance. There are two types of cash social assistance: a social benefit and compensations for heating costs, drinking water costs and hot water costs (hereinafter – compensations). This support is means-tested.

Cash social assistance is provided taking into consideration not only the received income, but also owned property. Social benefit and compensations are granted to poor residents, if the value of their property does not exceed the average property value set for their residential area. From 21 May 2020, the owned property temporary will not be evaluated granting cash social assistance for poor residents. The owned property will not be evaluated till 30 April 2024 (till the end of heating period of next year). After temporary provision a permanent provision will enter into force according to which the property will not be valued for 3 months for those people who apply for the social benefit for the first time or 2 years after receiving the last support.

1. Social benefit currently is paid to the family (persons living together) or single resident if the monthly income is below the level of 1.1 SSI (EUR 161.7 per person per month).

In order to be granted cash social assistance, a part of the work income of working person and a part of unemployment social insurance benefit are exempted:

- 20 per cent – for persons who do not have children (adopted children) or single person,
- 25 per cent – for persons raising one or two children (adopted children),
- 30 per cent – for persons raising three or more children (adopted children),
- 35 per cent – for individuals raising one or two children (adopted children),
- 40 per cent – for individuals raising three or more children (adopted children).

The amount of social benefit is differentiated depending on the duration of payment:

1) the amount of the social benefit for a single person:

- amount of social benefit is the difference between the amount of 1.4 SSI (EUR 205.8) per person per month and the actual income of a single person when social benefit is paid for up to 6 months,

- the difference between the amount of 1.2 SSI (EUR 176.4) per person per month and the actual income of a single person when social benefit is paid for up to 6-12 months,

- the difference between the amount of 1.1 SSI (EUR 161.7) per person per month and the actual income of a single person when social benefit is paid more than 12 months.

2) for a family (persons living together):

- for the first family member the amount of social benefit is the difference between the 1.1 SSI (EUR 161.7) per person per month and the average family actual income per family member,

- for the second family member – 90 per cent of the difference between the amount of 1.1 SSI per person per month and the average family actual income per family member,

- for the third and subsequent family member – 70 per cent of the difference between the amount of 1.1 SSI per person per month and the average family actual income per family member.

A family (persons living together) or single resident shall be granted additional social benefit. The amount of additional social benefit after employment is differentiated depending on the duration of payment:

- for 1-3 months of payment - the amount of additional social benefit is equal 100 per cent of the average amount of the social benefit paid during the last 6 months prior to employment,

- for 4-6 months of payment - 80 per cent of the average amount of the social benefit paid during the last 6 months prior to employment,

- for 7–12 months of payment - 50 per cent of the average amount of the social benefit paid during the last 6 months prior to employment.

Proportionate reduction of a social benefit is applied only to unemployed persons of working age, who are capable of work (as well as to persons who are not self-employed): 20 per cent reduction – if social benefit is paid 12-24 months; 30 per cent reduction – 24-36 months; 40 per cent reduction – 36-48 months; 50 per cent reduction – 48-60 months. Social benefit is paid in non-monetary form if person was entitled to social benefit more than 60 months.

Proportional reduction of cash social assistance is not applied in cases when the Employment Service did not offer a job or to participate in an active labour market policy measure, employable unemployed, not studying working aged persons receiving social benefit participate in social useful activity organized by the municipal administration.

2. A family (persons living together) or a single resident is granted compensations:

1) a family (persons living together) shall pay for the heating of the accommodation not more than 10 per cent of the difference between the amount of received income and the 2 SSI (EUR 294) provided to each member of a family. A single resident shall pay for the heating of the accommodation not more than 10 per cent of the difference between the amount of received income and the 3 SSI (EUR 441) provided to a single person.

Standard size of accommodation:

- 50 m² for a single resident,

- 38 m² for the first family (persons living together) member,

- 12 m² for the second family (persons living together) member,

- 10 m² for the third and subsequent family (persons living together) member.

2) the compensation covers the part of the cost of drinking water exceeding 2 per cent of the income gained by a family (persons living together) or a single resident.

Standard of drinking water when the centralized heating supply system is used to produce hot water:

- 2 m³ for the first family (persons living together) number and a single resident,

- 1,5 m³ for the second family (persons living together) member,

- 1 m³ for the third and subsequent family (persons living together) member.

Standard of drinking water, when other types of energy or fuel are used to produce hot water:

- 3,5 m³ for the first family (persons living together) member and a single resident,

- 2,5 m³ for the second family (persons living together) member,

- 1,5 m³ for the third and subsequent family (persons living together) member.

3) the compensation covers the part of the cost of hot water exceeding 5 per cent of the income gained by a family (persons living together) or a single resident.

Standard of hot water:

- 1,5 m³ for the first family (persons living together) member and a single resident,
- 1 m³ for the second family (persons living together) member,
- 0,5 m³ for the third and subsequent family (persons living together) member.

Families (persons living together) or single residents who own a dwelling in a multi-dwelling building are entitled to support towards the cost.

- g) *If specific temporary measures were taken to financially support vulnerable families during the Covid-19 pandemic, will they or are they expected to they been maintained or withdrawn? If they have been withdrawn, what effect is this expected to have on vulnerable families?*

During the emergency situation and / or quarantine announced by the Government of the Republic of Lithuania, the provision of cash social assistance had been continued without a separate application of a person.

Social benefit and compensations are granted to poor residents, if the value of their property does not exceed the average property value set for their residential area. From 21 May 2020, due to the Covid-19 pandemic, the owned property temporary is not evaluated granting cash social assistance for poor residents. The owned property will not be evaluated till 30 April 2024 (by the end of heating period of next year). After temporary provision expires, a permanent provision will enter into force according to which the property will not be valued for 3 months for those people who apply for the social benefit for the first time or 2 years after receiving the last support. The aim is to help more quickly and effectively people facing financial challenges.

Amendments to the Law on Benefits for Children of the Republic of Lithuania were adopted on 7 May 2020. Seeking to alleviate the consequences of the Covid-19 pandemic and create better financial conditions for families raising children, the granting of an additional child benefit have been changed. It was decided to adjust the means test for low-income families raising one or two children. According to these amendments, from 12 June 2020:

Since the financial situation of some families deteriorated rapidly during the quarantine period, it has been decided that, granting an additional child benefit for low-income families raising one or two children (amounting to 1.03 BSB (EUR 40.17; in 2021 – EUR 41.2), until 1 July 2020 only the income received from 1 April 2020 will be assessed (before the income of the previous calendar year was assessed). From 1 July 2020, the income of the previous last 3 months was assessed.

The additional child benefit should be granted for three months.

This provision came into force once the Law is implemented (from 22 May 2020) and was valid for 6 months after the emergency state and quarantine is lifted (until 2 November 2022).

The Law on a lump-sum benefit for children to reduce the effects of the COVID-19 (coronavirus infection) pandemic was adopted on 9 June 2020 (came into force on 12 June 2020). For every child who is granted child benefit without regard to a family income according to the Republic of Lithuania Law on Benefits for Children should be paid a lump-sum benefit for children in the amount of EUR 120. For low-income families raising one or two children, families raising three or more children and disabled children who are granted an additional child benefit according to the Republic of Lithuania Law on Benefits for Children a lump-sum benefit for children in the amount of EUR 80 should be paid additionally.

A lump-sum benefit for children was paid for children who according to the Republic of Lithuania Law on Benefits for Children were entitled to a child benefit from 16 March 2020 to 31 December 2020.

Duration of the payment: from 12 June 2020 to 25 February 2022. More than 531.4 thousand children were granted the lump-sum benefit for children in 2020. In 2020, an additional amount of funds – EUR 77 million (in 2020 was used EUR 76.4 million). In 2021, 4042 children received a lump-sum benefit, during the mentioned period, EUR 0.8 million was used for this benefit.

- h) Please provide updated information on the provision of childcare places, and whether services are affordable and of high standard (quality being assessed on the basis of the number of children under the age of six covered, staff to child ratios, staff qualifications, suitability of the premises and the amount of the financial contribution parents are asked to make).

Please find below the updated information on the number of children in pre-school education and the number of pre-school education institutions in Lithuania

	2018	2019	2020	2021
Number of children in preschool education, persons	120855	121717	122583	124028
Number of preschool education institutions, units	731	739	716	720

The Lithuanian Department of Statistics

Enrolment in pre-school and pre-primary education, per cent

	2018	2019	2020	2021
Urban and rural areas, age 1-2 years	44	44	44.2	52.5
Urban and rural areas, age 3-6 years	88.7	89.1	90.3	95.8
Urban and rural areas, age 1–6 years old and more	73.8	74.7	75.6	82.8

The Lithuanian Department of Statistics

At the end of 2020, there were 716 preschool establishments operating in the country (of which 635 – in urban, 81 – in rural areas), and 457 general schools had preschool education groups integrated. They were attended by 122.6 thousand children, which is by 866 children more than in 2019. Childcare groups of nursery schools were attended by 24.6 thousand (44 per cent) children aged 1–2.

According to the data of the National Agency for Education of 5 October 2022, as of 5 September 2022, there were 187,401 children aged 0 to 6 inclusive, of which 138 304 participate in institutional education. The percentage of participants in institutional education from all born before 5 September 2022 is 73.8 per cent.

Educational programs are more or less similar in all state preschool establishments. In private establishments, teaching is more often based on world-recognized educational pedagogies (Waldorf, Montessori, etc.), as well as new ideas are more often implemented, non-traditional methods of education are chosen. For example, private outdoor kindergartens, where children spend most of the day in the fresh air in any weather, as well as bilingual kindergartens, where children are also communicated with in a foreign language, are rapidly becoming popular. These are just a few examples.

In Lithuania, the relationship between a child and an educationalist is not regulated.

The number of children of relevant age in the lists of groups is determined by the Lithuanian Hygiene Standard HN 75:2016 “General Health Safety Requirements for the Implementation of Pre-school and Pre-primary Education programmes” No V-313 approved by the Order of the Minister of Health of the Republic of Lithuania of 22 April 2010 (hereinafter – Hygiene Standard). The Hygiene Standard provides that pre-school and/or pre-primary groups of children (hereinafter – the group) are formed from children of the same or different ages, ensuring the physiological and age peculiarities of the child’s day and education regime as well as the conditions for the child’s education laid down in this hygiene standard. The lists of groups must be drawn up within the number of children specified in the following Hygiene Standard by age group: a maximum of 6 children may be in groups from birth to 1 year; from 1 to 2 years – a maximum of 10 children; from 2 to 3 years – a maximum of 15 children; from 3 years to the beginning of primary education – a maximum of 20 children; from birth to 3 years - a maximum of 8 children; from birth to the beginning of primary education – a maximum of 10 children; from 1 year to the beginning of primary education – a maximum of 12 children; from 2 years to the beginning of primary education – a maximum of 16 children; one child with intellectual disabilities, deaf, hard-of-hearing, blind, visually impaired, having movement and position, behaviour, speech or other communication, multiple developmental disorders or complex disabilities, being educated in an integrated manner, is equated to two children of the group in which he is educated, therefore, the number of children in the group determined in the usual cases is reduced accordingly.

In certain cases, the number of children in the group may be increased by a maximum of two children, if necessary, for the provision of pre-school and/or pre-primary education services to children who have been granted temporary protection in accordance with the Resolution No 224 of the Government of the Republic of Lithuania of 16 March 2022 on granting temporary protection to foreigners in the Republic of Lithuania. In such cases, the number of children in the group determined by this hygiene standard shall be referred to when assessing the area of premises/spaces in the groups and the number of sanitary facilities.

In outdoor kindergartens, groups of children at least 2 years of age are formed. Lists of groups of outdoor kindergartens must be drawn up within the number of children in the groups specified in the hygiene standard according to age groups: from 2 to 3 years of age, there can be a maximum of 14 children; from 2 years to the beginning of primary education - a maximum of 15 children; from 3 years to the beginning of primary education - a maximum of 18 children.

There is no exact data on **staff to child ratios**. Normally, in a group there is one teacher and 1-2 assistant teachers. Groups of public kindergartens can have more than 20 children.

Private kindergartens usually have up to 15 children. Due to the fact that the groups in private kindergartens are somewhat smaller, it is likely that children receive a little more individual attention from educators.

The qualification requirements for teachers in pre-school and pre-primary education are governed by Article 48 of the Law on Education of the Republic of Lithuania, which determines who may work as a teacher, and the Description of Requirements for Teacher Qualifications approved by Order No V-774 of the Minister for Education, Science and Sport of the Republic of Lithuania of 29 August 2014. According to the law, the following shall have the right to work as a teacher: a pedagogue – according to general education, vocational training and non-formal education programmes; a person who has attained a higher education level (a post-secondary education level acquired before 2009 or a specialised-secondary education level attained before 1995) – according to a general education curriculum, vocational training programme and non-formal education programme; persons must, within two years from the beginning of work as a teacher according to pre-school, pre-primary and general education curricula, acquire a pedagogue's qualification; a person who has attained a higher education level or a post-secondary education level according to formal education programmes (except for higher education programmes) and has acquired a pedagogical qualification or has the necessary special training may teach religion. Such a person must have a permit (referral) to teach religion issued in accordance with the procedure laid down by the management of a traditional religious community or society. The law also provides for the possibility and cases in which a person, after recognition of qualifications in Lithuania, is allowed to work as a teacher in accordance with pre-school and pre-primary education programmes.

According to the description, the following shall have the right to work as a teacher: "Pedagogue – according to the general education, vocational training and non-formal education programmes; a person who has attained a higher education level (a post-secondary education level acquired before 2009 or a specialised-secondary education level attained before 1995) – according to a general education curriculum, vocational training programme and non-formal education programme; persons must, within two years from the beginning of work as a teacher according to pre-school, pre-primary and general education curricula, acquire a pedagogue's qualification; persons must, within one year from the beginning of work as a teacher according to a vocational training programme and a non-formal education programme (with the exception of pre-school and pre-primary education curricula), take in accordance with the procedure laid down by the Minister of Education and Science a pedagogical-psychological knowledge course. A description of qualifications attributed to the pedagogue's qualification shall be approved by the Minister of Education and Science. The cases where persons are regarded as persons having the pedagogue's qualification shall be set out by the Minister of Education and Science."

Clauses 9 to 12 of the Description and the table set out in Clause 1 of Annex 1 to the Description set out the requirements for teachers working under pre-school, pre-primary and primary education programmes:

"9. Teachers working under pre-school, pre-primary, general education, vocational training and formal education supplementing education programmes must have taken a special pedagogy and special psychology course for teachers under the special pedagogy and special psychology qualification improvement course programme approved by Order No ISAK-2481 of the Minister of Education and Science of 18 December 2007 approving the special pedagogy and special psychology qualification improvement course programme, within a year from the start of their work as a teacher if they have not taken courses of at least a smaller scope (60 hours or 2 credits) before or during their studies (this requirement does not apply to teachers who have completed special pedagogy and/or psychology study programmes).

10. Teachers must have acquired the competencies provided for in the Description of the Requirements for Digital Literacy Programmes for Teachers and Student Assistance Specialists, which is approved by the Minister for Education, Science and Sport.” And according to Clause 12 of the same Description:

“12.5. Cases where the following may educate (teach) pupils according to educational programmes supplementing pre-school, pre-primary, general education and formal education, areas of subjects, other subjects not corresponding to their education or completed study programme:

12.5.1. a teacher who has at least 15 years of relevant subject/education programme work experience acquired before 31 August 2014;

12.5.2. a person with a higher education who has completed at least 60 study credits in subject or pedagogical specialisation module at higher education institution or has completed at least 60 study credits in the subject or pedagogical specialisation subjects during the course of studies;

12.5.3. a teacher who teaches the optional subject offered to students according to the developed (prepared) programme;

12.5.4. a teacher who teaches a subject of pre-vocational education according to a programme developed (prepared) at the school;

12.5.6. in the absence of an appropriately qualified Ukrainian language teacher at school, teachers of other subjects who have or have been granted temporary protection in the Republic of Lithuania can educate (teach) students the Ukrainian language according to the programmes of primary, basic and secondary education; teachers of other subjects who have knowledge of Ukrainian at least at the level of C1 language proficiency.

12.5.7. teachers of all subjects who are or have been granted temporary protection in the Republic of Lithuania may educate students who are or have been granted temporary protection in the Republic of Lithuania according to pre-school and pre-primary education programmes.”

Requirements for teachers working under pre-school, pre-primary and primary education programmes:

1. Pre-school education the pre-school teacher training programme has been completed.

2. Pre-primary education The pre-school and/or primary education teacher training programme has been completed and the 40-hour work course in the pre-school group has been taken in accordance with the procedure established by the Minister of Education, Science and Sports of the Republic of Lithuania, or relevant subjects have been taken during studies.

Suitability of the premises. Children must be provided with safe educational conditions on the premises. In accordance with the requirements of the Hygiene Standard, the premises in which the pre-school and/or pre-primary education programme is conducted and the facilities in them must be safe, equipped and maintained in such a way as to prevent accidents (slip, fall, collision, burn, striking down, injury due to electric current, explosion, etc.). Also, the premises where the pre-school and/or pre-primary education programme is conducted shall not contain the poisonous plants specified in the Annex to this Hygiene Standard. Plants not specified in the Annex to this Hygiene Standard which may pose a risk to children's health (poisoning, injury, etc.) may only be grown outside the reach of children. In group premises/spaces, in the physical education and/or music hall (if equipped) (hereinafter - educational premises), electrical outlets in places accessible to children must be covered with special protective devices.

Non-formal education of children and/or adults and/or community cultural events, which must be organised in such a way as to protect children from adverse factors that may affect children's education, safety and health, may be organised in premises where pre-school

and/or pre-primary education is conducted. Stairs and staircases at the place of conducting pre-school and/or pre-primary education programmes must be installed in such a way as to ensure the safety of children. It is forbidden to install spiral staircases, stair steps must not be narrowing. It is forbidden to install horizontal partitioning enclosures and handrails. The obstacle-free gap of the vertical partitioning must not exceed 0.10 m. The external stairs or parts and landings thereof shall be fitted with enclosures if their height from the ground is 0.45 m or more. If the doors, the walls around the door or the lower parts of the walls are glazed, their glazing must comply with the requirements of legal acts setting the criteria for glazing. When glazing is not clearly noticeable because there are no transoms, large handles or elements of internal division of the glazing, it must be marked. Hinged windows with window sills lower than 1.2 m from the floor surface and the ground surface on the outside more than 1.5 m below the floor level of the room shall be fitted with window-opening limiters or other means of protection (e.g. enclosures). Window-opening limiters shall be so installed as to limit the window's opening to an opening not exceeding 10 cm and children could not open them.

Rooms of the groups where children under 2 years of age are educated are located on the first floor.

The following rooms/spaces shall be provided for each group: for a group with children under 1 year of age: reception-undressing, playroom-bedroom/rest room, toilet-wash room, kitchenettes; for a group where children aged 1 year and older are educated: reception-dressing, playroom-bed/rest room, toilet-wash room; if the education provider educates up to 60 children according to the pre-school and/or pre-primary education programme, the groups may be equipped with a common reception-undressing room, ensuring that it is accessible to all groups of children at any time without passing through playroom-bedroom/restrooms/spaces of other groups; for pre-school and/or pre-primary education groups and, if the education provider educates up to 60 children under the pre-school and/or pre-primary education programme, a common toilet-wash room may be installed for groups of children aged 2 years and older. In this case, the toilet-wash room premise must be located on the same floor as the playroom-bedroom/rest room/space of these groups and at least 50 m away from them and accessible to children at any time without passing through the playroom-bedroom/rest rooms/spaces of other groups. The number of sanitary facilities must comply with the requirements laid down in this hygiene standard). The reception-undressing room/space must be equipped with individual lockers or other equipment for children's clothing and personal belongings.

When installing group premises/spaces and completing groups, a minimum of 4.3 sq. m of premise/space area must be allocated per child under 3 years of age; at least 4 sq. m for a child of 3 years and older, and 5 sq. m for a child with special needs (not including toilet-wash room and kitchenette room/spaces).

Children can be fed in a group or children aged 2 years and older can be provided with a common dining room: if children are fed in a group, a room/space with a sink for washing group dishes or an automatic dishwasher and a hand washer, a space for the storage of dishes and tableware shall be provided. This room/space can be installed for several groups; if children have a common dining room, an area of at least 1 sq. m must be allocated therein per child. There shall be a space for storing group dishes and tableware, a sink for washing group dishes or an automatic dishwasher and a hand washer in or near the common dining room.

Children may sleep in beds with solid bases corresponding to their height or on mattresses corresponding to their height, the height of which shall be at least 7 cm; the number of beds or mattresses must be no less than the number of children having an afternoon nap in the group, and in the weekly group - the children attending it; depending on the age of the child

and the height of the bed, safety measures shall be provided to prevent the child from falling. Beds for children under 1.5 years of age must be equipped with walls; beds or mattresses shall be positioned in such a way that each child can be freely accessed.

Pets shall be kept only in a separate room. Safely installed aquariums with fish can be kept in the premises/spaces of groups if there are no allergic children. Animals kept must be healthy, safe for children and adults, and easy to care for. If the place of pre-school and/or pre-primary education is equipped with a physical education hall and one plays with a ball therein, the windows and luminaires of the hall must be protected against accidental impacts. Furniture designed for children must be in good condition (not torn, broken, etc.), and tables and chairs shall be adapted to their height (when sitting on the chair, the child's foot must come into contact with the floor; the height of the table shall be such that the elbow and the front edge of the tabletop are held at approximately the same level when the upper arm of the child is held upright).

Children with special needs who have limited access to education and participation in society as a result of congenital and acquired disabilities shall be educated in an environment adapted to them: children with hearing impairment must sit at one-seat tables arranged in a semicircle in front of the educator's table and be equipped with a light alarm; children with visual impairment must have a one-seat table suitable for storing drawing and/or writing tools.

The number of sanitary facilities depends on whether the premises where pre-school education will take place are being reconstructed or newly built. When building new or reconstructing structures where pre-school and/or pre-primary education programme will be conducted, the number of sanitary facilities shall be calculated on the basis of the planned number of the list of children and must be at least 1 toilet for seven children (except for groups where children under 3 years of age are educated), 1 washbasin for five children, 1 half-bath or shower, a bathtub with a flexible shower head in the toilet-wash room (except for pre-primary education groups). In a group where children under 3 years of age are educated, the toilet-wash room shall be equipped with at least 1 toilet bowl. In operating groups, the number of sanitary facilities installed must not be reduced and a smaller number of these facilities than those listed above may not be left. In the case of pots, toilets-wash rooms shall have facilities for washing the pots (e.g., a pot washing machine or a washbasin designed for that must be installed). Toilets-wash rooms must contain personal hygiene items: toilet paper, liquid soap, towel-rack and individual reusable towels or towel cases with disposable towels. Washbasins for children shall be installed in such a way that children of different ages can use them comfortably and safely. Additional measures (e.g. platform, etc.) may be adapted to accommodate children when necessary for comfortable and safe use of the washbasin. For children, toilet bowls shall be installed in such a way as to ensure children's privacy. Where several toilet bowls are installed on the premise, they shall be installed in cabins of at least 0.6 sq. m. There shall be a partition with a height of at least 1.2 m between the cabins with a gap from the floor. In groups where 3-year-old or older children are educated, the cabins shall be equipped with a door or other curtain. Toilets for employees shall be installed outside the group toilet-wash room premises. The toilet premise or nearby thereof must be equipped with a washbasin and personal hygiene items (toilet paper, liquid soap, disposable towel case with disposable towels or hand dryer). If no more than 5 children are educated by an educational provider or vacant teacher, a separate toilet for staff may not be provided, but in this case, only one toilet can be installed in the group toilet-wash room premise and a lockable toilet door must be installed. The toilet door lock shall be safe so that it can be locked or unlocked both inside the toilet-wash room and, if necessary, from the outside of the toilet room.

The quality of drinking water must comply with the requirements laid down by legal acts. Hot and cold water must be supplied continuously in group dish washing premises, toilets-wash rooms, toilets and, if available, food production facilities, laundry, health, speech therapist office, and animal housing, in the group where children up to 1 year of age are educated, in the playroom/space. The temperature of hot water in faucets installed for children in toilets-wash rooms shall be at least 37 °C and not exceed 42 °C.

Floor covers in pre-school and/or pre-primary education areas shall be non-slip, smooth (do not pose a risk of falling when tripping), and easy to clean in a wet manner as well as resistant to cleaning agents. Laundry room (if available), toilet-wash room walls and floors must be covered with moisture and disinfectant-resistant coating. Changes in the height of the floor must be marked with warning signs or contrasting colour. In the case of education of children with visual impairments, stairs, handrails, floor coverings, doors, door handles, protruding parts of the room, furniture and other equipment must be different from the colour of the walls.

The premises shall be properly illuminated. Heating, ventilation and/or air-conditioning systems that support and regulate the parameters of the microclimate and air quality must be designed and installed in a building and/or premises where pre-school and/or pre-primary education programmes are conducted in order to maintain the microclimate and air quality parameters established by this hygiene standard. Heating appliances and equipment must be safe and easy to clean. For heating appliances installed in places accessible to children, the surface temperature shall not exceed 42 °C. Heating appliances with sharp edges in educational premises must be protected by detachable grilles or other means covering sharp edges. Chipboard must not be used for this purpose. In the premises where the pre-school and/or pre-primary education programme is conducted: relative humidity in the cold season must be 35-60 per cent, in the warm season – 35-65 per cent; the speed of movement of air during the cold season - shall not exceed 0.15 m/s, in the warm season – shall not exceed 0.25 m/s; the temperature during the cold period of the year shall be in accordance with the values set out in Table 2 of this hygiene standard and shall not exceed 26 °C in the warm period of the year; in groups where children with movement and positional disturbances and children under 1 year of age are educated, the temperature in playrooms/spaces during the cold season shall be between 21 °C and 23 °C; the temperature difference between 1.1 m and 0.1 m above the floor shall not exceed 3 °C.

In the premises where pre-school and/or pre-primary education programme is conducted, natural and/or mechanical ventilation must be foreseen: the playrooms, bedrooms/rest rooms/spaces of the group shall be provided with natural ventilation through opening windows; food-production facilities shall be equipped with an air extraction system which limits the propagation of vapours and odours to adjacent premises. Air ducts of the air removed from food production facilities shall not cross the premises of the groups; separate traction ducts must be installed in food production rooms, laundry facilities (if fitted), and toilets/wash rooms. The concentration of carbon dioxide (CO₂) in the playroom, bedroom/rest room/space of the group shall not exceed 2,745 mg/m³ (1,500 ppm).

The premises, equipment therein and other inventory must be kept clean; the premises and equipment therein must be handled and cleaned every day in a wet manner and as needed; sanitary installations (toilet bowls, washbasins, etc.) must be technically sound and clean at all times; cleaning and disinfecting agents must be kept in a place outside the reach of children; the toilet-wash room cleaning inventory must be marked. Clean and dry toilet-wash room cleaning inventory shall be kept separately from the cleaning inventory of other rooms of the group in a designated place.

Additional requirements apply to groups with children under 1 year of age: a space for the storage of strollers must be provided in the vicinity of the group; reception-undressing

rooms/spaces must be equipped with a swaddling table; playrooms/spaces must be equipped with an enclosure, a feeding chair(s), a swaddling table, a washbasin next to it, a towel rack, a closed dish for dirty laundry; the part of the partition between the bedroom and the playroom/space shall be transparent; mattress covers for children under 1 year must be moisture resistant; the coating of the enclosure and the swaddling table must be smooth, moisture-resistant, easy to clean and disinfect; the height of the enclosure shall be at least 0.6 m and the gaps between the vertical bars shall not exceed 0.05 m. The height of the bottom of the enclosure from the floor shall be at least 0.5 m; the kitchenette must have a place for cooking, a 2-compartment sink, a refrigerator, and a device for boiling or sterilising bottles; if necessary, conditions must be created for breastfeeding the baby.

Special requirements are provided for outdoor kindergartens. They are not subject to the furnishing requirements normally applicable to pre-school and pre-primary education establishments related to premise installation requirements, lighting requirements, microclimate, ventilation, noise requirements; requirements for water supply and wastewater disposal.

The financial contribution. *Article 70 of the Law on Education of the Republic of Lithuania stipulates that the size of payment for the maintenance of children educated in accordance with pre-school education programmes is to be determined by the institution (the meeting of the participants) (state and municipal schools) implementing the rights and obligations of the school owner (the meeting of the participants) (other schools). The payment paid by the parents of children participating in pre-school and pre-primary education programmes may be reduced according to the procedure established by the institution implementing the rights and duties of the school owner (meeting of participants) (state and municipal schools), the owner (meeting of participants) (other schools). The payment for the education of children in non-state pre-school and pre-primary education institutions shall be determined by the owner. The payment is also foreseen for the services provided by non-formal education of children.*

State kindergartens are financed from municipal budget funds, so parents only have to pay for meal and a non-formal education fee. The fee for the private kindergarten mainly consists of two parts – the education fee and the meal fee, and a one-time admission fee is also applied.

Article 17 – The right of children and young persons to social, legal and economic protection

Excerpts from the ECSR's case law

The ECSR has noted with concern the increasing number of children in Europe registered as stateless, as this will have a serious impact on those children's access to basic rights and services such as education and healthcare. In 2015, UNHCR estimated the total number of stateless persons in Europe at 592,151 individuals. Therefore, the ECSR examines what measures have been taken by States Parties to reduce statelessness (such as ensuring that every stateless migrant child is identified, simplifying procedures to ensure the acquisition of nationality, and identifying children who were not registered at birth).

The prevalence of child poverty in a States Party, whether defined or measured in either monetary or multidimensional terms, is an important indicator of the effectiveness of state efforts to ensure the right of children and young persons to social, legal and economic

protection. The obligation of States Parties to take all appropriate and necessary measures to ensure that children and young persons have the assistance they need is strongly linked to measures directed towards the amelioration and eradication of child poverty and social exclusion. Therefore, the Committee will take child poverty levels into account when considering the state's obligations in terms of Article 17 of the Charter.

The Committee recalls that Article 17§2 of the Charter requires States Parties to establish and maintain an educational system that is both accessible and effective (Conclusions 2011). The Charter provides that the obligations under this provision may be met directly or through the involvement of private actors. The Committee notes further that in many states private education is also available.

The Committee is also mindful in this respect of the *Abidjan Guiding Principles on the human rights obligations of States to provide public education and to regulate private involvement in education*. It recalls that the requirement that States respect the freedom of parents to choose an educational institution other than a public institution leaves unchanged the obligation under the Charter to provide free quality public education. Similarly, the offer of educational alternatives by private actors must not be to detrimental to the allocation of resources or otherwise undermine the accessibility and quality of public education. Moreover, States are required to regulate and supervise private sector involvement in education strictly by making sure that the right to education is not undermined.

The closures of schools and other educational institutions during the pandemic have unmasked and exacerbated pre-existing inequalities in education, raising issues in terms of Articles 10, 15, 17, and Article E of the Charter. The necessary recourse to remote learning during lockdown periods has highlighted and exacerbated the issue of digital exclusion. There is a generalised risk of learning loss and a development gap that for many children, and also for a number of adolescents and adults, will be difficult if not impossible to make up. In many instances, a move from face-to-face teaching has severely impacted on access to, and the quality of education enjoyed by, children with disabilities and special educational needs, with implications for Article 15 and Article 17 of the Charter.

Under Article 17§2 of the Charter equal access to education must be ensured for all children during the COVID-19 crisis. In this respect, particular attention should be paid to vulnerable groups such as children from minorities, children seeking asylum, refugee children, children with disabilities, children in hospital, children in care, pregnant teenagers, children deprived of their liberty, etc.

1. With a view to ensuring the effective exercise of the right of children and young persons to grow up in an environment which encourages the full development of their personality and of their physical and mental capacities, the Parties undertake, either directly or in co-operation with public and private organisations, to take all appropriate and necessary measures designed:

- a) to ensure that children and young persons, taking account of the rights and duties of their parents, have the care, the assistance, the education and the training they need, in particular by providing for the establishment or maintenance of institutions and services sufficient and adequate for this purpose;**
- b) to protect children and young persons against negligence, violence or exploitation;**
- c) to provide protection and special aid from the state for children and young persons temporarily or definitively deprived of their family's support;**

a) Please provide information on measures taken by the State to:

- i) reduce statelessness (e.g., ensuring that every stateless migrant child is identified, simplifying procedures to ensure the acquisition of nationality, and taking measures to identify those children who were not registered at birth) and*
- ii) facilitate birth registration, particularly for vulnerable groups, such as Roma, asylum seekers and children in an irregular situation. (General question posed in Conclusions 2019).*

In accordance with Clause 29 of the Rules on Registration of Civil Status Acts (hereinafter – the Rules), the Civil Registry Office shall register the birth on the basis of the application of the child's parents or one of them and the birth certificate drawn up by the personal health care institution. In accordance with Clause 37 of the Rules, if the data on the parents of the child or one of them and/or his (their) civil status acts are not available in the population register of the Republic of Lithuania, it is also necessary to submit the documents confirming the missing data, inter alia the identity documents of the child's parents specified in Clause 14 of the Rules.

In order to solve the problems of registering the birth of children of foreign migrants who do not have identity documents, the Rules have been supplemented by a provision (entered into force on 23 March 2022), according to which, if an asylum seeker or an illegally staying alien in the Republic of Lithuania who is not an asylum seeker does not have a valid travel document and has not been issued with a registration certificate of the alien, when submitting an application for registration of the child's birth, a document issued by the Migration Department under the Ministry of the Interior of the Republic of Lithuania may be submitted to the civil registry office, which must contain the person's facial image and

personal data (names), surname (surnames), date of birth, citizenship, code of the foreigner with interests in Lithuania from the Lithuanian Migration Information System (Clause 37(2) of the Rules).

In this way, the birth registration of children born in the Republic of Lithuania of asylum seekers and foreigners illegally staying in the Republic of Lithuania, who are not asylum seekers and do not have identity documents, was facilitated.

According to Article 15 of the Law on Citizenship of the Republic of Lithuania, a child of stateless persons who are legally resident in the Republic of Lithuania shall be a citizen of the Republic of Lithuania, irrespective of whether he was born in or outside the territory of the Republic of Lithuania, provided he has not acquired citizenship of another State at birth.

A child whose one parent is a stateless person who is legally resident in the Republic of Lithuania and the other parent is unknown shall be a citizen of the Republic of Lithuania, irrespective of whether he was born in or outside the territory of the Republic of Lithuania, provided he has not acquired citizenship of another State at birth.

Citizenship of the Republic of Lithuania held by children referred to in this Article, provided they have not acquired citizenship of another state at birth, shall be entered in a document certifying the fact of birth when registering the birth of a child.

According to the Article 18 (2), a stateless person who was born on the territory of the Republic of Lithuania may be granted citizenship of the Republic of Lithuania, provided he has been legally permanently resident in the Republic of Lithuania for the last five years, has not acquired citizenship of another State, has the right of residence in the Republic of Lithuania at the time of the application for the granting of citizenship of the Republic of Lithuania and the decision regarding the granting of citizenship of the Republic of Lithuania and meets the conditions listed in point 3 (he has passed an examination in the state language), point 4 (he has passed an examination in the fundamentals of the Constitution of the Republic of Lithuania), point 5 (he has legal means of subsistence) and point 7 (there are no circumstances specified in Article 22 of this Law when citizenship shall not be granted through naturalisation) of paragraph 1 of this Article.

Persons under 18 years shall not be affected by the provisions of point 3 (an examination in the State language), point 4 (an examination in the fundamentals of the Constitution) and point 5 (legal means of subsistence) of Paragraph 1 of this Article.

Applications of children under 18 years of age and relating to citizenship of the Republic of Lithuania shall be filed by their representatives.

b) Please provide information on measures taken to:

- j) child poverty (including non-monetary measures such as ensuring access to quality and affordable services in the areas of health, education, housing etc.) and*
- ii) combat discrimination and promote equal opportunities for children from particularly vulnerable groups such as ethnic minorities, Roma children, children with disabilities, and children in care.*
- iii) States should also make clear the extent to which child participation is ensured in work directed towards combatting child poverty and social exclusion.*

Measures taken to reduce child poverty

Family and child benefits are the measures which affect the reduction of poverty and social exclusion. According to the Lithuanian official statistics data, in 2021, against 2020, the at-risk-of-poverty rate for children under 18 decreased by 2.8 percentage points (stood at 17.2 per cent). The decrease was determined by an increase in cash social transfers paid to families raising children. In 2020, social protection benefits in cash for family and children increased by 26 per cent.

Please find below the detailed information on the systematic measures to reduce child poverty taken by Lithuania from 2018 to 2022.

To support families raising children and reduce child poverty the main amendments to the Law on Benefits to Children of the Republic of Lithuania were adopted:

From January 2018:

Universal child benefit amounting to 0.79 BSI (EUR 30.02) is paid for every child from birth to the age of 18 years and over, if he / she is studying under the general education curriculum, but not longer, until he/she reaches the age of 21, without regard to family income.

Child benefit amounting to 0.75 BSB (EUR 28.5) shall be paid:

- to children from birth to the age of two years, if the family is raising one or two children and the average family's income per person per month of the previous calendar year does not exceed 1.5 SSI (EUR 183);

- to children from birth to the age of two years if the family is raising three and more children (without regard to family income).

For low-income families raising one or two children and families raising three or more children is paid an additional child benefit:

An additional child benefit amounting to 0.4 BSB (EUR 15.2) shall be paid:

- to children from two to 18 years of age (to 21 years if person studies according to the general education curriculum), if the family is raising one or two children and the average family's income per person per month does not exceed 1.5 SSI (EUR 183);

- to children from two to 18 years of age (to 21 years if person studies according to the general education curriculum), if the family is raising three and more children (without regard to family income).

Child adoption benefit – a new benefit amounting to 8 BSB (EUR 304) shall be paid in case of the adoption of a child following 24 months from the day of the court's final decision on adoption.

From January 2019:

For every child from birth to the age of 18 years and over, if he / she is studying under the general curriculum, but not longer, until he / she reaches the age of 21, without regard to a family income is paid child benefit amounting to 1.32 BSB (EUR 50.16), while for the disabled children – 1.84 BSB (EUR 69.92).

For low-income families raising one or two children and families raising three or more children an additional child benefit amounting to 0.53 BSB (EUR 20.14) is paid. Additional child benefit should be paid to children from birth to 18 years of age (to 21 years if person studies according to the general education curriculum), if the family is raising one or two children and the average family's income per person per month does not exceed 1.5 SSI (EUR 183); if the family is raising three and more children an additional child benefit should be paid without regard to family income.

From January 2020:

Child temporary care benefit – since 2020 a new benefit amounting to 6 BSB (EUR 234) is paid in accordance with the procedure established by the Republic of Lithuania Law on Fundamentals of Protection of the Rights of the Child, for a temporary carer during the period of temporary guardianship of a child.

The duration of the child care benefit for persons in training or education have been extended from 1 to 2 years.

As families with children suffer from poverty more often Lithuania continues to create better financial conditions for families that raise children:

-the amount of universal child benefit has been increased from EUR 50.16 to EUR 60,06 (from 1.32 BSB to 1.54 BSB);

-the amount of additional child benefit has been increased from EUR 20.14 to EUR 40.17 (from 0.53 BSB to 1.03 BSB);

-limit of family income establishing right to additional child benefit have been increased from EUR 183 to EUR 250 (from 1.5 SSI to 2 SSI).

The amount of a lump-sum benefit for a pregnant woman who is not eligible for a maternity allowance under the Republic of Lithuania Law on Sickness and Maternity Social Insurance have been increased from EUR 76 to EUR 250.77 (from 2 BSB to 6.43 BSB)

From May 2020:

Seeking to alleviate the consequences of the COVID-19 pandemic and create better financial conditions for families raising children, the granting of an additional child benefit have been changed. It was decided to adjust the means test for low-income families raising one or two children: granting an additional child benefit for low-income families raising one or two children (amounting to 1.03 BSB (EUR 40.17; in 2021 – EUR 41.2), until 1 July 2020 only the income received from 1 April 2020 have been assessed (before the income of the previous calendar year was assessed). From 1 July 2020, the income of the previous last 3 months has been assessed.

From June 2020:

Seeking to alleviate the consequences of the COVID-19 pandemic, the Republic of Lithuania Law on a Lump-Sum Benefit for Children was adopted on 9 June 2020:

-For every child who is granted child benefit without regard to a family income according to the Law on Benefits for Children should be paid a lump-sum benefit for children amounting to EUR 120.

-For low-income families raising one or two children, families raising three or more children and disabled children who are granted additional child benefit according to the Republic of Lithuania Law on Benefits for Children a lump-sum 'benefit for children amounting to EUR 80 should be paid additionally.

A lump-sum 'benefit for children should be paid for children who according to the Republic of Lithuania Law on Benefits for Children are entitled to child benefit from 16 May 2020 to 31 December 2020. Duration of the payment is from 12 June 2020 to 25 February 2022.

From January 2021:

The amount of universal child benefit has been increased from EUR 60,06 to EUR 70 (from 1.54 BSB to 1.75 BSB).

From January 2022:

Seeking to ensure the payment of the child benefits (universal and additional) until the child finished the general curriculum, has been extended the age limit (from 21 to 23 years of age) related with the payment of child benefit.

Has been created possibility to receive childcare benefit for persons in training or education for persons who study (studied) according to the general curriculum:

-One of a child's parents (or the only parent), adoptive parents, or a guardian who raises a child shall be entitled to a monthly benefit in the amount of 6 BSB (EUR 252) during the period of training or studies and for 12 months after completion of training or studies (on the basis of a document that legitimates study and / or qualification achievements), if the person studies (studied) according to the general curriculum, formal vocational training curriculum or is (was) a full-time student at a higher education institution or is (was) a doctoral or medical residency student (including the period of academic leave due to pregnancy) and if the person is not entitled to a child care benefit in accordance with the Republic of Lithuania Law on Sickness and Maternity Social Insurance. This benefit is paid during the period of child care from the date of birth of the child until two years of age.

Assess to housing. *Under the amendments of the Law of on Support for the Acquisition or Rental of Housing of the Republic of Lithuania adopted on 21 December 2021, in accordance with the procedure laid down by the municipal council, social housing may be leased out of sequence, for example, for families in which the mother or father, the guardian/curator raises alone one or more children or/and the child/children placed under permanent guardianship/curatorship. The subsidies, granted for the acquisition of housing were increased from 15 per cent to 30 per cent (instead of 10 per cent and 20 per cent). This amendment is relevant for young families, families in which the mother or father, the guardian/curator raises alone one or more children.*

Measures financed by 2014-2021 European Economic Area financial mechanism program "Health":

1. Development and implementation of home visitation early intervention model. *Home visitation early intervention model and special training program was developed In Lithuania. The model provides access to health services for expectant mothers in vulnerable groups (bearing their first child, risk pregnancies, socially deprived families) from pregnancy and for two years following the birth. Specially trained nurses carry out regular visits to the family (64 visits overall, 14 visits during the pregnancy, 28 visits in the first year of child life, and 22 visits during the second year of child life). The mother's benefit by getting the care and support they need to have a healthy pregnancy and raising a child. Simultaneously, mothers develop a close relationship with a nurse who would become a trusted resource they can rely on for advice on everything from safely caring for their child to taking steps towards entering the job market. Moreover, despite many factors that hinder the disclosure of domestic violence and postpartum depression nurses can be instrumental in its identification. Service is provided for more than 300 families in 13 municipalities. The Ministry of Health of the Republic Lithuania set up a working group with the aim to get funding from the State Patience Insurance Fund and to provide services within the country, ensuring equal opportunities for all families and children in vulnerable groups to get care they need from the very beginning of life.*

2. Adaption and implementation of Incredible Years parenting programme. *To promote opportunities and provide help for children with emotional and behavioural difficulties, the evidence-based Incredible Years parenting program was adapted and implemented in Lithuania. The programme provides parents with knowledge and skills to address problematic behaviour of children and how to decrease it. Children are meanwhile learning how to manage their temper and develop stronger social competences. The goal of the Incredible Years programme is to deliver evidence-based, cost-effective programmes and materials that develop positive parent-teacher-child relationships and assist in preventing and treating behaviour problems and promoting social, emotional, and academic competence before a child becomes an adult. The programme's long-term goal is to prevent conduct disorders, academic underachievement, delinquency, violence, and drug abuse; common outcomes for children whose antisocial behaviour goes uncorrected. In Lithuania*

pre-school basic (3-6 years) and school basic (6-12 years) parenting programmes are under implementation, 54 specialists for preschool program and 32 specialists for school age programme are trained to guide parents' groups. This programme consists of 18 weekly meetings with parents' groups, practical and interactive workshop and homework for parents. Group leaders are provided with constant support and supervisions. Programs are implemented in 18 Lithuanian municipalities, 70 groups of parents (585 parents overall) had positive parenting training so far. It is planned that the programme will be accessible for parents in all municipalities by 2024.

3. Provision of health offices in pre-schools and schools with methodological tools.

This measure aims to improve the services provided in the health offices of pre-schools and schools education institutions, thus ensuring the well-being and equal opportunities to have access to health prevention and promotion for all children. The measure is implemented in 26 municipalities of Lithuania. The aim is to provide high-quality health care services for children and youth by purchasing new health office equipment and renovating workplaces. This will help the public health specialists working in schools to provide health prevention and promotion for children. According to the competitive projects being implemented, it is planned to update and equip with new methodological tools for developing healthy lifestyle skills, promoting physical activity, preventing injuries, bad habits, increasing mental health literacy, 971 health offices in pre-school and school education institutions. This measure is continuous. In the previous funding period, 592 health offices were repaired and equipped with educational tools in 22 municipalities (including 237 health offices in pre-school education institutions).

4. Implementation of an adapted and expanded model of provision of youth-friendly health care services. This measure continues to improve the health of young people in 24 municipalities of Lithuania, which aims to ensure youth-friendly, confidential services that help strengthen physical and mental health, to develop healthy lifestyle habits, to reduce morbidity among young people and to purposefully address problems of concern to young people. In municipalities implementing the measure, assistance is provided to young people in carrying out individual case management, based on the updated 8 algorithms presented on the portal www.sveikatostinklas.lt (prevention of sexually transmitted infections and unplanned pregnancy, prevention of use of psychoactive substances, prevention of alcohol use, prevention of depression, prevention of suicides and self-harm, health prevention of disorders related to overweight and obesity, prevention of sexual violence, prevention of eating disorders). More than 150 consultations were provided to young people applying to the specialists. In municipalities, young people are guaranteed the opportunity to receive health care services in the shortest possible time, according to the "Green Corridor" principle. If necessary, with the help of the specialist, the young person is helped to apply to institutions of another sectors. In the municipalities implementing the measure, a cross-sectoral network of institutions has been created and expanded, which ensures smooth cooperation in the field of providing services to young people. It is expected that at least 4 500 young people will benefit of this measure.

To reduce the negative effect of Covid-19 on public mental health, the psychological wellbeing and mental health promotion services were launched in 2020. They are organized by public health bureaus and are accessible in all municipalities of Lithuania. Psychological wellbeing and mental health promotion services are provided for free and help to cope with difficult and stressful situations in life. The person does not need any doctor's referral to get these services and can choose whether to get individual consultations (up to 6 per person) or participate in group sessions. The content of the services includes stress management, conflict management, mental health literacy, self-help groups, group psychological counselling and other practical trainings to strengthen mental health and emotional well-

being. If needed, services are provided anonymously. The statistics of services provision shows that these services are popular among youth. In 2021, 17 per cent of all services receivers were 11-17 years old. These services are flexible, i.e., can be organized in those settings where youth gathers or meets, i.e. in schools and open youth spaces.

To increase access to psychological support in mental health centres (MHC), the number of clinical psychologists was increased. From 1st August 2021, the MHC may employ more medical psychologists and get additional funding (the number of served population per one psychologist was reduced to 10 000).

Since 2021, the mobile psychological crisis teams services started to be provided across the country. There are 3 teams (West, Central, and East districts of country) and a call centre 1815, which spreads cases for the teams. Services are provided for communities, family members, organizations who experience and suffer from a crisis event (e.g., suicide, violent crime, violent death, car accident, other unexpected resonant events).

- c) Please provide information on any measures adopted to protect and assist children in crisis situations and emergencies.

In 2018, there were updated and publicly announced methodological recommendations for strengthening early diagnosis of violence against children.

On 1 January 2022, the Description of the Provision of Personal Health Care Services for Female Persons who May Have Experienced Sexual Violence came into force, approved by Order No. V-1765 of the Minister of Health of the Republic of Lithuania of 30 July 2021. Pursuant to Article 6, Part 4 of the Health Insurance Law of the Republic of Lithuania, the persons listed bellow are covered by compulsory health insurance at the state's expense and in Lithuania have the right to receive personal health care services, compensatory medicines and medical assistance provided by the Compulsory Health Insurance Law compensated by the budget funds of the Compulsory Health Insurance Fund:

-persons under the age of 18 years;

-women who have been granted maternity leave in accordance with the procedure established by law, and women who are not working during pregnancy for 70 days (28 weeks or more) before childbirth and 56 days after childbirth;

-one of the parents (adoptive parents) raising a child under 8 years of age, one of the guardians caring for a child under 8 years of age in the family, as well as one of the parents (adoptive parents) raising two or more minor children, one of the guardians (caregivers) caring) two (two) or more minor children.

Amendments to the Law on the Legal Status of Aliens of the Republic of Lithuania have been adopted, making it possible to appoint a representative (a natural person) for an unaccompanied minor in a quicker and simplified way (a relative, a person emotionally linked to the child) who has arrived together with the child. In emergency situations, it makes it possible to ensure that the child's guardianship is taken without any delay in the family's surroundings.

Lithuania has been a safe place for Ukrainian children fleeing the war. The Law on Social Services is supplemented by providing that social care for unaccompanied foreign minors shall be financed from the state budget funds in accordance with the procedure established by the Minister of Social Security and Labour, and from the state budget funds earmarked for the payment of guardianship allowance in accordance with the Children's Allowances Law. Children who have fled from hostilities, who are or have been deprived of parental care and who have received social services in their home country, would be able to receive long-term social care when they arrive in Lithuania, and the financing of these services

would be ensured from the state budget. Amendments have been made to the Law on Child Benefits, which establish the right of foreigners caring for foreign children to receive a targeted supplement to the foster care benefit. This unifies the rights of guardians (carers) who are citizens of the Republic of Lithuania and persons coming from Ukraine in caring for a child without parental care.

- d) The Committee asked to be kept informed of the number of children under guardianship, the number placed in institutions and in foster care as well as trends in the area. Please provide information on the criteria for restriction of custody or parental rights and about the procedural safeguards that existed to ensure that children were removed from their families only in exceptional circumstances and whether the poor financial situation of a family could be a ground for restriction of parental rights. The Committee asked for information about the maximum length of pre-trial detention and about maximum prison sentences that maybe imposed on a child. The Committee also asked whether children may be placed in solitary confinement, if so for how long and under what circumstances. The Committee asked to provide information on the range of measures available when dealing with children both below and above the age of criminal responsibility who have committed a criminal offence and any information on measures taken to reduce recourse to closed type institutions. The Committee asked what measures have been taken to ensure that children irregularly present both accompanied or not, are accommodated in appropriate settings, and whether they have access to medical care. It also requests further information on the assistance given to unaccompanied children, especially to protect them from exploitation and abuse. The Committee requests information as to whether minors irregularly present accompanied by their parents or not, may be detained and if so under what circumstances. The Committee asks whether Lithuania uses bone testing to assess age and, if so, in what situations the state does so. Should the State carry out such testing, the Committee asks what potential consequences such testing may have (e.g., can a child be excluded from the child protection system on the sole basis of the outcome of such a test?) The Committee asks to provide information on the rates of child poverty as well as on the measures adopted to reduce child poverty, including non-monetary measures such as ensuring access to quality and affordable services in the areas of health, education, housing etc. Information should also be provided on measures focused on combatting discrimination against and promoting equal opportunities for, children from particularly vulnerable groups such as ethnic minorities, Roma children, children with disabilities, and children in care.

The number of children under guardianship, the number placed in institutions and in foster care as well as trends in the area

The number of children in foster care in Lithuania is steadily decreasing as it is illustrated in the table below. There are two factors that cause this tendency. Firstly, the number of children in Lithuania is decreasing. Secondly and most importantly, new forms of family support are being developed and, as a result, there are opportunities to help families more successfully, even in crisis situations or other risks, and to keep the child in the family.

	2017	2018	2019	2020	2021
The number of children under guardianship (total)	8912	8177 (decreased by 8.2 per cent	7446 (decreased by 8.9 per cent	6816 (decreased by 8.5 per cent compared to 2019)	6296 (decreased by 7.6 per cent

		compared to 2017)	compared to 2018)		compared to 2020)
Of these the number of children under temporary guardianship	1650	1140 (decreased by 39.2 per cent compared to 2017)	1431 (decreased by 25.5 per cent compared to 2017)	1053 (decreased by 26.4 per cent compared to 2017)	931 (decreased by 11.6 per cent compared to 2017)
Guardianship (foster care) by forms					
Children in family (total)	5602	5249	4888	4644	4417
Of these:	3771	3629	3272	3032	2868
children living with a close relative;					
children living with other guardians (not family members)	1831	1620	1616	1612	1549
Children looked for by carers on call	0	115	251	198	210
Children living in households	438	394	354	318	279
Children placed in institutions	2872	2419	1225	857	415
Children living in Community Foster Homes	0	0	728	799	975

Ministry of Social Security and Labour

A new institute of temporary care of a child was introduced in 2020 which gives priority to use the support of the family network or crisis centres, without separating the child from the family after possible violations of children's rights were identified. Relatives, family friends or other persons close to the family and the child help to care for the child and meet the child's needs, while the parents receive the necessary assistance and services and retain all their rights and obligations towards the child. The person with whom the child will be looked after during the temporary care is decided by the Service, together with the child's parents or other legal representatives. If it is not possible to find a person who can look after the child, temporary care can be organised, for example, in a crisis centre, where the child may be placed with both parents or with a parent who does not endanger the child's physical or psychological safety. Temporary care helps to protect children from entering the foster care system. However, about a fifth of children still are placed in the foster care system after the imposition of temporary supervision then family support measures have not been effective enough to change the situation.

Amendments to law were made prohibiting the placement of children in foster care:

-According to the Civil Code, fostering a child under the age of three in a children's institution is not possible, except in exceptional cases, but even in such cases, the approval of the Service is required, which first assesses the child's best interests. Exceptional cases may be for reasons such as: 1) the child needs specialised health care and/or nursing services which cannot be provided if the child is placed in a family, care centre or household; 2) the

child's best interests would be harmed by separating the child from his or her siblings; 3) the guardianship is established due to the urgent removal of the child from his/her legal representatives and it is not possible to place the child in the care of a family, a care centre or a household; 4) the separation of the child with his/her minor parents who are in the care of a children's institution would be contrary to the child's best interests. A child under the age of three can be placed in the care of a children's institution for a maximum of three months, unless the child is with his or her parents who are under the age of 18 years in the care of a children's institution, in which case the child's placement in the care of a children's institution can continue for as long as his or her parents' guardianship of him or her is ongoing.

-The Civil Code provides that any child deprived of parental care shall be placed in a children's foster care institution only in exceptional cases, when it is not possible to care for him/her in a family, a care centre or a household.

The only remaining children's social care homes in Lithuania are those that have received investment from the European Union's Structural Funds under the 2007-2013 Cohesion Promotion Operational Programme's measure "Development of Infrastructure for Stationary Social Services", or which have received funding from the European Economic Area and Norway Grants 2004-2009. Here, long-term (short-term) social care for children deprived of parental care (except for short-term social care for up to 3 months) who started receiving this care before 1 January 2020 can be provided until 31 December 2023. From 1 January 2020, children without parental care cannot be newly placed in these social care homes.

As of 1 January 2018, foster care centres were set up to provide services and support to foster carers, adoptive parents, foster families, on-call foster carers, and the children in their care or looked after by their families. The purpose of the care centre's activities is to ensure that all adopted children, children under the care of guardians (caregivers) and under the care of on-call carers (guardians), guardians (carers), adoptive parents or persons intending to become them, have access to the necessary counselling, psychosocial, legal and other assistance, in order to achieve suitable education and upbringing of a child, an adopted child in a close family environment. Care centres operate in all municipalities of Lithuania.

The number of cares (guardians) on call increased more than 6 times from 2017 by the end of September 2022. It is planned to expand the model of on-call guardians in order to ensure the opportunity for other groups of children to grow up in a family environment. Amendments to the Law on Social Services are currently being prepared, which are planned to consolidate the provision on permanent "professional" guardians (caregivers) who would care for (take care of) children with disabilities; children with significant behavioural challenges, underage mothers and others.

In 2021, the Adoption and Fostering Call Line was established to promote fostering and adoption and in the hope that centralized and timely information will help to answer the questions of individuals more efficiently, as well as contribute to the promotion of foster care centres and the formation of a positive image. Since the start of the line, 475 inquiries have been received.

The criteria for restriction of custody or parental rights

The maximum length of pre-trial detention and about maximum prison sentences that maybe imposed on a child. Article 127 of the Code of Criminal Procedure of the Republic of Lithuania (hereinafter – the CCP) regulates the duration of applying the detention and extension of its term. Paragraph 1 of this Article states that the detention of a minor may not be imposed at once for more than two months. The term of detention for minors may be

extended up to a maximum of four months. The rules of detention for minors shall also apply to a person who has reached the age of majority at the time of the judge's decision. Article 127(2) of the CCP states that, due to the particular complexity of the case or the large scale of the case, the time limit for detention for minors provided for in paragraph 1 of this Article may be extended by a regional court judge for a maximum of two months. The term of detention may be extended repeatedly, but during the pre-trial investigation, the term of detention for minors may not last more than six months. In cases on serious or grave crimes, as well as in cases in which members of a group of accomplices, an organised group or a criminal organisation are suspected or accused of committing criminal acts, or where persons have been arrested in a foreign state, the time limit for detention of minors during the pre-trial investigation may not exceed twelve months.

Article 90 of the CC enshrines special features of the penalties imposed upon minors. Paragraph 4 of this Article states that a minor may be subject to arrest for a period of five up to forty-five days. While Paragraph 5 of that Article provides that the period of a custodial sentence in respect of a minor may not exceed ten years.

Procedural safeguards that existed to ensure that children were removed from their families only in exceptional circumstances and whether the poor financial situation of a family could be a ground for restriction of parental rights

The Law on the Fundamentals of Protection of the Rights of the Child establishes all procedures for examining possible violations of children's rights. According to Article 3(4) of this law, poverty does not constitute neglect of a child and, consequently, a child cannot be separated from his/her family because of poverty. The Service or a territorial department authorised by the Service, having established the need for protection of the child, may remove the child from his/her parents or other legal representatives of the child on the grounds referred to in Article 3.254(2) or (3) of the Civil Code, i.e. when the parents or the available only parent are temporarily unable to take care of the child due to the illness of both parents or one of them, arrest, serving a sentence or other important reasons; or when the parents or the available only parent do not take care of, are not interested in the child, do not properly raise them, use violence or otherwise abuses parental authority and as a result endangers the child's physical, mental, spiritual, moral development and safety and if:

- 1) it is not possible to ensure a safe environment for the child with the measures provided for in the Law on the Fundamentals of Protection of the Rights of the Child, and there continues to be a real danger to the child's physical or mental safety, which may cause significant damage to the child's health or threaten his life, or
- 2) if measures are taken to keep the child in the family, but the child's parents or other legal representatives do not make efforts, do not change their behaviour, and there remains a real danger to the child's physical or mental safety in the family, which may cause significant damage to the child's health or threaten his/her life.

The child's parents or other representatives have the right to be present at the time of the child's pick-up if this corresponds to the child's rights and legitimate interests. If, for objective reasons, the child's parents or other representatives are not able to participate in accordance with the law at the time of the child's pick-up, the Service or its authorized territorial department must notify the child's parents or other representatives immediately, but no later than on the same day, by any means of remote communication or in writing. The child's parents or other representatives have the right to appeal the actions of the Service or its authorized territorial department regarding a case of possible illegal abduction of a child, according to the law.

The legislation also stipulates that the child's parents must be provided with state-guaranteed legal aid in court cases where the issue of permission to remove the child from the parents or other legal representatives is at stake. The child's parents or other legal representatives are also entitled to receive detailed information from the Service, or the territorial unit authorised by the Service on the possibility of contact with the child and the conditions for the child's return. The removal of the child shall be carried out in such a way as to minimise the negative impact on the child. The Service or the territorial unit authorised by it shall explain to the child, according to his/her level of understanding, and/or to his/her parents, according to their level of understanding, how the removal procedure is to be carried out.

In Lithuania, every removal of a child must be approved by a court. That is, the Service or a territorial unit authorised by the Service, after removing a child from his or her parents or other legal representatives of the child, applies to the court for permission to remove the child from his or her parents or other legal representatives of the child, in accordance with the procedure and within the deadlines established by law. If the court rejects such an application for permission to remove the child, the Service shall be obliged to arrange for the child's transfer (return) to the parents or other legal representatives.

Lithuania is trying to develop additional measures designed to protect children from being separated from their parents, even in cases where possible violations of the child's rights have been identified. One of the main objectives of the policy on the protection of the rights of the child is to ensure that the removal of a child from his or her family is only used as a measure of last resort, while at the same time ensuring that families are provided with all the assistance, services and support they need to deal with the challenges facing the family, and to address the risk factors that threaten the child's life, health and normal development. We focus on preventive help for the family. Therefore, from 1 January 2020 case management can be applied not only to those families in which violations of the rights of the child have been identified, but also in cases where the family itself or the organizations working with it, the authorities will consider that the family needs complex assistance, even in the absence of any violations of the child's rights.

The Multidimensional Family Therapy Programme has been implemented in Lithuania from 2020 for children and young people with complex behavioural problems. It contributes to building healthy relationships between the child and his/her parents, strengthening the relationship and the parents' ability to meet the child's needs, with a corresponding reduction in violent parenting methods and in the failure to meet the child's needs. Another evidence-based method has been implemented in Lithuania since 2020 and is available in all municipalities of Lithuania, i.e., Family Conference, which is classified as preventive social services. The basis of this method is the empowerment and reconciliation of the family and the child(ren), by searching for family and child support resources among the extended family and/or other family-important persons, in order to involve the child himself and his family in deciding on improving the situation of the child in the family and in other environments and extended family. These are some examples of measures aimed at helping the family as much as possible and preventing the separation of children from the family, even in the face of certain risks.

Children placement in solitary confinement

Article 142(2) of the Code of Execution of Penalties of the Republic of Lithuania provides for the possibility to impose a sentence - transfer to cell-type premises for up to five days -

on minor convicts who systematically violate the regime or who have violated the regime in a particularly malicious manner. It should be emphasised that in practice this penalty and, in particular, the maximum time limit for moving to cell-type rooms are applied extremely rarely.

Measures available when dealing with children both below and above the age of criminal responsibility who have committed a criminal offence

The Criminal Code enshrines that a person shall be prosecuted from the age of sixteen, except in the cases provided for in Article 13(2) of the Criminal Code (Article 13(1) of the Criminal Code). Article 13(2) of the Criminal Code states that A person who, prior to the time of the commission of a crime or misdemeanour, had attained the age of fourteen shall be held liable for murder (Article 129), serious impairment to health (Article 135), rape (Article 149), sexual harassment (Article 150), theft (Article 178), robbery (Article 180), extortion of property (Article 181), destruction of or damage to property (Article 187(2)), seizure of a firearm, ammunition, explosives or explosive materials (Article 254), theft, racketeering or other illicit seizure of narcotic or psychotropic substances (Article 263), damage to vehicles or roads and facilities thereof. It must be noted that a person who, prior to the time of the commission of the dangerous act provided for by the Criminal Code, had not attained the age of fourteen years may be subject to reformatory sanctions or other measures (Article 13(3) of the CC).

Article 80(1) of the Criminal Code states that the peculiarities of criminal liability of minors shall have the following purpose: 1) to ensure correspondence of liability to the age and social maturity of these persons; 2) to restrict the possibilities of imposition of a custodial sentence and broaden the possibilities of imposition of reformatory sanctions against these persons; 3) to help a minor to alter his manner of living and conduct by co-ordinating a penalty for the committed criminal act with the development and education of his personality and elimination of reasons for the unlawful conduct; 4) to prevent a minor from committing new criminal acts. A minor who has committed a misdemeanour or crime and has been released from criminal liability or punishment, as well as a minor who has received a suspended sentence or has been paroled from correctional institutions may be subject to the following reformatory sanctions: 1) a warning; 2) compensation for or elimination of property damage; 3) unpaid reformatory work; 4) placement for upbringing and supervision with parents or other natural or legal persons caring for children; 5) restriction on conduct; 6) placement in a special reformatory facility (Article 82(1) of the CC).

Reformatory sanctions may be applied to a person who was 18 years old at the time of the commission of a criminal act, however, was below the age of 21 years where a court, having taken into consideration the nature of and reasons for the committed criminal act as well as other circumstances of the case, and, where necessary, clarifications or conclusion of a specialist, decides that such a person is equal to a minor according to his social maturity and application of peculiarities of criminal liability against him would correspond to the purpose provided for in Article 80 of this Code (Article 81(2) of the CC).

Article 90(1) of the Criminal Code states that only the following penalties may be imposed on a minor: 1) community service; 2) a fine; 3) restriction of liberty; 4) arrest; 5) fixed-term imprisonment. A minor person may not be imposed a sentence of life imprisonment. Among other things, Article 90(2) to (5) of the Criminal Code lays down the upper limits of penalties for minor persons, which are lower than the upper limits imposed on adult persons. Under the current legal regulation, minors may not be imposed more than 240 hours of community service (Article 90(2) of the CC). A fine may be imposed only against a minor already employed or possessing his own property. A minor may be subject to a fine in the amount

of 5 to 50 MSLs (Article 90(3) of the CC). In addition, a minor may be subject to arrest for a period of five up to forty-five days. (Article 90(4) of the CC). The period of a custodial sentence in respect of a minor may not exceed ten years (Article 90(5) of the CC). In imposing a penalty upon a minor, a court shall take into consideration the following: 1) the living and upbringing conditions of the minor; 2) the state of health and social maturity of the minor; 3) previously imposed sanctions and effectiveness thereof; 4) the minor's conduct following the commission of a criminal act.

(Article 91(2) of the CC). It is also important to note that the court **may impose fixed-term imprisonment upon a minor where there is a basis for believing that another type of penalties is not sufficient to alter the minor's criminal dispositions, or where the minor has committed a serious or grave crime.** In the event of the imposition of a custodial sentence against a minor, the minimum penalty shall be equal to one-half of the minimum penalty provided for by the sanction of an article of the Criminal Code according to which the minor is prosecuted (Article 91(3) of the CC).

Access to medical care

According to the law on the legal status of foreigners of the Republic of Lithuania, the unaccompanied minor foreigner means a foreigner below the age of 18 who enters the Republic of Lithuania unaccompanied by parents or other legal representatives or who, after he has entered the Republic of Lithuania, is left unaccompanied until effectively placed under the curatorship by the above-mentioned persons. Unaccompanied minor foreigners, regardless of the legitimacy of their stay in the territory of the Republic of Lithuania, shall have to receive free (state-guaranteed) health care referred to in the legislation of the Republic of Lithuania.

Persons insured with state funds specified in part 4 of Article 6 of the Law on Health Insurance of the Republic of Lithuania, including unaccompanied minor foreigners. In accordance with the Health Insurance Law of the Republic of Lithuania (Article 6, Part 4, Clause 17 of the Law), all unaccompanied foreign minors are entitled (guaranteed) to the same scope of healthcare services as all insured with compulsory health insurance in Lithuania.

According to the Law on the Legal Status of Foreigners of the Republic of Lithuania (Article 71, Paragraph 1, Item 7) the asylum seeker has the right to free essential medical assistance, psychological assistance and social services at the place of accommodation. In cases where the necessary medical assistance cannot be provided at the place of accommodation, it is provided (Article 6, Paragraph 5 of the Law on Health Insurance) in other institutions of the Lithuanian national health system, which submit bills to the territorial health fund for the health care provided to asylum seekers.

Health care services for children of foreign migrants who have not been granted an unaccompanied minor status, services are provided in accordance with the Decision of the Minister of Internal Affairs of the Republic of Lithuania, Head of State-level Emergency Operations No. 10V-4 "On the Provision of Health Care Services to Foreigners" of 11 July 2021 and by the Decision No. 10V-24 "On the Approval of the Description of the Procedure for the Initial and Repeated Assessment of the State of Health of Foreigners who Have Illegally Crossed the State Border of the Republic of Lithuania" of 4 August 2021. The purpose of the decisions is to ensure the provision of emergency medical assistance services, infection control and compliance with the hygiene and safety requirements due to the massive influx of foreigners.

Measures to ensure children accommodation and access to medical care. The assistance given to unaccompanied children, especially to protect them from exploitation and abuse

The legal status of minor foreigners in the Republic of Lithuania is regulated by Article 32 of the Law on the Legal Status of Aliens of the Republic of Lithuania. This article provides that unaccompanied minors, regardless of the legality of their stay on the territory of Lithuania, during their stay on the territory of Lithuania are immediately appointed a representative in accordance with the procedure established by the legal acts of the Republic of Lithuania. It is also provided that unaccompanied minors who are not asylum seekers by the decision of the Child Rights Protection and Adoption Service are accommodated in the Refugee Reception Centre in accordance with the procedure established by the Minister of Social Security and Labour, the Minister of Internal Affairs and the Minister of Health. Pursuant to Article 79(4) of the law, unaccompanied minor asylum seekers are accommodated in the Refugee Reception Centre by decision of the Migration Department under the Ministry of Interior (hereinafter – MD).

Unaccompanied foreign minors, regardless of the legality of their presence in the territory of Lithuania, have the following rights:

- to be provided with living space free of charge and to be maintained in Lithuania in accordance with the procedure established by the Minister of Social Security and Labour;
- study according to the pre-school, pre-school, general education or formal vocational training program(s) in accordance with the procedure established by the Minister of Education, Science and Sports (this right is ensured no later than within 3 months from the date of determination of the presence of an unaccompanied foreign minor in Lithuania);
- receive state-guaranteed (free) health care specified in the Health System Law of the Republic of Lithuania;
- receive social services free of charge in accordance with the procedure established by the Minister of Social Security and Labour;
- use state-guaranteed legal aid, unless the laws of the Republic of Lithuania provide otherwise;
- contact representatives of non-governmental or international organizations of the Republic of Lithuania;
- other rights guaranteed under international treaties, laws and other legal acts of the Republic of Lithuania.

The Refugee Reception Centre is a budget institution that provides social, accommodation and other reception services to asylum seekers, foreigners who have been granted asylum in the Republic of Lithuania, unaccompanied minor foreigners, foreigners who are or have been victims of crimes related to human trafficking and other categories of vulnerable persons. The rights and duties of the owner of the Refugee Reception Centre are implemented by the Ministry of Social Security and Labour.

Amendments of the Law on the Legal Status of Aliens of the Republic of Lithuania entered into force on 23 July 2021 and were mainly addressed to manage mass influx of refugees, therefore the main restrictions were related to the state of war or the state of emergency situations, as well as emergency or an emergency event caused by a mass influx of aliens. The hybrid attack against Lithuania organized by the Minsk regime has significantly increased the flow of illegal migrants and asylum seekers in Lithuania. It was an unprecedented challenge for the Government of Lithuania. Despite this, Lithuanian institutions have taken additional measures to provide suitable temporary accommodation and other assistance to all who needed it.

The aforementioned amendments provided that newly arrived asylum seekers and migrants could be temporarily accommodated at the border control points, transit zones, premises of the State Border Guard Service (hereinafter – SBGS) or other permanent or temporary accommodation facilities until a decision is made to allow entry to Lithuania. Together with NGOs, the institutions of Lithuania were working on to ensure that all accommodation premises are suitable for living, and meet hygiene standards and needs. Food supplies, medical, legal, and social assistance was provided in every individual case based on personal needs. Minors, as well as woman and vulnerable persons, were accommodated separately, seeking to guarantee them conditions satisfying their specific needs.

Even if Lithuania was not prepared for such a large flow of migrants, the necessary infrastructure was created and constantly improved in a record short time. The Ministry of the Interior (Mol) appealed to the municipalities for the facilities they had, and a temporary tent town was established. These places did not fully met the accommodation standards, so the Mol made every effort to improve the living conditions in the mentioned places. Foreigners belonging to vulnerable groups were accommodated in accommodation facilities administered by the Ministry of Social Security and Labour. Accommodation conditions continue to be gradually improved: in order to manage migration processes more efficiently in September 2021 a new Foreigners' Registration Centre (FRC) was opened in Kybartai; both foreigners' registration centres (in Pabradė and Kybartai) are maintained and repaired, they are also adapted according to the residents' wishes: gymnasiums and squares, recreation rooms, prayer rooms, libraries, kitchens are being installed, sanitary conditions are being improved. It is an ongoing process.

Families with children as soon as possible were accommodated in accommodation facilities administered by the Ministry of Social Security and Labour, where the provision of social services is organized, including ensuring the children's right to education. It should also be noted that accommodation of foreigners in places of temporary accommodation, restricting their right to move freely in the Republic of Lithuania, is not their detention, because foreigners are not kept in isolation – they can move within the territory of the place of accommodation, they can also communicate with other foreigners in that place of accommodation, freely apply or to communicate with representatives of institutions and organizations providing services at the place of accommodation, staff administering the places of accommodation. Also, the amendments to the Law provides for the possibility to leave the place of temporary accommodation (after obtaining a permit) if the places of temporary accommodation do not provide medical, social, educational, catering and/or other services, psychological assistance, or if it is not possible to purchase food products. During the emergency situation due to mass influx of irregular migrants, unaccompanied minors were provided with accommodation that is suitable for them and only with their representative's consent. During the first months of emergency situation, only the right to emergency medical care for unaccompanied minors was stipulated in the Law, but starting from 1 January 2022 the rights of unaccompanied minors to healthcare services were extended (as it was foreseen until the entry into force of the amendments of the Law; therefore full spectrum of free health care is envisaged even during the emergency situations).

Lithuania pays special attention to vulnerable and minor asylum seekers, especially families with children. In this regard, the Lithuanian institutions constantly maintain contacts and cooperate with the Office of the Ombudsperson for Child's rights Office, the Office of the Equal Opportunities Ombudsperson, and various NGOs. The Seimas Ombudsperson regularly provides comments and recommendations on ensuring the human rights and freedoms of foreigners. The Government of the Republic of Lithuania thoroughly examines

all recommendations and closely cooperates with the Seimas Ombudsperson's Office on the implementation of its recommendations.

Detention of minors

The legal status of unaccompanied minor foreigners is regulated by Article 32 of the Law on the Legal Status of Aliens of the Republic of Lithuania. This article provides that unaccompanied minors, regardless of the legality of their stay on the territory of Lithuania, during their stay on the territory of Lithuania are immediately appointed a representative in accordance with the procedure established by the legal acts of the Republic of Lithuania. It is also provided that unaccompanied minors, who are not asylum seekers, by decision of the Child Rights Protection and Adoption Service are accommodated in the Refugee Reception Centre in accordance with the procedure established by the Minister of Social Security and Labour, the Minister of Internal Affairs and the Minister of Health. Pursuant to Article 79(4) of the Law, unaccompanied minor asylum seekers are accommodated in the Refugee Reception Centre by decision of the Migration Department under the Ministry of Interior (hereinafter - MD). Therefore, as stipulated in the legislation, unaccompanied minors are not detained.

As for accompanied migrants Article 114 (4) of the Law states that "vulnerable persons and families with foreign minors may be detained only in special cases, taking into account the best interests of the child and vulnerable persons". Foreign minors who, together with their family members, illegally crossed the state border and come to the Republic of Lithuania, if there are grounds for detention provided for in Article 113 of the Law, may be detained in the State Border Guard Service (hereinafter – SBGS) Foreigners Registration Centre by a court decision, or they may be assigned one of the alternative measures to detention. In practice, families of asylum seekers with children are usually not detained.

In exceptional cases where families with children are detained, they are accommodated together in conditions that take into account their needs.

More about the accommodation during the emergency situation please see the answer to Article 17(1)(b).

Bone testing to assess age

If there are reasonable doubts on the real age of foreigners when they present themselves as minors, the SBGS, in accordance with Article 123 (1) of the Law on the Legal Status of Aliens of the Republic of Lithuania, organizes age determination process.

In such cases, the SBGS officers apply to the nearest health care facility that has a radiological diagnostic equipment to perform the x-ray examinations for an unaccompanied minor. Two radiographs of an unaccompanied minor are taken at a health care facility: the front of both hands and wrists and the front of the chest, including the right or left shoulder and the sternal ends of the clavicles (the sternal ends of both clavicles must be visible in the x-ray).

It is also provided that, in the absence of the opportunity to perform the indicated radiographs, the SBGS must consult with the specialists of the State Forensic Medicine Service regarding the possibility of determining a person's age by other methods (using radiographs of other areas of the body, assessing the signs of a person's sexual maturation, anthropometric data and (or) etc.). In practice, in all cases when the performance of an age determination investigation was organized, it was possible for foreigners to take the above-mentioned radiographs.

Before conducting an age determination test, foreigners are informed in writing in a language they understand about this test and their written consent is obtained.

The age determination test is only carried out when there is doubt about the asylum seeker's age (when foreigners present themselves as younger or older than they actually are). If there were reasonable doubts that the person is older than he presents himself, and the conducted investigation shows that the person is a minor, then he is considered a minor, although doubts about his age, that he or she is older, still remain. If there is doubt that the person is younger than the applicant, and the investigation shows that the person is older, such an asylum seeker is also considered a minor.

In all cases where the lower limit of possible age error established during the age determination process is 17 years or less, the foreigner is considered a minor, i.e., the result of the test is always interpreted in favour of the foreigner.

The relevant territorial department of the State Child Rights Protection and Adoption Service is immediately informed about the foreigners presenting themselves as unaccompanied minors. Unaccompanied foreign minors are accommodated in a suitable accommodation facility in the Refugee Reception Centre in Rukla.

The measures adopted to reduce child poverty

Family and child benefits are measures which affects the reduction of child poverty and social exclusion (more details about the main amendments of child benefits which was adopted and are related with reducing child poverty, see above (question b) of Article 17.1). To meet the basic needs (food, clothing, health care, formal and non-formal education, recreation, etc.) of children left without parental care, the main amendments to the Law on Benefits for Children of the Republic of Lithuania were adopted on 7 December 2021 (which came to force from 1 January 2022). The amount of guardianship (curatorship) benefit has been increased and differentiated depending on child age. A child placed under guardianship (curatorship) in the family, social family, childcare institution or guardian centre during the period of stay in the foster care shall be paid a monthly guardianship (curatorship) benefit:

-for a child from birth to the age of 6 years amount of guardianship (curatorship) benefit is EUR 218.4 (5.2 BSB);

-for a child from 6 to 12 years of age amount of guardianship (curatorship) benefit is EUR 252 (6 BSB);

-for a child from 12 to 18 years of age and for disabled children (without regard the age limit) amount of guardianship (curatorship) benefit is EUR 273 (6.5 BSB).

Upon the expiration of the foster care due to attaining the majority, emancipation or contracting a marriage the person who is study according to the general curriculum, formal vocational training curriculum or is a student at a higher education institution but not longer until he reaches the age of 24 is granted a guardianship (curatorship) benefit amounting to EUR 273 (6.5 BSB).

Seeking to support financially minors and children left without parental care and unable to take care of themselves, the payment of guardianship (curatorship) benefit supplement has been extended:

-For each child placed under guardianship (curatorship) of a family, social family or guardian centre shall be paid a targeted guardianship (curatorship) benefit supplement in the amount of EUR 168 (4 BSB).

-Guardianship (curatorship) benefit supplement in the amount of EUR 168 (4 BSB) is paid for guardians if upon the expiration of the foster care due to attaining the majority,

emancipation or contracting a marriage a person lives and is maintained with a former guardian and he / she is studying according to the general curriculum but not longer until he / she reaches the age of 23.

2. to provide to children and young persons a free primary and secondary education as well as to encourage regular attendance at schools.

- a) *What measures have been taken to introduce anti-bullying policies in schools, i.e. measures relating to awareness raising, prevention and intervention? (General question, Conclusions 2019).*

On 18 October 2016, the Seimas approved amendments to the Law on Education, obliging schools to work more actively in the field of violence prevention. These amendments are important in that: the concepts of bullying and cyberbullying as well as prevention programme concepts are defined; a prohibition of any form of violence is enshrined: pupils against pupils, employees of educational institutions against pupils, pupils against the employees of educational institutions, employees of educational institutions against other employees of that institution, pupils' parents (guardians, carers) against pupils, teachers; provision of psychological support to pupils and teachers who have experienced violence or committed acts of violence; liability and actions of the school head in cases of violence (notification, assurance to provide psychological support) is foreseen therein; the improvement of the qualification of pedagogical staff at least every 3 years in the field of the development of social and emotional competences of pupils is foreseen; the obligation to ensure that each pupil participates in a preventive programme (each school must enable pupils to participate in at least one coherent, long-term prevention programme that develops social and emotional competences, including prevention of the use of violence, alcohol, tobacco and other psychoactive substances, promotion of healthy lifestyles) is enshrined.

During 2020, the prevention programmes were implemented and participated in by 96 per cent of schools and vocational education institutions, and 86 per cent of pre-school education institutions, implementing the pre-primary education programmes. In 2017-2020, more than 13 thousand teachers, social educators, psychologists and representatives of school administrations participated in the training under 19 preventive programmes implemented by the funds of the project "Creating a safe environment at school II".

For the continuity of preventive programmes introduced in schools and the implementation of newly selected programmes in 2021-2022, and for their support in subsequent academic years, educational institutions can use the funds anticipated in the class basket.

Since 2019, a free electronic tool "Bullying box" has been developed and successfully works to fight bullying in educational institutions. It allows pupils to anonymously and quickly report suspected or committed bullying, any violence or bullying cases, as well as with regard to gender identity, and for schools to respond to them and provide timely assistance. This is especially relevant for schools to overcome cyberbullying. All schools of general education in the country are free to install the digital pupils' generation-oriented "Bullying box". There are currently 325 schools of general education that have installed the "Bullying box".

The effectiveness of the "Bullying box" depends on how this tool was implemented at school, how it was presented to pupils, what the competence and level of responsibility of the person responsible for the bullying box are (how quickly he/she checks messages and responds immediately to the notifications received), as well as the competences and knowledge of educators how to respond appropriately to any bullying or violence.

A free online training program “Prevention and intervention of bullying” works successfully. Training at a distance takes place by logging in to the portal reaguok.vma.lm.lt. This programme provides teachers and educational support professionals with the necessary knowledge and skills how to respond to bullying in a convenient time and format, there are separate topics on how to behave after receiving notification on bullying on individual aspects, such as gender, social status, disability as well as other issues. It provides information by means of innovative visual material, games, tests, questionnaires and practical tasks, during which educators can perform self-control tests, self-evaluations and certificates of acquired competences.

During the implementation of the National Programme for the Prevention of Domestic Violence and the Provision of Assistance to Victims of Domestic Violence 2014-2020, in 2016-2020, training for the members of the Child Welfare Commissions of schools on the identification of domestic violence and the provision of assistance to children who may have suffered violence was organised. In total, 2 774 participants participated in the training over 5 years (in 2015: 404 participants, in 2016: 419 participants, in 2017: 446 participants, in 2018: 653 participants, in 2019: 517 participants, in 2020: 335 participants).

The National Education Agency coordinates the implementation of Olweus’ bullying prevention programme in Lithuanian schools (the programme has been implemented since 2008), which contributes significantly to the prevention of violence. In 2022 academic year, Olweus’ bullying prevention programme was implemented by 138 schools.

The Ministry of Education, Science and Sport recommends that schools participate in various preventive programmes:

- Development of social and emotional competences (“Friends of Zipis”, “Friends of Apple”, “We overcome together”, “Second step”, Child emotional expression control (VEIK) educational programme, “Peaceful school”, “Big Brothers Big Sisters”, “LIONS QUEST” age-specific programmes such as “Time Together”, “Crossroads of Adolescence”, “Key to Success”).*
- Prevention of Violence and Sexual Abuse (LIONS QUEST “I Know”, “Protect and Respect Me”).*
- Prevention of bullying (“Olweus”, “Friends”).*
- Prevention of the use of psychoactive substances (“Live”, “Mentorship”, “Snowball”, “Via Own Path”, “Early Intervention Programme” (GreD goes net).*
- Parental skills training programmes (“School for parents and educators”, “STEP”).*
- Suicide prevention (suicide prevention programme).*

Municipalities coordinate the implementation of prevention in schools, monitor prevention implementation in schools, plan financial and human resources, ensure accessibility and quality of educational assistance, and non-formal education, and carry out public communication and cooperation. They also collect information about school programmes through Pedagogical Psychological Services (hereinafter – PSPs)/Education Assistance Services (hereinafter - EAS), control data on the competences and qualifications of specialists providing educational support, plan and initiate events, order research, take an interest in the microclimate of schools and the situation of pedagogues and support specialists working in the school. The Ministry of Education, Science and Sport is aware that the special focus of the PPS/EAS is on the knowledge of how teachers feel and the measures are implemented to strengthen teachers’ motivation.

There is no national research available on the well-being of adults in schools, however, the PPS/EAS of individual municipalities conduct research on the psychological climate of

schools, and the emotional well-being of educators. For example, the research on psychological climate conducted by Klaipeda PPS in 2020, which involved 2 756 employees, identified as one of the most worsening psychological well-being factors not interpersonal relationships, relationships with heads or pupils, but insufficient remuneration for the work performed. It is possible to suspect that we still lack the competence to recognise bullying, manifestations of violence or other intolerable phenomena in mutual relationships, as well as gender-based bullying.

The updated content of the framework programmes will allow for strengthening bullying prevention through formal education by integrating topics into the Life Skills Programme. The purpose of the Life Skills Development Programme is to create conditions and opportunities to develop skills, abilities, personal qualities, develop talents, acquire knowledge that will become tools for young people to decide independently about their future, make decisions related to their career and personal life, set goals and achieve them. The objective is to enable each pupil to develop skills relevant to life in a consistent manner: social and emotional skills and abilities, healthy lifestyle attitudes, learning to protect one's own and others' health and life, preparing oneself for personal and professional relationships, choosing a professional path and becoming sensitive and responsive to the needs of the well-being of others, the community and society.

- b) What measures have been taken by the State to facilitate child participation across a broad range of decision-making and activities related to education (including in the context of children's specific learning environments)? (General question, Conclusions 2019).*

According to Article 60(3) of the Law on Education, which forms the basis for the functioning of school self-governance, stipulates that the highest self-governance body in which pupils participate is the school council. In addition to students, teachers, parents (guardians, carers) and representatives of local communities are also involved. The school council accounts for its activity to the members of the school community who have elected it. Issues that the school council is entitled to consider are related to the school's activities and its funding. The competence of the school council is determined by the school's articles of association, decisions are made on the basis of them, the decisions of the head are influenced, and public supervision of the school's management is carried out. Children are involved in self-governance, and pupil committees are elected in each school. The Lithuanian School Student's Union (<https://www.moksleiviai.lt/>) is active and participates in the discussion of important issues in the Seimas of the Republic of Lithuania, the Government of the Republic of Lithuania and ministries. There is a Children's Council operating under the State Child Rights Protection and Adoption Service under the Ministry of Social Security and Labour (<https://vaikoteises.lt/vaiku-taryba/>).

- c) What measures have been taken to address the effects of the Covid-19 pandemic on the education of children (including in particular disabled children, Roma and Traveller children, children with health issues and other vulnerable children)?*

To mitigate the consequences of Covid-19, a plan was developed and measures to compensate for the learning losses caused by the pandemic were foreseen therein. The implementation of these activities was estimated at EUR 23.2 million in 2021. All pupils participating in the education process, including those from abroad, Roma or other persons of vulnerable groups, were involved in the implementation of the measures).

Measure	Result	Funds allocated, EUR	Funds used, EUR
<i>Consultations of pupils who have chosen to take the school-leaving exams in 2021 and those who have experienced learning losses due to COVID-19 (not a plan measure)</i>	<i>About 28,000 consultations were given to about 63,000 school leavers (the number of pupils is repeated as many as subject consultations were attended).</i>	389,980	355,469 (97 per cent)
<i>Installation of hybrid classes</i>	<i>1,811 units of hybrid equipment were purchased and handed over to municipalities.</i>	3,908,000	3,901,045 (99,8 per cent)
<i>Well-being programme</i>	<i>Duration: 3 months. 242 programmes were executed that were provided by 90 providers. 58 per cent of pupils participated.</i>	5,100,000	2,553,982 (50 per cent)
<i>Consultations to compensate for the learning losses</i>	<i><u>Spring:</u> More than 100,000 consultations, about 197 thousand pupils (the number of pupils is repeated as many as subject consultations were attended).</i>	1,348,000	1,165,214 (86.4 per cent)
	<i><u>Autumn:</u> More than 300,000 consultations, about 600 thousand pupils (the number of pupils is repeated as many as subject consultations were attended).</i>	5,100,000	4,588,975 (90 per cent)
<i>Support of Teachers' Associations for school leavers and teachers</i>	<i>Consultations for pupils and a seminar for teachers were organised, videos and other materials were prepared. The information is available to the public on the associations' websites.</i>	112,000	110,911 (99 per cent)
<i>NGO assistance for voluntary activities in schools</i>	<i>1 project out of 5 that could be financed was submitted. 128 volunteers were attracted, who worked 4,022 hours of volunteering activity. Volunteering was provided in 12 municipalities. About 450 students were provided with learning support.</i>	250,000	24,132 (9.7 per cent)
<i>Early reading diagnostics</i>	<i>A set of early preventive reading diagnostic tools was developed. The one-day training was organised and methodological recommendations for teachers were presented therein.</i>	30,000	30,000 (100 per cent)

<i>The e.mokykla portal was updated</i>	<i>Digital training tools were updated as needed and adapted to various devices.</i>	<i>4,500</i>	<i>3,630 (80.1 per cent)</i>
<i>Creation of video material for school leavers (mathematics, Lithuanian)</i>	<i>Video consultations for Lithuanian language and literature and mathematics subjects, exam evaluation guidelines for teachers of the Lithuanian language, mathematics and chemistry were developed, and digital teaching tools to prepare for exams were systematised.</i>	<i>10,000</i>	<i>10,000 (100 per cent)</i>
<i>Target camps for pupils</i>	<i>Conditions for meaningful rest and education for 2,732 pupils (of which 604 have special educational needs) were created in summer camps.</i>	<i>382,000</i>	<i>360,955 (94.5 per cent)</i>
<i>Consultations for school heads and teachers</i>	<i>14 video conferences were organised for school heads and their deputies, as well as 3 consultations for teachers.</i>	<i>0</i>	<i>0</i>
<i>Conditions were created for children, who did not have the conditions to learn at home, to learn in educational institutions at a distance</i>	<i>Conditions for more than 2 per cent of all pupils were created for distance learning at school.</i>	<i>0</i>	<i>0</i>

The Ministry of Education, Science and Sport

- d) *Please provide information on the measures taken to ensure that state allocation of resources to private education does not negatively impact on the right of all children to access free, quality public education (based on a Statement of Interpretation from Conclusions 2019).*

The educational system of Lithuania is based on the principle of equal opportunities – the educational system is socially fair, it ensures the implementation of person's rights, it guarantees the access to education for any person, the attainment of a general education level. The biggest debate now is how to achieve better quality of education both in public and private schools.

The Description of the Procedure for the Calculation, Distribution and Use of Funds approved by Order No 679 of the Government of the Republic of Lithuania of 11 July 2018 regulates the calculation, distribution and use of training funds allocated from the state budget of the Republic of Lithuania for state, municipal and non-state schools providing pre-school, pre-school and general education, to meet the educational needs of students who study according to pre-school, primary, basic or secondary education programs, as well as cases when the municipality allocates part of the education funds for educational needs in accordance with its established procedure. Even if the municipality allocates part of the education funds for private education in accordance with its established procedure, parents pay for private education of their children.

The number of children attending private schools is increasing every year. In 2022, there were more than 90 non-state general education schools in Lithuania. Almost 20 thousand children studied in them. This shows that an increasing number of Lithuanian residents can

afford to choose private schools. Non-state educational institutions are being established not only in big cities, the demand for them is also growing in villages. According to the founders of such schools, even more of them would be created in the regions, however, the state does not have an opportunity to finance the private sector.

Public schools create competition in the education system and encourage public schools to perform better, which increases the effectiveness of the education system as a whole. The Ministry of Education, Science and Sport developed a long-term "Millennium Schools" program with the goal to reduce educational differences between different schools in cities and regions. This program is expected to provide better conditions for children with various needs.

Political parties represented in the Seimas of the Republic of Lithuania, together with the Association of Local Authorities in Lithuania, and the National Education Council, signed the Agreement on National Education Policy for 2021-2030 and, among other commitments, agreed to ensure that all publicly funded public, municipal and private education providers participate in the education quality management system: schools and their owners or an institution exercising the rights and duties of the owner make their progress reports publicly available; regular external evaluation of activities and education quality in education establishments.

- e) Please provide information on enrolment and drop-out rates for the period 2018-2021 as well as information on measures taken to address issues related to these rates. Please provide information whether assistance to help with the costs of school such as books, uniforms, transport, meals, was provided to vulnerable groups. The Committee seeks confirmation that all children with an irregular migration status accompanied by their families may also attend educational facilities. It also seeks information on any educational support measures available to such children. Please provide information on the measures adopted to ensure equal access to education for children from vulnerable groups such as Roma children, to prevent their early school leaving, to improve their educational outcomes and ensure that Roma children are not educated in segregated settings. Securing the right of the child to be heard within education is crucial for the realisation of the right to education in terms of Article 17§2. This requires states to ensure child participation across a broad range of decision-making and activities related to education, including in the context of children's specific learning environments. The Committee asks what measures have been taken by the State to facilitate child participation in this regard.

Enrolment and drop-out rates for the period 2018-2021

Number of school students, persons				
2017-2018	2018-2019	2019-2020	2020-2021	2021-2022
326061	322344	325677	327022	330262

The Lithuanian Department of Statistics

Children of school age who do not study in school, persons				
2017-2018	2018-2019	2019-2020	2020-2021	2021-2022
16651	16579	16319	17362	16376

The Lithuanian Department of Statistics

By the Law on Education of the Republic of Lithuania, the participation in primary and lower secondary education for children until the age of 16 is compulsory and state guaranteed.

The main reason for children not attending school is leaving the country (these children are in the Population Register of the Republic of Lithuania but out of the education system). Other reasons are mainly of social and psychological nature.

Lithuania has developed early warning systems to identify and respond to early signs of early leaving from education. Students who, over one month miss more than half of the lessons prescribed by the compulsory curriculum are registered in the 'National Information System on Children's Absenteeism and Pupils' Truancy'. This data is subsequently transmitted to the information systems of other agencies like social welfare, internal affairs or health care. An electronic school diary has been introduced for general education and vocational training schools. It allows parents to see information on their children's recent achievements and progress, directly communicate with teachers and participate in forums on various issues. Some electronic diaries allow schools to send an SMS or e-mail to inform parents if the student is missing school or being late.

Another measure are the youth schools for students aged 12-16 who lack both the motivation to learn and social skills, and who are experiencing learning difficulties. They are engaged in practical activities linked to the basic education curriculum while at the same time receiving social rehabilitation. Youth homes are for pupils aged 12-17 who have completed a course of treatment for and rehabilitation from dependence on psychotropic substances and alcohol, as well as those who have behaviour-related and emotional development disorders and need to improve their mental well-being and motivation for learning linked to the basic education curriculum.

Assistance to help with the costs of school to vulnerable groups

The Law on Social Assistance for Pupils of the Republic of Lithuania (Law on Social Assistance for Pupils) shall apply to pupils (from 6 years and over) who study at general education schools, vocational schools, pre-school education schools or with any other education provider (except for a freelance teacher) according to general education (primary, basic, secondary or special education) curricula or pre-primary curricula.

Social assistance for pupils is provided regardless of the status on which the person lives in Lithuania. After starting to admit children to educational institution, a family can apply for social assistance for pupils. According to the Law on Social Assistance for Pupils, means-tested social assistance is provided for pupils. Schoolchildren, depending on family (persons living together) income, have the right to:

- free lunch, if the monthly income per family member is less than 1,5 SSI (EUR 220.5),*
- free breakfast may be granted only in exceptional cases, having evaluated the living conditions of a family,*
- provision with learning aids in the amount of to 2 BSB (EUR 92), if the monthly income per family member is less than 1,5 SSI (EUR 220.5).*

From 1 January 2020, schoolchildren who study according to pre-primary curricula (from 1 September 2020 to primary curricula and primary curricula 1 grade) have the right to free lunch without regard to family income.

From 1 September 2021, schoolchildren who study according to primary curricula 2 grade have the right to free lunch without regard to family income.

Taking into account the living conditions of families (persons living together), pupils may be provided free meals and / or provision with pupil's supplies also in other cases specified by a municipality which takes a decision on the allocation of social assistance to pupils.

Vilnius City Municipality guarantees to give a ride to the educational institution for pupils experiencing social risk. In 2021, the Ministry of Education, Science and Sport allocated EUR 17 000 to cover training measures and other expenses for persons who crossed the border illegally. Pre-schoolchildren and 1- and 2-class pupils receive free meals (lunch) in schools. Children from families experiencing social risk factors also receive breakfast at school. Financing of summer recreation for children in accommodation centres for foreigners in 2022 (summer camp, etc.). The Ministry of Education, Science and Sport mandated the Lithuanian Student Non-formal Education Centre to organise non-formal education activities in three accommodation centres where children under the age of 18 are accommodated. Funding of EUR 30 000 was allocated.

Attendance of educational facilities by children with an irregular migration status accompanied by their families

Lithuanian legislation does not provide for a different educational process for persons with illegal migrant status. Article 3(4) of Law on the Legal Status of Aliens of the Republic of Lithuania No IX-2206 of 29 April 2004 stipulates that foreign minors have to learn in accordance with pre-primary and general education programmes in accordance with the procedure laid down by the Minister for Education, Science and Sport.

The right to study under a pre-primary and general education programme(s) shall be ensured not later than within three months from the establishment of the presence of minor foreigners in the Republic of Lithuania; The control of the implementation of legislation and the protection of children's rights in Lithuania is carried out by the Office of the Ombudsman for the Protection of the Rights of the Child of the Republic of Lithuania.

According to the legislation in force in Lithuania, all persons from 6 to 16 years of age living in Lithuania are subject to compulsory education at school. The exception is made for children experiencing social risk. These children shall be allocated compulsory education under the pre-school education programme in accordance with the procedure laid down by the Minister for Education, Science and Sport and the Minister for Social Security and Labour. To the extent that migrant children fall within the social risk group, they shall also be subject to the provisions of this Article.

The provision of educational assistance measures takes place in accordance with the provisions of the Law on Education in force in Lithuania. It is noteworthy that even in 2021 during the summer, when formal education does not take place, non-formal education classes were held in the residential areas for the children of migrants who crossed the border illegally. For example, in the Refugee Reception Centre in Rukla: football, ceramics, dances; Vilnius, Naujininkai Refugee Camp: sport, art, English, i.e., exercise/aerobics/healthy lifestyle + Global English with music and language games.

Equal access to education for children from vulnerable groups

Equal opportunities in education are guaranteed by law in Lithuania. Article 5(1) of the Law on Education states that one of the principles is the principle of equal opportunities. According to this principle, the education system shall be socially equitable, guaranteeing the realisation of the rights of the individual, guaranteeing access to education for every person, ensuring access to education, the acquisition of general education and the

acquisition of the first qualification, and providing the conditions for the improvement of existing qualifications or the acquisition of new qualifications.

Child participation in decision-making and activities related to education

The Lithuanian Union of Students, representing the interests of pupils and uniting the self-government of school pupils, works to ensure and improve quality education in schools. They regularly cooperate with various state institutions and the non-governmental sector, as well as with international organisations. LMS representatives participate in meetings of the Seimas Committee on Education and Science, are involved in working groups of the Ministry of Education, Science and Sports, in ongoing processes in the Centre for Development of Education, in the Lithuanian Council for Education, collaborate with the President's Office, and initiate various projects on issues that are very sensitive for society, especially for students. Members of the Lithuanian School Students' Union (hereinafter - LMS) are invited to participate in the deliberations and commissions when considering, and accepting important issues related to pupils at the state level. Currently, representatives of the LMS participate in the activities of the Cultural Passport Experts Commission. When developing the concept of a new version of non-governmental education organisations, the LMS is also invited to the discussions. The representatives of the LMS participated in the organisation of a survey on the organisation of the national minority mother tongue examination and intermediate knowledge check. The state ensures the independent, impartial presentation of pupils' opinion through the organisation representing them - LMS.

Article 19 – The right of migrant workers and their families to protection and assistance

With a view to ensuring the effective exercise of the right of migrant workers and their families to protection and assistance in the territory of any other Party, the Parties undertake:

- 1. to maintain or to satisfy themselves that there are maintained adequate and free services to assist such workers, particularly in obtaining accurate information, and to take all appropriate steps, so far as national laws and regulations permit, against misleading propaganda relating to emigration and immigration;**
- 2. to adopt appropriate measures within their own jurisdiction to facilitate the departure, journey and reception of such workers and their families, and to provide, within their own jurisdiction, appropriate services for health, medical attention and good hygienic conditions during the journey;**

3. to promote co-operation, as appropriate, between social services, public and private, in emigration and immigration countries;
4. to secure for such workers lawfully within their territories, insofar as such matters are regulated by law or regulations or are subject to the control of administrative authorities, treatment not less favourable than that of their own nationals in respect of the following matters:
 - a) remuneration and other employment and working conditions;
 - b) membership of trade unions and enjoyment of the benefits of collective bargaining;
 - c) accommodation;
5. to secure for such workers lawfully within their territories treatment not less favourable than that of their own nationals with regard to employment taxes, dues or contributions payable in respect of employed persons;
6. to facilitate as far as possible the reunion of the family of a foreign worker permitted to establish himself in the territory;
7. to secure for such workers lawfully within their territories treatment not less favourable than that of their own nationals in respect of legal proceedings relating to matters referred to in this article;
8. to secure that such workers lawfully residing within their territories are not expelled unless they endanger national security or offend against public interest or morality;
9. to permit, within legal limits, the transfer of such parts of the earnings and savings of such workers as they may desire;
10. to extend the protection and assistance provided for in this article to selfemployed migrants insofar as such measures apply;
11. to promote and facilitate the teaching of the national language of the receiving state or, if there are several, one of these languages, to migrant workers and members of their families;
12. to promote and facilitate, as far as practicable, the teaching of the migrant worker's mother tongue to the children of the migrant worker.

What free information and assistance services for migrants are accessible in addition to online resources (for instance, helplines and drop-in centres)? What services and assistance are available to migrant workers wishing to leave Lithuania? What action the authorities have taken against misleading propaganda relating to emigration and immigration? What measures have been taken to raise awareness amongst law enforcement officials, such as awareness training of officials who are in first contact with migrants?

Information and assistance services for migrants

The International Organization's for Migration (IOM) Vilnius Office provides return assistance to home countries for migrants in difficult situations. Among other, the main activities of IOM Vilnius Office are:

-Provision of the voluntary return assistance to third-country nationals, including vulnerable persons. From 2018, the IOM Vilnius office provided the voluntary return assistance for more than 200 people;

-Provision of reintegration assistance for migrants, who had returned voluntarily to their country of origin. During the implementation of reintegration assistance more than 60 people benefited from the programme;

-Dissemination of the relevant information about voluntary return and reintegration programme: distributing information brochures, posters, leaflets, video and film screening, meetings with the target group, diplomatic missions, partners and other interested bodies and individuals.

After the significant increase in the number of foreigners who illegally crossed the border of the Republic of Lithuania, the provisions of the Law were amended – the possibility of helping for voluntary departure to the SBGS and MD is provided. The description approved by the Minister of the Interior provides for the payment of a one-time payment to each foreigner, as well as the possibility of buying tickets to the country of origin (the amendments of the Law come into effect on 23 July 2021).

Awareness training of officials who are in first contact with migrants

Trainings on asylum, control of irregular migration, detention, accommodation, etc. and other skills up-grading measures are organised annually for officials of the SBGS and other staff involved. In organising trainings on basic human rights, ensuring reception conditions for asylum seekers, identification of victims of trafficking in human beings, intercultural and religious aspects, and the peculiarities of communicating with foreigners, the SBGS cooperates with the Lithuanian Red Cross Society, UNHCR liaison officers in Lithuania and other prominent NGOs in Lithuania. The European Union Asylum Agency has also organised training for SBGS officers in 2021. This training focused on two aspects in particular: communication with asylum seekers and the provision of appropriate information to them.

Trainings of 2022 included an enhanced number of participants due to newly- established foreigners registration centres.

Article 27 – The right of workers with family responsibilities to equal opportunities and equal treatment

Excerpts from the ECSR's case law

The need to reconcile family life with teleworking from home, home-schooling of children and childcare during the Covid-19 pandemic combined with the stresses of potential Covid19 health concerns, has led to serious pressures and challenges for many families, frequently with a disproportionate impact on women.

Faced with this situation, States Parties must take all necessary measures to apply and reinforce inter alia Article 27 notably through non-discrimination of workers with family responsibilities, childcare provision and the granting of parental leave arrangements).

With a view to ensuring the exercise of the right to equality of opportunity and treatment for men and women workers with family responsibilities and between such workers and other workers, the Parties undertake:

1. to take appropriate measures:

- a) to enable workers with family responsibilities to enter and remain in employment, as well as to re-enter employment after an absence due to those responsibilities, including measures in the field of vocational guidance and training;**
- b) to take account of their needs in terms of conditions of employment and social security;**
- c) to develop or promote services, public or private, in particular child day care services and other childcare arrangements;**

a) *Please provide information on whether the Covid-19 crisis had an impact in particular on the possibilities for and the consequences of remote work on the right of workers with family responsibilities to equal opportunities and treatment.*

In 2017, Lithuania had a major overhaul of its labour and social legislation. This year marks an introduction of a new, fully revised Labour Code which legislated the best practices in labour relations from over the world. Since then, there have been provisions of remote working even for full time, however, only margin, 5 per cent of employees used them in fact, while more than 80 per cent were willing to.

It was the outbreak of pandemic which tested these provisions in practice and they worked perfectly. The survey conducted during the first quarantine (March- May 2020) showed that 40 per cent of employees worked remotely; during the second quarantine (October-February 2020) there were 56.8 per cent of such employees and 33.5 per cent of surveyed employees indicated that they worked only remotely. The absolute majority of them (almost 70 per cent) expressed a will to continue teleworking after first quarantine. Women aged 46-55 and workers without secondary education were most willing to return to their offices. 41 per cent of the responses showed the work-personal life balance worsening with advent of remote work. More than twice as many of such statements came from women than men mainly due to unpaid care work. This may have several reasons – some companies had faced technological challenges to install remote work or had not provided employees with the tools to work remotely due to financial constraints. Some employers admitted that they did not have sufficient knowledge how to keep records and to execute control during remote work, some feared productivity losses due to remote work. However, not all employees were ready for remote work as well. While more than 50 per cent indicated that they had learned how to use remote working tools, the knowledge was insufficient for some.

The surveys indicated that the biggest challenge in remote work for an employer is trusting his employee, not technology. Practice shows that the advantages of the remote work outweigh possible negative consequences – by giving employee the opportunity to work remotely, employer increases motivation, involvement and helps to reconcile work and private life. For the other part, the biggest challenge for the employee is a lack of social contacts. This could be overcome by organizing live meetings, discussions and defining rules agreed with employer. All in all, remote work seems to be working quite smoothly in

Lithuania. Employees also opt for the hybrid form of work. The Ministry of Social Security and Labour intends to increase its efforts to promote other forms of flexible working such as part-time work, flexible working time, individual working time regimes and plans measures to this end, which include awareness raising first of all.

Paragraph 2 of Article 52 of the Labour Code has been revised as of 1 August 2022 and states that if the employer does not prove that due to production necessity or the peculiarities of work organization, it would cause excessive costs, he must comply with the employee's request to work remotely when a pregnant employee, who has recently given birth or is breastfeeding, an employee who is raising a child under the age of eight, and an employee, one raising a child under the age of fourteen or a disabled child under the age of eighteen, or an employee who, according to the conclusion of a health care institution, has submitted an application based on the state of health, disability or the need to care for (look after) a family member or a person living with the employee. This provision ensures a very broad application of remote work. Some employees have the right to request to work remotely for the full duration of their working time – the previous limit of one-fifth of the working time no longer applies. An employer has a greater obligation towards such employees.

Article 26 of the Labour Code stipulates that any discrimination against employees is prohibited if they use or have used the guarantees set out in the Labour Code (amendment of 1 August 2022).

b) If the previous conclusion was one of non-conformity, please explain whether and how the problem was remedied. If the previous conclusion was deferred or conformity pending receipt of information, please reply to the questions raised.

2. to provide a possibility for either parent to obtain, during a period after maternity leave, parental leave to take care of a child, the duration and conditions of which should be determined by national legislation, collective agreements or practice;

a) Please provide information on whether the Covid-19 crisis had an impact on the right to parental leave.

The Covid-19 crisis did not have an impact on the right to parental leave. After amending the Law on Sickness and Maternity Social Insurance of the Republic of Lithuania, maternity, paternity, and childcare benefits for parents whose insured income had decreased due to downtime during the pandemic were calculated more favourably – from the period before the first quarantine announcement. This also applied to all self-employed people whose income has decreased during the quarantine.

b) If the previous conclusion was one of non-conformity, please explain whether and how the problem was remedied. If the previous conclusion was deferred or conformity pending receipt of information, please reply to the questions raised.

3. to ensure that family responsibilities shall not, as such, constitute a valid reason for termination of employment.

a) Please provide information on whether the Covid-19 crisis had an impact on the prohibition of dismissal on the ground of family responsibilities and whether there were any exceptions to the prohibition of dismissal on the ground of family responsibilities during the pandemic. ,

Specific ground has not been introduced. General provisions which include protection on the ground of family responsibilities have been implemented.

According to Article 28 of the Labour Code, the employer must take measures to help the employee to fulfil his or her family obligations. In the cases established in this Code, employee requests related to the fulfilment of family obligations must be considered and given a motivated written response to by the employer. An employee's behaviour and actions at work should be evaluated by the employer in an effort to practically and comprehensively implement the principle of work –family harmony.

During 2021 (the latest data) the majority of terminations of employment contracts have been at the initiative of the employee (Articles 55 and 56 of the Labour Code), i.e. around 71 per cent of all terminations. In 2021 the number of contracts terminated on this ground has increased by 7 per cent compared to 2020. It should also be noted that the number of terminations by agreement between the parties decreased by 36 per cent. Moreover, it should be noted that workers also actively use the option to terminate their employment without being forced to do so by their employer, as this gives them the opportunity to improve their working conditions, increase their wages, etc.

During the first quarantine (from 1 March till 15 April 2020) the number of redundancies has not increased (about 6.6 per cent decrease), but there has been a drastic decrease in the number of new employment contracts (over 30 per cent).

- b) Please explain whether a ceiling on compensation for unlawful dismissals was applied on the ground of family responsibilities during the Covid-19 crisis.*

In Lithuania, in general it is forbidden to dismiss on the ground of family responsibilities. Moreover, according to Paragraph 1 of Article 26 of the Labour Code the employer must implement the principles of gender equality and non-discrimination on other grounds. This means that in an employer's relations with employees, any direct or indirect discrimination, harassment, sexual harassment or instruction to discriminate on the grounds of gender, race, nationality, language, origin, social status, age, sexual orientation, disability, ethnic affiliation, political affiliation, religion, faith, convictions or views, except for cases concerning a person's professed religion, faith or convictions for those working in religious communities, societies or centres, provided that the requirement for the employee regarding his or her professed religion, faith or convictions, in view of the ethos of the religious community, society or centre, is normal, lawful and justifiable, or intention to have a child/children, also because the worker is exercising or has exercised the rights provided for in this Code (e.g. in various contexts, such as recruitment, dismissal, working conditions, pay, safe working environment, etc.), or due to circumstances unrelated to the employees' professional qualities or on other grounds established by laws, shall be prohibited.

Paragraph 2 of Article 218 of the Labour Code states that if an employee is dismissed from work in the absence of a legal basis or in violation of the procedure established by laws, the labour dispute resolution body shall take a decision to recognise the dismissal as being unlawful and to order that the employee be reinstated and paid average remuneration for the period of forced absence, from the date of dismissal to the date of enforcement of the decision but no more than one year, and the material and non-material damage incurred. These provisions were not revised during the Covid-19 crisis.

- c) Following the entry into force of the new Labour Code, the Committee asked if employees are still protected against dismissal because of obligations with respect*

to other members of the immediate family (elderly parents, for example) that require care. It also asked to provide more details on the circumstances which would violate the employers' interests and what constitutes a fault of the employee.

According to Sub-paragraph 2 of Paragraph 3 of Article 57 of the Labour Code <...> in establishing the selection criteria for redundancy, the right of priority to keep their jobs in respect to all other employees of the same speciality working for the respective employer at the same workplace must be given to employees who are raising three and more children under the age of 14, or who are single parents raising children under the age of 14 or a disabled child under the age of 18 or caring for other family members who have been recognized as having less than 55 per cent of their capacity for work or family members who have reached the age of old-age pension and who have been recognised as having a high or average level of special needs.

According to Paragraph 1 of Article 57 of the Labour Code, the employer has the right to terminate an open-ended or fixed-term employment contract prematurely for the following reasons:

- 1) the job function performed by the employee has become superfluous due to changes in work organisation or other reasons related to the employer's activities;*
- 2) the employee is not achieving the agreed performance outcome according to the performance improvement plan provided for in paragraph 5 of this Article;*
- 3) the employee refuses to work under changed indispensable or supplementary employment contract terms or to change the type of working-time arrangements or place of work;*
- 4) the employee does not agree to continuity of employment relations in the case that the business or part thereof is transferred;*
- 5) a court or body of the employer has taken a decision ending the employer.*

Paragraph 2 of this Article defines that changes in work organisation or other reasons related to the activities of the employer may only serve as reason to terminate an employment contract in the event that they are realistic and determinant to the unnecessary of the job function or job functions performed by a specific employee or group thereof. An employment contract may only be terminated on these grounds if, during the period from the notice of termination of the employment contract to five working days before the end of the notice period, there is no vacancy at the workplace that the employee could be transferred to with his or her consent.

Article 31 – The right to housing

Excerpts from the ECSR's case law

The rights guaranteed by Article 31 of the Charter, have become even more crucial to right holders during the pandemic. The crisis has highlighted the importance of the requirements of Article 31§1, notably that dwellings must be safe from a sanitary and health point of view (i.e., have all basic amenities, such as water, heating, waste disposal, sanitation facilities, electricity), and that they must not be overcrowded (i.e. the size of dwellings must be suitable in light of the number of persons and the composition of the household). These requirements are essential to prevention of, and protecting from, transmission of virus.

The ECSR notes that many States Parties have taken ad hoc measures to address homelessness providing emergency housing as required by Article 31§2 of the Charter and, in some cases, imposing moratoria on evictions. In this last respect, the ECSR recalls the key tenets of its interpretation of Article 31§2 of the Charter:

Evictions should be governed by rules of procedure sufficiently protective of the rights of the persons concerned and should be carried out according to these rules.

When evictions do take place, they must be carried out under conditions which respect the dignity of the persons concerned. Domestic law must prohibit evictions carried out at night or during the winter period. Domestic law must also provide for legal remedies and offer legal aid to those wishing to seek redress from the courts.

However, the COVID-related measures taken by States Parties to tackle homelessness have not always adequately reached or applied to all persons and families in need and they have generally been time-limited. The ECSR considers therefore that during a pandemic all evictions must be prohibited, except in the most exceptional and duly justified cases. If evictions must exceptionally be carried out, adequate alternative accommodation must be provided instantly.

The right to shelter should be adequately guaranteed for migrants, including unaccompanied migrant children, and asylum-seekers. States Parties are required to provide adequate shelter to children irregularly present in their territory for as long as they are within their jurisdiction.

The exceptional nature of the situation resulting from an increasing influx of migrants and refugees and the difficulties for a State in managing the situation at its borders cannot absolve that State of its obligations under Article 31§2 of the Charter to provide shelter to migrant and refugee children, in view of their specific needs and extreme vulnerability, or otherwise limit or dilute its responsibility under the Charter.

With a view to ensuring the effective exercise of the right to housing, the Parties undertake to take measures designed:

1. to promote access to housing of an adequate standard

- a) *Please provide full, up-to-date information on the percentage of the population living in inadequate housing including overcrowded housing, and the practical measures taken to improve the situation.*

The results of the 2021 Total Population and Housing Census of the Republic of Lithuania show that although the population of the country is decreasing, the number of dwellings, on the contrary, is increasing, especially one-apartment houses. Lithuanians move from apartment buildings to single-family homes. The usable area of one dwelling increased to 66.7 m². Most dwellings (90.8 per cent) were equipped with all amenities/utilities (water supply, sewerage, central heating, etc.).

	Persons living in dwellings which are considered to be overcrowded per cent				
	2017	2018	2019	2020	2021
City and village	23,7	22,8	22,9	21,1	23,7
City	24,9	25,3	25,7	24	27,1
Biggest cities	22,7	26,2	25,9	24	26,3

Other cities	28,3	23,8	25,3	24	28,4
Village	21,2	17,9	17,3	15,1	16,6

The Lithuanian Department of Statistics (Statistics Lithuania)

Practical measures taken and projected to improve the situation are:

- 1) Increasing the availability of affordable housing in Lithuania (acquisition, rental);
- 2) Development of municipal housing stock;
- 3) Development of social housing stock to provide low-income individuals and families with Housing;
- 4) Offering housing benefits.

	Social security expenditure on housing benefits mln. EUR				
	2017	2018	2019	2020	2021
Social security benefits and services	27,08	29,98	35,13	35,46	39,56
Means-tested allowances	27,08	29,98	35,13	35,46	39,56
Natural services (subject to means-testing)	27,08	29,98	35,13	35,46	39,56
Rent allowance (subject to means-testing)	0,48	0,94	1,48	2,1	3,5
Provision of social housing (subject to a means test)	22,64	24,07	28,16	27,36	29,31
Benefit for owner-occupiers (subject to means-testing)	3,96	4,97	5,48	6	6,75

The Lithuanian Department of Statistics (Statistics Lithuania)

- b) Please provide relevant and updated figures relating to the adequacy of housing (e.g., number of substandard dwellings; overcrowding, water, heating, sanitary facilities, electricity).

During the 2021 Population and Housing Census, it was recorded what amenities/utilities (water supply, sewerage, electricity, hot water, bath (shower), toilet with sewage, central heating) were installed in the dwelling. Number of dwellings with these amenities has increased over the recent ten years. Central heating was installed in 1 million 325 thousand dwellings (92.1 per cent) (in 2011, 1 million 56 thousand or 76.8 per cent). More information

is available on the Official Statistics Portal: <https://osp.stat.gov.lt/informaciniai-pranesimai?articleId=10194255>

- c) Please provide information on the measures taken, in particular also during the Covid-19 crisis, to ensure adequate housing for vulnerable groups, including refugees, asylum seekers, Roma and Travellers.

In 2020, a study was carried out on the "Situation of Roma in 2020", which examined the housing conditions of Roma compared to 2015. According to the study, housing conditions have improved for the Roma group. The proportion of people living in homes with housing problems has decreased from 72 per cent to 55 per cent; the proportion of people with sufficient heating has increased from 48 per cent to 75 per cent) and the size of Roma households' dwellings has increased slightly. Compared to 2015, the quality of Roma dwellings has improved, with a decrease in the proportion of households living without a flush toilet (from 51 per cent to 40 per cent). The average living space of a Roma household is smaller than the national average (49 and 69 sqm respectively) but meets the minimum space per person set by the State (14 sqm).

The financial and material data of Roma families show some slight but positive changes. Compared to 2015, the share of Roma households that are 2 or more times in arrears with utility bills due to lack of money has decreased (from 58 per cent to 34 per cent) and the share of Roma households that are able to heat their homes sufficiently has increased by one fifth.

Vilnius City Municipality Roma housing measures. On 28 August 2020, the Vilnius City Council adopted a decision and approved a new programme for the integration of Roma into society. The programme includes a measure "To allocate funds from the Vilnius City Municipality budget for the compensation of part of the housing rent from private sector persons when the housing is rented outside Vilnius City".

Under this programme, 31 Roma families (59 persons) were granted compensation for part of their rent in 2020. A total of EUR 52194.41 (public funds) was paid out to Roma in 2020. In 2021, 32 Roma families received compensation for part of the rent (66 persons). A total of EUR 50473.12 (public funds) was paid out in 2021 for compensation to Roma.

Housing was rented out to 26 families (in the period 2016-2021).

The Refugees Reception Centre provide accommodation for temporary asylum seekers and unaccompanied minors during the processing of the application for asylum in the Republic of Lithuania. In 2019 and 2021 the Centre in Rukla renovated the premises for asylum seekers extensively, adding rooms (living quarters), activity rooms, and classrooms. Kitchens and bathrooms were renovated, additional rooms were added. In September 2021, additional refugee camp in Vilnius (Naujininkai) was opened, housing more than 450 people. All requirements for hygiene and personal living space were maintained. In September 2022, additional refugee camp in Kaunas was opened, having up to 122 accommodation places. In total, Centre has more than 870 living places for asylum seekers, foreigners granted asylum and other categories of migrants.

Accommodation for vulnerable groups is available in municipal institutions and hostels run by social organisations and parishes.

- d) The State Territorial Planning and Construction Inspectorate, under the Ministry of Environment, carries out selective inspections to verify compliance with the required

standards and issues binding decisions. The Committee asked to provide updated data on the inspections carried out, the shortcomings found and the measures taken to ensure the adequacy of dwellings where shortcomings have been found. The Committee requested to provide evidence that legal framework (Article 5 of the Code of Civil Procedure; the Civil Code (Articles 6.249, 6.250, 6.251, 6.252) and Chapter XVI of the Code of Civil Procedure, Articles 301, 305, 307, 310, 320, 329) ensures, in practice, adequate protection of the right to housing.

Data on the inspections carried out by the State Territorial Planning and Construction Inspectorate, under the Ministry of Environment

In accordance with the description of the procedure for the inspection of the activities of construction and economic operators, approved by the of the Head of the State Territorial Planning and Construction Inspectorate under the Ministry of Environment 1V-149 of 28 September 2022 (hereinafter referred to as the "Description"), the Inspectorate carries out planned inspections and inspections of construction and activities of economic operators. When carrying out planned inspections of construction sites inspections, the Inspectorate inspects construction, reconstruction, renovation (modernisation) special constructions (point 22.3 of the Description). Planned inspections are carried out for all the aspects listed in the questionnaires referred to in point 12 of the Regulation, by carrying out the tests referred to in Chapter III of the Regulation the actions provided for in Annex III.

Please be informed that for the period 1 January 2018 to 31 December 2021, the following have been 65 planned inspections of residential buildings (buildings with three or more flats - apartment buildings) were carried out, of which 6 Violations were found in 6 of them. 259 unscheduled building inspections were carried out as part of the complaints process, 124 of these were found to have infringements. The Inspectorate is competent to carry out inspections only on buildings under construction (until completion of construction), i.e. buildings which are not in use, therefore the violations detected are corrected before the completion of construction. It should be noted that the most frequently detected infringements are related to the actions of construction actors (failure to notify the start of construction, prohibitions, certificates, the maintenance of construction documents, the completion of construction logs, etc.). In accordance with the Law of the Republic of Lithuania on Territorial Planning and Construction Article 16 of the Law on Surveillance, the officials of the Inspectorate shall, by their decrees, draw up a list of all the structures, whose construction completion commissions for all construction projects, which are required to obtain construction completion acts upon completion of construction.

Adequate protection of the right to housing

The eviction of a person from dwelling premises may be executed only in the cases specified in the Civil Code of the Republic of Lithuania and only by a court decision, in exceptional cases - by a prosecutor's sanction (Article 6.610 of the Civil Code). Such regulation creates the necessary legal preconditions for the protection of a person's right to a dwelling. The specified provisions of the Civil Code and the Code of Civil Procedure of the Republic of Lithuania (hereinafter – the CPC) may, but do not have to, be used each time to defend one's right to a dwelling and its inviolability (Articles 301, 305, 307, 310, 320, 329 of the CPC lay down the rules of the proceedings before the Court of Appeal, the provisions of Articles 6.249, 6.250, 6.251 and 6.252 of the CC relate not to eviction process but to the compensation for the losses incurred).

The case law also shows that the existing legal regulation in most cases allows to adequately ensure the protection of the right to the dwelling: For example, the Kaunas District Court, in its judgement No e2-2286-1106/2020 of 27 August 2020, examining the

case regarding the eviction of the defendant from the flat owned by the plaintiff, in which the defendant had settled 36 years ago as the owner of the flat and, even after the transfer of ownership of the flat to her son, continued to reside there, found that the defendant's right to the inviolability of the dwelling was in accordance with the criteria established by the European Court of Human Rights and is to be protected on the basis of Article 8 of the Convention for the Protection of Human Rights and Fundamental Freedoms and held that the defendant had sufficient and continuous ties for this flat to be regarded as her dwelling. Similarly, the ruling of the Supreme Court of Lithuania of 13 February 2020 in civil case No e3K-3-18-18-684/2020 stated that, when dealing with the issue of the eviction of persons from arbitrarily occupied social dwelling premises, a balance must be established between the interests of the parties (persons who have unlawfully occupied the premises and owners of the premises), given that the fact of arbitrary occupation of premises does not in itself negate a person's right to the inviolability of the dwelling, however, this right may be limited depending on the circumstances at this specific juncture situation, i.e. the question of whether and to what extent the right of persons being evicted to the inviolability of the dwelling must be decided on the basis of the individual circumstances of each particular case.

2. to prevent and reduce homelessness with a view to its gradual elimination;

- a) *Please provide information on measures and actions, undertaken, in particular also during the Covid-19 crisis, to prevent categories of vulnerable people from becoming homeless.*

Under the amendments of the Law of the Republic of Lithuania on Support for the Acquisition or Rental of Housing adopted on 21 December 2021, income and asset limits were increased (to 35 and 50 per cent instead of 25 per cent), which allow preserving the right to social housing. If the termination of a social housing rental agreement is planned, before the eviction of a person or family who does not own any other housing unit, the municipal administration shall plan and organise the provision of social services in accordance with the procedure laid down by the Law of the Republic of Lithuania on Social Services and other legal acts which regulate temporary accommodation or accommodation in hostels, i.e. it helps the person or family to find other accommodation or arranges help to rent a housing unit and obtain reimbursement of part of housing rental, if this person or family is not able to find housing for themselves.

In the event of a national-level emergency and/or quarantine (for instance Covid-19 crisis) as well as in the event of lifting them, persons and families the value of whose assets or income exceeds the annual amounts of income and assets shall not be removed from the List of persons and families eligible for social housing rental until 1 June of the following year. The same rule would apply for those who are renting social housing.

- b) *Please provide information whether the Covid-19 crisis had an impact on the prevention of homelessness. In particular address whether measures been taken:*
- i) *to provide safe accommodation for persons in situation of homelessness. If so, how many persons were housed, in what form, where and for how long?*

- ii) *to ensure that persons provided with temporary accommodation will have access to housing after the crisis.*

The Ministry has prepared and sent to the country's hostels guidance (in a special leaflet for people experiencing homelessness) on coronavirus infection, which has been requested to be printed and distributed to people experiencing homelessness. Please be further informed that the above-mentioned leaflet has been placed on the Ministry's official website, allowing it to be printed out at any time on request.

The Ministry has issued recommendations to municipalities on hostel accommodation during the quarantine period. In view of the fact that refusal to provide the services a person needs may have a negative impact on the health and life of the person, we recommend that hostels accept new non-residents during the quarantine period. Newly admitted residents should be quarantined for two weeks in separate rooms. If this is not possible, it is preferable to separate such residents from other residents by additional means (screens, etc.). The new residents would be served by other staff working only with the new residents, who would supervise the implementation of the quarantine requirements, i.e. safe distances, no crowding in common areas, etc. Staff and hostel residents should be provided at all times with full personal protective equipment and disinfectants.

In addition, the Ministry also made a general recommendation to the municipalities on the provision of foodstuffs to hostel residents and beneficiaries of short-stay accommodation services. It was suggested that the need to avoid unnecessary departures from hostels under quarantine conditions should be assessed and discussed with service users. To provide personal protective equipment to those service users who wish to leave the home, to keep them informed about personal hygiene requirements during quarantine and to provide them with disinfectants.

We also recommended finding ways to provide hostel residents with food or cooked food, essential medicines or hygiene products. Distribute foodstuffs in hostels by preparing separate food baskets for each service user.

c) Please provide:

- i) *information on measures in place to reduce the number of homeless (e.g., measures aiming at raising the employment rate, increasing the stock of social and non-profit housing, allocating social benefits to those in urgent needs, developing social security programmes and supporting NGOs' activities) and*
- ii) *figures on the overall number/rate of homeless persons.*

Measures to help prevent homelessness:

During the period of the year 2014–2020, the development of social housing fund, inter alia, was carried out using EU funds. It is planned that according to the mentioned measure, the social housing fund will be supplemented with a total of 2049 housing units.

A total of around EUR 32 million of EU Structural Funds for the 2014-2020 period has been earmarked for the social integration of vulnerable people. Some of the projects have already been completed and others will continue to be implemented in 2023. These funds have been earmarked for the integration into the labour market and society of different groups of socially vulnerable or socially excluded people (e.g., people with disabilities, people suffering from addiction, Roma, etc.). Almost 12 700 people participated in project activities, of whom around 40 per cent found employment or returned to education. One project that could be singled out is the "Alternative Investment Detector" project, which tests innovative project ideas from both the private and the non-governmental sector to help socially

disadvantaged people get a job or return to education through a range of cross-cutting measures or partnerships.

The Ministry of Social Security and Labour (MoSSL) coordinates the implementation of the Model of Employment Promotion and Motivation for the Unemployed and Beneficiaries of Social Assistance (the Model). Currently, 45 municipalities provide services to participants in the Model. One of the main objectives of the Model is to combine the provision of employment promotion and motivation services with the provision of cash social assistance and personalised assistance through the employment of case managers. Each long-term unemployed person is treated individually and provided with services to help them prepare for the labour market. It is planned that from next year, this case management model will be applied by all Lithuanian municipalities.

The MoSSL is currently running a "Create for Lithuania" project to investigate the problem of debt. The overall objectives of the project are to analyse the debt problems in Lithuania, to identify the root causes and to propose ways to address them.

The MoSSL, together with experts from the Organisation for Economic Co-operation and Development (OECD), is carrying out the project "Establishment of a personalised service delivery system for vulnerable groups of society". The project focuses on three vulnerable groups: people with disabilities, people leaving prison and young people with fewer opportunities. This activity focuses on reducing social exclusion of the target groups by creating a mechanism for case management, access to information and accompaniment of services and assistance. It also focuses on integration into the labour market. The model, which has been developed and discussed with stakeholders (NGOs, municipalities, representatives of public authorities, etc.), is planned to be tested in three different sized municipalities in Lithuania.

Procedures for the social integration of persons released from correctional institutions are being implemented and further improved. The aim is to further strengthen cooperation between social workers and other professionals in correctional institutions and municipalities in order to address the problems of persons released from correctional institutions and to plan for their social integration prior to their release.

The overall number of homeless persons

According to the 2021 Population and Housing Census by the Lithuanian Department of Statistics (Statistics Lithuania), 1 380 inhabitants were homeless (857 in 2011, 1 250 in 2001).

In 2021, 4009 people lived at least part of the time in temporary accommodation (1439 in hostels, 2570 in other institutions (crisis centres, hostels run by public organisations and parish hostels).

		Number of people living in hostels persons				
		2017	2018	2019	2020	2021
Total by type of establishment	Male and female	2494	3007	1858	1484	1439
	Male	2032	2359	1511	1144	1116
	Female	462	648	347	340	323

Municipal hostels	Male and female	2197	2695	1646	1322	1188
	Male	1804	2122	1350	1030	905
	Female	393	573	296	292	283
Hostels of social organisations and parishes	Male and female	297	312	212	162	251
	Male	228	237	161	114	211
	Female	69	75	51	48	40

The Lithuanian Department of Statistics (Statistics Lithuania)

- d) *Has your country declared a moratorium/prohibition on evictions during the pandemic?*

Bailiffs were not given mandatory instructions or recommendations to refrain from enforced evictions during the pandemic.

- i) *If so, indicate its legal basis and how long it will last.*
- ii) *Please specify if it is a general prohibition. Is the prohibition of evictions restricted to tenants or mortgage payers who have been unable to pay their rent or serve their mortgages, or broader?*

Restrictions applicable when recovering from a natural person's property are laid down in Article 663 of the Code of Civil Procedure. Paragraph 1 of that article provides that the recovery of money cannot be directed to a debtor's property if the debtor submits evidence to the bailiff that the amount to be collected and the costs of enforcement can be collected within six months and, in the case of recovery from the debtor's last dwelling in which he resides, within eighteen months by deducting the size referred to in Article 736 of the CPC from the debtor's wages, pensions, scholarships, or other income. In this case, the bailiff may sell the debtor's property if it is revealed that in making the deductions from the debtor's wages, pension, scholarship or other income, the recoverable amount and costs of enforcement will not be recovered within the time period set in this paragraph. If the debtor fails to provide the bailiff with the evidence referred to in paragraph 1 of this Article, or if it turns out that the amount to be recovered and the costs of enforcement will not be recovered within the time limit set in Paragraph 1 of this Article, it is possible to recover from a dwelling belonging to a debtor, in which he lives, only if the amount being recovered exceeds four thousand Euro. The restrictions established in this Paragraph shall not apply if the value of the last dwelling owned by the debtor in which he resides is less than the amount to be recovered and the costs of enforcement.

The restrictions referred to above shall not be applicable when recovering from the pledged property (Paragraphs 3 and 5 of that Article). A court on the petition of the debtor or his family members, after the debtor's last dwelling in which he lives, has been attached when recovering amounts outstanding for energy resources consumed, utilities and other services may establish that recovery should not be made from this dwelling. A court may establish this by taking into consideration the material situation, interests and necessity of living in this dwelling of children, disabled persons and socially dependent persons (Paragraph 4).

Also, Article 6.204 of the Civil Code discussed the performance of contractual obligations upon a change of circumstances. The provisions of this Article provide that where the performance of a contract becomes more onerous for one of the parties, this party shall be subject to the application of the general rule on changed circumstances. The circumstances that fundamentally alter the balance of the contractual obligations, i.e. either the cost of performance has essentially increased, or the value thereof has essentially diminished shall be as follows: 1) these circumstances occur or become known to the aggrieved party after the conclusion of the contract; 2) these circumstances could not reasonably have been foreseen by the aggrieved party at the time of the conclusion of the contract; 3) these circumstances are beyond the control of the aggrieved party; 4) the risk of occurrence of these circumstances was not assumed by the aggrieved party. In the event that the performance of a contract becomes obstructed, the aggrieved party shall have the right to make a request to the other party for the modification of the contract (Article 6.204(3) of the CC).

Such request shall have to be made immediately after the occurrence of obstructions and the grounds on which the request is based indicated therein. The request for modification of the contract shall not in itself entitle the aggrieved party with the right to suspend performance of the contract. Where within a reasonable time the parties fail to reach an agreement on the modification of the contractual obligations, any of them may bring an action into court. The Court may: 1) dissolve the contract and establish the date and terms of its dissolution; 2) modify the conditions of the contract with a view to restoring the balance of the contractual obligations of the parties.

In addition, when deciding on the termination of commercial leases during the pandemic, the Supreme Court of Lithuania has established that there is an objective need to develop one of the criteria of force majeure in the context of the COVID-19 pandemic - the objective impossibility to perform the contract, by supplementing it with an interpretation that force majeure is considered not only cases of objective impossibility, but also other varieties of impossibility due to external factors recognised in modern contract law, such as the economic (practical) impossibility of performance of the contract, the collapse (frustration) of the purpose of the contract (Ruling of the Supreme Court of Lithuania of 24 March 2022 in civil case No e3K-3-66-313/2022.)

- iii) If no general prohibition on evictions was declared, please provide information on procedures in place to limit the risk of evictions and to ensure that when these do take place, they are carried out under conditions which respect the dignity of the persons concerned.*

Article 659(2) of the Code of Civil Procedure provides that when evicting someone from their dwelling, a term for satisfying the judgment of no shorter than thirty days and no longer than forty-five days shall be set. In cases where the bailiff, on his own initiative or by a court decision, postpones the enforcement actions or suspends the enforcement proceedings, the time limit provided for in Article 659(2) of the Code of Civil Procedure is no longer applicable, the enforcement actions shall continue once the circumstances which led to the postponement of the enforcement actions or the suspension of the enforcement case have ceased.

Legal acts do not prohibit eviction during winter, so some evictions are also carried out during winter. Although bailiffs are not assigned social functions, bailiffs often on their own initiative look for social dwellings, care homes, nursing homes or other shelters where the evicted can be accommodated.

- iv) Have any measures been taken to ensure that households are not cut-off from water, heat or other utility provision when they are unable to pay their bills? Please provide figures on the number of evictions carried out (tenant evictions, evictions from illegal camps or shanty towns, including those affecting camps in which Roma or Travellers are installed) and the cases brought for lack of alternative accommodation offered or compensation awarded.

Water, electricity and heat suppliers assure that they are trying to reach an agreement with the debtors. However, in extreme cases, electricity, water or heating can be cut off. Companies allow residents to defer payments. People with financial difficulties should contact the company and agree on the time period in which they will pay the accumulated amount. Most of such clients have signed debt repayment schedules. The low-income people are entitled to social benefit, social benefit when returning to employment after a significant gap, compensation of heating costs, compensation of hot water costs, compensation of drinking water costs, increased child benefit, social housing and compensation of housing rent costs. After increasing the amount of state-supported income and expanding the number of recipients of heating compensation, two-thirds of working people, as well as people who are struggling, pensioners, disabled people and others can for compensation for heating.

Figures on the number of evictions carried out

According to the data of the Bailiffs Information System, in total, between 1 January 2018 and 31 December 2021, 711 new enforcement proceedings for the forced eviction of persons were opened by bailiffs. More than 50 per cent of the requests for the forced eviction of natural persons from dwelling were submitted to bailiffs by municipalities and municipal companies. 219 enforcement cases in this category were fully executed during the period from 2018 to 2021 (see detailed data in the table).

Data from the Bailiffs Information System		
Period	New enforcement proceedings for forced evictions opened	Enforcement proceedings for enforced eviction executed (complete execution of the enforcement document)
2018	190	72
2019	196	63
2020	147	39
2021	178	45
Total:	711	219

National Courts Administration

- e) Please provide any information about:
- i) legal or financial measures taken aimed to ensure that households do not lose their home if they cannot pay their rent or mortgage payments and

- ii) *other tenant protection measures that have been adopted in response to the pandemic.*

Considering the individual situation, due to which the resident cannot temporarily cover the financial obligations, there might be agreed some options with a bank available to him/her, for example, changing the loan repayment schedule or extending the loan repayment term, provided that the total loan term does not exceed 30 years. If the loan agreement was concluded for 30 years, the term cannot be extended. It is also possible to postpone the period of payment of mortgage payments. This means that the resident would pay only the accrued loan interest for a certain period of time.

Legal acts do not require that the resident, when taking out a housing loan, should also purchase an insurance contract intended to ensure the repayment of the loan. The creditor cannot demand this either, but he can offer such an agreement as an option for more favourable credit conditions. There are different types of mortgage insurance contracts: credit insurance, financial loss insurance, life insurance. Insurance contracts are intended to protect the interests of both the credit recipient and the credit provider, only in some contracts the connection with credit is direct, for example, with a credit insurance contract, the insurer undertakes to pay the credit provider a payment covering the remaining credit in the event of the credit recipient's insolvency. In others, it is indirect, for example, with a financial loss insurance contract, the insurer undertakes to pay periodic payments to the insured person for a certain period of time, while he is out of work, which the insured can use for credit repayment.

No specific tenant protection measures were adopted in response to the pandemic.

- f) *Please provide any other information on whether the Covid-19 crisis had an impact on the right to shelter.*

There was no such an impact evaluation conducted.

- g) *Please explain whether emergency accommodation satisfied security requirements and health and hygiene standards and whether it was provided without the requirement for a residence permit and whether the applicable regulations provided for a prohibition on forced eviction. Does your country have sufficient quarantine facilities in place so that inadequate housing, such as overcrowding, does not increase the risk of infection?*

Emergency accommodation in Lithuania is provided:

-for social risk persons and persons experiencing crises. Recommendations for Providing Temporary Accommodation Services were issued by Order No A1-234 of the Minister of Social Security and Labour of 10 May 2017. There is in most cases required to present an identity document. The layout and arrangement of the territory, common use and residential premises must comply with the purpose of the premises, construction design, sanitary and hygiene, work and fire safety norms and requirements valid for this type of structure. The recommended area per person in a living room is at least 5 m². It is recommended that no more than 4 people live in one room. There should be a legal basis for forced eviction.

-for women and children experiencing violence at crises' centres.

-for refugees (more detailed information was provided earlier in Article 17(d)).

In the event of the spread of the coronavirus in the country, as a mandatory quarantine measure, there was an opportunity to accommodate residents in the premises of

municipalities and other state and private institutions. This contributed to the management of the risk of infection.

h) Please provide detailed information:

i) on how the right to shelter of unaccompanied foreign minors is guaranteed in law and in practice and

iii) whether adequate shelter is guaranteed to children irregularly present for as long as they are within the jurisdiction.

The Law on Social Services of the Republic of Lithuania was supplemented by providing that social care for unaccompanied foreign minors is financed from the state budget funds in accordance with the procedure established by the Minister of Social Security and Labour and from the state budget funds, intended for the payment of guardianship (caring) benefits under the Child Benefits Act.

The Refugees Reception Centre (further the Centre) ensures the right to shelter of unaccompanied foreign minors for the temporary stay, providing social services, designed for organizing and implementing social integration of the foreigners granted asylum, to accommodate temporary asylum seekers and unaccompanied minors during the processing of the application for asylum in the Republic of Lithuania. In 2019 and 2021 Centre in Rukla renovated the premises for asylum seekers extensively, adding additional rooms (living quarters), activity rooms, classrooms. Kitchens and bathrooms were renovated, additional rooms were added. In September 2021, additional refugee camp in Vilnius (Naujininkai) was opened, housing more than 450 people. All requirements for hygiene and personal living space were maintained. In September, 2022, additional refugee camp in Kaunas was opened, having up to 122 accommodation places. In total, Centre has more than 870 living places for asylum seekers, foreigners granted asylum and other categories of migrants.

i) The Committee asked to provide updated information on the implementation of the Law on State Support to Acquire or Rent Housing, which came into force in 2015, and the results achieved in reducing homelessness. In accordance with the Law on Social Services, including shelters for the homeless, it asked provide details concerning the number of shelters in the municipalities, the number of persons applying for shelter compared to the number of persons hosted there, the quality of shelters (security, health and hygiene standards), whether any person can stay in shelters regardless of their nationality or residence status, whether alternative accommodation is provided in case of eviction from shelters. The Committee asked to clarify whether in case of suspension of the eviction, by the bailiff or the court, the eviction needs nevertheless to be carried out between 30 and 45 days after the order has been issued. Does the law prohibit evictions to be carried out during the winter period? Please present updated information on the number of evictions ordered and appealed

Support for housing acquisition shall be provided by way of:

1) granting subsidies to recipients of housing loans partially reimbursed by the State to cover part of the housing loan partially reimbursed by the State (2018 – 682 persons (families), 2019 – 419 persons (families), 2020 – 306 persons (families), 2021 – 325 persons (families). Also, during this period 27 persons (families) received additional subsidies.);

2) reimbursing part of housing leasing (2018 – 5 persons, 2019 – 34 persons, 2020 – 28 persons, 2021 – 43 persons).

Support for housing rental shall be provided by way of:

1) letting social housing (2018 – 10614 persons (families), 2019 – 11032 persons (families), 2020 – 11366 persons (families), 2021 – 11419 persons (families));

2) reimbursing part of housing rental (2018 – 1791 persons; 2019 – 2291, 2020 – 2687 persons, 2021 – 3682 persons).

In 2021, the country had 96 temporary accommodation facilities - 29 hostels and 67 crisis centres. The total number of places in temporary accommodation was 2231 (1170 in hostels). In 2021, 4009 persons were living at least part of the time in temporary accommodation.

Population in hostels by reason and duration of accommodation:

1043 homeless, 163 returnees from imprisonment, 22 victims of domestic violence, 5 victims of natural disasters, 3 orphans without housing, 34 from social and psychological rehabilitation institutions, 67 foreigners granted asylum, etc.

All accommodation places met quality, safety, health and hygiene standards.

Article 659(2) of the Code of Civil Procedure provides that when evicting someone from their dwelling, a term for satisfying the judgment of no shorter than thirty days and no longer than forty-five days shall be set. In cases where the bailiff, on his own initiative or by a court decision, postpones the enforcement actions or suspends the enforcement proceedings, the time limit provided for in Article 659(2) of the Code of Civil Procedure is no longer applicable, the enforcement actions shall continue once the circumstances which led to the postponement of the enforcement actions, or the suspension of the enforcement case have ceased.

Legal acts do not prohibit eviction during winter, so some evictions are also carried out during winter. Although bailiffs are not assigned social functions, bailiffs often on their own initiative look for social dwellings, care homes, nursing homes or other shelters where the evicted can be accommodated.

3. to make the price of housing accessible to those without adequate resources.

- a) Please provide information on measures taken to ensure that there is an adequate supply of affordable housing (e.g. through regulation of the property market).

Under the provisions of the Law on Support for the Acquisition or Rental of Housing of the Republic of Lithuania, adopted on 7th May 2020, municipalities must ensure that the waiting period for social housing shall not exceed 5 years from 1st January 2024, and 3 years from 1st January 2026. For persons and families who are not granted social housing within the set period of time, municipalities will have to ensure from their budget funds a compensation for actual rent of a dwelling rented from natural or legal persons (except municipalities' property). The compensation will be paid for up to 14 square meters of useful floor area per person.

The family will not receive rent compensation in case they have expressed specific requirements when applying for social housing, which may take some time; for example, the family is applying for housing in a specific location of the municipality or on a specific floor of a house.

It is estimated that a total of around 2049 housing units will be added to the social housing fund from the EU structural funds for the 2014–2020 period.

Moreover, it is planned to expand the supply of social housing from the EU structural funds for the period 2021–2027 for disabled and families raising three or more children because suitable housing for the aforementioned groups is hardly available in the market. A total of around 1100 housing units are planned to be added to the social housing fund under this measure until the end of the period.

- b) *Please provide information whether and to what extent the Covid-19 crisis had an impact on adequate supply of affordable housing for persons with limited resources.*

There is no precise evidence whether Covid-19 crisis had an impact on adequate supply of affordable housing for persons with limited resources.

The number of persons (families) renting social housing, receiving reimbursement for a part of housing rental, and subsidies for acquiring housing increased.

- c) *With regard to social housing, please provide:*

- i) *information on the number of applications for social housing introduced, granted and refused, as well as the main reasons for refusals;*

From 2018 to 2021 over 16 thousand applications for social housing were introduced. About 1800 of them were rejected, mostly due to the fact that persons' (families') income and assets exceeded the amounts determined by the law.

Persons and families entitled to rent social housing in accordance with the requirements established by the Law on Support for the Acquisition or Rental of Housing of the Republic of Lithuania, having submitted an application to the municipal administration for the support to rent housing, shall be entered in the list of persons and families entitled to rent social housing according to the date and time of registration of their application in the municipal administration, i.e., social housing shall be rented following the ranking order.

About 1000 social dwellings are rented out every year. About 100 social dwellings are provided out of sequence every year.

- ii) *data on the average waiting time for the attribution of social housing. In this context, also explain whether judicial or other remedies were available in case of excessive waiting periods for the allocation of social housing;*

The waiting period for social housing varies from 2 to 14 years depending on a municipality. The waiting time can be influenced, inter alia, by the right of a person (family) to refuse the housing offered to him (her) once (until 1st July 2020 the number of refusals was not limited), as well as the possibility to express requirements regarding the area where the social housing is or the floor of the building when submitting the application.

There is a right to appeal to an administrative court or an administrative commission against the relevant administrative decisions.

- iii) *information concerning remedies where there was a failure to provide social housing at an affordable price for the poorest people and in the event of an excessively long waiting time before being allocated housing.*

The obligation for municipalities to provide social housing within a certain period of time shall take effect from 1st January 2024.

For persons and families who are not granted social housing within the set period of time, municipalities will have to ensure from their budget funds a compensation for actual rent of a dwelling rented from natural or legal persons (except municipalities' property).

- d) *Please provide data concerning the housing benefits, whether in the framework of the housing benefit system or in the framework of social assistance (e.g., number and categories of beneficiaries, number of housing benefits requests granted, refused, appealed, impact of benefits on affordability of housing).*

The number of beneficiaries who received reimbursement for a part of housing rental was increasing every year: in 2018 – 1791 persons; in 2019 – 2291 persons, in 2020 – 2687 persons, and in 2021 – 3682 persons.

This form of housing support can be chosen as an alternative for social housing. Based on statistical data, the number of persons (families) waiting for social housing, who received reimbursement for a part of the housing rental, was increasing from 1,5 up to 9 per cent.

- e) *Please provide information on the measures taken throughout the country in relation to access for Roma and travellers to social housing.*

Under the Law on Support for the Acquisition or Rental of Housing of the Republic of Lithuania, support for social housing rental shall be provided, inter alia, pursuant to the principle of social justice. Persons and families receive support for social housing rental on the basis of an assessment of their property, income received and other factors relevant to the social situation of the person and the family (including Roma).

This law shall apply to the following persons who have declared their place of residence in accordance with the procedure laid down in the Law on Declaration of the Place of Residence of the Republic of Lithuania or to persons who are entered in the records of persons who have not declared their place of residence:

- 1) citizens of the Republic of Lithuania and their family members;*
- 2) nationals of any other Member State of the European Union or a country of the European Free Trade Association participating in the European Economic space and their family members;*
- 3) foreigners holding a permit of a long-term resident of the Republic of Lithuania to reside in the European Union;*
- 4) foreigners who have been granted asylum in the Republic of Lithuania.*

- f) *If the previous conclusion was one of non-conformity, please explain whether and how the problem was remedied. If the previous conclusion was deferred or conformity pending receipt of information, please reply to the questions raised.*