07/09/2012

**Reply of Lithuania on children’s right to health**

Information in Relation to HRC Resolution 19/37 on the Rights of the Child

Firstly we would like to mention that the child’s right to life and development as well as child’s right to health was presented in the section *Basic Health and Welfare* of the Report on Implementation of UN Convention on the Rights of the Child in Lithuania (for the period 2004-2008, submitted in the beginning of 2010).

 ***Concerning 2nd question***

 Civil Code of the Republic of Lithuania states duties and rights of parents in respect of their children’s health.

Law on Health System of the Republic of Lithuania obligates health care institutions to examine children under 16 health in set terms. Law on Health Insurance (21 May 1996 No I-1343) sets that children under 18 are insured by the State and that the State compensates basic price for children rehabilitation in full and compensates 100 percent of the basic price of reimbursable medicines for children under 18.

Law on Public Health of the Republic of Lithuania states that pre-school establishments and general education schools must have adequate facilities for preserving and improving children’s health, ensuring children's health care. Child health protection is implemented by: ensuring conditions for children's education, learning, nutrition, physical training and sports, rest, medical and psychological assistance, as well as the protection of children against harmful effects on physical and mental health, as laid down by laws and other legal acts; ensuring adequate health care for all children; strengthening the immunity of all children to communicable diseases vaccinated against.

Law on the Rights of Patients and Compensation for the Damage to Their Health  states, that the right to health care services without disclosing the identity of the person shall extend to patients at least 16 years of age, suffering from the diseases entered on the list established by the Government or an institution authorised by it. Health care services without disclosing the identity of the person shall be paid for by the patient himself, save for the exceptions provided for by legal acts.

Law on Fundamentals of Protection of the Rights of the Child establishes the right of the child to good health. According to the provisions of the mentioned article, the right of the child to good health shall be guaranteed by: 1) measures allowing creation of a healthy and safe environment for the child; 2) health care for children and their mothers (fathers); 3) prophylaxis of children’s diseases and qualified medical assistance; 4) production of food products suitable in quality for children; 5) promotion of healthy life style (information, education etc.); 6) other guarantees and privileges of child health protection established by laws.

Law on Social Assistance for Pupils ensures organization of nutrition at schools as well as an opportunity of healthy development and building healthy nutrition habits for children in Lithuania.

Annexes to the Description of Social Care Provisions, approved by Order No A1-46 of the Minister of Social Security and Labour of the Republic of Lithuania of 20 February 2007, provide that a child’s physical and mental development shall be ensured by adequate and timely organization of health care services, a child-friendly educational environment shall be created, help shall be provided to children in acquiring social skills and independent living skills, children shall receive nutrition in line with their physiological needs and health condition in view of their individual requirements, the necessity of diets and, if possible, in view of a child's preferences.

 ***Concerning 3th question,*** The Government of the Republic of Lithuania has approved (27 August 2008 No 836) the Child Health Improvement Programme 2008-2012 providing for children’s environmental health measures, health education, disease and injury prevention and control.

***Concerning 4th question***, Order ISAK-494 of the Minister of Education and Science of the Republic of Lithuania of 17 March 2006 approved the Programme for the Prevention of the Use of Alcohol, Tobacco and Other Psychoactive Substances, the introduction of which into pre-school and general education helped the teachers implementing the programmes of pre-school, pre-primary, primary, basic and secondary education and other pedagogues performing preventive activities at schools.

Law on Education states, that pupils have right to health care in schools. Article 22 states that:

1. The purpose of health care in schools shall be to protect and improve pupil’s health, by actively cooperating with their parents (guardians, curators).

2. Health care in schools shall comprise public health care activities carried out by specialists of municipal public health care institutions or public health care specialists working in schools.

3. The procedure for organising the public health care in schools (with the exception for higher education institutions) shall be defined by the Minister of Health together with the Minister of Education and Science. Schools may implement only those learners’ health promotion programmes which are approved by the Ministry of Education and Science, other ministries or municipal institutions.

4. Personal health care shall be adjusted in schools designated for pupils with special educational needs in accordance with the procedure laid down by legal acts.

5. The State shall encourage and support the initiatives of legal and natural persons as well as legal persons or other organisations, or their branches established in a member state, which help to protect and improve health of learners in Lithuania.

6. Schools shall develop and implement health improvement programmes. Such programmes may be supported with funds of state and/or municipal target programmes on public health support, and other funds.

7. Statistical data about health of learners, health risk factors shall be used when a school evaluates its activity quality as well as for external evaluation and monitoring.

Article 43 obligates schools to ensure a sound and safe environment that prevents any manifestation of violence and intimidation and would not allow formation of hazardous habits.

Health Education is integrated in primary, basic and secondary education curricula.

***Concerning 5th question***, Law on Social Assistance for Pupils ensures organization of nutrition at schools as well as an opportunity of healthy development and building healthy nutrition habits for children in Lithuania.