

United Nations Study on Violence against Children

Response to questionnaire received from the
Government of the Republic of Lithuania

REPLY BY THE GOVERNMENT OF THE REPUBLIC OF LITHUANIA TO THE QUESTIONNAIRE ON VIOLENCE AGAINST CHILDREN

I. LEGAL FRAMEWORK

International human rights instruments

1. Describe any developments with respect to violence against children which have resulted from your country's acceptance of international human rights instruments, including, for example, the Convention on the Rights of the Child and its optional protocols, the Palermo Protocol or regional human rights instruments. Provide information on cases concerning violence against children in which your country's courts or tribunals have referred to international or regional human rights standards.

Lithuania has ratified the Convention of the Right of Child on 3 of July 1995 and its additional protocol on the involvement of children in armed conflict on 12 of November 2002. The law on ratification of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime was adopted by the Seimas of the Republic of Lithuania on 22 of April 2003. In principle the requirements of these documents there met by the Lithuanians laws and no amendments were made. However some amendments of Articles 147 and 157 (trafficking in human beings and children) of the Criminal Code of the Republic of Lithuania may be initiated in relation with the EU legislation.

The Republic of Lithuania Government Resolution adopted on 11 January 2000 approved the National Programme against Commercial Sexual Exploitation and Sexual Abuse of Children. The Republic of Lithuania Law on Supplementing Article 56 of the Republic of Lithuania Law on Fundamentals of Protection of the Rights of the Child passed on 3 August 2001 establishes that if a father (mother) or another legal representative of a child violates the rights of the child by violent treatment of the child or abuses parental powers otherwise posing threat to the child's health or life, the child's rights protection agency alone or in concert with the police forthwith takes the child from parents or other legal representatives of the child and establishes for him the guardianship (care) in the manner established in the Civil Code. Having placed the child into care, the child's rights protection agency forthwith notifies to the effect the child's parents or other legal representatives. On 16 October 2002 the Minister of Social Security and Labour passed Order No. 125 on approval of the Immediate Action Plan for Combating Violence against Children signed by the Minister of Justice, the Minister of the Interior, the Minister of Education and Science, and the Minister of Health Care. This Plan gave rise to the review of work regulations of education, health care, social security institutions and police. The Plan is also aimed at eliminating obstacles in the sphere of interagency cooperation, designating duties and responsibility of individual employees with regard to determining the instances of violence against children, providing support to the child - victim of violence, envisaging to organise training of individuals on the matters of proper education of children, development of civic values and intolerance to crimes of violence against children. Seeking more effective prevention of cases of violence against children, improvement of cooperation between police and other interested authorities aimed at securing the safety and rights of children, the Police Commissioner General on 3 October 2002 signed the Instruction on Intensified Prevention of Violence Against Children. In implementing this Instruction police officers alongside the administration of educational institutions regularly discuss negative processes in schools, communication problems between children and their groups, other adverse factors that give rise to violence against children, accumulate and analyse registered cases of violence against children in view of drawn conclusions, in concert with the child's rights protection agency, pedagogues, medical men and representatives of NGOs establish general measures for the

prevention of violence against children; develop purposive preventive and specialised programmes. Certain police bodies are involved in active preventive measures (e.g., the Child's and Mother's Support Centre established by Panevėžys District Police Commissariat).

The Republic of Lithuania Seimas Resolution No. IX-1185 passed on 7 November 2002 approved the National Plan of Actions Aimed at Supporting and Protecting Human Rights in the Republic of Lithuania, Chapter 8 whereof is devoted to the protection of the rights of the child. According to this plan in 2004-2005 allocations will be made for creating the system of rehabilitation of children who have suffered from violence (development of the concept of rehabilitation of children victims of violence, drafting and evaluation of legislation, launching the information campaign for rehabilitation of children who have suffered from violence and organising such rehabilitation).

On 1 May 2003 the Republic of Lithuania Criminal Code entered into force. Criminal liability for acts (infanticide of a minor, own child, infanticide of a newborn baby by its mother, etc.) committed against children practically did not change. However, for the purpose of the Criminal Code, crimes and criminal offences against the child and family are regulated under a separate chapter (child abduction or exchange of children, child purchase, sale, abandonment, abuse of the rights and obligations of parents, a guardian (caretaker), or other legal representatives of the child, child's exploitation for the purposes of pornography, etc.). In addition, a separate chapter was included pertaining to criminal liability for sexual coercion against a person and children (rape of a minor and an underage child, sexual harassment, forced participation in sexual intercourse, sexual abuse, molestation of a minor). Item 5, Part 1, Article 60 of the Criminal Code establishes that criminal act committed against a minor shall be considered an aggravating circumstance. Many Articles of the Criminal Code establishing criminal liability for crimes against human health or freedom define qualified elements of crime and more strict sanctions for crimes committed against minors.

On 10 June 2004 the Seimas of the Republic of Lithuania passed the Law No. IX-2269 on ratifying the Optional Protocol to the United Nations Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography.

The Programme for the Control and Prevention of Trafficking in People and Prostitution for 2002–2004 envisages initiating accession to the United Nations Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, approved by Resolution 317 (IV) of 2 December 1949 of the United Nations General Assembly.

Table 1. Violent crimes against children registered between 2000 and 2002 (according to Articles of the Criminal Code of the Republic of Lithuania applicable until 1 May) (Data of the Ministry of the Interior)

	2000	2001	2002
Total number of crimes registered in Lithuania	82370	79265	72646
Total number of crimes against children	1329	1496	1723
Share of crimes against children compared with the total number of registered crimes (%)	1,6	1,9	2,4
CRIMES AGAINST HUMAN LIFE, HEALTH, FREEDOM AND DIGNITY			
Premeditated homicides (Art.104 CC)	6	4	5
Aggravated homicides (Art.105 CC)	6	4	2
Premeditated infanticide by a mother of her baby (Art.106 CC)	2	3	-
Homicides due to negligence (Art.109 CC)	5	5	2

Premeditated grave bodily injury (Art.111 CC)	12	13	15
Premeditated bodily injury of average gravity (Art.112 CC)	35	31	36
Grave and average gravity bodily injury due to negligence (Art.115 CC)	9	6	14
Premeditated light bodily injury, infection or giving other rise to the disease (Art.116 CC)	54	74	109
Infliction of blows and cruel torture (Art 117 CC)	24	19	30
Rape (Art. 118 CC)	72	78	53
Sexual relations with a person who has not attained sexual maturity (when the victim is aged under 18 years) (Art.120 CC)	13	6	4
Molestation (Art.121 CC.)	36	29	67
Sexual relations of a man with a man (Art.122 CC)	6	11	5
Child abduction or exchange (Art. 127 CC)	1	4	4
Knowingly leaving without assistance a person whose life is in danger (Art. 128 CC)	8	4	6
Arbitrary deprivation of liberty (Art. 131 CC)	2	11	7
OTHER CRIMES			
Robbery (Art. 272 CC)	265	349	483
Racketing (Art. 273 CC)	24	44	27
Hooliganism (Art. 225 CC)	226	188	180
Threatening of homicide (Art. 227 CC)	1	3	3

Table 2. Victimised Children by Age (Data of the Ministry of the Interior)

Victims of:	2000		2001		2002	
	Aged under 14	Aged 14-17	Aged under 14	Aged 14-17	Aged under 14	Aged 14-17
Premeditated homicides and attempts	6	7	4	7	1	5
Premeditated grave bodily injuries	2	9	3	10	5	10
Premeditated bodily injuries of average gravity	8	28	5	26	7	30
Grave and average gravity bodily injuries due to negligence	2	5	5	1	7	9
Rapes and attempts	28	44	24	54	14	39
Sexual relations with a person who has not attained sexual maturity (when the victim is aged under 18 years)	4	9	1	5	-	4
Molestation	22	12	24	5	29	38
Sexual relations of a man with a man	3	3	4	7	3	2
Hooliganism	6	192	8	178	13	159
Robberies	13	198	24	320	20	457

Table 3. Victimised Children by Sex (Data of the Ministry of the Interior)

Victims of:	2000		2001		2002	
	boys	girls	boys	Girls	Boys	girls

Premeditated homicides and attempts	9	4	9	2	4	2
Premeditated grave bodily injuries	9	2	10	3	11	4
Premeditated bodily injuries of average gravity	25	11	21	10	32	5
Grave and average gravity bodily injuries due to negligence	5	2	3	3	10	6
Rapes and attempts		72		78		53
Sexual relations with a person who has not attained sexual maturity (when the victim is aged under 18 years)	2	11	1	5	-	4
Molestation	3	31	3	26	36	31
Sexual relations of a man with a man	6		11		5	
Hooliganism	149	49	147	39	128	44
Robberies	195	16	281	63	383	94

Legal provisions on violence against children

2. Describe how forms of violence against children are addressed in your country's constitution, legislation and subsidiary legislation, and, where appropriate, customary law.

Criminal laws of Lithuania prohibit the physical (acts against human life, health), sexual and mental violence against children and also criminalizes the desertion or abandonment of a child.

3. Provide details of any specific legislative provisions on:

- **Prevention of all forms of physical, sexual and mental violence, injury or abuse, neglect or negligent treatment, and sexual abuse;**
- **Protection of children from all forms of violence;**
- **Redress, including compensation, for child victims of violence;**
- **Reintegration and rehabilitation of child victims of violence.**

Apart from the general provisions providing crimes against human life, health or sexual freedom, crimes and misdemeanors against the child and the family containing special provisions relating to the violence against children are enshrined in the separate chapter of the Criminal Code of the Republic of Lithuania. These crimes are listed in Chapter 23:

Article 156. Kidnapping of a Child or substitution of the children.

1. Any person who kidnaps someone else's young child or substitutes newborns, shall be punished by detention or imprisonment for a term of up to 8 years.
2. A father, mother or close relative who takes their own child or their relatives' young child from a children's institution or from a person with whom the child was lawfully residing, shall be punished by community service or a fine, or restriction of liberty, or detention or imprisonment for a term of up to 2 years.

Article 157. Sale or Purchase of a Child.

1. Any person who sells a young child as well as any person who buys such a child, shall be punished by imprisonment for a term of up to 8 years.
2. Any person who is engaged in trafficking in young children, shall be punished by imprisonment for a term from 2 to 10 years.

Article 158. Abandonment of a Child.

A father, mother or guardian or other legal representative of the child who deserts a young child who is not able to look after itself without due care, with intent to wholly abandon it, shall be punished by community service or restriction of liberty, or detention, or imprisonment for a term of up to 2 years.

Article 159. Engagement of a Child into a Criminal Act.

Any person who by persuasion, request, payment, threats, deceit or in any other way engages a young child or a minor into a criminal act, shall be punished by a fine or restriction of liberty, or detention or imprisonment for a term of up to 3 years.

Article 160. Promoting the Use of Drugs or Other Intoxicating Substances by a Child.

Any person who promotes a young child or a minor to obtain drugs or intoxicating non-narcotic substances not for the treatment purposes, shall be punished by a fine or restriction of liberty, or detention, or imprisonment for a term of up to 3 years.

Article 161. Promoting the Alcohol Consumption by a Child.

Any person who promotes a young child or a minor consume alcoholic drinks, shall be punished by community service or a fine, or restriction of liberty, or imprisonment for a term of up to 2 years.

Any person who intoxicates the child by the use of alcohol

shall be punished by community service or a fine, or restriction of liberty, or detention.

Article 162. The Use of a Child for Pornography.

1. Any person who uses a child in the production of pornographic materials, shall be punished by a fine or restriction of liberty, or detention, or imprisonment for a term of up to 4 years.

2. Legal person shall be also liable for the acts stipulated in this Article.

Article 163. Abuse of the Parents', Guardians' or Foster Parents' Rights.

Any person who abuses his/her rights or duties as a father, mother, guardian or a foster parent by physically or morally harassing a child, by leaving the child for long periods without care or by maltreating the child in some other way,

shall be punished by a fine or restriction of liberty, or detention, or imprisonment for a term of up to 5 years.

Article 164. Avoidance of Child Maintenance.

Any person who avoids carrying out his duty in law to provide maintenance for a child or to give other financial support following a court judgment, shall be punished by community service or restriction of liberty, or detention, or imprisonment for a term of up to 2 years.

4. Indicate whether any specific legislative provisions address all forms of violence including physical, sexual and psychological violence, injury or abuse, neglect or negligent treatment and sexual exploitation against children which take place in:

- The family/home;
- Schools and pre-school care and education (both formal and non-formal, state and private);
- Military schools;
- Institutions including care, residential, health and mental health;
- The context of law and public order enforcement including in detention facilities or prisons;
- The neighborhood, street and the community, including in rural areas;
- The workplace (informal and formal);

• **Sports and sporting facilities.**

The principle of humanism provided in the Code of the Enforcement of the Punishments stipulates the prohibition of the torture, cruel and humiliating behavior. It also prohibits any kind of the biological or other scientific experiments with the convicts even in the cases when this convicted person gives his or hers consent.

Article 61 of the Republic of Lithuania Law on Education (“*Valstybės žinios*” (Official Gazette) 1991, No.23-593; 2003, No.63-2853) establishes that the school principal shall guarantee sound and safe environment that prevents any manifestation of violence or intimidation, as well as the formation of hazardous habits.

5. Indicate if corporal punishment of children, in any setting, including in the family, is explicitly prohibited in your legal system. Provide details of any legal defences available to those who administer corporal punishment to children, including in the family. Provide information on penalties applicable to those who administer corporal punishment to children, including in the family.

Not regulated by virtue of laws.

6. Provide information on whether the penal code permits corporal punishment and/or capital punishment as a sentence for crimes committed by under 18 years olds.

According to the Article 90 of the Criminal Code of the Republic of Lithuania the following penalties may be imposed upon a juvenile who committed a crime: community service, a fine, detention, a term of imprisonment, which may not exceed 10 years. Thus corporal punishment is not permitted under the Lithuanians laws. Meanwhile capital punishment in Lithuania was abolished in 1999.

7. Provide details on whether bullying/hazing and sexual harassment are explicitly addressed by legislation.

The Criminal Code of the Republic of Lithuania provides such special provisions:

Article 149. Rape.

1. Any person who, through physical violence or threats of immediate violence or by depriving the victim in any other way of the possibility to show resistance or by exploiting the helpless state of the victim, has sexual intercourse with him,

shall be punished by imprisonment for a term up to 7 years.

2. Any person who rapes a minor,

shall be punished by imprisonment for a term from 3 to 10 years.

3. Any person who rapes a young child,

shall be punished by imprisonment for a term from 5 to 15 years.

4. Prosecution for the act specified in paragraph 1 of this Article may be instituted subject to a complaint being lodged by the victim or by the statement of the legal representative or by the request of the prosecutor.

Article 150. Sexual Assault.

Any person who, against the will of the victim, satisfies his sexual desires through anal, oral or inter-femoral intercourse by using physical violence or threats of immediate violence or in any other way depriving the victim in any other way of the possibility to show resistance or by exploiting the helpless state of the victim,

shall be punished by detention or imprisonment for a term of up to 6 years.

3. Any person who commits the acts specified in paragraph 1 of this Article in relation to a minor,

shall be punished by imprisonment for a term of up to 8 years.

4. Any person who commits the actions specified in paragraph 1 of this Article in relation to a young child,

shall be punished by imprisonment for a term from 3 to 13 years.

5. Prosecution for the acts specified in paragraph 1 of this Article may be instituted subject to a complaint being lodged by the victim or by the statement of the legal representative or by the request of the prosecutor.

Article 151. Sexual Abuse.

1. Any person who, by using threats or other psychological abuse or by taking advantage of a person's dependency, compelled the person to have sexual relations with him or in some other way to satisfy the sexual desires of the perpetrator or the other person,

shall be punished by detention or imprisonment for a term of up to 3 years.

2. Any person who commits the actions specified in paragraph 1 of this Article in relation to a young child,

shall be punished by imprisonment for a term up to 5 years.

3. Prosecution for the acts specified in paragraph 1 of this Article may be instituted subject to a complaint being lodged by the victim or by the statement of the legal representative or by the request of the prosecutor.

Article 142. Sexual Abuse of a Young Child.

Any person sexually abuses a young child,

shall be punished by a fine, or detention, or imprisonment for a term of up to 2 years.

8. Provide information on the way in which harmful or violent traditional practices, including but not limited to female genital mutilation, child marriage or honour crimes are addressed in your country.

There are no harmful or violent traditional practices in Lithuania, which are in need to be prohibited by laws or criminalized.

9. Provide information on the applicability of specific provisions to address all forms of violence against children to non-citizens and stateless children, including asylum seekers and displaced children. If specific provisions do not apply to such children, provide details of protection offered to them.

Lithuanian criminal laws do not make any distinction as to whether the victim of violence is a citizen of Lithuania, non-citizen or stateless child and is applicable in all those cases.

10. Provide information on any difference in the definition of violence and the applicable legal framework according to:

- **The sex or sexual orientation of the victim and/or of the perpetrator;**
- **The age of the victim and /or of the perpetrator;**
- **The relationship between the victim and the perpetrator, including, but not limited to infanticide, sexual violence in marriage, incest and sexual abuse within the family, and physical chastisement.**

There is no any difference in the definition of violence and the applicability of the criminal laws according to the sex or sexual orientation of the victim and perpetrator. However their age would significantly influence the outcome of the case. There are two aggravating circumstances related to the age of the victim: when the act is committed against a young child and when the act is committed against a person in a helpless state owing to old age. Then the court will determine the penalty these circumstances must be taking into consideration.

The age of the victim also may be viewed in a legal framework as an element of crime and referred to in order to define the act. For example, in majority cases when the crimes against human life, health and against freedom of sexual self-determination and inviolability is committed against a minor or a child it will be considered as the qualified element of the act and more severe punishment may be imposed.

The young age of the perpetrator will also have the influence for determination of the penalty for the committed acts and will lead to the application of specific norms of the Criminal Code and the Code of Criminal Procedure applicable only to the juveniles.

The criminal laws of Lithuania also have some references to the relationship between the victim and the perpetrator. For example, there is a special provision in the Criminal Code providing the murder of the mother, father or his/her own child. Such provisions are also applicable in the cases when serious or minor health impairment is caused.

There are also crimes where the relations between victim and perpetrator constitutes an imperative element of the crime as in the cases of the desertion or abandonment of a child or abuse of the parents', guardians' or foster parents' rights which may be committed only by the person having family or similar relations with the victim.

11. Provide information on any recent comprehensive review of legal framework to address violence against children.

There is no information about comprehensive reviews prepared in Lithuania in this field.

12. Provide information on any studies and surveys, which have been undertaken to assess the impact of legal measures to address violence against children.

There is no information about studies or surveys carried out in Lithuania in this field. A brief overview of measures undertaken by the Government in 2001 - 2003 was carried out when preparing the Second and Third Joint Report on the Implementation of Article 19 (protection from abuse, neglect or negligent treatment), Article 34 (sexual exploitation and sexual abuse), Article 35 (abduction of, sale of, and traffic in children), Article 36 (other forms of exploitation) of the United Nations Convention on the Rights of the Child (See the Republic of Lithuania Government Resolution No. 142 of 9 February 2004 on Approval of the Report on the Implementation of the United Nations Convention on the Rights of the Child ("Valstybės žinios" (Official Gazette), 2004, No. 24-739.)

Doctor's Thesis on this subject:

S.Juzukonis. (Protection of the Victim's Rights in Criminal Proceedings) *Nukentėjusiojo teisių apsauga baudžiamajame procese* [Manuscript]: Doctor's Thesis: social sciences, law (01 S) /; Law University of Lithuania. - Vilnius, 2002.

I.Michailovič. (Application of Juvenile Resocialisation Measures Provided for in the Criminal Law) *Baudžiamajame įstatyme numatytų nepilnamečių resocializacijos priemonių taikymas.*: Doctor's Thesis: social sciences, law (01 S)/; Vilnius University. -Vilnius, 2001. (Summary - <http://www.nplc.lt/lit/lit12.doc>).

S.Gečėnienė. (Influence of Criminal Justice on the Juvenile's Personality (Based on Preventive Imprisonment Survey) *Baudžiamosios justicijos poveikis nepilnamečio asmenybei (kardomojo kalinimo tyrimo pavyzdžiu)* [Manuscript]: Doctor's Thesis: social sciences, law (01 S) /; Law University of Lithuania. - Vilnius, 2002 (ummary - <http://www.nplc.lt/lit/lit21/lit21santr.doc>)

S.Gečėnienė. (Restricted Application of Preventive Imprisonment as a Strategic Trend of the Juvenile Criminal Justice Reform (*Kardomojo kalinimo taikymo apribojimas kaip strateginė neilnamečių kriminalinės justicijos reformos kryptis*) // Jurisprudence. Law University of Lithuania. Scientific Papers. 2002. T. 26 (18) P. 128-139.

Courts tasked with addressing violence against children

13. Identify those parts of the court structure in your country tasked with addressing violence against children. Indicate if your family or juvenile courts have specific responsibility for this issue.

There are no special courts dealing only with family relating or juvenile cases in Lithuania. These cases are dealt in the courts of general competence. On the other hand some specialization of the judges within these courts exists and, in accordance with the Juvenile justice program for 2004-2008, this specialization will be strengthened or the specialized divisions dealing only with family or juvenile cases will be created.

Minimum age for sexual activity

14. Provide information on any legislatively defined minimum age required or valid consent to sexual activity. Is the age different for girls and boys? Is this age different in respect of heterosexual and homosexual activities?

Criminal legislation does not directly define the age from which a child is considered as capable of giving a valid consent to sexual activity, however, since the Republic of Lithuania Criminal Code establishes liability for molestation of a minor (aged under 14), the age of 14 is considered as sufficient for giving a valid consent to sexual activity. Legislation does not distinguish any specific characteristics depending upon gender (neither for girls, nor for boys) or sexual orientation.

Article 118 of the Criminal Code applicable before 30 April 2003 enforced criminal liability for rape, i.e. forced sexual activity between a man and a woman. In court practice persons aged under 14 years were considered minors and therefore incapable of giving a valid consent to sexual activity. Therefore, even voluntary sexual activity was treated as rape. Article 120 of the Criminal Code established criminal liability for sexual activity with sexually immature person. Such person as a rule was aged below 16 years; however, in such cases courts required performing additional expertise. The aforementioned Articles of the Criminal Code applied only in cases of heterosexual relations. Article 122 of the Criminal Code imposed criminal liability for sexual relations of a man with a man. The Criminal Code prohibited even voluntary sexual relations with a man younger than 18 years.

The new Criminal Code applicable since 1 May 2003 unified the situation by eliminating the special Article “Sexual Relations of a Man with a Man“. Liability for acts covered by Article 122 is now established under Article 149 of the Criminal Code, which is applicable at present and enforces criminal liability for heterosexual coercive sexual relations, as well as Article 150 establishing liability for coercive heterosexual and homosexual relations. Therefore, coercive sexual relations are punishable with regard to individuals of any age, whereas “the age limit required for giving a valid consent to sexual activity”, having regard to criminal liability established by virtue of Article 153 of the Criminal Code for molestation acts towards a minor, practically is 14 years for both types of sexual relations. Nevertheless, theoretical analysis of such consent in itself does not mean that such consent will be necessarily expressed. In each particular case it will depend upon maturity, education, and developed values of a person aged 14. Moreover, even if the theoretical possibility of giving a valid consent for sexual relations by a person aged 14 years is recognised, the parents, guardians (caretakers) or other legal representatives of a child are still bound by responsibility imposed by the UN Convention on the Rights of the Child, the Constitution of the Republic of Lithuania, the Civil Code as well as other legal acts for proper upbringing and development of their children as well as taking care of them to guarantee that they become honest people fully prepared to live self-dependent life in the society.

15. Provide information on the minimum age of marriage for women and men.

According to the Civil Code of the Republic of Lithuania the minimum age of marriage for both genders is 18 years. Although on the request of the juvenile the court may reduce this age limit by three years. Only in the case of the pregnancy the court may grant the permission to marriage for the person who did not reached the age of 15.

Sexual exploitation of children

16. Provide information on legislation and other measures to prevent the commercial sexual exploitation of children, including through prostitution and other unlawful sexual activities. Provide details on means to ensure that child victims of such exploitation are not criminalized.

Provide information on legislation or other measures to prohibit all forms of sale or trafficking in children, including by their parents.

The Criminal code of the Republic of Lithuania provides such special provisions on the commercial sexual exploitation of children:

Article 307. Earning a Profit from Prostitution by Other Persons.

1. Any person who earns an income from another person's engagement in prostitution or who panders, -
shall be punished by a fine or restriction of liberty or detention, or imprisonment for a term of up to 4 years.
2. Any person who arranges or conducts prostitution or who transports the person with his consent into Lithuania or from it for prostitution, -
shall be punished by imprisonment for a term of up to 6 years.
3. The same acts, specified in paragraphs 1 and 2 of this Article, committed against a child, -
shall be punished by imprisonment for a term from 2 to 8 years.
4. Prosecution for the act specified in paragraph 1 of this Article may be instituted subject to a complaint being filed by the victim, except of the reservations provided in the Criminal Code.

Article 308. Engagement into Prostitution.

1. Any person who engages another person into prostitution, -
shall be punished by a fine or restriction of liberty or detention, or imprisonment for a term of up to 3 years.
2. Any person who engages into prostitution another person who is dependent on him economically, through employment or in any other way, or engages another person into prostitution by force or coercion, blackmail or deceit, or who engages a juvenile into prostitution in whatever way, -
shall be punished by imprisonment for a term from 2 to 7 years.

Article 309. Disposal of Pornographic Material

1. Any person who produces or acquires pornographic material for the purpose of distributing it or who distributes it,
shall be punished by community service or a fine or restriction of liberty, or imprisonment for a term of up to 1 year.
2. Any person who produces, purchases, keeps, displays, advertises or distributes objects of a pornographic nature with the image of a child or presented as a child
shall be punished by a fine or imprisonment for a term of up to 2 years.
3. Any person who publicly displays or advertises objects of a pornographic nature, commits a misdemeanor, and
shall be punished by community service or a fine or restriction of liberty or detention.
4. Legal person shall be also liable for the acts stipulated in the paragraphs 1 and 2 of this Article.

Article 157. Sale or Purchase of a Child

1. Any person who sells a young child as well as any person who buys such a child,
shall be punished by imprisonment for a term of up to 8 years.
2. Any person who is engaged in trafficking in young children,
shall be punished by imprisonment for a term from 2 to 10 years.

Article 6 of the United Nations Convention on the Elimination of All Forms of Discrimination Against Women establishes that States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women.

With a view to essentially improving the prevention and control of trafficking in people as well as support provided to victims of such trafficking, the complex Programme for the Control and Prevention of Trafficking in People and Prostitution for 2002 – 2004 was developed and approved by the Republic of Lithuania Government Resolution No. 62 of 17 January 2002. This Programme is aimed at creating the system of the preventive measures against trafficking in people and forced prostitution and at destroying the networks of criminal groups and associations involved in organisation of prostitution and trafficking in people. The aforementioned Programme covers complex educational, social- economical, medical measures, also legal, scientific, information, financial and other measures of the national and international level. Implementation of the Programme involves analysis of criminal and administrative practices; investigation of the status of women and girls – potential victims of trafficking in people and prostitution; sociological surveys of women and girls suffering from domestic and sexual violence; implementation of the preventive educational programme in schools of Lithuania aimed at facilitating the elimination of dangers related with abduction and sale of people and prostitution; establishment of the posts of social pedagogues in educational institutions, etc.

For the purpose of organising social assistance to victims of trafficking in people and prostitution and integration of such victims into the society, support is provided to projects of public and nongovernmental organisations intended for this purpose: in 2002 Government support was devoted to 5 and in 2003 – to 10 such projects.

With a view to strengthening the prevention of trafficking in people diversified regional information campaigns are launched, educational publications for youth and methodological publications for pedagogues, social workers and other specialists are issued, and information leaflets are disseminated. Information about the scope and situation of trafficking in people in Lithuania, the manner in which the root causes of the spread of trafficking in people and prostitution are prevented, restricted and eliminated, as well as about experience and fates of people who have suffered from trafficking in people and prostitution is made available to the public through national newspapers and magazines, and miscellaneous TV and radio broadcasts, information pages of the Internet.

The Republic of Lithuania Code of Administrative Transgressions of Law establishes liability for engagement in prostitution. This liability applies to individuals who violate the administrative law who have reached the age of 16. On the initiative of the Ministry of the Interior the Draft Law on Amending the Republic of Lithuania Code of Administrative Transgressions of Law is under development and is aimed at creating legal norms providing for the possibility to exempt victims of trafficking in people from administrative liability.

In implementing the National Programme against Commercial Sexual Exploitation and Sexual Abuse of Children for 2000-2004, the Ministry of Social Security and Labour organised the Competition of Projects for Temporary and Permanent Assistance to Children Victims of Sexual Abuse or Commercial Sexual Exploitation. The purpose of this Competition was to support projects of public and municipal authorities as well as NGOs engaged in rendering support to children who have suffered from sexual abuse or commercial sexual exploitation. Such support will be aimed at providing complex services: psychological, social, legal, medical, counselling services, to help in handling the necessary documents, to provide with temporary accommodation and meals. In 2004 financing was provided to 8 such projects.

Pornography and harmful information

17. Provide information on legislation and other measures to prohibit the production, possession and dissemination of child pornography. In particular, please provide information on any controls on pornography produced and/or disseminated via the internet.

The Criminal code of the Republic of Lithuania provides such special provisions on the child pornography as:

Article 162. The Use of a Child for Pornography

Any person who uses a child in the production of pornographic materials, shall be punished by a fine or restriction of liberty, or detention, or imprisonment for a term of up to 4 years.

2. Legal person shall be also liable for the acts stipulated in this Article.

Article 309. Disposal of Pornographic Material

1. Any person who produces or acquires pornographic material for the purpose of distributing it or who distributes it,

shall be punished by community service or a fine or restriction of liberty, or imprisonment for a term of up to 1 year.

2. Any person who produces, purchases, keeps, displays, advertises or distributes objects of a pornographic nature with the image of a child or presented as a child

shall be punished by a fine or imprisonment for a term of up to 2 years.

3. Any person who publicly displays or advertises objects of a pornographic nature, commits a misdemeanor, and

shall be punished by community service or a fine or restriction of liberty or detention.

4. Legal person shall be also liable for the acts stipulated in the paragraphs 1 and 2 of this Article.

18. Provide information on any legislation or guidelines to protect children from injurious information and material transmitted through the media, internet, videos, electronic games, etc.

The law on the protection of the juveniles from the negative impact of public information stipulates the procedures of the advertisement and distribution of the public information having negative impact on child physical, mental or moral development.

On the 10th of September 2002 Lithuanian parliament adopted the Law on Protection of Minors against Detrimental Effect of Public Information (further called – Law). There are stipulated the criteria of public information which causes detrimental effect to development of minors in Article 4 of the Law and Article 5 of the Law prohibits public information, linked to making personal data available to public, causing detrimental effect to development of minors. The Inspector of Journalists’ Ethics, appointed by the Parliament and assisted by a group of experts, is entrusted to supervise the implementation of the Law.

In the amendments to the Administrative Code, the Inspector and Lithuanian radio and television commission is entrusted with drawing up the protocol of administrative law violations and bringing administrative fines to the offenders.

On 2 June 2004 the Government of the Republic of Lithuania passed the Resolution No. 681 on Approving the Description of the Procedure of Making Available to the Public and Disseminating the Information Attributed to the Category of Public Information and Detrimental to the Development of Minors, Making Available to the Public and Dissemination of which is Subject to Restrictions, and of the System of Labelling the Information Detrimental to the Development of Minors, and of Audio and Visual Facilities (“*Valstybės žinios*”, (Official Gazette), 2004, No.89-3281).

Reporting obligations relating to violence against children

19. Provide information on legislation, regulations or administrative directives requiring reporting of all forms of violence against and abuse of children in all settings to appropriate bodies. If reporting legislation, regulations or administrative directives exist, please indicate

whether all citizens are required to report, or whether the obligation falls on certain professional groups only. Provide details of any sanctions for non-reporting.

Reporting obligations. The common obligation of all natural and legal persons to notify a competent authority about the child who needs support with a view to protecting him (her) from any adverse effects of social environment is established in the Republic of Lithuania Law on Fundamentals of Protection of the Rights of the Child of 14 March, No. I-1234 (“*Valstybės žinios*”, (Official Gazette), 1996, No. 33-807). Paragraph 4, Article 43 of this Law requires that “upon becoming aware of a child in need of assistance, a natural or legal person must report this to the police, institution for the protection of the rights of the child or another competent institution” (New version of the Republic of Lithuania Law of 3 March 2003, No. IX-1440, (“*Valstybės žinios*”, (Official Gazette), 2003, No. 38-1685). Article 3.250 of the Republic of Lithuania Civil Code (“*Valstybės žinios*”, (Official Gazette), 2000, No. 74-2262) enforces practically analogous obligation. Paragraph 1 of this Article stipulates that “the staff of educational, training, health care establishments, police and other institutions, also other persons who have data about minors deprived of parental care as well as about the need to protect the rights and interests of the minors (cruel treatment of children by their parents, disability of parents, their death, departure or disappearance, refusal of parents to take their children from educational, training, health care establishments, etc.), must forthwith notify to this effect the national child’s rights protection authority of the place of residence of the child“. It should be noted that with regard to notified entities the contents of this obligation is slightly narrower than that referred to in the aforementioned Law – the addressee of such information can be only the national child’s rights protection authority of the place of residence of the child, whilst according to the Law on Fundamentals of Protection of the Rights of the Child – any authority competent in the sphere of certain matters can be such address (police, prosecutor’s office, municipality, etc.).

There are also other legal acts obligating to report only representatives of certain occupations or relating this obligation with the particular sphere of their activity. For example, the Joint Order No. 55/42/16 issued by the Republic of Lithuania Minister of Health, the Minister of the Interior and the Prosecutor General on 28 January 2002 (*Valstybės žinios*”, (Official Gazette), No. 12-428) establishes common obligation for all heads of health care institutions to ensure that officers staying on duty in territorial police offices are forthwith informed by telephone about all instances when individuals whose life is endangered by bodily injuries, and also persons whose life is not in danger, but who have stabbing, cutting, gunshot wounds or wounds caused by explosion, or bodily injuries of other types that are likely to be related with crimes apply to a health care establishment or are delivered to it (item 1.1). With a view to ensuring effective use of such information, the same Order imposes the obligation on all heads of territorial police offices to guarantee that all information received from health care institutions about individuals who arrive or are delivered with bodily injuries and about persons accompanying the latter is registered in the information journal and having established any signs of crime – reregistered into the journal of registration of applications and reports on crimes; to forthwith inform by telephone responsible staff of the prosecutor’s office in cases when victims sustaine serious bodily injuries dangerous to life; to take other immediate actions to investigate such incidents and their circumstances, and to guarantee the victims’ rights. These provisions also apply in cases of violence against children.

On 16 October 2002 the Minister of Social Security and Labour issued Order No. 125 on approval of the Immediate Action Plan for Combating Violence against Children, which was also signed by the Minister of Justice, the Minister of the Interior, the Minister of Education and Science, and the Minister of Health Care. On the basis of this Plan regulations of activities of educational, health care, social security establishments and police are revised, with a view to eliminating the barriers in the field of interagency cooperation, defining the duties and responsibilities of individual staff in disclosing the cases of violence against children, rendering

assistance to the child victim of violence, establishing liability of public servants and officials for the default on their obligations, raising public awareness as regards proper education of children, development of civic values and intolerance towards violent crimes against children.

The General Regulations for Pre-school Training Establishments, Kindergarten – school, Lithuanian Schools of General Education, Basic Vocational Training Institution, State Childcare Homes (“*Valstybės žinios*”, (Official Gazette), 2002, No.116-5224) define responsibilities of the director, pedagogues, social pedagogues, health care institutions in providing a child with the required assistance once it is established that the child suffers from violence, coercion, sexual or other exploitation, notifying to this effect the administration of the school, the child’s rights protection agency and authorities concerned.

Liability for the default on reporting obligation. The cases of the failure to report violence against children can be attributed to administrative violations or criminal acts for which respective liability is imposed by virtue of the Republic of Lithuania Code of Administrative Transgressions of Law (“*Valstybės žinios*”, (Official Gazette), 1985, No. 1-1), and the Criminal Code of Republic of Lithuania (“*Valstybės žinios*”, (Official Gazette), 2000, No. 89-2741). Moreover, imposition of the aforementioned forms of liability does not prejudice the imposition of the civil or disciplinary liability in particular instances as regulated by the Republic of Lithuania Civil Code (“*Valstybės žinios*”, (Official Gazette), 2000, No. 74-2262), the Republic of Lithuania Labour Code (“*Valstybės žinios*”, (Official Gazette), 2002, No. 64-2569) and certain other normative legal acts.

Administrative liability. Article 181² of the Republic of Lithuania Code of Administrative Transgressions of Law (hereinafter referred to as CATL (adopted by the Republic of Lithuania Law No. (“*Valstybės žinios*”, (Official Gazette), 2002, No. 13-477) enforces administrative liability for providing wrongful information, precluding the child’s placement into guardianship (care) and failure to provide information. Par. 1 of the same Article imposes liability for providing wrongful information about minors deprived of parental care, also about the need to grant the right to the municipal child’s rights protection agency to protect the rights and interests of children, as well as for precluding the placement of a child into guardianship (care). Heads and officials of educational, training, health care and other authorities and institutions responsible for the child may be prosecuted for such violation which may incur a fine in the amount from one to five hundred litas as an administrative penalty. Par. 2 of this Article envisages administrative liability for the failure to notify the municipal child’s rights protection agency, police or prosecutor’s office about parents, other legal representatives and other persons who violate the rights of children. Administrative liability for this violation is established not only for special entities referred to in Par. 1 of the Article under consideration, but also for all other persons who fail to provide such information – this violation incurs a fine in the amount from one to four hundred litas.

Protocols of administrative violations of law referred to in the aforementioned Article of CATL shall be drawn by specially authorised officials of municipal child’s rights protection agencies or public servants authorised by them for this purpose. Specially authorised officers of the interior and the police may also draw up the protocols of violations referred to in Par. 2 of the aforementioned Article of CATL (item 1, Par. 1, Article 259¹ of CATL).

The cases of these administrative law violations shall be heard by regional (city) district courts (district court judges) (Article 224 of CATL).

Criminal liability. Par.1, Article 238 of the Republic of Lithuania Criminal Code (hereinafter referred to as CC) enforces criminal liability for the failure to report on crimes. These provisions should also apply in cases of the failure to report on a particularly grave crime, which is being, or has been, committed against a child. The aforementioned paragraph stipulates that “an individual who has failed to report without a valid reason to an institution of law and order or court on a particularly grave crime, which he (she) knew of being committed or committed, shall be subjected to public works or a fine, or arrest or imprisonment for up to one year“. Liability for commitment of this crime shall rest upon all responsible natural persons who have reached the age of sixteen, with

the exception of close relatives and family members of the person who committed a crime, which was not reported. By virtue of Par. 6, Article 11 of CC, particularly grave crimes shall include deliberate crimes for which the largest penalty imposed under criminal law exceeds ten years of imprisonment. Particularly grave crimes against children include murder (Pars. 1 and 2, Article 129, CC), severe health disturbance under aggravating circumstances (Par. 2, Article 135, CC), rape of a minor (Par. 4, Article 149, CC), holding hostage of two or more people (Par. 2, Article 252, CC), terrorist act under aggravating circumstances (Pars. 2, 3 and 4, Article 250, CC), genocide (Article 99, CC), selling drugs and psychotropic substances to minors (Article 261, CC), taking or recruiting minors aged under eighteen for military service in military groups that do not belong to national armed forces or involving minors in military operations (Par. 2, Article 105, CC), etc.

Article 229 of CC imposes criminal liability on a public servant or a comparable person for the failure to report on violence against children or default on other official duties or improper discharge thereof due to negligence thereby inflicting great damage on the state, legal or natural person: deprivation of the right to do a particular work or engage in a particular activity, or penalty or arrest, also imprisonment for up to two years.

Par.1, Article 253 of CC establishes the following criminal liability for the failure to report on violence against children in the course of pre-trial investigation, for providing wrongful evidence, drawing a misleading expert or specialist conclusion or explanation, or for wrong translation or for deliberately made misleading translation: public works, restriction of liberty, arrest or imprisonment for up to two years.

In addition, CC also prohibits acts, which are not treated as violence against children, however they still can create favourable conditions for the spread of violence. For example, Par. 1, Article 237 of CC “Concealing a Crime or a Criminal” prohibits such acts likewise unpremeditated concealment, destruction or damage of traces, tools or means of a grave or a particularly grave crime committed by another person, illegal acquisition of things, other articles related with a concealed crime that are of value as evidence, or concealment of a criminal. These acts incur alternative criminal punishments: public works, fine, and restriction of liberty, arrest or imprisonment for up to two years. By virtue of this Article only close relatives and parents of a criminal shall be exempt from liability. Acts referred to in the aforementioned Article may be directly linked with grave or very grave crimes committed against minors – concealment of evidence of such crimes and offenders.

The Draft Law on Supplementing and Article 120 of the Republic of Lithuania Criminal Code and on Supplementing the Republic of Lithuania Criminal Code with Article 132¹ has been prepared. This Draft Law is aimed at providing for a new preventive measure – prohibition to visit the victim’s place of residence and (or) work. This measure imposed by ruling of the pre-trial investigation judge (court) on a suspect prohibits the latter from visiting the victim’s place of residence and (or) work thereby protecting a victim from likely illegal influence, guaranteeing uninterrupted investigation of the case and seeking to preclude new criminal acts (e.g., terrorizing a person, crimes against life and health, etc.). This measure would be particularly effective in cases when due to personal, social or other reasons a victim depends upon the suspect and is forced to regularly see the latter and to live with him, and the suspect uses that to “terrorize” the victim, however there are no grounds for imposing an imprisonment on the suspect as a preventive measure.

Disciplinary liability. Natural persons who failing to report violence against children default on their work obligations or improperly discharge them may be bound by disciplinary liability. The grounds of the disciplinary liability are regulated under the Republic of Lithuania Labour Code (hereinafter referred to as LC) (“*Valstybės žinios*”, (Official Gazette), 2002, No. 64-2569). According to Article 237 of LC The following disciplinary sanctions may be imposed for breaches of labour discipline: warning, reprimand, dismissal from work. Laws and other normative legal acts regulating labour discipline may also establish other disciplinary penalties applicable to certain categories of workers. Public servants who failing to report violence against children violate legal

acts regulating their official service, may be bound by official liability the general grounds whereof are regulated under the Republic of Lithuania Law on Public Service (“*Valstybės žinios*”, (Official Gazette), 2002, No. 45-1708). Paragraph 3, Article 29 of the aforementioned Law establishes that having regard to the degree of gravity of a civil offence, a civil servant may be subjected to one of the following official penalties: warning, reprimand, severe reprimand or dismissal from office.

Civil liability. In addition, the failure to report violence against children may incur civil liability, if unauthorised default on, or inadequate discharge of, the aforementioned duty causes damage (losses). General civil liability conditions are regulated in Chapter XXII of the Republic of Lithuania Civil Code.

Complaints procedures

20. Provide information on any complaints procedures relating to all forms of violence against children perpetrated in:

- **The family/home;**
- **Schools and pre-school care and education (both formal and non-formal, state and private);**
- **Military schools;**
- **Institutions, state and private, including care, residential, health and mental health;**
- **The context of law and public order enforcement including in detention facilities or prisons;**
- **The neighborhood, street and the community, including in rural areas;**
- **The workplace (informal and formal);**
- **Sports and sporting facilities.**

Submission of complaints for consideration according to the administrative procedure. The general administrative procedure of the submission of complaints (applications) is regulated under the Republic of Lithuania Law on Public Administration (“*Valstybės žinios*”, (Official Gazette), 1999, No. 60-1945). Every public administration institution (institutions, agencies, services and civil servants (officials) having public administration rights granted to them under laws and implementing in practice the executive power or separate functions thereof) must accept applications from individuals and consider them according to its competence. The fact of acceptance of an application shall be acknowledged by an appropriate document indicating the date of its acceptance, name, surname and telephone number of the civil servant charged to consider the application and the application registration number. The acknowledged document shall be handed or mailed to the applicant. If the institution is not authorised to make a decision on the issue under consideration, it shall, within 5 business days, forward the application to a competent institution, duly informing the applicant thereof. If the application is considered in court, the application shall be returned to the applicant with the required information attached. The time period for the consideration of applications shall start from the date of receipt of the application by the competent institution. Verbal applications shall be accepted only when they allow for an expeditious investigation without their registration in written documents and provided they do not affect either the applicant’s interests or on those of the state or municipality (Article 19). Every public administration institution must organise its work in such a way that individuals wishing or obliged to submit an application in person could do so at all office hours. For the applications which, in accordance with legal acts, must be submitted in person, the institution must make arrangements for at least 4 reception hours a week after the office hours (Article 20).

Section Five of the Republic of Lithuania Law on the Child’s Rights Protection Ombudsman, No. VIII-1708 of 25 May 2000 (“*Valstybės žinios*” (Official Gazette), 2000, No. 50-1432) establishes special procedure of application to the Child’s Rights Protection Ombudsman.

According to the provisions of this Law the right to apply to the Child's Rights Protection Ombudsman shall be enjoyed by all legal and natural persons (Par. 1, Article 18), as well as the child himself (herself). Children applicants shall be exempted from the requirement to lodge a written complaint. Complaints may be lodged in all cases when the rights or legitimate interests of the child are considered violated (Article 19). A complaint must be filed within three years of commitment of the act complained about. Complaints filed after the expiry of this time-period may be investigated only on the initiative of the Child's Rights Protection Ombudsman (Article 21). A verbal or written complaint lodged with the Child's Rights Protection Ombudsman shall be registered by the Child's Rights Protection Ombudsman's Office and its investigation shall be commenced. Upon receipt of a verbal complaint or having noticed the signs of violation of the child's rights or legitimate interests, the Child's Rights Protection Ombudsman, who believes that the submitted information or noticed signs are correct, may begin investigation on own initiative. The Child's Rights Protection Ombudsman's Office shall keep separate records of the aforementioned information. Anonymous complaints shall not be investigated unless the Child's Rights Protection Ombudsman decides otherwise. On request of the applicant, his (her) surname and forename shall not be announced during further investigation of the complaint (Article 20). The following data shall be stated in complaints lodged: the addressee – the Child's Rights Protection Ombudsman; forename and surname as well as name of the complainant; names of legal persons, enterprises without the rights of the legal person being complained against, or full names and duties of persons being complained against; institutions they work for; description of the decision or acts (failure to act) complained about, their date and the circumstances under which they have been performed; formulated request addressed to the Child's Rights Protection Ombudsman; list of attached documents; the date of writing the complaint and the complainant's signature. The complaint may be lodged alongside a copy of the decision complained against; available evidence or description thereof; a list of persons to be questioned as proposed by the complainant, indicating their addresses or circumstances and information they can confirm (Article 22).

Should the Child's Rights Protection Ombudsman refuse investigating the complaint, he (she) shall surrender it to the complainant no later than within ten days of the day of its receipt and must communicate a written notification to the effect to the complainant and the person whose decision or acts (failure to act) are complained against, also specifying the grounds of such refusal (Pars. 1 and 2, Article 26). A complaint lodged repeatedly on the same subject matter shall not be investigated (Par. 4, Article 26).

Submission of complaints for consideration according to the criminal procedure

Acceptance of applications, reports and complaints concerning violence against children in the police and other bodies of pre-trial investigation institution and prosecutor's office shall be subject to general provisions regulated in the Procedure of Registration of the Commencement of Pre-trial Investigation approved by Order No.I-58 of 18 April 2003 of the Republic of Lithuania Prosecutor General ("*Valstybės žinios*" (Official Gazette), 2003, No.39-1807). Chief prosecutors of the Offices are obligated to organise work so as to ensure that during working hours prosecutors are available at the Prosecutor's Offices authorised to address all matters related with the commencement of the pre-trial investigation and instruction to carry out such investigation. Written complaints, applications or reports on criminal act received by pre-trial investigation bodies shall be forthwith referred to the heads of such bodies or to persons authorised thereby. Examination of information about criminal acts received by telephone or other means of telecommunication shall be organised by officers on duty in respective institutions. Persons who arrive to the institution of pre-trial investigation personally to report on criminal acts, must be forthwith received by the head of such institution or by an officer on duty, subsequently drawing up a protocol-application whereby the person is warned against signature about liability under Article 236 of CC for misleading information or report on the uncommitted crime. After drawing up a protocol-application, the pre-trial investigation shall be forthwith commenced, making a reference in the protocol-application

ordering to commence the pre-trial investigation the beginning of which shall be registered in the Registration Journal.

Children serving a punishment in penitentiary institutions, according to the Code of the Enforcement of the Punishments of the Republic of Lithuania, as any other detainee may make a complaint against the actions of the officers to the head of the penitentiary institution. The complaint should be analyzed within 14 days from its receipt.

The appeal against the decision of the head of the penitentiary institution or against his actions may be lodged with the Director of the Prisons Department under the Ministry of Justice. The Director of the Prisons' Department shall give his decision within 14 days from the receipt of the complaint, and within 14 days from the termination of inspection, in the case, when the inspection is carried out.

And finally the latter decision as well as the actions of the Director of the Prisons Department may be appealed to the administrative courts.

21. Indicate whether children or persons acting on their behalf can access these procedures. Indicate whether legal aid is available to facilitate submission of complaints, and the circumstances in which legal aid will be available.

Children and their representatives may use the following procedures without any restrictions.

The State guarantees legal assistance regulated by the Republic of Lithuania Law on Legal Assistance Guaranteed by the State ("*Valstybės žinios*" (Official Gazette), 2000, No. 30-827). By virtue of this Law legal assistance guaranteed by the State shall be of three types: primary, state and public institutions' assistance.

Free legal assistance is also rendered by the following institutions: the Lithuanian Association in Support of Victims of Crimes, the Union in Support of the Victims of Crimes, the Legal Assistance Centre of the Law University of Lithuania, the Legal Clinics of the University of Vilnius, Kaunas Legal Assistance Centre, the Centre of Legal Projects and Investigations, Vilnius Public Attorneys Office, Šiauliai Public Attorneys Office and some other institutions.

22. Describe steps which have been taken to raise awareness of possibilities to submit complaints about violence against children.

According to the requirements of the Law on Public Administration ("*Valstybės žinios*" (Official Gazette), 1999, No. 60-1945) each institution must inform the public about its activities, prepare and issue an informational publication or otherwise inform the public about its functions, structure and issues addressed.

Police offices provide such information in the Internet (e.g.: <http://www.policija.lt/pranesimai/pranesimas.php?id=65>), via mass media, publications and information leaflets.

23. Provide information on any special procedural or evidentiary rules which may apply in proceedings with respect to violence against children.

Administrative law and proceedings. According to the general rule all responsible natural persons who have attained the age of sixteen before committing a legal offence shall be prosecuted for violations of administrative law (Articles 12 and 19 of CATL). Minors who commit administrative law violations between sixteen and eighteen years of age shall be subjected to the general administrative liability provisions, including the following special requirements established by law (Article 13 of CATL, "*Valstybės žinios*" (Official Gazette), 2002, No. 124-5623):

- parents or guardians (caretakers) of minors must be notified about administrative detainment of their minors (Par. 2, Article 265 of CATL, "*Valstybės žinios*" (Official Gazette), 2002, No. 124-5623);
- minors may not be subjected to administrative arrest as an administrative penalty (Article 21¹ CATL, "*Valstybės žinios*" (Official Gazette), 1994, No. 73-1372);
- maximum half of the fine established by law may be imposed on minors (Pars. 1 and 4, Article 24, CATL "*Valstybės žinios*" (Official Gazette), 1994, No.58-1132);

- cases of administrative violations of law of minors, their parents or persons acting for them shall be investigated according to the offender's place of residence (Par. 6, Article 281 of CATL, "*Valstybės žinios*" (Official Gazette), 2004, No. 25-763);
- juvenile delinquents who have their own income may be obligated to indemnify material loss inflicted by the administrative violation of law committed by them, without exceeding the amount of LTL 50 (Par. 1, Article 37¹ of CATL, "*Valstybės žinios*" (Official Gazette), 1994, No. 58-1132);
- upon enforcement of the decision to impose a fine on the minor aged between sixteen and eighteen years who does not have his (her) own income, the fine shall be collected from parents or persons acting for them (Par. 2, Article 313 of CATL, "*Valstybės žinios*" (Official Gazette), 2000, No. 22-552);
- in case of certain violations committed by minors aged between fourteen and sixteen years of age, administrative liability shall be imposed on their parents or guardians (caretakers) (par. 2, Article 13 of CATL, "*Valstybės žinios*" (Official Gazette), 2002, No. 124-5623):
 - illegal acquisition or keeping of drugs or psychotropic substances in small amounts without intention to sell or otherwise distribute them, also for the use of drugs or psychotropic substances without doctor's prescription, shall incur on parents or guardians (caretakers) a fine in the amount of up to five hundred litas with forfeiture of drugs or psychotropic substances (Par. 3, Article 44 of CATL, "*Valstybės žinios*" (Official Gazette), No. 124-5623). A person who voluntarily surrenders a drug or psychotropic substance kept by him (her) in small amounts and acquired or kept without intention to sell, also a person who voluntarily applies with a medical institution for medical assistance as a result of the use of narcotic or psychotropic substances without doctor's prescription shall be exempted from administrative liability for acts covered by this Article;
 - petty hooliganism or hooliganism, also deliberate humiliation of adults' honour and dignity shall incur on parents or guardians (caretakers) a fine from fifty litas to one hundred litas. (Article 175, CATL, "*Valstybės žinios*" (Official Gazette), 2002, No. 124-5623);
 - violation of the procedure established for the acquisition and use of civil pyrotechnical devices shall incur on parents or guardians (caretakers) a warning or fine from fifty to one hundred litas, with or without forfeiture of civil pyrotechnical devices (Par. 3, Article 176¹ CATL).
 - appearance in public places intoxicated with alcohol and drinking alcoholic beverages by minors shall incur on parents or guardians (caretakers) fine from fifty to one hundred litas (Par. 4, Article 178 of CATL, "*Valstybės žinios*" (Official Gazette), 2002, No. 124-5623).
 - disturbance of public quiet – noise (cries, whistle, loud singing or playing musical instruments and other audio apparatus and for other similar acts) in the streets, squares, parks, beaches, public transport and other public places from 10 p.m. till 6 a.m. – and also within the living premises, enterprises, institutions or organisations, if such acts disturb the public quiet, shall incur on parents or guardians (caretakers) a warning or fine from twenty to fifty litas. (Par. 3, Article 183 of CATL, "*Valstybės žinios*" (Official Gazette), 2002, No. 124-5623).

The interests of juveniles shall be represented by their legal representatives, i.e. parents, foster parents, guardians, caretakers of juvenile victims and delinquents (Article 274 of CATL).

The Law also imposes liability for certain acts that cause direct harm to minors:

- for purchasing alcoholic beverages to the minor or providing the minor in any other manner with alcoholic beverages for consumption, also for getting a minor drunk shall incur a fine from one to two hundred litas (Article 180 of the CATL, "*Valstybės žinios*" (Official Gazette), 2002, No. 13-477);
- providing the municipal child's rights protection agency with misleading information about minors deprived of parental care, also about the need to protect the minors' rights and

interests, precluding the child's placement for guardianship (care) shall incur on the heads of educational training, health care and other institutions and establishments that take care of the child, also on other officials a fine from one to five hundred litas (Par. 1, Article 181² CATL, "*Valstybės žinios*" (Official Gazette), 2002, No. 13-477);

- failure to notify the municipal child's rights protection agency, police or prosecutor's office about violations of the child's rights by parents and other persons shall incur on the heads of educational training, health care and other institutions and establishments that take care of the child, also on other officials a warning or a fine from one to four hundred litas (Par. 2, Article 181² of CATL, "*Valstybės žinios*" (Official Gazette), 2002, No. 13-477);
- purchasing tobacco products for a minor or otherwise providing the latter with such products shall incur a fine from fifty to one hundred litas (Article 185⁴ of CATL, "*Valstybės žinios*" (Official Gazette), 2002, No. 75-3214);
- violation of requirements of the procedure of making available to the public and disseminating the information which is attributed to the category of public information and which causes detriment to the development of minors, making available to the public and dissemination of which is subject to restrictions, and of the system of labelling the information detrimental to the development of minors, and of audio and visual facilities, or announcement of information detrimental to the development of minors related with making available to the public of personal data shall incur a warning or a fine from five hundred to two thousands of litas (Par. 1, Article 214¹⁹ of CTAL, "*Valstybės žinios*" (Official Gazette), 2003, No. 102-4581). A person who commits such acts repeatedly and who has already been subjected to administrative penalty for committing such violation shall be subjected to a fine from three to ten thousand litas (Par. 1, Article 214¹⁹ of CATL, "*Valstybės žinios*" (Official Gazette), 2003, No. 102-4581);
- violation of requirements of the procedure for making available to the public and disseminating the information attributed to the category of public information and detrimental to the development of minors, making available to the public and dissemination of which is subject to restrictions, and of the system of labelling the information detrimental to the development of minors, and of audio and visual facilities, or announcement over radio or TV broadcasts of information detrimental to the development of minors related with making available to the public of personal data shall incur a fine from one to three thousand litas (Par. 3, Article 214¹⁹ of CATL, "*Valstybės žinios*" (Official Gazette), 2003, No. 102-4581). A person who commits such acts repeatedly and who has already been punished for such committed violation with administrative penalty shall be subjected to a fine from three to ten thousands litas (par. 4, Article 214¹⁹ of CATL, "*Valstybės žinios*" (Official Gazette), 2003, No. 102-4581).

Evidence used in cases of violence against minors and in cases of administrative law violations committed by minors shall be subjected to the application of general evidence regulations. For the purposes of the case of an administrative law violation considered as evidence shall be all actual data based on which the bodies (officials) establish in the statutory manner whether or not an administrative law violation has been committed, whether a particular person is guilty for committing a violation, and also other circumstances that are of importance in order to resolve the case in due manner (Par. 1, Article 256 of CATL, "*Valstybės žinios*" (Official Gazette), 2000, No. 85-2570). Such data shall be provided for under the protocol of administrative law violation, photos, audio and video records, testimonies, explanations of a victim and prosecuted person, expert's finding, explanations, material evidence, seizure act of articles and documents, as well as other documents (Par. 2, Article 256 of CATL, "*Valstybės žinios*" (Official Gazette), 2000, No. 85-2570). Evidence shall be collected by officers authorised to draw up a protocol of administrative law violations as well as by a body (officer) investigating the case of the administrative law violation, who where appropriate shall also appoint an expert or specialist.

Attributed to evidence may also be information and documents collected by the Child's Rights Protection Ombudsman according to his (her) competence and a certificate drawn up on the basis of such information and documents. Administrative liability is envisaged for the failure to provide information and documents on request of the Child's Rights Protection Ombudsman information and documents that are necessary for performing his (her) functions, also for other acts precluding implementation of the statutory rights of the Child's Rights Protection Ombudsman (Article 187¹⁰ of CATL, "*Valstybės žinios*" (Official Gazette), 2000, No. 54-1558).

Criminal law and proceedings. Children involved in criminal proceedings depending upon their procedural status (victim, witness, suspect, accused, etc.) shall be provided with all processual rights and guarantees established by virtue of laws and other legal acts for all participants with a given status. Moreover, the Republic of Lithuania Code of Criminal Procedure (hereinafter referred to as CCP) contains provisions applicable solely to juveniles.

The Law on Criminal Proceedings enforces the general processual rights and guarantees for all participants of the proceedings, irrespective of their processual status, gender, race, nationality, language, origin, social status, religion, beliefs and views (Article 44 of CCP), which also apply to all minors participating in the proceedings:

- no one shall be deprived of his liberty except on such grounds and in accordance with such procedure established by the Code of Criminal Procedure;
- anyone who is deprived of his liberty by arrest or detention must be promptly informed of the reasons of his or her detainment or arrest using the language he or she understands;
- anyone who is deprived of his liberty by arrest or detention shall be entitled to take proceedings before a court, in order that court may decide without delay on the lawfulness of his detention;
- anyone who has been the victim of unlawful arrest or detention shall have an enforceable right to compensation;
- anyone arrested or detained on a criminal charge shall be entitled to a fair and public hearing by a competent, independent and impartial tribunal;
- anyone charged with a criminal offence shall have the right to be presumed innocent until proved guilty according to the procedure established under the Code of Criminal Procedure and recognised by enforced court judgement;
- in the determination of any criminal charge against him, anyone shall be entitled to be informed promptly and in detail in a language which he understands of the nature and cause of the charge against him and have adequate time and facilities for the preparation of his defence and examine, or have examined, the witnesses against him, to have free assistance of an interpreter, if he cannot understand or speak the Lithuanian language;
- in the determination of any criminal charge against him, anyone shall be entitled to defend himself in person or through legal assistance of his own choosing; and to have legal assistance assigned to him, and without payment by him if he does not have sufficient means to pay for it in accordance with the procedure established under law regulating the provision of legal assistance guaranteed by the state;
- anyone shall have the right to full respect of his personal or his family's privacy, home, personal correspondence, telephone conversations, telegraph messages, and other intercommunications. In the course of criminal proceedings such human rights may be restricted in cases and manner established under the Code of Criminal Procedure;
- anyone recognised a victim, shall have the right to require that the offender be identified and punished in due manner and to receive indemnification of damage incurred through a criminal act.

The Law imposes general obligations on judges, prosecutors and pre-trial investigation officers to explain to the participants of the proceedings their processual rights and to ensure the opportunity to use them (Article 45 CCP), and where the criminal proceedings are discontinued because of the

failure to establish any signs of the crime or criminal offence and a person is arrested, also in case of acquittal, the prosecutors and judges must explain to the person the procedure of the restitution of rights violated as a result of unauthorised detention, arrest or conviction and of the compensation of damage.

CCP does not contain the chapter enforcing specific features of the processual status of juveniles, however, it contains provisions regulating certain aspects of proceedings related with juveniles.

For the purpose of shortening the pre-trial investigation, the Code of Criminal Procedure establishes that the term of first detention may not exceed 3 months. However, the Code of Criminal Procedure, which was in force until 1 May 2003, provided for the possibility to apply pre-trial detention (arrest) for up to 6 months. With a view to shortening the length of pre-trial detention of juveniles it was established that when extending the length of this pre-trial measure due to exclusive complexity or extensive scope of the case, the final term may not exceed twelve months. In view of the above, the newly adopted Code of Civil Procedure obligates the judge to take a decision to extend the term of arrest or to refuse such extension, if it is determined that within the last two months of arrest, which was applied as a pre-trial measure, no pre-trial investigation acts were carried out and the prosecutor did not notify any objective reasons for the failure to perform them.

The Law establishes the requirement of the obligatory participation of the defence counsel in the investigation of cases concerning criminal acts of a juvenile alleged or accused of committing them (item 1, Par. 1, Article 51 of CCP). The juvenile's refusal of a legal counsel shall not be binding upon the pre-trial investigation officer, prosecutor and court (Par. 2, Article 52 of CCP).

For the purpose of enforcing the rights and legitimate interests of suspects, accused and victims during the proceedings they may be represented by their legal representatives defending their interests: parents, foster parents, guardians, caretakers or institutions engaged in guardianship and care of juveniles (Pars. 1 and 2, Article 53 of CCP). A pre-trial investigation officer, prosecutor and court may pass a decision prohibiting a legal representative from participating in the proceedings as a representative, where such participation is likely to contradict the interest of the minor or incapable person. In such case a pre-trial investigation officer, prosecutor or court must guarantee participation of another legal representative in the proceedings, and where there is no such possibility – temporarily, or until the matter of a new legal representative is settled, to appoint as a representative any other person capable of representing the interests of a juvenile or incapable person (Par. 3, Article 53 of CCP).

Article 186 of CCP (New version of the Republic of Lithuania Law No. IX-1637, 2003, Nr. 68-3070) regulates the procedure of examination of juvenile witnesses and victims and specific features of such examination. With a view to guaranteeing the child's interests, a witness or a victim aged below eighteen shall be interrogated by a pre-trial investigation judge, when so requested by the child's representative, prosecutor or legal counsel in the interests of the child, or conditions set forth under Par. 1, Article 184 of CCP exist (Par. 1, Article 186 of CCP). A witness or victim aged under eighteen years may not be interrogated more than once. It shall be allowed to make a video or audio record of their examination. When examination of a witness or victim aged under eighteen years is attended by a suspect or legal counsel thereof, the pre-trial investigation judge must guarantee that no unauthorised influence is exerted on such witness or victim. A witness or victim aged under eighteen years shall be invited to the court sitting only in exceptional cases (Par. 2, Article 186 of CCP). A representative of the witness or victim aged under eighteen years shall also have the right to participate in their examination. On request of court hearing participants or on court initiative, a representative of the national child's rights protection agency or a psychologist may be invited to the interrogation of accused juvenile aged under 18 years who provide assistance in examining such a juvenile in consideration of the latter's social and psychological maturity (Par. 2, Article 186 of CCP). Entirely analogous provisions shall also apply to juvenile suspects being interrogated (Par. 5, Article 188 of CCP).

With a view to guaranteeing the participation in the criminal proceedings of a suspect, accused or convict, uninterrupted pre-trial investigation, investigation of the case in court and enforcement of the decision, as well as with a view to precluding new criminal acts, a juvenile may be subjected to such preventive measure likewise his (her) return to the parents, guardians or other natural or legal persons taking care of such juveniles (Par. 2, Article 120 and Article 138 of CCP).

According to the general rule, the data of pre-trial investigation before hearing the case in court may be announced only on prior permission of the prosecutor, however, where such data concern juvenile suspects and victims, their making available to the public shall be prohibited without any derogation whatsoever (Article 177 of CCP).

The Law requires that an indictment referred by the prosecutor to the court when the accused is a juvenile, should be accompanied by the material of investigation of circumstances referred to in Par. 2, Article 91 of the Republic of Lithuania Criminal Code. The prosecutor shall be deprived of the right to refrain from referring such material to the court, where such material was collected on request of the suspect, legal counsel thereof, a victim or a representative thereof. Par. 2, Article 91 of CC regulating specific features of imposing a penalty on minors establishes that when assigning a penalty to the juvenile, the court shall, in addition to the general circumstances listed in Par. 2, Article 54 of CC (degree of dangerousness of the committed criminal act; form and type of guilt; motives and purposes of committed criminal act; phase of criminal act; delinquent's personality; form and type of participation of a person as an accomplice in the criminal act; extenuating and aggravating circumstances), shall take into consideration conditions of life and education of the juvenile, his (her) health condition and social maturity, sanctions previously imposed on him (her) and their effectiveness, as well as the juvenile's behaviour after the crime.

If a juvenile delinquent who sustained damage as a result of the criminal act due to minority cannot defend his (her) legitimate interests before court, the obligation to lodge a civil action before court shall rest upon the prosecutor supporting the charge (Article 117 of CCP).

When the child's parents or a single parent uses physical or psychological violence causing danger to the child's physical, mental, spiritual, moral development and safety (until the child is separated from parents by judicial procedure), the child may be placed into provisional guardianship (care) (item 3, Article 3.254 of CC).

24. Provide information on the usual outcome of complaints of violence against children (e.g. compensation, punishment of perpetrators, perpetrator rehabilitation, family therapy).

Official data shall be announced in the Internet websites of the Ministry of the Interior and the Centre for Crime Prevention in Lithuania www.vrm.lt and www.nplc.lt.

25. Provide information on the usual outcome of legal proceedings in which children and juveniles are found guilty of perpetrating violence (e.g. imprisonment, corporal punishment, community service, perpetrator rehabilitation, family therapy).

When determining the minimum age below which the capacity to infringe the criminal law does not exist, the Criminal Code establishes the general age limit of 16 years. However, for certain crimes or criminal offences the lower age limit is established. Par. 2, Article 13 of the Criminal Code promulgates that a person who prior to committing a crime or a criminal offence has reached the age of fourteen is held liable for: murder (Article 129); severe health disturbance (Article 135); rape (Article 149); Sexual harassment (Article 150); theft (Article 178); robbery (Article 180); racketing (Article 181); property destruction or damage (Par 2, Article 187); Seizure of firearms, ammunition, explosives or explosive substances (Article 254); Seizure of drugs or psychotropic substances (Article 263); damage of vehicles or inner appliances thereof (Par 2, Article 280). Numbers of juvenile delinquents is growing proportionately to the number of registered crimes and accounts for about 13–14 per cent of all identified criminals. More and more schoolchildren get involved in committing crimes. Numbers of serious crimes committed by children keep growing. Children often suffer from violence in schools and their neighbourhood. Most of the crimes are committed by juvenile drug addicts (“*Valstybės žinios*” (Official Gazette), 2003, No. 32-1318).

The outcome of the criminal proceedings against children who were found guilty of perpetrating violence may involve all the penalties foreseen in the Criminal Code of the Republic of Lithuania: community service, a fine, detention (from 10 to 45 days) or a term of imprisonment, which may not exceed 10 years. Also the following reformatory sanctions may be imposed on a juvenile who committed a misdemeanor:

- 1) a warning;
- 2) restitution for damage caused;
- 3) unpaid labour of disciplinary nature;
- 4) placement under supervision and care of parents or other natural or legal person;
- 5) restrictions on conduct;
- 6) placement in a special reformatory and disciplinary juvenile institution.

The juvenile on certain conditions can be released from punishment or criminal liability or the conditional suspension of the sentence of detention or imprisonment may be applied for a juvenile. When suspending the sentence imposed on the juvenile, the court must impose on him one or several reformatory sanctions with the exception of the placement in an institution.

Results of investigation of juvenile criminal cases in the court of first instance in 2000-2002 are as follows (data of the National Court Administration).

Description of indices	2000	2001	2002
Number of unsolved cases at the beginning of the reporting period	708	531	475
Cases received during the reporting period	1859	1891	1913
Cases solved during the reporting period:			
examined cases making a judgement	1853	1771	1732
cases terminated during preliminary hearing and judicial sitting	96	90	101
imposition of mandatory treatment on irresponsible criminals	7	5	3
cases referred for additional investigation of administrative hearing or judicial sitting	58	64	63
cases referred according to jurisdiction after commencement of court investigation	21	22	7
cases referred according to jurisdiction without commencement of court investigation	5	9	5
total cases solved (sum total of columns 3 through 7)	2035	1952	1906
In cases investigated during the reporting period:			
individuals accused	2799	2642	2571
individuals acquitted	28	31	25
individuals whose cases were terminated	153	140	180
individuals whose cases were referred for additional investigation	98	106	105
Cases merged	11	13	23
Number of unsolved cases at the end of the reporting period	521	477	493

II. Institutional Framework and resources to address violence against children.

26. Are there any Governmental authorities, structures and mechanisms, including at federal, state/provincial, municipal and local level which are currently responsible for addressing violence against children?

Institutions of the Republic of Lithuania investigate the matters of violence against children according to their competence defined in laws and other normative legal acts. The system of institutions protecting the rights of the child is regulated in Chapter X of the Republic of Lithuania Law on Fundamentals of Protection of the Rights of the Child and comprises the state and its authorities (Seimas, Government, ministries, prosecutor's office, police, etc.), local municipal authorities, also public organisations activities whereof are concerned with the protection of the child's rights. The state and municipal institutions encourage and support voluntary activities of public organisations and also traditional and state - recognised religious communities, in the sphere of protection of rights of the child, establish and fund institutions (services) for protection of the rights of the child, and organise their activity. The Government of the Republic of Lithuania drafts laws and other legal acts in the sphere of protection of the child's rights and submits them to the Seimas for approval, approve programmes, implements laws and other legal acts; assigns in the established manner to the competence of one ministry the sphere of management of the protection of the child's rights; define the competence of other ministries. In the sphere of protection of the child's rights the ministries according to their competence develop and implement the child's rights protection policies and alongside other state and municipal authorities ensure proper protection of the rights of the child; provide methodological assistance to municipal authorities and institutions; carry out other functions established by laws, legal acts and ministerial regulations.

Responsibility for control and supervision of the implementation of laws and legal acts regulating the protection of the child's rights shall rest upon the Child's Rights Protection Ombudsman according to his competence ("*Valstybės žinios*" (Official Gazette), 2002, No. 95-4090).

Responsibility of police for combating violence against children as well as for the prevention and control of all other forms of violence of the police arises from its main tasks: protection of human rights and freedoms; guaranteeing public order and safety; providing immediate assistance to physically and mentally helpless individuals, also to individuals who have suffered from criminal acts and other violations of law; revealing and investigating criminal acts and other violations of law, etc. ("*Valstybės žinios*" (Official Gazette), 2000, No. 90-2777). Therefore, police according to its competence is one of the institutions responsible for combating violence against children.

Protection of the child's rights in the municipalities is guaranteed by respective municipal councils, local municipal executive authorities, child's rights protection institutions (agencies), police inspectors for juvenile (youth) affairs, also schools and other institutions engaged in preparing and implementing the measures of the protection of the child's rights and prevention of violations thereof. Municipal child's rights protection councils set up under municipal councils, in cooperation with public and local municipal authorities carry out public protection of the rights of the child. They are formed and their regulations are approved by municipal councils. Municipal child's rights protection councils comprise representatives of local municipal authorities, child's rights protection institutions (agencies), police inspectors for juvenile (youth) affairs, and of educational and childcare institutions, in addition, the council may include representatives of pupil's councils of children's (youth) organisations or (and) schools, public organisations and (or) traditional religious communities recognised by the state, as well as other institutions and organisations in the field of protection of the child's rights.

In implementing the Model of the Provision of Pedagogical Psychological Assistance (Order No. ISAK-897 of 25 June 2003 of the Minister of Education and Science) the pedagogical psychological assistance of the first level is provided in the environment closest to the child – by specialists work in schools. School pedagogues work with children who have pedagogical problems, helping to restore their spiritual balance and to adapt themselves to the school's community, consult teachers on specific features of education of such children and providing support to the,. Second level support providers are specialists from municipal pedagogical psychological services. Psychologists working in these services organise education of school communities within the territory of the municipality on different matters of prevention of physical, emotional, sexual violence against

children and provide specialised psychological assistance to children – victims of violence. At present the Ministry of Education and Science is seeking to improve accessibility of these services and their timely provision to all children in Lithuania, so as to ensure that pedagogical psychological services are set up in all municipalities and to establish the posts of social pedagogues in schools.

27. Is there a lead Government authority tasked with responsibility for addressing violence against children?

Republic of Lithuania Government Resolution No. 194 of 6 February 2003 attributed the sphere of the protection of the child's rights to the competence of the Ministry of Social Security and established the competence of other ministries in this field.

28. Are specific financial and/or human resources allocated by your country to address violence generally?

Violent crimes account for a minor part of all registered crimes, however, by their nature they are very dangerous and create unsafe atmosphere of fear and emotional discomfort, therefore prevention and control of these crimes is recognised as a priority trend of the prevention and control (*"Valstybės žinios"* (Official Gazette), 2003, No. 32-1318). Police offices have set up separate structural units investigating violent crimes.

29. Does your country allocate specific financial and/or human resources to activities to address violence against children?

All municipalities of Lithuania have set up the Child's Rights Protection Agencies one of the functions of which according to the General Regulations of the Child's Rights Protection Agencies (*"Valstybės žinios"* (Official Gazette), 2002, No.120-5415) is to accumulate reports about children who have suffered violence and to organise assistance to children – victims of violence.

Psychological pedagogical services were set up in twenty-six municipalities. They render assistance and counselling to children and their parents in the spheres of violence, coercion, sexual harassment, etc. In 2004 the Ministry of Education and Science allocated LTL 1 million for setting up psychological pedagogical services in 15 municipalities. For the purpose of strengthening social work and social pedagogical psychological assistance, the Ministry of Education and Science since 1 September 2001 established over 600 posts of social pedagogues in schools. Social pedagogues work with children, parents and institutions engaged in enforcement of the children's rights, safety and social guarantees at schools as well as in the informal environment. The Ministry of Education and Science, alongside the Police Department under the Ministry of the Interior, is implementing the cooperation agreement which envisages that its implementation measures are oriented towards neutralising adverse effects of social environment on children, development of legal understanding and responsibility, as well as other aspects including prevention of violence and coercion.

30. Do international or bilateral donors provide resources to your country for activities to address violence against children?

The Child's Development Centre at the University Hospital of Lithuania is provided with programme financing from sources, other other than public funds). Implemented programmes aimed at combating violence against children were financed by the Open Society Fund – Lithuania. The programmes were carried out in concert with the Police Training Centre of the Republic of Lithuania, other non-government organisations of children. Programmes aimed at combating violence against children were also financed by the Information and Support Office of the Nordic Council of Ministers in Lithuania.

UNICEF supports activities aimed at addressing violence against children under 2003-2005 Multi - Country Programme. In 2004 the extent of resources allocated for child protection is \$25,000 for development and expansion of policies and programmes for protection of children and greater awareness of child rights.

31. Does your country provide any assistance to other countries efforts to respond to the problem of violence against children?

Lithuania works together with other countries seeking more effective prevention of violence against children. The bulk of such work is done in concert with the countries of the Baltic Sea region. Lithuanian government participate in international activity "Children at Risk in the Baltic Sea Region". The project is called "Child center". The Child Centre is the web support of a regional cooperation to raise the level of knowledge and to coordinate the activities targeting children at risk in the Baltic Sea Region. The five areas prioritised in the co-operation are: Child sexual abuse and exploitation, children in the street, children in institutions, young perpetrators of crimes and child trafficking and unaccompanied children. The Child Centre is a part of the Children's Unit within the secretariat of the Council of the Baltic Sea States that includes Denmark, Estonia, Finland, Germany, Iceland, Latvia, Lithuania, Norway, Poland, the Russian Federation and Sweden.

32. If your country has a national human rights institution, such as a human rights commission or ombudsman, or a child-specific human rights institution, does it have any role or competence in the area of violence against children, including receiving complaints?

The Child's Rights Protection Ombudsman's Office – In observance of the provisions of the Republic of Lithuania Constitution, other laws and international agreements, and having regard to the assumed obligations the Republic of Lithuania Law on the Child's Rights Protection Ombudsman was drafted and approved by the Seimas on 25 May 2000. The main purpose of this Law is to create legal preconditions aimed at guaranteeing the implementation of the provisions of the United Nations Convention on the Rights of the Child and of other legal acts related with the protection of the child's rights and supervision of their compliance in Lithuania, and also to control activities of public, municipal and non-governmental institutions and organisations and private individuals that are likely to violate the rights and legitimate interests of children.

In observance of the aforementioned Law, the Child's Rights Protection Ombudsman examines complaints of natural and legal persons with regard to acts, or failure to act, by officials of public or municipal authorities, nongovernmental institutions, as well as other natural or legal persons, that violate, or are likely to violate, the child's rights or legitimate interests, and takes a respective decision. Having examined the complaint, the Child's Rights Protection Ombudsman may take one of the following decisions: refer the complaint to another institution; lay an action before court; refer the material to relevant authorities, if indicia of crime are found; warn persons who have violated the child's rights and legitimate interests; propose that the authority which has registered the child's rights protection agency violating the child's rights or legitimate interests, or the founder of such institution considers the expediency of further operation of such institution; propose that heads of institutions being examined, or the heads of their superior authorities, impose disciplinary penalties on persons guilty for the violations of laws and other legal acts protecting the child's rights or legitimate interests; propose, in the manner established by laws, to amend or invalidate decisions that are inconsistent with laws, international treaties of the Republic of Lithuania and other legal acts; having established shortcomings in the activities of natural or legal persons, or breach of laws committed thereby which violate the child's rights and legitimate interests, warn the offenders and propose, within the limits of own competence, to natural persons, or heads of legal persons, to eliminate irregularities or to reject the complaint if irregularities stated therein do not prove correct.

The right to apply with the Child's Rights Protection Ombudsman shall be enjoyed by all legal and natural persons, as well as by the child. A child who files a written complaint with the Child's Rights Protection Ombudsman shall be exempted from special requirements applicable to the contents of the complaint established by the Law.

In summarising the provisions governing the activities of the Child's Rights Protection Ombudsman, it should be noted that the Ombudsman is provided with direct powers and competence to deliberate all the matters related with psychological, physical and sexual violence

against children, to deliberate complaints with regard to the cases of violence against children, propose measures for avoiding the consequences of this negative phenomenon.

33. Are there any particular parliamentary structures (for example special committees) to address violence against children?

The Family and Child's Affairs Commission was set up at the Seimas of the Republic of Lithuania. Its regulations were approved by the Seimas of the Republic of Lithuania Resolution No. VIII-357 of 1 July 1997. The Commission of new composition was formed by the Resolution No. IX-62 of 30 November 2000. The Commission acts as a standing body and observes in its activities the provisions of the Seimas Statute. In cases where the term of office of the Commission members exceeds one year, the Commission enjoys all rights and responsibilities of the Committee. 9 members of the Seimas working in the Commission have certain spheres of activity assigned to them. The matters of family violence and violence against children are supervised by the Commission Chairwoman.

34. Have there been any recent parliamentary initiatives to address violence against children?

The working group formed on the initiative of the Family and Child's Affairs Commission of the Seimas of the Republic of Lithuania and by decision of the Seimas Board developed the state policy concept of the child's welfare, which was approved by the Seimas Resolution No. IX-1569 of 20 May 2003. Particular attention in this concept is devoted to full protection of the child against violence, coercion, and sexual harassment. It states that violence against children represents sufficient grounds for the state to take measures to protect the child. The child's protection part of the concept comprises numerous items related with violence against the child, including identification of violence, measures of protection against the perpetrator, activities of specialists dealing with the child victim of violence, as well as preventive measures.

The Commission seeks to consolidate the legal framework to improve the child's rights protection and to reduce violence against children. To this end legal acts are being drafted and deliberated, the Commission is provided with proposals of its members on how to amend laws and other legal acts. Proposals of the Commission were taken into consideration when drafting the new Code of Criminal Procedure ("*Valstybės žinios*" (Official Gazette), 2000, No. 89-2741). Amendments introduced in the Draft Code of Criminal Procedure were aimed at ensuring that all Articles of the Code enforce the provision conforming to the requirements of the United Nations Convention on the Rights of the Child that a child is a person aged under 18, other than under 16 years, as previously specified in the Draft. In addition, proposals as to guaranteeing that the proceedings of hearing all cases regarding criminal acts committed by delinquents aged under 18 should be open to the public. The provision requiring that the prosecutor or court should take care of a juvenile aged under 18 who needs such care was also included in the new Code. Proposals to avoid situations in which the juvenile's legal representatives interested in the completion of the case still have the right to participate in the case as representatives were adopted. It was guaranteed that arrest on juveniles should be imposed only as a measure of last resort. Introduced amendments facilitated in extending the possibility to impose on juveniles such preventive measure, likewise their placement into care of natural or legal persons and subsequently harmonising this provision with Article 82 of the new Criminal Code. With a view to guaranteeing wider protection of the rights of a juvenile witness and victim, which is in line with the international provisions of the protection of the child's rights, it was established that a person aged under 18 should be examined only once and invited to the court sitting only in exceptional cases. It was also established that examination of a suspect aged under 18 should take place with participation of a representative of the child's rights protection agency or a psychologist.

When deliberating the Draft Law on the Protection of Minors against Detrimental Effects of Public Information, the provision restricting public information, which causes detriment to physical, mental or moral development of juveniles was enforced on initiative of the Commission members.

The Commission, in concert with ministries, other public authorities and organisations, organises and is involved in organising conferences and seminars on the prevention of violence against children and women.

III. Role of civil society in addressing violence against children

35. Describe significant civil society initiatives addressing violence against children in your country, including the types of institutions involved (such as academic institutions, Professional associations, women's associations, student associations, community-based groups, faith-based groups, child and youth-led groups, trade unions, employer's organizations, national non-governmental organizations, international non-governmental organizations) and the major activities engaged in (including advocacy, awareness raising, research, prevention, rehabilitation and treatment of children harmed by violence, provision of services, provision of resources).

In Lithuania there are many organisations engaged in the field of prevention of coercion, intervention and postvention. Numerous initiatives have been launched to combat violence and coercion. Measures aimed at children are implemented together with the development of preventive programmes for combating violence against women and men. Vilnius Pedagogical University, Vilnius University and other higher schools have included into their training programmes the courses on violence against children and train their students on this subject.

Lithuania has a well-developed network of telephone psychological assistance services. This network helps to provide telephone assistance to victims of coercion. Assistance to children and citizens is provided free of charge. The Ministry of Social Security and Labour of the Republic of Lithuania finance the cost of calls. The greatest attention to this matter is devoted by the Children's Line.

The Child's Development Centre of the University Hospital of Lithuania has launched the campaign "Stop insulting". The purpose of this campaign is to draw attention of the public to insulting in schools, strengthen intolerance of specialists working with children and other adults to this phenomenon and disseminate insulting prevention ideas in schools. This campaign comprises the cycle of seminars for teachers, the campaign involving famous people of Lithuania, preparation and dissemination of information material.

The Children's Telephone Line is working on implementation of the project "Peers to Peers" according to which volunteers from among children and juveniles themselves are trained to provide psychological assistance to their peers. A non-governmental organisation "Social Responsibility Centre" is implementing the Project "Prevention of Violence against Children" aimed at the prevention of emotional, physical and sexual violence through development of psychological and social knowledge of children and their skills of safe and healthy behaviour. Great attention under the Project is devoted to the application of active training methods, consideration of matters related with emotional, physical and sexual violence, discussions and exercises. The Centre of Support for Children is implementing the programmes "Big Brother Big Sisters" (volunteer training for child and adult friendship), "Prevention of Violence against Children", theoretical and practical training for pedagogues and other representatives of the school community, teams of specialists engaged in preventive and intervention work within the school's community, organises training of pupils and parents on the matters of prevention of coercion, crises and harmful habits, also practical training for parents, etc. A non-governmental organisation "The Child's Home" is working on the project "Prevention of Coercion against Children and Children's Crimes: Cooperation between Police and Social Sector", which is supported by the World Children's Fund. The Project is aimed at inspectors of juvenile affairs with a view to increasing their involvement in preventive activities to fight coercion against children, abuse of drugs, HIV infection and AIDS. Anonymous psychological

assistance telephone lines established in Lithuania provide immediate psychological assistance to children in crisis: the Children's Line, the Youth Line, and the Pupils' Line.

36. Describe the support provided by your Government for these activities and the efforts made to coordinate civil society and governmental initiatives.

The Government provides assistance to public and NGOs through implementation of miscellaneous programmes. However, no methodologies have been approved yet to ensure the safety of children who have suffered coercion during their examination. The child's video examination or any other manner which is likely to prevent exerting influence on the child during examination has not been enforced either. Only a few organisations have been set up by now to deal with children victims of coercion, but they do not have the approved status of an official institution capable of evaluating whether or not the child is a victim of coercion.

37. Describe the role played by the media in addressing violence against children.

Mass media plays an important role in educating the public and forming attitudes towards violence fighting with information of illegal content provided in the Internet and encouraging public complaints.

In observance of the Law on the Protection of Minors against Detrimental Effect of Public Information a group of experts is working under the Inspector of Journalist Ethics. The group comprises competent specialists from different spheres and is capable of assessing doubtful or criticised press, radio, television, and Internet phenomenon, providing its findings and recommendations. The purpose of this group is to work in concert with all mass media, school, parents, different associations seeking that information which is made available to the public is targeted towards the development of values, education and maturity, also using experience and traditions of democratic countries to ensure that information is objective, correct, fair, that it does not judge without trial and is not psychologically detrimental, and that respect to everyone is guaranteed, including children and minors the care for whom rests under our responsibility, with a view to guaranteeing that their physical, mental and moral development is not impaired.

IV. Children as actors in addressing violence

38. Provide information on the involvement and consultation of children in designing activities, and in implementation and monitoring of programmes and policies to address violence against them. Provide details, including ages and other details of the children involved.

Lithuania has launched campaigns aimed at combating violence against children (see answer to Question 55). These campaigns also involve children. During the first event "Vilnius Days" of the campaign "May – the Month Free from Violence against Children" launched in 2004 by the Ministry of Social Security and Labour alongside with the Lithuanian Children's Rights Protection Organisation "Save the Children", children members of street centres, such organisations likewise "Turn to Children", „SOS Children", also pupils from schools created drawings on the subject "World without Violence". With a view to reminding of the need to pay more attention to the problems of violence against children, 10 rolls with the children's drawings were delivered to state officials – representatives of the Office of the President, the Seimas, ministries and municipalities. All participants of this event held their hand-made windmills, which have become the symbol of this campaign. Children aged twelve and eighteen guided this event. They told about the specially published leaflet containing the text designed to help children to understand whether they are victims of violence.

Consultations to children victims of violence are provided by several organisations in Lithuania: the Centre of Support for Children, the Child's Development Centre of the University Hospital of Lithuania.

Representatives of the Pupils' Parliament, which is functioning in the country, address different urgent problems of children, participate in drafting legal acts, including legal acts in the sphere of the prevention of violence and coercion. Self-governance bodies of pupils set up in schools, children and youth organisations are also active in addressing the aforementioned problems.

39. Describe the involvement, if any, of children in designing special procedural or evidentiary rules applying in court proceedings with respect to hearings concerning violence against children. Provide details including ages and other details of the children involved.

Examination of children during investigation is carried out by pre-trial investigators or judges. Attempts are made to ensure that provisions of laws are respected and that children are examined only once. Such children are often referred to other institutions for examination. At present most of the children are examined by psychiatrists and psychologists whose findings are taken into account by court. No institution has been certified by now for performing this specialist work, and no methodologies of assessing whether or not the child is a victim of violence are not approved yet. The Child's Development Centre of the University Hospital of Lithuania has set up the room of video examinations, which has not yet been granted the status of the method of examination of children.

40. Describe the amount and type of resources made available to support children's participation in activities to address violence against children.

Part of assistance is received through miscellaneous national programmes (e.g., the National Programme Against Sexual Exploitation and Sexual Abuse of Children) implemented by the Government. The remaining assistance is provided by international institutions. There are no precise data on sources of financing, because in order to obtain them, the monitoring of all non-governmental and other organisations should be carried out.

V. Policies and programmes to address violence against children

41. Does your Government have a comprehensive policy concerning violence against children?

Lithuania is implementing the National Programme Against Sexual Exploitation and Sexual Abuse of Children for 2000-2004 approved by the Republic of Lithuania Government Resolution No. 29 of 11 January 2000. The National Programme Against Sexual Exploitation and Sexual Abuse of Children which provides for educational, social, medical, organisational and information measures for achieving the programme goals – creating conditions for combating sexual exploitation and sexual abuse of children and providing for the respective measures for this purpose. The main goal of this programme is to create the system of preventive measures against sexual abuse and commercial sexual exploitation and to identify the main types of sexual abuse and commercial sexual exploitation of children.

On 20 March 2003 the Seimas of the Republic of Lithuania passed the Resolution No. IX-1383 on approval of the National Crime Prevention and Control Programme. The strategic goal of this programme is to create a new model of the crime prevention and control system the use of which would facilitate consistent and complex elimination of the root causes and conditions of crimes, sound use of financial and human resources and improve crime prevention and control efficiency in Lithuania. In implementing the principles of systematic and complex application, crime prevention and control tasks are set for the most important social-economic and legal policies, which also include the policy of social legal support to the family, youth and victims of crimes. For the purpose of implementing the crime prevention and control policies and principles the priority crime prevention and control policies are distinguished comprising crime prevention and control, prevention and control of trafficking in people, prevention and control of the crimes of children and youth.

On 20 May 2003 the Seimas of the Republic of Lithuania passed the Resolution No. IX-1569 on approval of the State Policy Concept of the Child's Welfare. The Republic of Lithuania

Government Resolution on Approval of the State Policy Strategy of the Child's Welfare and the Plan of its Implementation Measures for 2004-2012 has already been drafted. The state policy strategy of the child's welfare is aimed at creating preconditions for the welfare of all children, providing for this purpose long-term strategic measures of the state policy of the child's welfare and the funds for the implementation of such measures. For the purposes of this strategy the child's welfare is understood as creation of conditions enabling a child to live a full-fledged life, while guaranteeing the child's right to protection, maintenance and participation in social life. The Plan of Measures of the Implementation of the State Policy Strategy of the Child's Welfare covers the system of complex and coordinated actions and measures aimed at protecting children from all forms of violence and economic exploitation.

42. Does your Government deliver, or provide direct support for delivery by other agencies, of specific programmes aimed at preventing and responding to violence against children?

The Government is providing support via miscellaneous national programmes (the National Programme Against Sexual Exploitation and Sexual Abuse of Children for 2000 – 2004 approved by the Republic of Lithuania Government Resolution No. 29 of 11 January 2000, the National Crime Prevention and Control Programme approved by Resolution No. IX-1383 of 20 March 2003 of the Seimas of the Republic of Lithuania, the Programme for the Control and Prevention of Trafficking in People and Prostitution for 2002 – 2004 approved by the Republic of Lithuania Government Resolution No. 62 of 17 January 2002, the National Programme of Equal Opportunities for Women and Men for 2003-2004 approved by Resolution No. 712 of 3 June 2003, the Juvenile Justice Programme for 2004-2008 approved by Resolution No. 600 of 19 May 2004, and other programmes).

43. Does your Government monitor the impact of these policies and programmes directed towards violence against children?

No information is available.

44. Does your Government participate in any internationally coordinated activities concerning violence against children?

Representative of the Ministry of Social Security and Labour participate in Committee for implementation of the programme of Community action on preventive measures to fight violence against children, young persons and women (Daphne)(2000-2003).

The Government of the Republic of Lithuania mostly cooperates with the states of the Baltic Sea region. **Project.** The Baltic Sea Region Child's Centre – the international cooperation network aimed at improving knowledge and coordinating prevention of sexual abuse and commercial sexual exploitation of children. The Child's Centre maintains cooperation with the Council of the Baltic Sea States (CBSS), which includes Denmark, Estonia, Finland, Germany, Iceland, Latvia, Lithuania, Norway, Poland, Russian federation and Sweden. On 1 January 2002 the Secretariat was set up at the Council of the Baltic Sea States to deal with abuse and commercial sexual exploitation of children. The Baltic Sea Region Child's Centre Internet website address is <http://childcentre.baltinfo.org>

Objectives. Develop the network of specialists to deal with children suffering from sexual abuse and commercial sexual exploitation. Using modern technologies (the Internet, videoconferences, etc.) coordinate activities between specialists of different spheres (mental health, law and order, legislation, etc.), exchange experience and share information about performed surveys, laws, assessments of effective activities, etc.

Project structure. Each country has its national coordinator responsible for information and participation in the Child's Centre at the national level. Coordinators accumulate and handle information, submit it to the Centre, organise translations and summarise country needs in the field of addressing the children's matters. All country coordinators maintain close cooperation with the Competence Centre of each country. Country experts representing the ministries select competence Centres. Institutions or volunteer organisations that have the best skills and knowledge in

addressing the problem of sexual exploitation of children represent competence Centres. In Lithuania a representative of the Ministry of Social Security and Labour of the Republic of Lithuania was delegated to the expert group. The Child's Development Centre of the University Hospital of Lithuania was selected as the Competence Centre. IT Project "Children's House" has already been created in Child's Development Centre which contains different information about children (www.vaikunamas.lt)

VI. Data collection, analysis and research

45. Over the past five years, has there been any victimization, epidemiological or other population-based surveys of any forms of violence against children in your country?

If yes, provide details or references, or attach.

In implementing the National Programme against Commercial Sexual Exploitation and Sexual Abuse of Children, in 2000-2001 a sociological survey was carried out on the initiative of the Ministry of Social Security and Labour with a view to determining the spread of abuse against children and analysing the situation. During the survey attempts were made to find out the respondents' attitude towards all types of violence (i.e., emotional, physical, sexual abuse). In the course of the survey five social groups of individuals – children, parents, society, specialists and experts - were interviewed. The public opinion and market surveys studio "Sprinter" carried out the survey. In December 2000 specialist and expert surveys of parents and public and in March – May 2001 – of children were carried out. According to the results of the survey up to 10 per cent of children (mostly within 13-16 years age group) in Lithuania experience different types of sexual abuse. Data of this survey showed that majority of the country's children perceive commercial sexual exploitation and sexual abuse of children as a problem of particular urgency, however, in proposing the ways of how to address it they mostly rely on repressive measures – more active prosecution of perpetrators and more strict punishments. More information about the survey results is provided in the publication: General Review of the Basic Education and Specialised Development Programme against Commercial Sexual Exploitation and Sexual Abuse of Children. – Vilnius, 2001.

In 2001 the Lithuanian National Committee for UNICEF organised the children and youth opinion survey. This was a very wide international survey which covered 15 200 children from 35 countries. The survey was carried out using one methodology and a questionnaire. In each country 400 interviews with children (aged 9-13 years) and youth (aged 14-17 years) were held. Children for the survey were selected according to the following criteria: age, gender, region, type of the place of residence (town/village), and social-economic category. This survey showed that violent behaviour (psychological or physical violence) is characteristic of 65 per cent of families in Lithuania. 14 per cent of children reported frequent aggressive behaviour in their families. In most cases aggressive family behaviour was reported by boys (70 per cent), compared with girls (58 per cent). Aggression was more frequent in large families (68-76 per cent of all cases), and less frequent in small families growing one child (57 per cent of all cases). According to the survey data Lithuanian children, compared with children from Western Europe, are more tolerant towards physical and psychological family violence and believe that such measures can be helpful in settling the problems that arise. 29 per cent of children in Lithuania are of the opinion that problems may be settled by talking, and 46 per cent believe that sometimes it is possible to settle the problems by yelling. More information about results of this survey is available in the publication: Children and Youth Opinion Survey. Lithuanian National Committee for UNICEF. – Vilnius, 2001.

By now no surveys carried out in Lithuania that might facilitate in defining the scope, structure and factors of trafficking in children. Nevertheless certain information about trafficking in children is available from other surveys organised for investigating the related problems: firstly the trafficking in women and prostitution.

In implementing the information campaign “Against Trafficking in Women in the Baltic Countries” Vilnius Office of the International Organisation for Migration initiated the surveys. This information campaign followed the surveys carried out in all of the Baltic countries under the initial IOM Project ”Surveys, Information and Legislation – Trafficking in Women in the Baltic Countries” (September 2000 – August 2001). The USA and Finnish Governments financed this project. The survey covered the legal framework targeted against trafficking in people, social aspects of prostitution and trafficking in women, the degree of public awareness of this problem.¹ One of the key findings of this survey is that involvement of women, including young women has developed into a more obvious and continuously expanding phenomenon. On order of Vilnius Office of the International Organisation for Migration in September – October 2001 and September 2002 the Public Opinion and Market Surveys Centre “Vilmorus” carried out the public opinion survey.² This survey showed that nearly every tenth young person in Lithuania has more or less directly faced the problem of trafficking in women and their movement abroad to work as prostitutes: 8,8 per cent of young people reported the attempts to move girls abroad to work as prostitutes from among their colleagues, friends, relatives or family members. 5,6 per cent of the country’s population have personally encountered this problem.³ In 1998 the Consulting Room on Social Diseases “Demetra” interviewed 73, and in 2001 – 220 street prostitutes. Respondents were women of aged between 14 and 54. The average age of respondents - 24,5 years. These surveys were aimed at determining the health condition of prostitutes, their income, and what is the most important – motives and conditions stimulating them to engage in prostitution. The data on age of prostitutes working in the streets of Vilnius, their education, place of origin, social status, etc. were also collected during the survey. Survey results showed that the majority of street prostitutes are women of 21- 25 years. In 1998 minors (aged between 14 and 16) made up 4,23 per cent, and in 2001 – 13, 33 per cent of the prostitutes.⁴ This survey revealed a very dangerous tendency, i.e. more and more women of younged are get involved in prostitution.

the survey “Attitude of Juveniles Towards Sexuality and Sexual Abuse” carried out in 2004 involving 7 states: Norway, Sweden, Latvia, Estonia, Russia, Poland and Lithuania during which 3020 respondents were interviewed is coming to end.

Other surveys.

International Survey of the Victims of Crimes in Vilnius (Lithuania) 2000. (*Tarptautinis nusikaltimų aukų tyrimas Vilniuje (Lietuva)*) (Final Report. - Vilnius: Law Institute, 2001. [Ivadas, išvados \(PDF byla, 8 p., 60 KB\)](#). [Visa baigiamoji ataskaita \(PDF byla, 89 p., 577 KB\)](#)).

Dobryninas A. (Juvenile Justice in Mass Media of Lithuania) [Nepilnamečių justicija Lietuvos žiniasklaidoje](#). - Vilnius: Lithuanian Centre for Human Rights. (<http://www.nplc.lt/nj/Knygos/Ziniaskl/turinys.htm>)

(Juvenile Delinquents Accused of Serious Crimes: Specific Psychological and Social Features) [Nepilnamečiai, padarę sunkius nusikaltimus: psichologiniai ir socialiniai ypatumai](#). - Vilnius: Lithuanian Centre for Human Rights, 2000. (<http://www.nplc.lt/nj/Knygos/Sunk/turinys.htm>)

Sakalauskas G. ir kt. (Child and Youth Unemployment and Crime Prevention) [Vaiku ir jaunimo neužimtumo ir nusikaltimų prevencija](#) (583KB ZIP case) (case study and methodological recommendations). - Vilnius: Centre for Crime Prevention in Lithuania, 2000, 200 p. (<http://www.nplc.lt/lit/lit24.zip>)

¹ Website of the International Organisation for Migration: <http://www.focus-on-trafficking.net/index.php?ln=lt>

² Public Perception and Awareness of Trafficking in Women in the Baltic States. Representative surveys, Report / September-October 2001, Vilnius, Lithuania. – Helsinki: International Organization for Migration (IOM), 2002.; Public Perception and Awareness of Trafficking in Women in the Baltic States (2). Research and Technical Report / September-October 2002, Vilnius, Lithuania.– Helsinki: International Organization for Migration (IOM), 2002.

³Prevention of Trafficking in People / Report on the Status of Human Rights in Lithuania. Human Rights’ Action Plan, 2002 ; <http://www3.lrs.lt/owa-bin/owarepl/inter/owa/U0073012.doc>

⁴ see Bazylev I., Žekonis R. Prevention and Control of Trafficking in People in Lithuania. – Vilnius, 2003. P. 11-17.

(Social Situation and Legal Protection of the Victims of Crimes in Lithuania) [Nusikaltimų aukų socialinė situacija ir teisinė apsauga Lietuvoje](#). - Vilnius: Centre for Crime Prevention in Lithuania, 1999. Full text: [lit4_1.pdf](#). (<http://www.nplc.lt/lit/lit4.htm>)

Jatkevičius A. (Prevention of Violent Crimes of Juveniles) [Nepilnamečių smurtinio nusikalstamumo prevencija](#). Summary Doctor's Thesis (social sciences, law). - Vilnius: Vilnius University, 2003. [Visa disertacija](#). (<http://www.nplc.lt/lit/lit23/lit23santr.doc>)

Jurgelaitienė G. (Recidivist Crime Prevention in the Republic of Lithuania) [Recidyvinio nusikalstamumo prevencija Lietuvos Respublikoje](#). Summary Doctor's Thesis (social sciences, law). - Vilnius: Law University of Lithuania, 2001. (<http://www.nplc.lt/reng/ren29.doc>)

Uscila R. (Victims of Crimes – Child and Criminal's Inversion: Victimological Analysis) *Nusikaltimo aukos - vaiko ir nusikaltelio inversija: viktimologinė analizė, 2004*. (www.vaikunamas.lt)

Slušnys L. (Comparative analysis of Calls to the Children's Telephone Line) *Skambučių į Vaikų telefono liniją lyginamoji analizė (1998-1999)*. Medicine. January 2000, Volume 36, No. 1. P. 108-110.

Defended Doctor's Theses:

Kairienė B. (Psychological Development of Adults who Have Suffered Aggression of Their Parents and Possibilities of Pedagogical Correction) *Jaunuolių, patyrusių tėvų agresija, psichosocialinė raida ir pedagoginės korekcijos galimybės* [Manuscript] : Doctor's Thesis: social sciences, educology (07S) / Brigita Kairienė ; Physical Culture Academy of Lithuania. - Kaunas, 2002. - 160 lap. : iliustr. [M 177]

Uscila R. (Intercation of the Victim and Criminal: Victimological Aspect) *Nusikaltimo aukos ir nusikaltėlio interakcija: viktimologinis aspektas*. Doctor's Thesis: social sciences, law (01 S) – Vilnius: Law University of Lithuania, 2003. (santrauka - <http://www.nplc.lt/lit/lit25.pdf>)

Considerable attention during surveys carried out by the staff of the Social Work Department of the Law University of Lithuania is paid to social – psychological assistance to children, including children victims of violence. Between 2002 and 2004 several master's papers dealing with the problems of violence against children were prepared on the basis of survey data:

Mažeikienė, D. (Punishments of Children in the Family and Social Adaptation) *Vaikų baismės šeimoje ir socialinė adaptacija*. Master's Graduation Paper, Vilnius: LTU, 2003 m. (supervisor Dr. Ž.Jonynienė)

Mizgaitienė, R. (Analysis of the Causes of Family Violence against Children) *Smurto prieš vaikus šeimoje priežasčių analizė*. Master's Graduation Paper, Vilnius: LTU, 2004 m. (supervisor Dr. Ž.Jonynienė)

Bušaitė, J. (Consequences of Sexual Abuse against Children and Their Influence on Socialisation) *Seksualinės prievartos prieš vaikus pasekmės ir jų įtaka socializacijai*. Master's Graduation Paper, Vilnius: LTU, 2004 (supervisor Lecturer M.Urmonienė)

Zlataravičienė, A. (Peculiarities of Socialisation of Children Victims of Violence) *Vaikų, patyrusių fizinį smurtą, socializacijos ypatumai*. Master's Graduation Paper, Vilnius: LTU, 2004 (supervisor Lecturer I.Zaleckienė)

(G. Navaitis Monograph “Psychological Assistance to the Juvenile”) *G.Navaičio monografija "Psichologinė parama paaugliui"*, Vilnius: KRONTA, 2001, in which great attention is paid to the prevention of family and school violence, psychological assistance to juveniles - victims of violence.

46. Have there been any small-scale or representative interview studies with parents and children on violent victimisation of children?

No information is available.

47. Over the past five years, has your Government conducted or commissioned any scientific research projects on the problem of violence against children?

See Question 45.

48. Have studies or surveys been undertaken into the impact of legal measures to address violence against children?

No information is available.

49. Does your Government have a system for formal inquiries into all child deaths in which it is known or suspected that violence may have played any part?

No information is available.

50. Are regular (e.g. annual) reports published describing the statistical profile of the known or suspected violent deaths investigated by the system?

Criminal acts and victims are recorded in the centralised manner in the information system of the Ministry of the Interior (hereinafter referred to as the centralised accounting). The key manager of the centralised accounting data is the Department of Informatics and Communications under the Ministry of the Interior. On the basis of data entered and processed in the central database the Department of Informatics and Communications under the Ministry of the Interior prepares and publishes in the Internet website (www.vrm.lt) statistical reports on criminal acts, their perpetrators and victims.

This database contains data on crimes against children registered between 2000 and 2002 (data of the Ministry of the Interior) (crimes are arranged according to the sequence order of Articles of the Republic of Lithuania Criminal Code applied before 1 May 2003): See Question 1 Table 1.

51. If reports on the national profile of known and suspected violent deaths are published by your Government, indicate how the data is broken down for the purpose of reporting (check all that apply):

For the purpose of centralised accounting of criminal acts, as well as their perpetrators and victims statistical cards are completed. A statistical card of a victim or legal person (civil plaintiff) includes the data on the victim's gender, age, citizenship and nationality, also specifying the type of offence suffered by the person, and family status of the child. A statistical card of the criminal act is also completed separately specifying in it the data about the date, time and exact place of the criminal act, as well as the manner in which it was committed (violent: torturing, strangling, drowning, intoxicating, shooting, stabbing, etc.), tools and means used for committing the criminal act (firearms, weapons, other than firearms, explosives, etc.).

Sex	+
Age	+
Ethnicity	+
Manner of death (hominide, suicide, undetermined)	
External causes of death (firearm, strangulation, etc.)	
Geographical location of incident (address)	
Scene of occurrence (home, school, etc.)	
Time and date of incident	
Victim-perpetrator relationship	+
Other	

52. Provide the total number of reported cases of violence against children in 2000, 2001, 2002 or 2003.

Crimes against life, health, freedom and dignity of children reported between 2000 and 2002 (crimes are arranged in sequence order of Articles of the Republic of Lithuania Criminal Code applicable until 1 May 2003): in 2000 – 294, in 2001 – 303, in 2002 – 362 crimes. Enactment of new criminal laws on 1 May 2003 brought about changes in the procedure of qualification and registration of criminal acts, therefore the Ministry of the Interior could not provide exact data for the year 2003.

53. Provide the total number of convictions and reported cases for the various categories of crimes of violence recorded against children in 2000, 2001, 2002 ir 2003.

Crimes against children registered between 2000 and 2002 (data of the Ministry of the Interior) (arranged in sequence order of Articles of the Republic of Lithuania Criminal Code applicable until 1 May 2003): See Question 1 Table 1.

Enactment of new criminal laws on 1 May 2003 brought about changes in the procedure of qualification and registration of criminal acts, therefore the Ministry of the Interior could not provide exact data for the year 2003.

VII. Awareness, advocacy and training

54. Over the last five years has your Government conducted or commissioned any campaigns for raising awareness of and preventing violence against children?

The Juvenile Criminal Justice Programme financially supported under the United Nations Development Programme was implemented between 2000 and 2002. With a view to teaching the officers to communicate with children irrespective of whether they are victims or delinquents, skills upgrading courses “Criminal Justice of Juveniles” for investigators, criminal police officers and juvenile affairs’ police officers took place in Vilnius. The skills upgrading courses were organised in 14 cycles. These courses were completed by more than 460 police officers and staff of the prosecutor’s office, special education and childcare homes and youth schools. In 2002 the survey of criminal and municipal police officers was conducted in all police commissariats in order to find out the problems encountered by officers in this field, how they evaluate the work of services dealing with juvenile delinquents, the root causes of juvenile delinquency, etc. The pupils of Vilnius city were also included in the survey conducted in concert with the Lithuanian Centre for Human Rights. The purpose of this survey was to find out the opinion of pupils of Vilnius city about certain problems of juvenile delinquency: police work, root causes of juvenile delinquency, information on the matters of juvenile delinquency published in mass media. A sociological survey of juveniles was carried out in January 2002. 1032 juveniles of Lithuania aged between 14 and 18 years attributed to the risk group were interviewed during this survey. The survey was aimed at finding out the juveniles’ opinion about the police work, root causes of juvenile delinquency, also experience of communication with police officers. Results of this survey were used as a basis for improving the work of police and the situation of juveniles who deal with police.

The following programmes of corrective work and social rehabilitation of juveniles are being implemented at present: Drug Addiction Prevention Programme, Violence Prevention Programme, Self-injury Prevention Programme, Social Skills Development Programme “Think Yourself”, Adaptation Programme, Programme of the Preparation for Release, Social Support Programme, Art Therapy Programme. The number of implemented programmes slightly reduced compared with 2001 (previously – 11 programmes), but the quality of their preparation, organisation and implementation improved considerably. Programmes of activities that are carried out on a regular basis, i.e. physical training and library activities, were given up. More information is presented in the Report on the Implementation of the United Nations Convention on the Rights of the Child approved by the Republic of Lithuania Government Resolution No.142 of 9 February 2004 (“*Valstybės žinios*” (Official Gazette), 2004, No. 24-739).

With a view to achieving more effective prevention of the cases of violence against children, improving cooperation between police and other interested authorities in guaranteeing the safety and rights of children, on 3 October 2002 the Police Commissioner General signed the Instruction on Strengthening the Prevention of Violence against Children. In implementing this instruction, police officers and administration of educational establishments discuss on a regular basis adverse processes occurring in schools, communication problems between children and their groups, other negative factors causing violence against children, accumulate and analyse registered cases of such

violence, and, having regard to the findings of analysis, in concert with the child's rights protection services, pedagogues, medical men, and representatives of non-governmental organisations, provide for common measures for the prevention of violence against children and develop targeted prevention and socialisation programmes. Certain police offices are actively involved in preventive activities (for example, the Child and Mother's Support Centre established at Panevys regional police commissariat).

On 16 October 2002 the Minister of Social Security and Labour issued Order No. 125 on approval of the Action Plan of Immediate Measures to Fight Violence against Children, which was also signed by the Minister of Justice, the Minister of the Interior, the Minister of Education and Science, and the Minister of Health Care. On the basis of this Plan the regulations of activities of educational, health care, social security establishments and police are being revised, seeking to eliminate barriers in the inter-ministerial cooperation, define duties and responsibility of individual staff in identifying the cases of violence against children, rendering assistance to the child – the victim of violence, establishing liability of public servants and officials for the default on their obligations, raising public awareness as regards proper education of children, development of civic values and intolerance towards violent crimes against children. Video clips aimed at combating violence against children were created.

On 2 December 2003 the Ministry of Social Security and Labour held the conference "Help the Child the Victim of Abuse" during which the matters of abuse against children and possible ways of strengthening interministerial cooperation were discussed. The following publications prepared on order of the Ministry of Social Security and Labour were introduced "Rehabilitation and Reintegration of Children Victims of Sexual Abuse and Their Relatives. Methodical Recommendations for Psychologists, Social Workers and Social pedagogues". The Conference was attended by specialists from different spheres working with children: the staff of the municipal child's rights protection agencies, psychologists, social workers, social pedagogues from schools, employees of childcare homes, etc.

The Ministry of Social Security and Labour in concert with the Lithuanian Child Rights Protection Organisation "Save the Children" launched the campaign in 2004 "May – the Month Free from Violence against Children", which was aimed at developing responsibility of the public for every child and intolerance to perpetrators, creating the atmosphere of intolerance towards violence and coercion in the public, educate people on the matters of violence suffered by children, its consequences, encourage initiative and self-dependence of children, promote and teach settlement of conflicts without using violence. One of the purposes of this campaign is to achieve that every year May is declared the month free from violence against children, and to make 1 June – the International Day of Children's Protection – the day mass media free from violence. Many events took place during this campaign. Groups of pupils joined by the Organisation "Save the Children" held different campaigns in towns of Lithuania, which were aimed at drawing attention of people to the problem of violence against children. The campaign also included presentations of various surveys related with the subject of this campaign, specialist discussions which in addition to violence against children also covered the issues of children's violence against adults, and introduction of the idea of the need to pass the law prohibiting physical punishments of children. Information about this campaign was presented on special posters, stickers and leaflets. They were disseminated during mass gatherings, through municipalities, neighbourhoods, schools, miscellaneous non-governmental and youth organisations. During the first event "Vilnius Days" of the campaign "May – the Month Free from Violence against Children" launched in 2004 by the Ministry of Social Security and Labour alongside with the Lithuanian Children's Rights Protection Organisation "Save the Children", children members of street centres, Organisations "Turn to Children", „SOS Children" and pupils from schools created drawings on the subject "World without Violence". With a view to reminding of the need to pay more attention to the problems of

violence against children, 10 rolls with the children’s drawings were delivered to state officials – representatives of the Office of the President, the Seimas, ministries and municipalities. All participants of this event held their hand-made windmills which have become symbols of this campaign. The event was guided by children themselves aged twelve and eighteen. They told about the specially published leaflet containing the text which will help the children to understand whether they are experiencing violence.

The Ministry of Education and Science has prepared and issued the following publications: information material for parents and pedagogues “Sexual Abuse of Children”, information material for specialists working with children about the United Nations Convention on the Rights of the Child, its implementation, rights and duties of the child, methodical recommendations for social pedagogues “Suicide Prevention in Schools”, methodological material for psychologists and social pedagogues of pedagogical psychological services and schools “how to help children and juveniles who have suffered from sexual abuse, etc. Prepared methodological material are disseminated to pedagogical psychological services, schools, and university libraries of the country.

55. How were the campaign messages and information disseminated (check all that apply)?

Print media	+
Radio	+
Television	+
Theatre	
Schools	+
Others	+

56. Over the last five years, has your Government provided, commissioned or sponsored training programmes in the area of violence against children?

In implementing the National Programme against Commercial Sexual exploitation and Sexual Abuse of Children in 2001, the General Basic Education and Specialised Skills Upgrading Programme, as well as Specialised Skills Upgrading Programmes for specialists were prepared and published on order of the Ministry of Social Security and Labour aimed at police officers, prosecutors, judges, social pedagogues, pedagogues, individual health care staff, social workers, psychologists and psychotherapists, as well as methodical material intended for specialists dealing with a child victim of sexual abuse. Training of respective specialists was organised on the basis of these programmes during which more than 350 specialists from different spheres working with children improved their qualifications: health care specialists, pedagogues, psychologists, judges, prosecutors, etc.

In 2003 the Ministry of Social Security and Labour organised training on the following subjects: “Training of Specialists Working with Children Victims of Sexual Abuse, Promotion of Interministerial Cooperation and development of Practical Skills“, “Juvenile Perpetrators. Mass Media and Sexual Abuse of Children”, “Abuse of Disabled Children: Identification and Mitigation of Risk”. More than 1000 specialists improved their skills: police officers, pedagogues, social pedagogues, staff of the municipal child’s rights protection services, social workers, psychologists, judges, prosecutors, representatives of childcare homes and boarding schools, journalists, representatives of education centres and other specialists. Training on the subject of violence and sexual abuse of children were also organised in 2004.

In implementing the Juvenile Justice Programme financed under the United Nations development Programme, in 2000-2002 skills upgrading courses were organised for officers working with juvenile delinquents (investigators, criminal and juvenile affairs police officers). Subjects dealt

with included “Abuse of Children” and “Methods of Examination of Children Victims of Sexual Abuse”. These courses were completed by about 450 officers.

In 2002-2004 the Ministry of Education and Science organised training and seminars for psychologists, social pedagogues and teachers from pedagogical psychological services and schools on the prevention of sexual abuse and violence against children and provision of support in this sphere.

One of the main aims of the Juvenile justice program for 2004-2008, which was adopted on 19 of May 2004, is the improvement of the training system of the officials and other staff members, working with the juveniles. According to this program the specialized training and methodical material will be provided for such officials as judges, advocates, police officers and the officials of the detention institutions.

Training programmes in the area of violence against children were provided:

	Preventio n	Protection	Redress	Rehabilitati on	Penaltie s
Medical professionals	+	+		+	
Public health practitioners	+	+		+	
Social workers and psychologists	+	+		+	+
Teachers and other educators	+	+		+	
Court officials					+
Police	+	+	+		+
Prison officers					+
Juvenile offenders personnel Institution personnel Parents/guardians	+	+		+	
Other					

For more information please look at the Report on the Implementation of the United Nations Convention on the Rights of the Child approved by the Government of the Republic of Lithuania on 2004 February 9 (“Valstybės žinios” (Official Gazette), 2004, Nr.24-739).

Vilnius, 6 September 2004