



**Submission of SOS Children's Villages Lithuania  
for the Universal Periodic Review  
40<sup>th</sup> session, January-February 2022**

**I. INTRODUCTION**

1. SOS Children's Villages Lithuania presents this submission concerning the rights of the child in Lithuania for consideration by the UPR Working Group at its 40<sup>th</sup> session (January-February 2022).
2. SOS Children's Villages Lithuania is child-rights based non-governmental organization with a long-term experience in the field. We work in the areas of alternative care, foster care, social services for families with children by providing direct services for children and families in need, as well as advocating for the children-centered child protection system. With vast experience in 136 countries and over 70 years of experience, SOS Children's Villages International is a leading child protection actor internationally, with particular emphasis on the rights of children without, or at risk of losing, parental care.
3. This report is based on the evaluation of the commitments made by the Government of Lithuania to implement recommendations accepted during its previous UPR. The data and information obtained for this submission came from various sources, including first-hand information from our fieldwork in childcare, reports of public and NGO monitoring bodies, as well as from extensive advocacy work.
4. The report addresses the following issue of concern: (1) protection of children without parental care.

**II. PROTECTION OF CHILDREN WITHOUT PARENTAL CARE**

***A. Second-cycle UPR Recommendations***

During its previous review by the UPR Working Group, Lithuania supported recommendations calling to increase the effectiveness of the protection of the rights of the child and reinforce the measures to protect the rights of child, inter alia by expediting the adoption of the revised draft law on the fundamentals of protection of the rights of the child.

## ***B. Legal and Institutional Framework***

The Government of Lithuania has shown firm commitment and made efforts towards reinforcing child rights protection measures. In 2014, the “Action Plan on Transition from Institutional Care to Family and Community-Based Services for People with Disabilities and Children Deprived of Parental Care, 2014-2020”<sup>1</sup> (De-I Action Plan) was launched by the Ministry of Social Security and Labour. It aimed at enabling children deprived of parental care to grow up in a family-based environment, by improving the quality of social care services, creating and developing alternatives to institutional care - small scale residential facilities (small group homes) and establishing foster care centers with professional foster service (temporary care for children in emergencies) in place.

During the reporting period Law on the Fundamentals of Child Rights Protection<sup>2</sup> was amended (came into force on 01/07/2018) – child welfare institutions were centralized by authorizing State Child Rights Protection and Adoption Service as a central authority; case management introduced in the field of provision of social services to socially vulnerable families. Amendments to the provisions of Civil Code regulating childcare were also adopted: the number of children that can be placed in small group homes was reduced to 8, also possibilities to place a child in a care institution have been narrowed down, as well as the total duration of temporal care was limited to 18 months. During the implementation of the reform some of the large childcare institutions were disbanded, small group homes for up to 8 children have been set up, foster care centres were established, and professional foster carers were professionally trained to provide temporary care for children in emergencies. According to the data of the Ministry of Social Security and Labour, a total of 18 care institutions subordinate to the state and municipalities have been reorganized; 102 small group homes had been established by the end of 2019<sup>3</sup>.

## ***C. Existing Needs for the Protection of Children without Parental Care***

The December 2019 UN General Assembly Resolution (A/RES/74/133) urged Member States to progressively replace “institutionalization with quality alternative care, including family and community-based care and, where relevant, redirecting resources to family and community-based care services with adequate training and support for caregivers and robust screening and oversight mechanisms”<sup>4</sup>.

Despite the fact that De-I process has been ongoing for 6 years already, concerning sign is the prevalence of placements into small group homes against further strengthening and developing family-based care alternatives (e.g. care services within the framework of foster care centers). The Government’s practice of replacing large-scale institutions with smaller ones (small group homes) without taking into consideration the broader context of child welfare and protection measures and the continuum of services needed to protect the best interests and wellbeing of children, may signal that the country is only half-way to the

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<sup>1</sup> Order No. A1-83 of the Minister of Social Security and Labour of the Republic of Lithuania of 14 February 2014 A1-83, <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/e4169490984411e3aad2c022318814db/asr>

<sup>2</sup> Law on the Fundamentals of Child Rights Protection No I-1234, <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.26397/asr>

<sup>3</sup> Human Rights Monitoring Institute, Overview of Human Rights in Lithuania 2018 – 2019; [http://hrmi.lt/wp-content/uploads/2021/01/ZmogausTeises\\_170x249mm\\_EN-FINAL.pdf](http://hrmi.lt/wp-content/uploads/2021/01/ZmogausTeises_170x249mm_EN-FINAL.pdf)

<sup>4</sup> United Nations General Assembly, Resolution on the Rights of the child, adopted by the General Assembly on 18 December 2019, A/RES/74/133

completion of De-I reform.

In 2020 there were 66 foster care centers in Lithuania which had 204 service-provision contracts with professional foster carers with the capacity to care for 448 children deprived of parental care. However this capacity was not used at its full potential as 251 children (56 % of the capacity of foster care centers) were placed in the named care setting by the end of 2019<sup>5</sup>. 47.4% of children cared by the foster care centers (in professional foster families) were of the age group 0-3. Notwithstanding this improvement that children under 3 years usually are not placed in institutions any more, we have a legal gap in placement options for older children, as only 9.5 % of children cared in professional foster families are of the age group of 15-18. Moreover, the statistical data shows that 24.2 % (1656) of total number of children deprived of parental care were placed in institutional care settings by the end of 2020<sup>6</sup>; out of them 35.9 % children were of the age group of 10-14, 48.4% - age group of 15-17.

In our organization's practice we often face cases where it is extremely difficult to find long-term family-based care solutions for children who are older, have various disabilities, special needs, etc. The residential care (small group homes) framework is often not the best solution for such children, because of sensitive life experiences they need an "individual embrace" - a sole person who understands the child's situation, has the necessary knowledge, goes together through the most difficult moments, the child does experience "competition" with other children living in the same care setting. In some cases, the lack of this service is filled by professional foster carers, but this is not the case when the child immediately needs a long-term care solution, as care in professional foster care setting can only last up to 18 months according to the Lithuanian legal acts or it is impossible to return the child to the family of origin or to find a regular foster family. In such cases, the successful work of foster care centers or other care providers is interrupted because Lithuania does not have a specialized long-term family-based alternative (e.g. specialized (therapeutic) foster care) for children who are older, have various disabilities, special needs, conflicts with laws and other sensitive life circumstances.

#### ***D. Recommendations***

Our organisation recommends the Government of Lithuania to:

- a) intensify efforts to finish childcare reform (De-institutionalization) in Lithuania in line with the UNGA Resolution (A/RES/74/133) by considering children's placement in residential care (small group homes) as a final option, but not the solution for ending-up the named reform;
- b) invest resources in building a highly trained workforce that can be supported to deliver new models of family-based care, including specialized (therapeutic) foster care in order to guarantee family-based care for all children in need.

For more information, please contact:

Virginija Pleckeviciene  
National Programme Development Director

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<sup>5</sup> State Child Rights Protection and Adoption Service under the Ministry of Social Security and Labour, Annual Report of 2020;  
<https://vaikoteises.lt/media/file/ataskaitos/nauja%20VVTA%C4%AET%202020%20m.%20veiklos%20ataskaita.pdf>

<sup>6</sup> State Child Rights Protection and Adoption Service under the Ministry of Social Security and Labour, Annual Report of 2020;  
<https://vaikoteises.lt/media/file/ataskaitos/nauja%20VVTA%C4%AET%202020%20m.%20veiklos%20ataskaita.pdf>

virginija.pleckeviciene@sos-org.lt