



STATEMENT
UPR Pre-session of Lithuania
7th December 2021

Honourable representatives of the Permanent Missions,

This statement is delivered on behalf of SOS Children's Villages Lithuania, a non-governmental organisation supporting and advocating for the rights of children without, or at risk of losing, parental care.

During its last UPR, Lithuania supported several recommendations calling to reinforce measures to protect the rights of the child. In this regard, we would like to draw your attention to the ongoing reform of the childcare system in Lithuania. Although the Government has shown firm commitment and taken steps towards de-institutionalization, we are concerned that this process is still far from completion.

The reform started under the initiative of the Ministry of Social Security and Labour with the approval of the Strategic Guidelines for De-institutionalization in 2012, followed by the Action Plan on the Transition from Institutional Care to Family and Community-based Services¹. It aimed at preventing children without parental care from growing in institutions, so that children could find warmth and care in foster families and adoptive parents. However, in the absence of a sufficiently developed foster care network, small group home placements became prevalent.

During the implementation of the reform, the Law on Fundamentals of Protection of the Rights of the Child was amended²; child welfare institutions were centralized by authorizing the Child Rights Protection and Adoption Service as the central authority; and important amendments to the provisions of Civil Code regulating childcare were also adopted³. As a result, possibilities to place a child in institutional care have been reduced (only in exceptional cases) and the care of a child under the age of three in a childcare institution was limited to a maximum of 3 months⁴. In addition, the total duration of temporal care has been limited to 18 months⁵. During the reform period, some large-scale institutions have been closed, small group homes for up to 8 children and foster care centres have been set up, as well as care professionals have been trained.

The government's practice of replacing large-scale institutions with smaller residential care facilities (small group homes) without considering the broader context of child welfare and protection measures⁶ may indicate that the country is only halfway towards completing the deinstitutionalization reform.

¹ Action Plan on the Transition from Institutional Care to Family and Community-based Services for People with Disabilities and Children Deprived of Parental Care (2014-2020).

² It came into force on 1 July 2018.

³ On 26 June 2018.

⁴ Civil Code, Art. 3.261

⁵ Civil Code, Art. 3.253.

⁶ Such as strengthening early family prevention services, establishing wider network of foster care and new care options.

The small group homes are often not the best solution for children with disabilities and special needs who need individualized care. In some cases, the lack of this service is filled by professional foster carers, but this is not the case when the child is in immediate need of a long-term care solution, as professional foster care can only last for a maximum of 18 months or it may be impossible to return the child to his or her family of origin or to find a traditional foster family. In such cases, the successful work of foster care centers or other care providers is interrupted because Lithuania does not have specialized long-term family-based alternatives (e.g. specialized - therapeutic- foster care) for children with disabilities and special needs.

Recommendations

In line with the 2009 UN Guidelines for the Alternative Care of Children (A/RES/64/142) and the 2019 UNGA Resolution on the Rights of the Child (A/RES/74/133), we would encourage UN Member States to address the following recommendations to the Government of Lithuania:

- a) Intensify efforts to complete the childcare reform – de-institutionalization – across the country by providing sufficient and quality family-based care options for children and setting up a strong monitoring system.**
- b) Develop new models of family-based care, including specialized (therapeutic) foster care and provide a highly trained workforce to guarantee family-based care for all children in need, particularly children with disabilities and special needs.**

Thank you for your attention!