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**Approaches to
Unaccompanied Minors
Following Status
Determination in Lithuania**

2017/5

EMN STUDY



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Abbreviations

- UAMs – unaccompanied minors
- RRC, Centre – Refugee Reception Centre
- Description of the Integration Procedure – Description of the Procedure for Providing State Support for the Integration of the Persons who have been Granted Asylum approved by Resolution No 998 of the Government of the Republic of Lithuania of 5 October 2016
- LLSA – Republic of Lithuania Law No IX-2206 on the Legal Status of Aliens of 29 April 2004
- Description of the Procedure Concerning Non-Asylum Seeking Unaccompanied Minors – Description of the Procedure for Assessment of the Age of Non-asylum Seeking Unaccompanied Minor Aliens Identified in the Republic of Lithuania, Accommodation and Taking of Other Procedural Actions in Respect Thereof and Provision of Services Thereto approved by Order No A1-229/1V-289/V-491 of the Minister of Social Security and Labour of the Republic of Lithuania, the Minister of the Interior of the Republic of Lithuania and the Minister of Health of the Republic of Lithuania of 23 April 2014
- Return Description – Description of the Procedure for Taking and Enforcing Decisions Regarding an Alien's Obligation to Leave, Expulsion, Return and Passing in Transit through the Territory of the Republic of Lithuania approved by Order No 1V-429 of the Minister of the Interior of the Republic of Lithuania of 24 December 2004.

Summary

Number and socio-demographic characteristics of unaccompanied minors. During the period under consideration, namely, from January 2014 until December 2017, 110 non-asylum seeking unaccompanied minors entered Lithuania. It is noteworthy that the number of unaccompanied minors entering each year has been decreasing: in 2014 – 50, in 2015 – 25, in 2016 – 23, in 2017 – 12. Most of the unaccompanied minors were citizens of the Socialist Republic of Vietnam.

During the specified period, 10 asylum-seeking unaccompanied minors entered Lithuania: in 2014 – 5, in 2015 – 3, in 2016 – 1, in 2017 – 1 (4 unaccompanied minors were citizens of the Socialist Republic of Vietnam, 4 – citizens of the Islamic Republic of Afghanistan, 1 – a citizen of the Republic of India, 1 – a citizen of the Syrian Arab Republic). One unaccompanied minor was granted refugee status, while the other 9 unaccompanied minors disappeared. More than 80% of the unaccompanied minors were boys.

Main challenges related to care/integration/return of unaccompanied minors. Almost all unaccompanied minors abscond immediately after being accommodated at the Refugee Reception Centre (RRC) and measures that are in place to prevent the disappearance of the unaccompanied minors have not been effective. The majority of the unaccompanied minors are citizens of Vietnam who are apprehended without being in possession of identity documents and introduce themselves as minors, therefore they are accommodated at the RRC, although officers have doubts as to their true age. Their true age is not determined, as they quickly abscond from the RRC. These unaccompanied minors usually do not apply for asylum. They enter mainly for economic reasons with the aim of travelling to Western European countries for work, reunification with family/relatives or joining the migrant community in other EU Member States.

The tracing of family members is a lengthy process, and authorities do not manage to trace family members before unaccompanied minors abscond.

Most important recent or planned changes to law, policy and practice. The new Description of the Procedure Concerning Non-Asylum Seeking Unaccompanied Minors has been approved on 23 April 2014. This legislation regulates the procedure for interviewing, assessing age, tracing family members or other legal representatives, taking into and terminating temporary guardianship/custody, accommodating such aliens at the Refugee Reception Centre, providing healthcare services to them and determining their legal status. It is important to point out that until the adoption of the legislation, the issues concerning the conduct of interviews of these unaccompanied minors, their age assessment, tracing of family members and provision with accommodation were not regulated by any legal acts.

Amendments to provisions of the Description of the Procedure Concerning Non-Asylum Seeking Unaccompanied Minors, as referred to in point 1, came into force on 15 June 2016. The amendments introduced the regulation of accommodation of UAMs at the RRC. According to the regulation in force until then, i.e., since 23 April 2014, non-asylum seeking unaccompanied minors were accommodated at the RRC by a court decision providing an alternative to detention. Meanwhile, upon adoption of the new version of the Description, a decision on the accommodation of such an unaccompanied minor is taken by the State Child Rights Protection and Adoption Service.

Challenges and good practices. The main challenge associated with unaccompanied minors in Lithuania is the fact that almost all unaccompanied minors disappear from the RRC in the course of a week from the beginning of their accommodation.

The fact that the provisions stipulated in Lithuanian legal acts regarding the return of minors are more favourable compared to the Return Directive should be considered as an example of good practices. The LLSA sets forth strict requirements for the quality of reception. Thus, Lithuanian legal acts provide for the return of a child not just to a formally adequate reception facility, but to a facility where the child will be duly taken care of taking into consideration his/her needs, age and level of independence.

Suggestions for EU level action on unaccompanied minors that might be useful for Lithuania. As some unaccompanied minors abscond from the Centre and find themselves in more distant European Union Member States assisted by smugglers, it would be appropriate to combat at EU level the smuggling of unaccompanied minors and to join efforts of several countries in carrying out pre-trial investigations in order to identify the persons responsible for the smuggling of the unaccompanied minors and to prevent such criminal acts.

1.

Overview of the Situation of
Unaccompanied Minors in
Lithuania

Q1. Please provide an overview of the current public debate with regard to unaccompanied minors who have received a final decision on their application for asylum/ another status in Lithuania.

There is currently no public debate with regard to unaccompanied minors.

Q2. Are unaccompanied minors that fall in this category a national policy priority, including those turning 18 years of age? Has this changed over the last few years, i.e. since 2014 onwards? Has there been a shift in focus within policy issues concerning unaccompanied minors?

Taking into account the fact that the number of unaccompanied minors in Lithuania is small and decreasing, this is currently not a national policy priority. However, it should be noted that in 2014, the Methodology for the Identification of and Working with Vulnerable Asylum Applicants was prepared by the experts commissioned by the Migration Department. As a result, at least in asylum cases, the practices targeted to identify the needs of a vulnerable person at the earliest possible stages of the procedure and to take medical, social or legal procedural measures for the protection of vulnerable persons are now being consistently implemented.

Q3a. Please provide an overview of recent changes to law, policy and practice in relation to what happens with unaccompanied minors after they have received a final decision on their application for asylum/ another status in Lithuania since 2014 onwards. Please provide an account of such changes also in relation to those unaccompanied minors turning 18 years of age, as well as unaccompanied minors disappearing from guardianship/ care and/ or following a return decision.

The Description of the Procedure for Assessment of the Age of Non-asylum Seeking Unaccompanied Minor Aliens Identified in the Republic of Lithuania, Accommodation and Taking of Other Procedural Actions in Respect Thereof and Provision of Services Thereto (further - Description of the Procedure Concerning Non-Asylum Seeking Unaccompanied Minors) has been approved by the Order of the Minister of Social Security and Labour of the Republic of Lithuania, the Minister of the Interior of the Republic of Lithuania and the Minister of Health of the Republic of Lithuania of 23 April 2014. This Description regulates the procedure for conducting interviews, assessing age, searching for family members or other legal representatives, taking into and terminating temporary guardianship/custody, accommodating such aliens at the Refugee Reception Centre, providing healthcare services to them and determining their legal status.

It is noteworthy that until the adoption of the Description, the issues concerning the conduct of interviews of non-asylum seeking unaccompanied minors, their age assessment, tracing of family members and provision with accommodation were not regulated by any legal acts. However, although the regulation of the mentioned issues has been introduced, it should be pointed out that the regulation of the accommodation of non-asylum seeking unaccompanied minors was complicated, as the unaccompanied minors could only be accommodated at the Centre by a court decision providing an alternative to detention.

Based on points 7 and 19 of the mentioned Description of the Procedure Concerning Non-Asylum Seeking Unaccompanied Minors (in force from 23-04-2014 until 15-06-2016), unaccompanied minor aliens used to be accommodated at the Centre:

1. by a court decision providing an alternative to detention, namely, entrusting the care of an alien to an appropriate social institution. Pending the court decision, the unaccompanied minor used to be accommodated at the RRC;
2. by a decision of the State Child Rights Protection and Adoption Service, when the person in question was a young unaccompanied alien, i.e., a child under 14 years of age, or when an unaccompanied minor alien was in possession of a document confirming his/her identity and age, or
3. at a written request of a local police authority if this authority is, for objective reasons, unable to properly interview an unaccompanied minor alien by the end of a working day, to apply for assessment of his/her age or to refer to a court regarding an alternative to detention.

Given the fact that the provision of alternatives to detention is possible only when there are statutory grounds for detention, such a procedure for accommodation according to which all non-asylum seeking unaccompanied minor aliens were provided an alternative to detention was flawed.

It should be noted that this regulation was revised, and the amendments came into force on 15 June 2016 upon the adoption of a new version of the Description. According to point 20 of the new version, a decision on the accommodation of such an unaccompanied minor is taken by the State Child Rights Protection and Adoption Service.

Q3b. Please indicate any planned changes to law/ policy/ practice regarding the care/ integration/ return of unaccompanied minors going forward.

There are currently no planned changes to existing legal acts.

Q4. What statuses does Lithuania typically grant to unaccompanied minors and in what circumstances (e.g. asylum, humanitarian protection, temporary/ tolerated status, etc.)?

Asylum-seeking unaccompanied minors. In Lithuania, asylum-seeking unaccompanied minors may be granted refugee status (a permanent residence permit is issued for a period of 5 years) or subsidiary protection (a temporary residence permit is issued for a period of 2 years).

During the period under consideration, as few as 10 unaccompanied minors applied for asylum: in 2014, 5 unaccompanied minors applied for asylum, in 2015 – 3 unaccompanied minors, in 2016 and 2017 – 1 unaccompanied minor each year. Out of all the unaccompanied minors who applied for asylum, the examination of only one application lodged by an unaccompanied minor (the country of origin – Syria) was completed and he was granted refugee status. All other unaccompanied minors absconded therefore the examination of their asylum applications was terminated.

In the event that an unaccompanied minor does not meet the conditions of granting refugee status or subsidiary protection and cannot be returned (long-standing practice shows that unaccompanied minor aliens, even if they have not been granted asylum, are generally not returned, because their family members are not traced or an adequate care facility to which they could be returned is not identified), (s)he is issued a temporary residence permit as an unaccompanied minor who is not subject to return to a foreign state¹.

Non-asylum seeking unaccompanied minors. If family members or other legal representatives of an unaccompanied minor alien cannot be traced or it is established that the unaccompanied minor alien cannot be returned to the country of origin or to another foreign state, the representative of the unaccompanied minor alien applies, not later than within two months from the taking of a decision on accommodation of the unaccompanied minor alien at the Centre, for the issue of a temporary residence permit (based on the ground stipulated in Article 40(1)(8) of the LLSA)². Such a permit is valid for a period of one year. If the situation does not change after the lapse of one year, the temporary residence permit may be extended.

Q5a. Please provide any further qualitative information available in your Lithuania on the characteristics of unaccompanied minors, as follows:

- Are unaccompanied minors mostly close to the age of majority when a final decision on their application for asylum/ another status is issued, or (much) younger?

During 2014-2017, older unaccompanied minors, i.e., children aged 14-17 years, entered Lithuania. The youngest unaccompanied minor entering Lithuania was aged 12 years (in 2016, there was one such case). The majority of the unaccompanied minors entering the country do not apply for asylum and, shortly after their accommodation at the RRC,

¹ Based on the ground stipulated in Article 40(1)(8) of the LLSA: “an unaccompanied minor alien is not returned to a foreign state, an alien cannot leave the Republic of Lithuania for humanitarian reasons, an alien cannot be returned to a foreign state or expelled from the Republic of Lithuania in the cases specified in Article 130(1), (2) and (4) or the expulsion of the alien from the Republic of Lithuania is suspended because of the circumstances specified in Article 132(1) of this Law”

² Ibid.

abscond from the Centre. As these unaccompanied minors abscond from the RRC after a few days, a decision on their legal status is not taken.

The majority of the unaccompanied minors (persons introducing themselves as minors) entering the country during 2014-2017 were citizens of the Socialist Republic of Vietnam. Among the non-asylum seeking unaccompanied minors entering the country during the period under consideration, 109 were citizens of the Socialist Republic of Vietnam and 1 unaccompanied minor was a citizen of the Russian Federation.

During 2014-2017, 10 unaccompanied minors applied for asylum. Out of the mentioned 10 unaccompanied minors, 4 were Afghans, 4 – Vietnamese, 1 – Indian and 1 –Syrian. Out of 10 applications only 1 application lodged by a Syrian citizen was examined and he was granted refugee status, while the examination of the other 9 applications was terminated, as the persons absconded from the RRC.

- Are they boys or girls predominantly?

Over 80% of the unaccompanied minors entering the country were boys. Out of 110 non-asylum seeking unaccompanied minors, 92 were boys, while out of 10 asylum-seeking unaccompanied minors, 9 were boys.

- Are they resettled and/ or relocated unaccompanied minors whose right to reside in Lithuania has been clarified?

One unaccompanied minor (the country of origin – Syria), who has been granted refugee status, is a relocated person.

- Please provide any other qualitative information available *not covered above, for example*, unaccompanied minors not presenting themselves to the authorities, etc.

It is noteworthy that recently, the number of the unaccompanied minors identified in Lithuania has been decreasing. In 2014, there were 50 such persons, in 2015 – 25, in 2016 – 23 and in 2017 – 12.

Q5b. Please complete the Excel document in Annex 1 (including data as well as metadata) if you have national statistics on:

- Total number of accepted/ rejected applications for international protection filed by unaccompanied minors in 2014-2016 and, where available, the first half of 2017, disaggregated by sex/ country of origin of the minor;
- Total number of permits to stay issued to unaccompanied minors, including international protection, humanitarian statuses, temporary/ alternative statuses granted in 2014-2016 and, where available, the first half of 2017, disaggregated by status/ sex/ country of origin of the minor;
- Estimated number of identified non-asylum seeking unaccompanied minors (e.g. those who entered irregularly and/ or victims of trafficking), including those subsequently granted a status, in 2014-2016 and, where available, the first half of 2017, disaggregated by age/ sex/ country of origin of the minor;
- Total number of unaccompanied minors issued a return decision in 2014-2016 and, where available, the first half of 2017, disaggregated by age/ sex/ country of origin (return) of the minor;
- Total number of voluntary/ assisted voluntary/ forced returns of unaccompanied minors in 2014-2016 and, where available, the first half of 2017, disaggregated by country of origin (return) of the minor;
- Estimated number of unaccompanied minors disappearing from reception/ care facilities and/ or following a return decision in 2014-2016 and, where available, the first half of 2017, disaggregated by age/ sex/ country of origin of the minor;
- If available, data pertaining to specific integration outcomes for unaccompanied minors in 2014-2016 and, where available, the first half of 2017, if possible disaggregated by age/ sex/ country of origin of the minor (e.g. unaccompanied minors enrolled in primary/ secondary education, traineeships/ internships, training, labour market programmes or any other targeted measures; unaccompanied minors who have completed successfully any (civic) integration courses; unaccompanied minors registered with leisure associations (e.g. football/ cricket federation, scouting, etc.); cases of successful family reunification involving unaccompanied minors).

In total, 10 applications for asylum were lodged during 2014-2017. In 2014, 5 applications for asylum were lodged: 1 citizen of Afghanistan (boy), 4 citizens of Vietnam (3 boys and 1 girl); in 2015, 3 applications for asylum were lodged: 2 citizens of Afghanistan (boys) and 1 citizen of India (boy); in 2016, 1 asylum application was lodged by a citizen of Afghanistan (boy); in

2017, 1 application for asylum was lodged by a citizen of Syria (boy). Out of all the applications lodged, 1 unaccompanied minor from Syria was granted refugee status, the other 9 unaccompanied minors absconded and the examination of their applications for asylum was terminated.

During the period under consideration, only one permanent residence permit in Lithuania was issued to an unaccompanied minor from Syria (a boy aged 17 years), who was granted refugee status, while other unaccompanied minors either absconded or were transferred under readmission agreements.

During 2014-2017, there were 110 non-asylum seeking unaccompanied minors (92 boys and 18 girls). None of these minors was issued a residence permit in Lithuania, as 104 unaccompanied minors (89 boys and 15 girls) absconded, 5 (3 girls and 2 boys) were transferred under readmission agreements, and the issue of 1 minor (boy) has not been resolved yet, since he only entered in December 2017. The latter unaccompanied minor is a citizen of the Russian Federation, all other non-asylum seeking unaccompanied minors were citizens of Vietnam.

According to laws of Lithuania, temporary or alternative status is not granted in Lithuania. An unaccompanied minor may be issued a temporary residence permit, provided that (s)he cannot be returned to his/her country of origin.

During the period under consideration, no unaccompanied minor was returned, while 5 unaccompanied minors were transferred under readmission agreements.

Q6a. Please provide a general overview of what happens with unaccompanied minors in Lithuania when they turn 18 years of age, including a brief description of the approach (e.g. transitional measures/ plans) of Lithuania;

- when an unaccompanied minor has received a final negative decision on his/ her application for asylum/ another status as a minor (please elaborate below):

Since 2014, there have been 10 asylum applicants, of whom 1 was granted refugee status, while 9 absconded from the RRC before their application for asylum was examined. If an asylum-seeking unaccompanied minor was not granted asylum and he could not be returned to his/her country of origin, as his/her family members have not been traced or an adequate care facility where he would be duly taken care of has not been identified, then such a minor would be issued a temporary residence permit valid for a period of one year.

In the event that such a minor, while being in possession of a temporary residence permit in Lithuania, resided in Lithuania for at least five years, he would be issued a permanent residence permit in Lithuania, i.e., he would acquire the right to reside permanently in Lithuania.

When an unaccompanied minor reaches 18 years of age, his/her guardianship/custody and the support provided to him/her are terminated and (s)he loses the right to be accommodated at the RRC (Article 3.247(3) of the Civil Code of the Republic of Lithuania, points 31 and 38 of the Description of the Procedure Concerning Non-Asylum Seeking Unaccompanied Minors, point 8 of the Description of the Integration Procedure). In the event that the unaccompanied minor was issued a temporary residence permit in Lithuania, upon turning 18 years of age the procedure of withdrawal of the temporary residence permit and the return procedure would be initiated. In fact, there have not been such cases in practice. Due to various circumstances (the alien is learning, studying, is employed and thus meets other grounds for issuing a temporary residence permit), the issue of the possibility of issuing to the alien a new temporary residence permit on other grounds would be resolved on a case-by-case basis. In the event that the unaccompanied minor was issued a permanent residence permit in Lithuania, upon turning 18 years of age (s)he would retain the right to reside in Lithuania. However, it should be noted that no transitional support is provided to such aliens.

- when an unaccompanied minor is granted a status as a minor (please elaborate below):

There is no such status in Lithuania. A situation where an unaccompanied minor is granted asylum is discussed below.

The unaccompanied minor aliens who have been granted asylum, depending on their status, are issued a temporary residence permit in Lithuania (subsidiary protection) or a permanent residence permit in Lithuania (refugee status). These aliens are accommodated at the RRC and are provided with support for integration until they reach 18 years of age . Upon

reaching the age of majority, the integration period in the Center could last no more than 3 additional months. Once (s)he moves out to live on his/her own, (s)he is paid a one-time settling-in allowance, which currently amounts to EUR 1,342 (11 state-supported income amounts) .

Q6b. Please describe how unaccompanied minors who are approaching 18 years of age are identified in Lithuania so that transitional measures/ plans can be introduced as part of their care/ integration/ return. How often is this review being done, e.g. every month, etc.?

In Lithuania, transitional plans are not drawn up, therefore, there is no difference in regulation concerning the unaccompanied minors who are approaching 18 years of age. The unaccompanied minors are identified on the basis of the travel or identity documents presented by them or, in their absence, by other documents submitted or based on their statements³.

In the event of doubt regarding the age of unaccompanied minors, an age assessment is performed. The only technique used in assessing the age of such unaccompanied minors is an X-ray test. According to the ruling of the Supreme Court of Lithuania in Civil Case No e3K-3-412-690/2015 of 14 July 2015, this age-assessment technique is considered to be sufficient in legal practice.

Q6c. When are transitional measures/ plans for those unaccompanied minors turning 18 years of age likely to commence in Lithuania, e.g. how many months / years before? And for how long can such measures continue after the unaccompanied minor reaches adulthood, e.g. is there any age threshold?

Such measures are not applied in Lithuania.

³ Point 11.3 of the Description of the Procedure Concerning Non-Asylum Seeking Unaccompanied Minors

2.

Care Arrangements for
Unaccompanied Minors,
Including After - Care for
Unaccompanied Minors
Turning 18 years of age

Overview of care provisions and organisational set-up in Lithuania

Q7a. What priority is given to the care for unaccompanied minors in Lithuania (over their return, for example)? When does the care for unaccompanied minors commence, i.e. before or after status determination?

In Lithuania, the appointment of an unaccompanied minor's guardian is stipulated in Article 32(1) of the LLSA, which provides that unaccompanied minors aliens, regardless of the legitimacy of their stay in the territory of the Republic of Lithuania, must be taken into temporary guardianship/custody in accordance with the procedure laid down by legal acts of the Republic of Lithuania for the period of their stay. Lithuania has introduced an institutional care model, and a social institution, namely, the RRC, is appointed as a guardian/custodian of unaccompanied minors.

The fact of identification of an unaccompanied minor is reported to the Child Rights Protection Division of the administration of the municipality in whose territory the unaccompanied minor alien has been identified, the State Child Rights Protection and Adoption Service under the Ministry of Social Security and Labour and the RRC. The State Child Rights Protection and Adoption Service takes a decision on the accommodation of the minor at the RRC, and the Child Rights Protection Division of the municipality in whose territory the RRC is located organises within 3 days the procedure of appointment of a representative for the unaccompanied minor alien in accordance with the procedure prescribed by legal acts. Thus, priority is given to the care of unaccompanied minors (appointment of a representative).

Q7b. Please provide a summary overview of the provisions in place in Lithuania for the care of unaccompanied minors following their status determination, including accommodation, guardianship, etc., indicating in particular how the legal status of the unaccompanied minor defines his/ her specific care arrangements (e.g. refugees, unaccompanied minors not seeking asylum, etc.).

As already indicated in the reply to Question 7a, regardless of the status of the unaccompanied minors staying in Lithuania, they are all taken into guardianship/custody. A guardian is a social institution, namely, the RRC, at which all these unaccompanied minors are accommodated. In the cases when an unaccompanied minor is granted asylum or is issued a temporary residence permit as an unaccompanied minor who cannot be returned, guardianship and the place of accommodation remain unchanged, as the RRC, at which (s)he continues to be accommodated, remains his/her guardian.

Inhabitants of the Centre are paid a monthly cash allowance for food and petty expenses. An unaccompanied minor, accompanied by a social worker, goes shopping and decides together with him/her how to spend this amount of money. The monthly allowance for food and petty expenses amounts to EUR 85.40. In addition, the Lithuanian Red Cross Society provides support by distributing food packages once a month.

Unaccompanied minors are also provided with seasonal clothes and footwear (a list drawn up by the director of the Centre indicates the season for which new clothes are purchased, second-hand clothes may be additionally provided). The minors are provided with essential personal hygiene items, household goods and appliances (bedding, towels, utensils). Pupils are provided with all the necessary school supplies.

Moreover, the Centre provides counselling by a psychologist and a social worker, courses in the Lithuanian language and knowledge of Lithuania, assessment of professional skills and job counselling, non-formal educational activities, medical services⁴ and state-guaranteed legal aid.

All these measures are provided to all unaccompanied minors regardless of their status in Lithuania

Q7c. Please describe the procedure (if any) in place in Lithuania to determine the best interests of the child with regard to the care for unaccompanied minors following a positive decision on status. Is this set out in legislation or any other internal administrative regulations?

Every time that an unaccompanied minor is accommodated at the RRC (i.e., immediately after being accommodated before his/her legal status is determined), the RRC holds a meeting of the Commission for Continuous Control of Results of the

⁴ Based on Article 32(2) of the LLSA

Implementation of Social Welfare and Temporary Guardianship of Minors and Unaccompanied Minor Aliens of the Refugee Reception Centre (Child Welfare Commission), which is formed and carries out its activities based on the Rules of Procedure of the Commission for Continuous Control of Results of the Implementation of Social Welfare and Temporary Guardianship of Minors and Unaccompanied Minor Aliens of the Refugee Reception Centre approved by the order of the Director of the Refugee Reception Centre of 22 January 2018.

This Commission includes a social worker, a guardian, a psychologist and a medical doctor. The Commission draws up an individual action plan for the integration of a child taking into account the child's age, sex, origin and other important aspects and evaluating his/her health condition. When assessing the individual social needs of an unaccompanied minor, an Assessment Form for Unaccompanied Minors' Social Needs is filled out.

In filling out this Form, the following aspects are evaluated: social data (citizenship, education, occupation, language of communication), social independence (interpersonal skills, leisure activities, motivation for employment, ability to overcome difficulties, school/kindergarten attendance, adaptation to kindergarten/school); physical independence (personal care, motoric activity, nutrition, cognitive functions and perception of reality, characteristic features of behaviour, indications of experience of torture, rape or other forms of psychological, physical or sexual violence, sensory disorders); methods of provision of assistance are determined.

Q8. Which national/ regional/ local authorities and organisations (including NGOs where relevant) are responsible for the care of unaccompanied minors following status determination? Please describe in particular the competent authorities responsible for the provision of accommodation, guardianship, etc., what their specific remits and roles are, any authorities specifically ensuring the principle of the 'best interests of the child' is taken into account, etc.

Name of national competent authority/ organisation	Brief description (e.g. remit/ role, etc.)	Main activities/ responsibilities
Refugee Reception Centre	The Refugee Reception Centre is a budgetary institution providing social services, intended for accommodating the aliens who have been granted asylum in Lithuania and unaccompanied minor aliens as well as for implementing social integration of the aliens who have been granted asylum.	The RRC is appointed as a guardian of all unaccompanied minors (both asylum seeking and non-asylum seeking) and provides these minors with accommodation. In this regard, the RRC deals with all the matters related to the care of the unaccompanied minors (i.e., document management, provision of meals, clothing and essential supplies, access to medical services, access to educational services, employment, provision of psychological and social counselling).
Child Rights Protection Division of a municipality's administration	A child rights protection division of a municipality's administration is a structural unit of the respective municipality's administration. The purpose of the division is, within its remit, to implement the provisions of the United Nations Convention on the Rights of the Child and other legal acts regulating protection of the rights of the child, to represent the rights and legitimate interests of the child and to defend them in accordance with the procedure established by legal acts. The main tasks of the division are as follows: to organise, within its remit and in	The Child Rights Protection Division of a municipality's administration organises the appointment of a representative of an unaccompanied minor alien. Moreover, this division may participate in an interview of the unaccompanied minor and accompany the minor to the RRC from the SBGS or the police.

	<p>accordance with the procedure established by legal acts, protection of the rights and interests of the children left without parental care; to provide methodological support, counselling, to resolve other issues of protection of the rights and legitimate interests of the child; to ensure, within its remit and in accordance with the procedure established by laws and legal acts, protection of the rights and legitimate interests of all children residing in the territory of the municipality; to submit proposals to relevant state and municipal institutions and bodies regarding improvement of protection of the rights and legitimate interests of the child, child guardianship/custody and prevention of violations of law in the territory of the municipality; to cooperate with state and municipal institutions and bodies, non-governmental organisations and communities on the issues concerning protection of the rights and legitimate interests of the child.</p>	
<p>State Child Rights Protection and Adoption Service under the Ministry of Social Security and Labour</p>	<p>The State Child Rights Protection and Adoption Service ensures the functioning of the general system of protection of the rights of the child and the implementation of measures of protection of the rights of the child in order to ensure the right of every child to family life and his/her best interests.</p> <p>The tasks of the Service are as follows: to ensure the implementation of measures of protection of the rights of the child; to organise adoption for citizens of the Republic of Lithuania and aliens in the Republic of Lithuania; to organise the implementation of the system of representation of the rights and legitimate interests of the child in courts; to organise the improvement of qualifications of professionals of municipal child rights protection services and the preparation of guardians/custodians and adoptive parents.</p>	<p>The State Child Rights Protection and Adoption Service takes decisions on accommodation of unaccompanied minors at the RRC.</p>

Accommodation arrangements

Q9a. Please provide information on the accommodation options available for unaccompanied minors in Lithuania following status determination, as follows:

- Accommodation specifically for minors? No.
- General accommodation with special provisions for minors?

Yes. All unaccompanied minors are accommodated at the RRC. At the RRC, the unaccompanied minors are accommodated separately from adults in the Unaccompanied Minors' Section. According to the data provided by the RRC, the Unaccompanied Minors' Section has been equipped especially for the accommodation of unaccompanied minors. In this Section, there are 3 rooms that can accommodate a total of 14 minors, also a workroom, a kitchen with a dining room, a

laundry room. Social workers, assistant social workers, a psychologist, a medical doctor and the head of the Section work with the unaccompanied minors (along with other aliens accommodated at the RRC).

When accommodating unaccompanied minors, account is taken of their age, sex, country of origin, religious beliefs and special needs. Meals are provided to the unaccompanied minors by paying a certain amount for food and petty expenses, which is equal to 0.7 of the state-supported income amount per month, i.e., in total EUR 85.40 . A social worker accompanies an unaccompanied minor when going shopping, while assistant social workers help in cooking or, if there is such a need, cook themselves.

- Specialised accommodation for unaccompanied minors with specific identified needs? No.
- Specialised accommodation for (unaccompanied) minors victims of trafficking? No.
- Accommodation with a foster family?

Yes. If a guardian/custodian or another legal representative of an asylum-seeking unaccompanied minor objects to accommodation of the asylum-seeking unaccompanied minor at the Centre, the asylum-seeking unaccompanied minor may be accommodated at the place specified by the guardian/custodian or another legal representative.

As regards non-asylum seeking unaccompanied minors, the procedure for taking into guardianship outside the RRC is the same as for all children in Lithuania, however no such cases are known.

- Other types of accommodation for unaccompanied minors, e.g. accommodation with adults if the unaccompanied minor is over 16 years of age, etc.? No.

Q9b. Please provide an estimate of the costs associated with the accommodation of unaccompanied minors, as well as how these are measured/ defined in Lithuania, e.g. per day/ child, etc.

There is no possibility to provide an estimate of the costs, as the RRC does not measure costs per unaccompanied minor. Meanwhile, the monthly costs of the RRC per alien accommodated at the RRC amounted in 2017 to EUR 301.31 (wages of the staff, medicines, clothing, footwear, bedding, essential household goods, utilities, transportation, interpretation services) and EUR 85.40 (allowance for food and small expenses).

Q9c. Please provide information on the staff responsible for the care of unaccompanied minors, for example, main tasks, any child-specific training received, etc.

The staff of the RRC working with unaccompanied minors includes: a senior social worker (guardian), a social worker (provides minors with the necessary supplies, is responsible for their care, offers counselling), an assistant social worker (helps minors in activities of housekeeping, personal care, cooking), a psychologist, a medical doctor, the head of the Section (deals with the legal issues related to unaccompanied minors, i.e., document management, communication with the Migration Department, etc.).

The staff of the RRC working with unaccompanied minors has completed training on the following topics:

1. Mediation as a method of conflict management
2. Improvement of relations between social workers and clients
3. Cooperation within a social work team
4. Effective interinstitutional communication
5. Human rights in social work
6. Human resource management: motivational aspect
7. Ensuring of equal opportunities in social work
8. Supervision of complicated situations using the method of group supervision. Group supervision process

9. Conflicts and their prevention

10. Social work in a multicultural context.

Moreover, the staff participated in 2017 in the following conferences: “Accommodation in communities, provision of support and case management”, “Consolidation of policies and practices concerning unaccompanied and separated children in the Baltic States”.

Q9d. What are the implications of unaccompanied minors’ transition from the age of minority to 18 years of age for their accommodation arrangements up to that stage?

- Do these unaccompanied minors turning 18 years of age change accommodation, or do they stay in the same accommodation, for example, until they reach a certain age? If so, what is the age threshold?

Upon reaching the age of majority, i.e., at the age of 18 years, an unaccompanied minor loses the right to be accommodated at the RRC and must move out from there.

In the case of an unaccompanied minor who has been granted asylum, he must, in practice, move out 3 months after reaching the age of majority, as it is considered that support for integration is still provided to him/her for another 3 months. When moving out, such a person receives a one-time settling-in allowance, which is equal to 11 state-supported income amounts, i.e., EUR 1,342.

Other unaccompanied minors are not provided with such support and are not granted the period of 3 months. If an unaccompanied minor has not been granted asylum but has been issued a temporary residence permit in Lithuania (as he could not be returned, because his/her family members have not been traced or an adequate care facility has not been identified), the return procedure is commenced upon reaching the age of majority.

- Does Lithuania have any measures in place to support the unaccompanied minor before the transition, e.g. information provision, etc.?

Yes. It should be noted that in Lithuania, transitional plans are not drawn up, however before the transition, all unaccompanied minors are provided with access to counselling by a social worker and a psychologist, courses in the Lithuanian language and knowledge of Lithuania, vocational guidance, job counselling, etc.

- Does Lithuania have any measures in place to support the unaccompanied minor during the transition, e.g. pathway plan, personal adviser, etc.?

No. Laws of Lithuania do not provide for a transitional period, however in the case of an unaccompanied minor who has been granted asylum, he must, in practice, move out from the RRC 3 months after reaching the age of majority, as it is considered that support for integration is still provided to him/her for another 3 months. Therefore, such a practice could be regarded as a transitional measure for the minors who have been granted asylum. There are no transitional measures in place with regard to other unaccompanied minors.

- Does Lithuania have any measures in place to support the unaccompanied minor after the transition, e.g. formal follow-up or after-care service, open-door policy at accommodation facility, etc.? No.

Q9e. Is there any research available in Lithuania on:

- The standards of accommodation provided to unaccompanied minors?
- The effects of accommodation arrangements on the integration of the unaccompanied minors, including those turning 18 years of age (as conducted by relevant authorities, academics, NGOs, etc.)?

If yes, please briefly describe the main findings and conclusions of such research and provide a full reference to the source (e.g. based on existing studies/ evaluations/ other sources or information received from competent authorities).

The standards of accommodation of unaccompanied minors have been analysed in the European Migration Network study “On the Road: Unaccompanied Minors in Lithuania” 2009⁵ and in the EMN Focused Study “Policies, practices and data on unaccompanied minors in Lithuania” 2014⁶. The research has been conducted on the basis of legislation and the information provided by competent public authorities.

The standards of accommodation of unaccompanied minors have also been analysed in the “Study on Aliens’ Return and Expulsion” prepared by the Lithuanian Red Cross Society⁷. The research has been conducted on the basis of legislation and the information provided by competent public authorities.

Conclusions of this research regarding accommodation:

- At the RRC, unaccompanied minors are provided with accommodation, meals, social services, psychological assistance and medical services. The minors have access at the Centre to courses in the Lithuanian language, vocational guidance sessions, courses in the knowledge of Lithuanian society and other activities organised by the RRC. The right of the unaccompanied minors to attend school is also ensured.
- The regulation according to which unaccompanied minors are provided with accommodation at the RRC as an alternative to detention should be considered as inappropriate and incompatible with provisions of the LLSA. These minors should be accommodated by a decision of an administrative authority. It should be noted that this recommendation has already been implemented.

Guardianship arrangements

Q10a. Please describe the arrangements for guardianship of unaccompanied minors in Lithuania following status determination, specifying in particular who can become a guardian to an unaccompanied minor, the guardian’s role, e.g. legal representation, etc., which unaccompanied minors (e.g. asylum/ non-asylum seeking) are entitled to a guardian and until what age, etc.

In Lithuania, the appointment of a guardian for an unaccompanied minor is stipulated in Article 32(1) of the LLSA, which provides that unaccompanied minor aliens, regardless of the legitimacy of their stay in the territory of the Republic of Lithuania, must be taken into temporary guardianship/custody in accordance with the procedure laid down by legal acts of the Republic of Lithuania for the period of their stay in the Republic of Lithuania. Lithuania has introduced an institutional care model, and a social institution, namely, the RRC, is appointed as a guardian/custodian of unaccompanied minors. Upon accommodating an unaccompanied minor alien at the RRC, a territorial child rights protection division is informed. This division organises the procedure for taking the minor into temporary guardianship/custody within 3 days (points 32-35 of the Description of the Procedure Concerning Non-Asylum Seeking Unaccompanied Minors)

The procedure for appointing guardians/custodians of unaccompanied minors is also regulated by Book Three of the Civil Code of the Republic of Lithuania. According to Article 3.250(2) of the Civil Code, a state institution responsible for the protection of the rights of the child must, upon receiving information about a child in need of guardianship/custody, ensure that a temporary guardian/custodian is appointed within 3 days. Therefore, after the RRC informs a territorial child rights protection division about an unaccompanied minor, this division must ensure the appointment of a temporary guardian/custodian within 3 days. According to Article 3.264(1) of the Civil Code, when the child is taken into temporary guardianship/custody, the child’s guardian/custodian is appointed by a decision/ordinance of a district/city municipal board/mayor on a recommendation of the state child rights protection institution of the respective district/city. Moreover, this Article stipulates that public and non-governmental organisations related to protection of the rights of the child may present recommendations regarding the appointment of a guardian to the state institution responsible for the protection of the rights of the child.

⁵ http://www.iom.lt/images/publikacijos/failai/1427787457_Kelyje%20nelydimi%20nepilnameciai%20Lietuvoje.pdf

⁶ http://www.iom.lt/images/publikacijos/failai/1427787648_1.Nelydimi%20nepilnameciai%20Lietuvoje.pdf

⁷ http://www.redcross.lt/sites/redcross.lt/files/grazinimo_studija_final_2015.pdf

In practice, the RRC administration refers to Jonava District Municipality for taking into temporary guardianship/custody of an unaccompanied minor accommodated at the Centre. The director of the administration of Jonava District Municipality issues an order appointing the RRC as a temporary guardian/custodian. In practice, this procedure takes 3 working days. Upon appointing the RRC as a temporary guardian/custodian, the RRC administration appoints a social worker of the Centre responsible for the unaccompanied minor who has been taken into temporary guardianship/custody.

It should be noted that one of the main functions of a social worker responsible for a child's guardianship is to facilitate contacts of unaccompanied minors with competent authorities and organisations (the Migration Department on issues of legal status, interpreters, etc.).

Q10b. What are the implications of unaccompanied minors' transition from the age of minority to 18 years of age for their guardianship arrangements up to that stage, e.g. are these unaccompanied minors still entitled to a guardian and until what age, or are they expected to become fully autonomous, also in terms of finances, etc.? What measures (if any) are in place to support the unaccompanied minor before, during and after the transition, e.g. information provision, informal follow-up with guardians, etc.?

In Lithuania, there are no transitional measures in place, guardianship ends when a person reaches the age of majority.

Q10c. Is there any research available in Lithuania on:

- The standard of guardianship provided to unaccompanied minors?
- The effects of guardianship on the integration of the unaccompanied minors, including those turning 18 years of age (as conducted by relevant authorities, academics, NGOs, etc.)?

If yes, please briefly describe the main findings and conclusions of such research and provide a full reference to the source (e.g. based on existing studies/ evaluations/ other sources or information received from competent authorities).

The issues of guardianship of unaccompanied minors have been mentioned in the European Migration Network study "On the Road: Unaccompanied Minors in Lithuania" 2009⁸. The research has been conducted on the basis of legislation and the information provided by competent public authorities.

Conclusions of this research:

- When addressing the issues of concern related to unaccompanied minors, social security and guardianship need to be ensured first, and only after that legal issues should be dealt with.
- Laws provide for guardianship for all unaccompanied minors aliens, but in practice it only applies to asylum-seeking unaccompanied minors. It should be noted that this practice has been changed after completing the research in question.

The issues of guardianship of unaccompanied minors have also been analysed in the "Study on Aliens' Return and Expulsion" prepared by the Lithuanian Red Cross Society⁹. The research has been conducted on the basis of legislation and the information provided by competent public authorities.

Conclusions of this research:

- Lithuania has introduced an institutional care model, and a social institution, namely, the RRC, is appointed as a guardian/custodian of unaccompanied minors. At this Centre, the unaccompanied minors are provided with accommodation, meals, social services, psychological assistance and medical services. At the Centre, the minors have access to courses in the Lithuanian language, vocational guidance sessions, courses in the knowledge of Lithuanian society and other activities organised by the RRC.

⁸ http://www.iom.lt/images/publikacijos/failai/1427787457_Kelyje%20nelydimi%20nepilnameciai%20Lietuvoje.pdf

⁹ http://www.redcross.lt/sites/redcross.lt/files/grazinimo_studija_final_2015.pdf

Consequences of a temporary residence permit on the care arrangements for unaccompanied minors

Q11. What impact does the expiration of a temporary residence permit have on the above-mentioned care arrangements for unaccompanied minors in Lithuania, e.g. unaccompanied minors disappearing from care, etc.?

The expiry of the term of validity of a temporary residence permit does not affect the care of unaccompanied minors, as all unaccompanied minors are, from the moment of their entry into Lithuania/identification in Lithuania, accommodated at the RRC, which is responsible for the care of the unaccompanied minors and the measures and guarantees applicable to them, regardless of their status.

In the event that an unaccompanied minor absconds and is subsequently found, he will be brought to the RRC, where he is provided with all of the guarantees described above.

Challenges and good practices

Q12. Please indicate the main challenges associated with the care of unaccompanied minors in Lithuania experienced by both unaccompanied minors, including those turning 18 years of age, and/ or the competent authorities (e.g. based on existing studies/ evaluations, information received from competent authorities, NGOs/ IGOs, case law, etc.) and how these challenges could be overcome. Please provide references.

The main challenges related to unaccompanied minors include their quick absconding from the RRC once they are accommodated at the Centre. The majority of such runaways are citizens of Vietnam who introduce themselves as minors, although their true age raises doubts. Usually they abscond from the RRC prior to age determination. In the opinion of officials, this can be viewed as misuse of the procedure, since the persons entering in such a manner are not detained and may depart to other EU Member States.

Q13. Please describe any examples of good practice in Lithuania concerning the care of unaccompanied minors, including those turning 18.

The fact that all unaccompanied minors, regardless of their status (whether they are asylum- or non-asylum seeking persons or they have been granted asylum), are provided with the same integration measures as the aliens who have been granted asylum in Lithuania should be considered as an example of good practice.

3.

Integration of Unaccompanied
Minors, Including Transitional
Arrangements for
Unaccompanied Minors Turning
18 Years of Age

Overview of integration provisions and organisational set-up in Lithuania

Q14a. What priority is given to the integration of unaccompanied minors in Lithuania (over their return, for example)?

All unaccompanied minors, regardless of their legal status, are accommodated at the RRC (which is appointed as their guardian) and are provided with all the integration measures applicable to the persons who have been granted asylum and have been accommodated at this Centre, therefore a conclusion should be drawn that priority is given to the integration of the unaccompanied minors over their return.

Q14b. Please provide a summary overview of the provisions in place in Lithuania for the integration of unaccompanied minors following their status determination, indicating in particular how the legal status of the unaccompanied minor defines his/ her specific integration trajectory (e.g. refugee, beneficiary of subsidiary protection, other statuses granted, etc.).

All unaccompanied minors staying in Lithuania, regardless of their status, are accommodated at a social institution, namely, the RRC, which is appointed as their guardian. Upon accommodating the unaccompanied minors at the PPC, they, just as other aliens who have been granted asylum in Lithuania, become subject to the Description of the Procedure for Granting State Support for the Integration of the Persons who have been Granted Asylum, which regulates grounds for the provision of state support for the integration of the persons who have been granted asylum and their family members who have entered into the Republic of Lithuania by virtue of family reunification, the organisation, provision and administration of such support and the payment of cash benefits and allowances. Therefore, all unaccompanied minors, regardless of their status (whether they have entered unlawfully and have not applied for asylum, whether they are asylum applicants or the persons who have been granted asylum), are provided with the same integration measures as the aliens who have been granted asylum in Lithuania.

They are provided with counselling by a social worker and a psychologist, courses in the Lithuanian language and knowledge of Lithuania, vocational guidance and job counselling, an allowance for food, school supplies, clothing, non-formal educational activities, schooling, legal services and medical care.

Q14c. Do the above provisions differ from those for accompanied minors, as well as for adults and if so, how?

Families with children who are asylum applicants. Families with children who are asylum applicants are accommodated at the Foreigners' Registration Centre. The Foreigners Registration Centre provides them with centralised meals, 3 times a day, also with counselling by a social worker and a psychologist and medical services, children attend school in the town of Pabradė, leisure activities are organised, and a monthly allowance for petty expenses is paid.

Families with children who are have been granted asylum. These families are accommodated at the RRC just as unaccompanied minors. In practice, the difference is that the unaccompanied minors are assisted by a social worker of the RRC in purchasing food with funds of the allowance paid to them and cooking, also they are not paid a benefit to purchase school supplies, and these supplies are provided to them by the RRC, as opposed to families with minor children. Other measures do not differ, except that they are tailored to individual needs of a person (e.g., counselling by a psychologist, counselling by a social worker, non-formal educational activities).

Q14d. Please describe the procedure (if any) in place in Lithuania to determine the best interests of the child with regard to the integration of unaccompanied minors. Is this set out in legislation or any other internal administrative regulations?

Every time that an unaccompanied minor is accommodated at the RRC (i.e., immediately after being accommodated and before his/her legal status is determined), the RRC holds a meeting of the Child Welfare Commission, which is formed and carries out its activities based on the Rules of Procedure of the Commission for Continuous Control of Results of the Implementation of Social Welfare and Temporary Guardianship of Minors and Unaccompanied Minor Aliens of the Refugee Reception Centre approved by the order of the director of the Refugee Reception Centre of 22 January 2018 and which

includes a social worker, a guardian, a psychologist and a medical doctor. This Commission draws up an individual action plan for the integration of a child taking into account the child's age, sex, origin and other important aspects and assessing his/her health condition. When assessing the individual social needs of an unaccompanied minor, an Assessment Form for Unaccompanied Minors' Social Needs (approved by an order of the Director of the RRC) is filled out. In filling out this form, the following aspects are assessed: social data (citizenship, education, occupation, language of communication), social independence (interpersonal skills, leisure activities, motivation for employment, ability to overcome difficulties, school/kindergarten attendance, adaptation to kindergarten/school); physical independence (personal care, motoric activity, nutrition, cognitive functions and perception of reality, characteristic features of behaviour, indications of experience of torture, rape or other forms of psychological, physical or sexual violence, sensory disorders); methods of provision of assistance are determined. Thus, the procedures for determining the interests of the child have been established by secondary legal acts, i.e., orders of the Director of the RRC.

This assessment does not differentiate between non-asylum seeking unaccompanied minors, asylum applicants or the unaccompanied minors who have been granted asylum.

Q15. Which national/ regional/ local authorities and organisations (including NGOs where relevant) are responsible for the integration of unaccompanied minors following status determination? Please describe in particular the competent authorities responsible for the provision of education, employment support, etc., what their specific remits and roles are, any authorities specifically ensuring the principle of the 'best interests of the child' is taken into account, etc.

Name of national competent authority/ organisation	Brief description (e.g. remit/ role, etc.)	Main activities/ responsibilities
Refugee Reception Centre	The Refugee Reception Centre is a budgetary institution providing social services, intended for accommodating the aliens who have been granted asylum in Lithuania and unaccompanied minor aliens as well as for implementing social integration of the aliens who have been granted asylum.	P The RRC is appointed as a guardian of unaccompanied minors and provides these minors with accommodation. In this regard, the RRC deals with all the matters related to the care of the unaccompanied minors (i.e., document management, provision of meals, clothing and essential supplies, access to medical services, access to educational services, employment, provision of psychological and social counselling).
Schools of general education	Schools are the educational institutions whose main activity is formal and/or non-formal education.	Schools are responsible for the general education of unaccompanied minors.

Access to healthcare

Q16a. When providing access to healthcare to unaccompanied minors in Lithuania following status determination, how are the following aspects dealt with?

- Is access to healthcare automatic for unaccompanied minors upon obtaining a permit to stay which is not covered by the Qualification Directive (as it is for refugees and beneficiaries of international protection)? Does this group of unaccompanied minors have the same right to healthcare as nationals of Lithuania?

Yes. According to Article 6(1)(3) and (4) of the Law of the Republic of Lithuania on Health Insurance, unaccompanied minors, regardless of their status, are guaranteed free medical assistance, i.e., they are covered by compulsory health insurance. This means that they are guaranteed the same medical services as citizens of Lithuania. There is also a medical post at the RRC, where the unaccompanied minors are examined and their health condition is assessed, the necessary assistance is provided, and the necessary tests are carried out.

- Please describe what this access to healthcare includes, for example, emergency treatment, basic medical care, essential or specialised medical care, counselling, etc?

The medical services provided include all services required for the treatment of an illness, i.e., basic medical care, primary healthcare, counselling, inpatient treatment, outpatient treatment, surgical services, etc. Healthcare services are provided to the same extent as to citizens of Lithuania.

- Does Lithuania undertake any form of individual assessment to ensure that the medical care provided to unaccompanied minors corresponds to the minor's specific physical, as well as mental health needs?

A person's medical condition is assessed individually when providing medical services.

- Please provide any other important information in relation to the healthcare available for unaccompanied minors not covered above.

Not applicable.

Q16b. What are the implications (if any) of unaccompanied minors' transition from the age of minority to 18 years of age for their access to healthcare, including counselling up to that stage? What measures (if any) are in place to support the unaccompanied minor before, during and after such a transition, e.g. information provision, etc.?

When an unaccompanied minor reaches the age of majority, (s)he is no longer automatically covered by compulsory health insurance except if (s)he has been granted asylum.

In all other cases, upon reaching the age of majority and being in possession of a residence permit, they are only covered by compulsory insurance if they are employed (insurance costs are covered by the employer), are studying (costs covered by the state) or are engaged in individual activity (they pay for insurance themselves).

Q16c. Is there any research available in Lithuania on:

- The quality of healthcare, including counselling, provided to unaccompanied minors?
- The effects of the access to healthcare on the integration of unaccompanied minors, including those turning 18 years of age (as conducted by relevant authorities, academics, NGOs, etc.)?

If yes, please briefly describe the main findings and conclusions of such research and provide a full reference to the source (e.g. based on existing studies/ evaluations/ other sources or information received from competent authorities).

No such research is available.

Access to education

Q17a. When providing access to education to unaccompanied minors in Lithuania following status determination, how are the following aspects dealt with?

- Is access to education automatic for unaccompanied minors who have obtained a status which is not covered by the Qualification Directive (as it is for refugees and beneficiaries of international protection)? Does this group of unaccompanied minors have the same right to education as nationals of Lithuania?

Yes. According to Article 32(2)(2) of the LLSA, unaccompanied minor aliens, regardless of the legitimacy of their stay in the territory of the Republic of Lithuania, have the right to study at general education or vocational training establishments. This right has been detailed by the Order of the Minister of Education and Science of the Republic of Lithuania on the Implementation of Education of Children of the Aliens Entering the Republic of Lithuania for Employment or Residence at Schools of General Education.

Pursuant to points 1 and 2 of this Order, children of the aliens entering the Republic of Lithuania for employment or residence, the minor aliens who have been granted temporary protection in the Republic of Lithuania and unaccompanied minor aliens, regardless of the legitimacy of their stay in the territory of the Republic of Lithuania, are ensured education at schools of general education, which is organised in accordance with the general education plans of schools of general education approved by the Minister of Education and Science and other legal acts.

As indicated by the RRC, all the unaccompanied minors accommodated at the RRC during the school year attended school in the town of Rukla. They, just like citizens of Lithuania, are provided with textbooks free of charge, the textbooks are provided by an educational establishment. Other teaching aids, i.e., exercise books, writing materials, calculators, etc., which must be provided by pupils' parents or guardians, are provided to the unaccompanied minors by the RRC.

Thus, the unaccompanied minors staying in Lithuania have automatic access to education at schools of general education and vocational training establishments before they are issued a permit.

- Does Lithuania undertake any form of individual assessment to ensure that the education provided to unaccompanied minors is adapted to the age, level of education in the country of origin, degree of language barrier of the unaccompanied minor, etc.?

Yes. As regards the children accommodated at the RRC, their learning outcomes and the conformity of these outcomes to the learning outcomes specified in primary, basic and secondary education programmes of the Republic of Lithuania are determined during the first month (for those arriving in summer – until 1 September); the learning outcomes are determined by the host school (point 33.1 of the Description of the Integration Procedure).

- Are any special measures to support access to education specifically for unaccompanied minors available in Lithuania, in particular language training, guidance regarding the national education system, etc.? Are there specialised institutions for the language training of unaccompanied minors? Does language training take place in public schools, in specialised language courses for unaccompanied minors or minors in general, or within adult language learning programmes for foreign citizens?

As soon as the learning outcomes of the children accommodated at the PPPs are determined, they start attending a school of general education. The children are integrated into grades by age, are provided with educational assistance and are intensively trained in the Lithuanian language (they are offered additional classes in the Lithuanian language or attend compensatory groups (point 33.2 of the Description of the Integration Procedure). It should also be noted that even when attending additional classes at schools of general education, the children are taught the Lithuanian language also at the RRC.

- Do unaccompanied minors receive education in accommodation centres, or as part of the mainstream schooling system? Or are there other education arrangements for unaccompanied minors in Lithuania?

Unaccompanied minors are educated as part of the mainstream schooling system, they attend schools of general education together with other children living in Lithuania. There are no individual education plans drawn up specifically for unaccompanied minors.

- Please provide any other important information in relation to access to education for unaccompanied minors not covered above.

Although the right to education has been provided for unaccompanied minors, they rarely exercise this right, as the majority of them quickly abscond from the RRC.

Q17b. What are the implications (if any) of unaccompanied minors' transition from the age of minority to 18 years of age for their access to education up to that stage, e.g. do unaccompanied minors have the possibility to continue compulsory education post-18, to progress to third-level education, vocation studies and training, etc.? What measures (if any) are in place to support the unaccompanied minor before, during and after such a transition, e.g. information provision, education pathway/ plan, personal adviser, etc?

Upon reaching the age of majority, unaccompanied minors, just like other pupils, have the right to continue their education under general education programmes and to complete schooling. Moreover, the unaccompanied minors have the right to continue education at vocational training establishments.

In fact, there have not been such cases in practice. The issue of the possibility of issuing to an alien a new temporary residence permit on other grounds (the alien is learning, studying, is employed and thus meets other grounds for issuing a temporary residence permit) would be resolved on a case-by-case basis.

Q17c. Is there any research available in Lithuania on:

- The quality of education provided to unaccompanied minors?
- On the educational performance of unaccompanied minors?
- The effects of the access to education on the integration of unaccompanied minors, including those turning 18 years of age (as conducted by relevant authorities, academics, NGOs, etc.)?

If yes, please briefly describe the main findings and conclusions of such research and provide a full reference to the source (e.g. based on existing studies/ evaluations/ other sources or information received from competent authorities).

No such research is available.

Access to (support to) employment

Q18a. When providing access to employment¹⁰ to unaccompanied minors in Lithuania following status determination, how are the following aspects dealt with?

- Is access to employment automatic for unaccompanied minors upon obtaining a permit to stay which is not covered by the Qualification Directive (as it is for refugees and beneficiaries of international protection)? What does the access include, e.g. internships, traineeships, vocational preparation, etc.? Is this subject to rules generally applicable to the profession and to the public service? Is this conditional upon obtaining a work permit, etc.?

UAMs who have been granted asylum. Access to employment is automatic, no additional permits are required. According to Article 58(1) of the LLSA, an alien is exempt from the obligation to obtain a work permit if the alien is possession of a temporary residence permit issued under Article 40(1)(8) of the LLSA.

UAMs who have been issued a residence permit on grounds of non-refoulement. Access to employment is not automatic, and they are under the obligation to obtain a work permit in accordance with the general procedure applicable to all aliens.

UAMs who have been issued a residence permit, because authorities could not return them (guardians have not been traced or a facility where they would be duly taken care of has not been identified). After these unaccompanied minors reach the age of majority, their return procedure is commenced. However, as long as their residence permit in Lithuania is valid, they can apply for the issue of a work permit in accordance with the general procedure applicable to all aliens.

- Is the access to employment for unaccompanied minors limited in any way, for example, open only to unaccompanied minors of a certain minimum age after status determination, or restricted for a certain period and/ or limited to a maximum number of days per year? Are these limitations for unaccompanied minors same as those applied to minors who are nationals of Lithuania?

Yes. Article 21(2) of the Labour Code of the Republic of Lithuania stipulates that an employee acquires capacity and capability for work from the age of 16 years, save for the exceptions specified by legal acts, i.e., a person who has reached the age of 16 years may be an employee, however legal acts may provide for exceptions for the recruitment of children from the age of 14 years, also may impose restrictions on certain work that can only be performed by the persons who have reached the age of majority. Based on the Description of the Procedure for Organising the Recruitment, Work and

¹⁰ Please note that this need not apply to unaccompanied minors who are still in full-time education.

Vocational Training of Persons under the Age of Eighteen Years and Conditions of the Recruitment of Children approved by Resolution No 518 of the Government of the Republic of Lithuania of 28 June 2017, children from the age of 14 years up to the age of 16 years are allowed to perform light-duty work, which, due to the nature of the tasks involved and conditions of their performance, does not affect children's safety, health and development, does not interfere with school attendance and learning under compulsory education and vocational training programmes or with provision of educational assistance. The employer recruits a child from the age of 14 years up to the age of 16 years if he has obtained a written consent from a parent or another legal representative of the child regarding the child's work, a medical certificate issued by a personal healthcare institution with the conclusion that the child is fit to perform a specific work and a written consent for the child's work given during the school year by the school which the child attends (point 13). Persons under the age of 18 years must be protected against any specific risk to their safety, health or development, which may result from the lack of experience of the persons under the age of 18 years, ignorance of existing or potential risks, or immaturity of the persons under the age of 18 years (point 4).

All these conditions apply equally to aliens and citizens of Lithuania.

- Are any special measures to support access to employment specifically for unaccompanied minors available in Lithuania, in particular vocational guidance, jobseeker allowance for unaccompanied minors not able to find employment, etc.?

Yes. The unaccompanied minors accommodated at the RRC have access to vocational training courses, job counselling and training, upskilling opportunities.

- Please provide any other important information in relation to access to employment for unaccompanied minors not covered above.

As a rule, unaccompanied minors do not take advantage of vocational training, job counselling or upskilling opportunities, as they usually abscond from the RRC very soon after being accommodated there (approximately in the course of a week).

Q18b. What are the implications (if any) of unaccompanied minors' transition from the age of minority to 18 years of age for their access to employment up to that stage? What measures (if any) are in place to support the unaccompanied minor before, during and after the transition, e.g. ongoing employment support as part of integration pathway/ plan, personal adviser, etc.?

A person who has reached the age of majority is not subject to the above-mentioned age-related restrictions on recruitment. In the event that an unaccompanied minor has been granted asylum, he continues to have access to vocational guidance, job counselling and upskilling as integration measures, while an unaccompanied minor who has not been granted asylum loses such rights upon reaching the age of majority, and the return procedure is commenced.

There are no transitional measures in place.

Q18c. Is there any research available in Lithuania on:

- The quality of employment access support provided to unaccompanied minors?
- The effects of the access to employment on the integration of unaccompanied minors, including those turning 18 years of age (as conducted by relevant authorities, academics, NGOs, etc.)?

If yes, please briefly describe the main findings and conclusions of such research and provide a full reference to the source (e.g. based on existing studies/ evaluations/ other sources or information received from competent authorities).

No such research is available.

Family reunification of unaccompanied minors

Q19a. Please provide here any *updated information* on the possibility for family reunification for unaccompanied minors since the 2016 EMN Focused Study on “Family Reunification of Third-Country Nationals in the EU plus Norway: National Practices,” including any information on the effects of family reunification on the integration of unaccompanied minors in Lithuania (e.g. based on existing studies/ evaluations/ other sources or information received from competent authorities).

In Lithuania, the right of unaccompanied minors to family reunification differs depending on whether they have been granted asylum (subsidiary protection or refugee status)¹¹ or issued a residence permit for on other grounds. If an unaccompanied minor has been granted asylum, he has the possibility of reunification with his/her parents but not with his/her adoptive parents/guardians or siblings. Meanwhile, the unaccompanied minors who have been issued a temporary residence permit on grounds other than asylum do not have the right to reunification either with their parents or adoptive parents, siblings, i.e., parents cannot enter to join such a minor and obtain a residence permit in Lithuania on the ground that the unaccompanied minor resides in Lithuania.

All unaccompanied minors have the right to reunification with their spouse or children (Article 43(1)(5) and (2) of the LLSA), however in order to obtain a temporary residence permit in Lithuania, the family members indicated by the unaccompanied minors must meet the conditions of issue of such permits applicable to all third-country nationals, i.e., the person who is to be joined must have resided in Lithuania for 2 years, the entering person must have the income specified by legal acts (1 minimum monthly wage per month, suitable residential premises, health insurance coverage), whereas these conditions do not apply to family members of the unaccompanied minors who have been granted asylum if they apply for the issue of the permit within 3 months from the granting of asylum.

Q19b. What are the implications (if any) of unaccompanied minors’ transition from the age of minority to 18 years of age for their access to family reunification up to that stage, for example:

- Is there any cut-off of family reunification rights when unaccompanied minors reach 18 years of age?

Yes. Upon reaching the age of majority, unaccompanied minors no longer have the right to reunification with their parents (if they had such a right). Meanwhile, if an unaccompanied minor is in possession of a residence permit in Lithuania and meets the conditions set out by legal acts for reunification with family members (i.e., has resided in Lithuania for more than 2 years, has means of subsistence, possesses suitable residential premises and is covered by health insurance), he has the possibility of reunification with his/her children and spouse.

- Does Lithuania have any measures in place to support the unaccompanied minor before, during and after such a transition (please specify these measures)?

No such measures are in place.

- Please provide any other important information in relation to family reunification for unaccompanied minors not covered above.

The largest obstacle encountered when implementing family reunification is to trace family members of unaccompanied minors. It is usually difficult to trace such family members, the process itself is lengthy, and the unaccompanied minors usually abscond before their family members are traced and thus the family members remain untraced.

Q19c. Is there any research available on the effects of family reunification on the integration of unaccompanied minors, including those turning 18 years of age (as conducted by relevant authorities, academics, NGOs, etc.)? If yes, please briefly describe the main findings and conclusions of such research and provide a full reference to the source (e.g. based on existing studies/ evaluations/ other sources or information received from competent authorities).

No such research is available.

¹¹ Article 43(1)(4) of the LLSA

Social welfare supporting unaccompanied minors

Q20a. Does Lithuania provide any social welfare/ assistance to support unaccompanied minors? If yes, please provide information on this below, citing any evidence on the effects of social welfare/ assistance on the integration of the unaccompanied minors where available (e.g. based on existing studies/ evaluations/ other sources or information received from competent authorities).

Yes. Unaccompanied minors are paid an allowance for food and petty expenses equal to 0.7 of the state-supported income amount per month, i.e., EUR 85.40 (point 23.6 of the Description of the Integration Procedure).

In addition, an unaccompanied minor who has been granted asylum is, upon reaching the age of majority, paid a one-time settling-in allowance, which is equal to 11 state-supported income amounts, i.e., EUR 1,342. It should be noted that in the opinion of some non-governmental organisations¹², this amount of support is subject to criticism, since Article 9(1) of the Law of the Republic of Lithuania on Benefits for Children stipulates that a one-time settling-in allowance payable to orphans upon the termination of the guardianship/custody of the child due to reaching of the age of majority, emancipation or conclusion of marriage amounts to EUR 2,850, i.e., 75 base social benefits, which is twice as much as is paid to unaccompanied minors.

All other social support is provided to unaccompanied minors in kind (i.e., clothes, footwear, school supplies).

Q20b. What are the implications (if any) of unaccompanied minors' transition from the age of minority to 18 years of age for their access to social welfare/ assistance up to that stage, for example?

- Is there any benefits cut-off when unaccompanied minors reach 18 years of age?

Yes. As an unaccompanied minor who has reached the age of majority loses the right to be accommodated at the RRC, (s)he no longer receives an allowance for food and petty expenses and, respectively, also other services provided by the RRC.

Upon reaching the age of majority, an unaccompanied minor who has been granted asylum continues to be accommodated at the RRC for another 3 months (as an integration measure) and, when moving out to live on his/her own, is paid a one-time settling-in allowance and a monthly allowance in the following amounts: until the 6th month of provision of support for integration – 2 amounts of state-supported income (i.e., EUR 244) and from the 7th up to 12th month of provision of support for integration – 1 amount of state-supported income (i.e., EUR 122). Meanwhile, the unaccompanied minors who have been issued a temporary residence permit on grounds other than asylum longer receive any support upon reaching the age of majority.

- Does Lithuania have any measures in place to support the unaccompanied minor before, during and after such a transition (please specify these measures)?

No.

- Please provide any other important information in relation to social welfare for unaccompanied minors not covered above.

Not applicable.

Q20c. Is there any research available on the **effects** of social welfare on the integration of unaccompanied minors, including those turning 18 years of age (as conducted by relevant authorities, academics, NGOs, etc.)? If yes, please briefly describe the main findings and conclusions of such research and provide a full reference to the source (e.g. based on existing studies/ evaluations/ other sources or information received from competent authorities).

No such research is available.

¹² Strategic Document for Integration of Foreigners who Have Been Granted Asylum, p. 27., <http://www.diversitygroup.lt/wp-content/uploads/2017/03/Refugee-Integration-LT.pdf>

Further monitoring of unaccompanied minors' transition to adulthood

Q21. Further to any information on after-care already provided above, please describe any (other) monitoring mechanisms/ reviews/ evaluations ensuring the effective transition of unaccompanied minors to adulthood, including the types of measure(s) undertaken and the duration of the monitoring period after unaccompanied minors reach 18 years of age.

No such monitoring is undertaken.

Consequences of a temporary residence permit on the integration of unaccompanied minors

Q22. What impact does the expiration of a temporary residence permit have on the above-mentioned integration measures for unaccompanied minors in Lithuania, e.g. possibility for education-related extension of a temporary residence permit originally granted on grounds of international/ humanitarian protection, etc.?

Upon the expiration of a temporary residence permit issued to an unaccompanied minor, (s)he is issued a new permit on the same ground (as a person who has been granted asylum or as an unaccompanied minor who is not subject to return).

In the event that an unaccompanied minor reaches the age of majority and his/her permit expires, the situation will depend on the possession of a residence permit: the permits issued on grounds of asylum and permanent residence permits are replaced by the same permits. As regards a temporary residence permit, upon expiration of such a permit the person who reaches the age of majority is returned or may apply for the issue of a different temporary residence permit (e.g., on grounds of education, employment or lawful activities, etc.), provided that (s)he meets the conditions set out for the issue of such a permit. As there have not been such cases in practice, due to various circumstances the issue of the possibility of issuing to the alien a new temporary residence permit on other grounds would be resolved on a case-by-case basis.

Challenges and good practices

Q23. Please indicate the main challenges associated with the integration of unaccompanied minors in Lithuania experienced by both unaccompanied minors (including those turning 18 years of age), and/ or competent authorities (e.g. based on existing studies/ evaluations, information received from competent authorities, NGOs/ IGOs, case law, etc.) and how these challenges could be overcome. Please provide references.

The "Study on Aliens' Return and Expulsion"¹³ prepared in 2015 by the Lithuanian Red Cross Society indicates that according to the data provided by the RRC, the main challenge is that unaccompanied minors, having been accommodated at the RRC, very quickly abscond from the RRC. The mentioned study also states that the procedure for assessing the age of the unaccompanied minors is incompatible with the principle of ensuring of the best interests of the child. The only technique used in assessing the age of an unaccompanied minor is an X-ray test. The regulations governing age assessment do not stipulate the requirement to take into account the ethnic origin and cultural characteristics of a person and to perform the assessment by involving the professionals possessing the required professional experience and information on the child's ethnic and cultural background. However, according to a ruling of the Supreme Court of Lithuania¹⁴, this age-assessment technique is considered to be sufficient in legal practice.

Q24. Please describe any examples of good practice in Lithuania concerning the integration of unaccompanied minors – including those turning 18 – identifying as far as possible who considers the practice in question as successful, since when the practice has been in place, its relevance and whether its

¹³ http://www.redcross.lt/sites/redcross.lt/files/grazinimo_studija_final_2015.pdf

¹⁴ Ruling in Civil Case No e3K-3-412-690/2015 of 14 July 2015

effectiveness has been proven, e.g. through an (independent) evaluation. Please reference any sources of information supporting the identification of the practice in question as a 'good practice' (e.g. evaluation reports, academic studies, information received from competent authorities, NGOs/ IGOs, etc).

In the opinion of state institutions, an example of good practice is the fact that all unaccompanied minors, regardless of their status, are accommodated at a social institution, namely, the RRC, where they are provided with integration support.

4.

Return of Unaccompanied
Minors

Overview of the return procedure and its legal and organisational set-up in Lithuania

Q25a. Does Lithuania foresee the return of unaccompanied minors? If so, please provide a brief overview of the provisions in place in Lithuania with regard to the return of unaccompanied minors to the country of origin when the minor receives a negative decision on his/ her application for asylum/ another status:

- Possibility for an unaccompanied minor to return to the country of origin through a voluntary return? If yes, please describe the procedures/ processes under which an unaccompanied minor may be returned voluntarily to the country of origin according to national legislation/ policy and practice, including any challenges.

The Law provides that an unaccompanied minor alien illegally staying on the territory of the Republic of Lithuania or illegally residing in it will be returned only provided that he is duly taken care of in the foreign state to which (s)he is returned taking into consideration his/her needs, age and level of independence¹⁵.

In the event that an unaccompanied minor alien cannot be returned to his/her country of origin or to another state, an application for the issue of a temporary residence permit in Lithuania must be lodged within 2 months (from the accommodation at the RRC) and, within 4 months, the alien must be granted the right to reside in the Republic of Lithuania, i.e., a temporary residence permit in Lithuania valid for a period of up to 1 year must be issued.

Article 32(3) of the LLSA stipulates that having received information about an identified unaccompanied minor alien, the Migration Department must, together with non-governmental or international organisations of the Republic of Lithuania and the representative of the unaccompanied minor alien, immediately organise the search for his/her family members.

The Migration Department, a local police authority or the State Border Guard Service, having received information on family members or other legal representatives of an unaccompanied minor alien, inform the RRC in writing not later than within 3 working days from the receipt of such information indicating the location of the family members or other legal representatives of the unaccompanied minor alien or information about their entry into the Republic of Lithuania and their legal status in the Republic of Lithuania. The Migration Department also provides information on whether it is safe for the unaccompanied minor alien to return to the country of origin or to another foreign state.

If the RRC receives information about the location of family members or other legal representatives of an unaccompanied minor alien or their entry into the Republic of Lithuania from sources other than the Migration Department, the RRC immediately reports this information to the Migration Department in writing and by electronic means.

Having received the indicated information and having considered the best interests of an unaccompanied minor alien, the RRC, not later than within five working days from the receipt of information on the location of family members or other legal representatives of the unaccompanied minor alien or information on their entry into the Republic of Lithuania and their legal status in the Republic of Lithuania, draws up a conclusion in the form of a recommendation and submits it to the Child Rights Protection Division of the municipality in whose territory the RRC is located for the taking of a decision on the transfer of the unaccompanied minor alien to the family members or to other legal representatives.

Upon receipt of the information that an unaccompanied minor can be returned, the file of the unaccompanied minor is forwarded to a local police authority for the taking of a decision (points 24-26 of the Description of the Procedure Concerning Non-Asylum Seeking Unaccompanied Minors). If the unaccompanied minor is in possession of a valid travel document, the return decision must be issued not later than within 2 working days from the tracing of his/her parents or other legal representatives or, in the event of a failure to trace them, from the receipt of the consent of a foreign authority responsible for the guardianship or protection of children to receive the unaccompanied minor alien (point 22 of the Return Description).

A representative of a minor must take part in the minor's interview when issuing a decision and informing the minor of the decision (points 27 and 31.2 of the Return Description). When returning the unaccompanied minor, if necessary, the escort of the unaccompanied minor alien to the state border of the Republic of Lithuania or to the state to which (s)he is returned

¹⁵ Article 129 of the LLSA

and his/her transfer to his/her parents or other legal representatives or to representatives of an authority of that state responsible for the guardianship or protection of children is arranged (point 31.4 of the Return Description).

If an unaccompanied minor is at a border crossing point, (s)he may be refused entry unless (s)he meets the conditions for entry of third-country nationals specified in Article 5 of the Schengen Borders Code, however this is assessed on a case-by-case basis. Minor aliens are usually returned by the police to their country of origin upon tracing their parents or other legal representatives or when the competent authorities of the country of origin confirm that the minors will be duly taken care of in their country of origin. However, there are very few such cases, and during 2014-2017 there were no such cases at all.

- Possibility for an unaccompanied minor to return to the country of origin through an assisted voluntary return? If yes, please describe the Assisted Voluntary Return and Reintegration (AVRR) programme available in Lithuania and the procedures/ processes under which an assisted voluntary return of an unaccompanied minor may be carried out, including any challenges.

Promotion of voluntary return is enshrined in the Lithuanian Migration Policy Guidelines approved by Resolution No 79 of the Government of the Republic of Lithuania of 22 January 2014. Point 22.3.4 of these Guidelines stipulates: to ensure the effective implementation of the policy of return of aliens to their country of origin or to a foreign state to which they are entitled to depart and readmission of illegally staying third-country nationals, while ensuring full respect for fundamental human rights and granting to them the possibility to depart with dignity, to promote voluntary return and thus save public funds.

In Lithuania, assisted voluntary return of third-country nationals has been carried out by IOM Vilnius Office since 1998. Since 2010, voluntary return and reintegration projects have been financed by the European Asylum, Migration and Integration Fund (formerly the European Return Fund). Support is provided to the persons whose visa or residence permit has expired or to the citizens of countries with a visa-free regime who have exceeded the length of permitted stay in Lithuania; to the persons who have lodged an application for asylum and have not received a final negative decision regarding the granting of asylum; to the persons who have been granted any form of protection in Lithuania (subsidiary, temporary protection, refugee status); to the vulnerable persons who have unlawfully entered or who are illegally staying in Lithuania and who, in complying with the obligation to leave the Republic of Lithuania, have chosen assisted voluntary return.

Unaccompanied minors are attributed to the latter group, i.e., to vulnerable persons. In carrying out assisted voluntary return, the following services are provided: counselling on all return-related issues; interpreter's assistance during the counselling process; legal counselling; assistance in obtaining the travel documents required for departure; organisation of travel, route planning, purchase of tickets, payment for additional pieces of luggage; provision of temporary accommodation before departure, provision of meals; assistance in a country of transit during travel; assistance on arrival in the country of origin; one-time pre-departure cash benefit; additional assistance to vulnerable persons according to their individual needs (possible counselling by a medical doctor, a psychologist, medical and humanitarian escort to the country of origin); reintegration assistance.

It should be noted that during the period under consideration, there were no unaccompanied minors who benefited from the assisted voluntary return programme. However, if there had been such unaccompanied minors, the monitoring of their reintegration would be carried out in accordance with the IOM Guide on Assisted Voluntary Returns and Reintegration of Unaccompanied Migrant Children.

- Possibility for an unaccompanied minor to return to the country of origin through a forced return? If yes, please describe the procedures/ processes under which an unaccompanied minor may be subject to a forced return to the country of origin according to national legislation/ policy and practice, including any challenges.

Based on Lithuanian legislation, unaccompanied minors are not subject to forced return.

Q25b. Please describe the procedure (if any) in place in Lithuania to determine the best interests of the child once a negative decision has been reached. Is this set out in legislation or any other internal administrative regulations?

Lithuanian legislation, i.e., Article 4 of the Law of the Republic of Lithuania on Fundamentals of Protection of the Rights of the Child, contains a general provision on the best interests of the child, i.e., the necessity of taking account of the best interests of the child when taking any decisions concerning the child. However, the procedure for determining the best interests of the child has not been defined by any legal acts.

Q26. Which national authorities and organisations (including NGOs where relevant) are responsible for the return of unaccompanied minors? Please describe briefly the competent authorities involved in return, family tracing, etc., as well as any other stakeholders concerned, what their specific remits and roles are, any authorities specifically ensuring the principle of the ‘best interests of the child’ is taken into account in the return of the minor, etc.

Name of national competent authority/ organisation	Brief description (e.g. remit/ role, etc.)	Main activities/ responsibilities
Migration Department	The Migration Department under the Ministry of the Interior of the Republic of Lithuania is an institution under the Ministry of the Interior of the Republic of Lithuania implementing state policy in the area of migration.	The Migration Department is responsible for the search for family members of unaccompanied minors. Having received information about family members or other legal representatives of unaccompanied minor aliens, the Migration Department informs the RRC in writing not later than within three working days from the receipt of the information, indicating the location of the family members or other legal representatives of the unaccompanied minor aliens or information about their entry into Republic of Lithuania and their legal status in the Republic of Lithuania. The Migration Department also provides information on whether it is safe for an unaccompanied minor alien to return to his country of origin or to another foreign state.
Refugee Reception Centre	The Refugee Reception Centre is a budgetary institution providing social services, intended for accommodating the aliens who have been granted asylum in Lithuania and unaccompanied minor aliens as well as for implementing social integration of the aliens who have been granted asylum.	Having received information about family members of an unaccompanied minor, also information as to whether it is safe for the unaccompanied minor alien to return to the country of origin or to another foreign state and having considered the best interests of the unaccompanied minor alien, the RRC draws up a conclusion in the form of a recommendation and submits it to the Child Rights Protection Division of the municipality in whose territory the RRC is located for the taking of a decision on the transfer of the unaccompanied minor alien to the family members or to other legal

		<p>representatives.</p> <p>If the RRC receives information about the location of family members or other legal representatives of an unaccompanied minor alien or their entry into the Republic of Lithuania from sources other than the Migration Department, the RRC immediately reports this information to the Migration Department in writing and by electronic means.</p>
<p>Child Rights Protection Division of a municipality's administration</p>	<p>A child rights protection division of a municipality's administration is a structural unit of the respective municipality's administration. The purpose of the division is, within its remit, to implement the provisions of the United Nations Convention on the Rights of the Child and other legal acts regulating protection of the rights of the child, to represent the rights and legitimate interests of the child and to defend them in accordance with the procedure established by legal acts. The main tasks of the division are as follows: to organise, within its remit and in accordance with the procedure established by legal acts, protection of the rights and interests of the children left without parental care; to provide methodological support, counselling, to resolve other issues of protection of the rights and legitimate interests of the child; to ensure, within its remit and in accordance with the procedure established by laws and legal acts, protection of the rights and legitimate interests of all children residing in the territory of the municipality; to submit proposals to relevant state and municipal institutions and bodies regarding improvement of protection of the rights and legitimate interests of the child, child guardianship/custody and prevention of violations of law in the territory of the municipality; to cooperate with state and municipal institutions and bodies, non-governmental organisations and communities on the issues concerning protection of the rights and legitimate interests of the child.</p>	<p>Takes a decision on the transfer of an unaccompanied minor to family members or to other legal representatives.</p>
<p>Local police authorities</p>	<p>Migration divisions, subdivisions, groups and passport offices are structural units of the local police authorities whose activities are organised and controlled by the local police authorities, the Police Department under the Ministry of the Interior of the Republic of Lithuania and the Migration Department under the Ministry of the Interior of the Republic of Lithuania within their respective remit. Tasks of migration services are as follows: to manage migration processes, while</p>	<p>Take a decision regarding the return of an unaccompanied minor alien to the country of origin or to another foreign state and are responsible for the enforcement of this decision.</p>

	addressing the issues of the legal status of aliens, prevention of irregular migration and other issues related to the implementation of migration policy.	
International Organization for Migration Vilnius Office	In Lithuania, IOM Vilnius Office carries out the following key activities: assistance in the areas of voluntary return and reintegration; migration research, prevention of trafficking in human beings, provision of counselling to returning Lithuanian migrants, promotion of tolerance and integration, representation of Lithuania in the European Migration Network.	Provides assistance in the area of voluntary return of unaccompanied minors.

Enforcement of return decisions and key arrangements pre/ during/ post departure

Q27. What is the estimated timeframe within which Lithuania implements a return decision following a rejection of an unaccompanied minor’s application for asylum/ another status? If there are delays (deviating from this timeframe), what are the usual reasons for such delays?

The unaccompanied minor aliens who have not been granted asylum have recently not been returned to their country of origin, as their family members have not been traced or an adequate care facility to which they could be returned has not been identified. During the period under consideration, namely, during 2014-2017, the unaccompanied minors were usually absconding from their place of accommodation before taking a decision on their legal status in Lithuania.

Q28. Please describe the measures (if any) taken by Lithuania to:

- encourage voluntary return when an enforceable return decision is issued to an unaccompanied minor

No special measures were taken during the period in question, as the majority of unaccompanied minors absconded from the RRC before taking a decision on their legal status in Lithuania.

- enforce return decisions against unaccompanied minors; please clarify in particular how Lithuania perceives the forced return of unaccompanied minors, as well as what is considered effective in this context

No special measures were taken during the period in question, as the majority of unaccompanied minors absconded from the RRC before taking a decision on their legal status in Lithuania.

- mitigate any negative impact (please specify) of a return decision on the well-being of unaccompanied minors

No special measures were taken during the period in question, as the majority of unaccompanied minors absconded from the RRC before taking a decision on their legal status in Lithuania.

Q29a. Please provide an overview of key arrangements for the return of unaccompanied minors to the country of origin, in particular information, support, services and preparation before departure, safeguards for unaccompanied minors during the operation, transfer of custodial care, etc.

The unaccompanied minor aliens who have not been granted asylum have recently not been returned to their countries of origin, as their family members have not been traced or an adequate care facility to which they could be returned has not been identified. In the event that an unaccompanied minor was returned, his/her return would take place by providing an escort and transferring him/her to the appropriate representative.

During the period under consideration, 5 unaccompanied minors were transferred under readmission agreements to the countries from which they have unlawfully entered, i.e., in 2015, 2 minors were transferred to Latvia and 1 – to Estonia; in 2016, 1 minor was transferred to Belarus; in 2017, 1 minor was transferred to Latvia.

Q29b. Please describe the policy/ practice of Lithuania with regard to family tracing in the country of origin, including when such measures are taken, which authority/ organisation is responsible, as well as the contribution and responsibility of the guardian.

Article 32(3) of the LLSA stipulates that having received information about an unaccompanied minor alien, the Migration Department must, together with non-governmental or international organisations of the Republic of Lithuania and the representative of the unaccompanied minor alien, immediately organise the search for his/her family members.

The Migration Department, a local police authority or the State Border Guard Service, having received information on family members or other legal representatives of an unaccompanied minor alien, inform the RRC in writing not later than within 3 working days from the receipt of such information indicating the location of the family members or other legal representatives of the unaccompanied minor alien or information about their entry into the Republic of Lithuania and their legal status in the Republic of Lithuania.

The Migration Department also provides information on whether it is safe for an unaccompanied minor alien to return to the country of origin or to another foreign state. If the RRC receives information about the location of family members or other legal representatives of the unaccompanied minor alien or their entry into the Republic of Lithuania from sources other than the Migration Department, the RRC immediately reports this information to the Migration Department in writing and by electronic means.

Having received the indicated information and having considered the best interests of an unaccompanied minor alien, the RRC, not later than within five working days from the receipt of information on the location of family members or other legal representatives of the unaccompanied minor alien or information on their entry into the Republic of Lithuania and their legal status in the Republic of Lithuania, draws up a conclusion in the form of a recommendation and submits it to the Child Rights Protection Division of the municipality in whose territory the RRC is located for the taking of a decision on the transfer of the unaccompanied minor alien to the family members or to other legal representatives.

Q29c. How does Lithuania interpret the term 'adequate' reception facilities in the country of origin, as one of the requirements for removing an unaccompanied minor from EU territory according to the Return Directive?¹⁶ Does Lithuania return unaccompanied minors to care centres or parents, relatives, etc.?

The term 'adequate reception facility' is not used, however laws stipulate that unaccompanied minors may be returned when it is ensured that an unaccompanied minor is duly taken care of taking into consideration his/her needs, age and level of independence.

Q29d. Please indicate any special/ transitional arrangements for the return of unaccompanied minors approaching 18 years of age.

In Lithuania, transitional arrangements are not applied.

Q29e. Please indicate any special/ transitional arrangements for the return of unaccompanied minors approaching 18 years of age.

In Lithuania, transitional arrangements are not applied.

Q29f. Please provide information on the follow up of unaccompanied minors once they have returned, such as duration of such follow up, competent service, etc.

Lithuania has concluded readmission agreements with the states listed below, however none of the agreements contains provisions on the return of unaccompanied minors.

¹⁶ Art. 10(2) of Directive 2008/115/EC stipulates that before removing an unaccompanied minor from the territory of a Member State, the authorities of that Member State shall be satisfied that s/he will be returned to a member of his or her family, a nominated guardian or adequate reception facilities in the State of return.

30-06-1995 Agreement between the Government of the Republic of Lithuania, the Government of the Republic of Estonia and the Government of the Republic of Latvia on the readmission of persons residing illegally.

06-05-1996 Agreement between the Government of the Republic of Lithuania and the Government of the Republic of Slovenia on Readmission of those Persons whose Entry into or Residence in a Country are Contrary to the National Law.

23-09-1996 Agreement between the Government of the Republic of Lithuania and the Government of Ukraine on Readmission of Persons.

26-09-1996 Agreement between the Government of the Republic of Lithuania and the Swiss Federal Council regarding Readmission of Persons (Readmission Agreement).

10-02-1997 Agreement between the Government of the Republic of Lithuania and the Government of the Kingdom of Sweden on readmission of persons.

18-03-1997 Agreement between the Government of the Republic of Lithuania and the Government of the Republic of Finland on the Readmission of Persons entering a Country and Residing there without Authorisation.

04-04-1997 Agreement between the Government of the Republic of Lithuania and the Government of Iceland on the readmission of persons entering a country and residing there without authorisation.

20-05-1997 Agreement between the Government of the Republic of Lithuania and the Government of the Italian Republic on readmission of persons

28-05-1998 Agreement between the Government of the Republic of Lithuania and the Government of the Republic of Croatia regarding the Readmission of Persons whose Entry or Residence is Illegal.

18-11-1998 Agreement between the Government of the Republic of Lithuania and the Kingdom of Spain on readmission of persons whose residence is illegal.

09-12-1998 Agreement between the Government of the Republic of Lithuania and the Federal Government of the Republic of Austria on the Readmission of Persons Entering the Territory of the State Illegally.

13-07-1998 Agreement between the Government of the Republic of Lithuania and the Government of the Republic of Poland concerning readmission and admission of persons.

04-12-1998 Agreement between the Government of the Republic of Lithuania and the Government of the Republic of France on Readmission of Persons whose Residence is Illegal.

16-12-1998 Agreement between the Government of the Republic of Lithuania and the Government of the Federal Republic of Germany on the readmission/admission of persons.

11-02-1999 Agreement between the Government of the Republic of Lithuania and the Government of Portugal on the Readmission of Persons entering a Country and Staying there without Authorisation

2003-05-12 Agreement between the Government of the Republic of Lithuania and the Government of the Russian Federation on Admission and Readmission of Persons with Illegal Residence on the Territory of the Republic of Lithuania and the Territory of the Russian Federation (Readmission Agreement).

06-12-2001 Agreement between the Government of the Republic of Lithuania and the Government of the Republic of Moldova on Readmission of Persons with Illegal Entry or Residence on the Territory of the Republic of Lithuania or of the Republic of Moldova.

1999-06-09 Agreement between the Government of the Republic of Lithuania and the Governments of the Benelux States (the Kingdom of Belgium, the Kingdom of the Netherlands and the Grand Duchy of Luxembourg) on the Readmission of Persons Residing without Authorization (Readmission Agreement).

01-07-1999 Agreement between the Government of the Republic of Lithuania and the Government of the Hellenic Republic regarding the Readmission of Persons whose Residence is Illegal.

15-09-2003 Agreement between the Government of the Republic of Lithuania and the Government of the Republic of Armenia on Readmission of Persons with Unauthorised Stay.

19-02-2004 Agreement between the Government of the Republic of Lithuania and the Government of Romania on the Readmission of their own Citizens and of Aliens.

06-10-2011 Agreement between the Government of the Republic of Lithuania and the Government of the Republic of Kazakhstan on Readmission of Persons.

Q30a. Does your Member State provide any reintegration assistance to unaccompanied minors returning to their countries of origin:

- through voluntary return? If yes, please describe the kind of supports available before, during and after the voluntary return of an unaccompanied minor.

Lithuanian legislation does not provide for reintegration support for unaccompanied minors after return.

- through assisted voluntary return? If yes, please describe the kind of supports available under the Assisted Voluntary Return and Reintegration (AVRR) programme available in Lithuania before, during and after the assisted voluntary return of the unaccompanied minor.

Reintegration support is provided by IOM Vilnius Office, however it should be noted that during the period under consideration, no unaccompanied minor took advantage of the assisted voluntary return programme and, accordingly, no reintegration support was provided.

- through forced return? If yes, please describe the kind of supports available before, during and after the forced return of an unaccompanied minor.

Based on Lithuanian legislation, unaccompanied minors are not subject to forced return.

Q30b. Please describe the monitoring mechanisms (if any) in place in Lithuania to ensure the effective reintegration of unaccompanied minors, including the types of measure undertaken and the duration of the monitoring period.

Lithuanian legislation does not provide for any monitoring mechanisms.

Alternatives to return

Q31. Does Lithuania provide for any alternative solutions to stay for unaccompanied minors, such as regularisations, etc.? How do you inform unaccompanied minors of such possibilities to stay following a negative decision on their application for asylum/ another status?

In the event that family members of an unaccompanied minor are not traced, an application for the issue of a temporary residence permit in Lithuania must be lodged within 2 months (from the accommodation at the RRC) and, within 4 months, the minor must be granted the right to reside in the Republic of Lithuania, i.e., a temporary residence permit must be issued. Upon the expiration of this permit and if the unaccompanied minor still cannot be returned, the permit is renewed, and the unaccompanied minor who has resided in Lithuania uninterruptedly for a period of five years is issued a permanent residence permit in Lithuania.

Dealing with unaccompanied minors who cannot be immediately returned

Q32a. Please describe the procedure of dealing with unaccompanied minors who are not/ cannot be returned immediately in Lithuania, specifying the circumstances whereby the enforcement of a return decision has been deferred/ postponed, for how long such a deferral/ postponement is possible, where unaccompanied minors are housed during the deferral/ postponement period, whether unaccompanied minors have the possibility to be granted a status/ right to stay in Lithuania (e.g. tolerated status), etc.

In the event that family members of an unaccompanied minor are not traced, an application for the issue of a temporary residence permit in Lithuania must be lodged within 2 months (from the accommodation at the RRC), and after 4 months the unaccompanied minor is issued a temporary residence permit in Lithuania. Throughout the indicated period, the unaccompanied minor is accommodated at the RRC, which is his/her guardian.

Q32b. What is the impact of a deferred return decision on the well-being of unaccompanied minors (as cited in existing evaluations/ studies/ other sources or information received from competent authorities, please provide references)? Does Lithuania provide any state-guaranteed healthcare, including counselling, guardianship, etc. to the unaccompanied minor during this state of limbo?

All unaccompanied minors are, from their identification in Lithuania, accommodated at the RRC, which is appointed as their guardian. At the Centre, they are provided with food allowances, clothing, medical services and other services provided to them at the RRC, and also have access to learning.

Q32c. Please provide any other information available in Lithuania on the well-being of unaccompanied minors during the above-mentioned state of limbo, such as instances of unaccompanied minors transferred to another reception facility because of disciplinary reasons, unaccompanied minors involved in incidents, number of consultations with psychologists, school absenteeism or school drop-out rates, etc.

All unaccompanied minors, regardless of their status, are provided with accommodation and full support at the RRC (i.e., counselling by a social worker and a psychologist, courses in the Lithuanian language and knowledge of Lithuania, vocational guidance and job counselling, allowance for food, school supplies, clothing, non-formal educational activities), schooling, legal services, medical care. Therefore, unaccompanied minors receive all of these services also during the state of limbo.

Challenges and good practices

Q33. Please indicate the main challenges associated with the implementation of the return of unaccompanied minors in Lithuania experienced by both unaccompanied minors, including those turning 18, and/ or competent authorities (e.g. based on existing studies/ evaluations, information received from competent authorities, NGOs/ IGOs, case law, etc.) and the measures (that could be) taken to overcome these challenges. For example, do boys face different challenges than girls (and vice versa) when it comes to return and if so, how does Lithuania deal with such challenges?

In the opinion of state institutions, the main challenge is the fact that unaccompanied minors quickly abscond from Lithuania, therefore all procedures are terminated.

Q34. Please describe any examples of good practice in Lithuania concerning the return of unaccompanied minors. Please note that, in order to comply with children's rights and EU policy positions,¹⁷ good practices in return of unaccompanied minors should only include voluntary return following a robust, individual BID

¹⁷ For example, the Commission Recommendation on making returns more effective when implementing the Directive 2008/115/EC, C(2017) 1600 final, see above.

procedure with all procedural safeguards, as well as holistic support, preparation and reintegration assistance.

The fact that the provisions on return of minors stipulated in Lithuanian legal acts are more favourable compared to the Return Directive should be considered as good practice. The LLSA also establishes strict requirements for the quality of reception. Thus, it must be ensured that a minor will be duly taken care of taking into consideration his/her needs, age and level of independence in case return is implemented.

5.

Disappearances of
Unaccompanied Minors from
Guardianship/ Care Facilities
and/ or Following a Return
Decision

Q35. Is the disappearance of unaccompanied minors an issue in Lithuania? If so, can this be linked to i) the decision on their application for asylum/ another status in terms of the point in time, i.e. before/ after a decision on status is issued, and ii) in terms of the outcome of the procedure, i.e. positive/ negative decision?

Yes, the majority of unaccompanied minors, soon after being accommodated at the RRC, abscond from the Centre with the aim of leaving Lithuania, i.e., unaccompanied minors abscond before their age is determined and any decision is taken in their respect.

Description of the Procedure Concerning Non-Asylum Seeking Unaccompanied Minors has helped to coordinate the actions of institutions upon identification of an unaccompanied minor alien in the country. In addition, the Description regulates the age-assessment procedure, provides for the possibility of speedily assessing the age of aliens and obtaining valid data on whether they are full-aged persons. It is likely that this has led to a decrease in age-related misuse by introducing oneself as a minor and a significant drop in the number of such persons. During 2014-2017, 5 persons (2 citizens of Afghanistan, 2 – citizens of Vietnam and 1 – citizen of Libya) introduced themselves as unaccompanied minors and were accommodated at the RRC, but were later identified as full-aged persons and were transferred to the Foreigners' Registration Centre.

Q36. If Lithuania has recorded cases of unaccompanied minors disappearing from accommodation facilities and/ or guardianship care following a decision on status, what are the possible reasons for such disappearances (e.g. running away from guardianship/ care facilities, expiration of a temporary residence permit, etc. as cited in existing evaluations/ studies/ other sources or information received from competent authorities, please provide references)? Also, what are the consequences of their disappearance on their permit to stay? For example, can their status and/ or residence permit be withdrawn?

Unaccompanied minors abscond from Lithuania before their legal status is determined and a residence permit is issued to them.

Q37. Does Lithuania have any procedures/ measures in place to:

- Prevent and react to disappearances of unaccompanied minors from guardianship/ care facilities, e.g. support services, national hotlines for missing children, missing persons alerts in the Schengen Information System, Missing Children Europe and its member organisations, fingerprinting/ photographing unaccompanied minors as an aid for tracing, etc.?

In order to address the issue of identification of citizens of Vietnam, consultation meetings were organised in 2017 with representatives of the embassy of the Socialist Republic of Vietnam in Warsaw. In July 2017, a reciprocal visit by the delegation of the Socialist Republic of Vietnam took place, during which the issues of the operation of the 'hotline' and the draft cooperation agreement were discussed.

- Report and respond to disappearances of unaccompanied minors from guardianship/ care facilities, e.g. protocols among authorities, standardised procedure for dealing with disappearances, etc.? Yes

Yes. Pursuant to point 28 of the Description of the Procedure Concerning Non-Asylum Seeking Unaccompanied Minors, where an unaccompanied minor absconds from the RRC and fails to return for more than 24 hours, the head of the Reception Section reports the disappearance in writing to:

- Director of the Centre;
- Jonava District Police Headquarters of Kaunas County Police Headquarters;
- Jonava Group of the Migration Division of Kaunas County Police Headquarters;
- Migration Department;
- State Border Guard Service;
- State Child Rights Protection and Adoption Service;
- Jonava Child Rights Protection Division;

- National Health Insurance Fund..

In the event of disappearance of an unaccompanied minor, only written reports are sent to the mentioned authorities, legislation does not provide for any additional search measures.

Q38. If Lithuania has cases of unaccompanied minors disappearing following a return decision, please describe the actions (if different from the above) taken by Lithuania to decrease the risk of such disappearances, as well as any follow-up measures in case of disappearances.

In all cases, the same reporting procedure applies, regardless of whether a minor disappears before a decision is issued or following the decision.

Q39. Please indicate the main challenges associated with the disappearance of unaccompanied minors in Lithuania for the competent authorities, as well as the minors themselves and the measures (that could be) taken to overcome these challenges. For example, do you have evidence of instances of disappearances of unaccompanied minors linked to any negative consequences for the minors (e.g. exploitation, radicalisation, etc.)?

Having assessed all the above information, it can be concluded that there are not enough effective measures in place to prevent unaccompanied minors from absconding from the RRC, though the number of such cases is decreasing each year. Efforts to work more closely with the Socialist Republic of Vietnam are welcomed.

Q40. Please describe any examples of good practice in Lithuania concerning the issue of disappearances of unaccompanied minors.

Not applicable.

Conclusions

1. During 2014-2017, 120 unaccompanied minors entered Lithuania, of whom 10 applied for asylum in Lithuania and 110 did not apply. However, the majority of unaccompanied minors absconded from Lithuania in the course of the first week following their entry. Out of the mentioned 110 non-asylum seeking unaccompanied minors, 104 persons have absconded, while out of 10 asylum applicants – 9 persons have absconded and one unaccompanied minor has been granted asylum (refugee status). Majority of unaccompanied minors enter Lithuania with an aim to travel to other EU countries for economic reasons or to reunite with their families.
2. The Description of the Procedure concerning Non-Seeking Unaccompanied Minor Aliens was approved in 2014. This Description has resolved the issues of the conduct of interviews, age assessment, tracing of family members or other legal representatives, taking into and termination of temporary guardianship/custody, the issues of accommodation of unaccompanied minors at the Refugee Reception Centre, provision of healthcare services, the procedure for determining their legal status.
3. The main challenge associated with unaccompanied minors is their absconding from the RRC. However, it should be noted that the number of such cases has been decreasing annually since 2014. In the opinion of authorities, the decrease has been influenced by enhanced cross-border cooperation in the area of identification of persons and by the mentioned Description of the Procedure Concerning Non-Asylum Seeking Unaccompanied Minors, which has established the age-assessment procedure.
4. All unaccompanied minors staying in Lithuania, regardless of their status, are accommodated at a social institution, namely, the RRC, which is appointed as their guardian. Upon accommodating the unaccompanied minors at the RRC, they, just like other aliens who have been granted asylum in Lithuania, are provided with state support for the integration of the persons who have been granted asylum. They are provided with counselling by a social worker and a psychologist, courses in the Lithuanian language and knowledge of Lithuania, vocational guidance and job counselling, an allowance for food, school supplies, clothing, non-formal education activities, schooling, legal services, medical care.
5. Unaccompanied minors who have reached the age of 18 years and who have not been granted asylum in Lithuania are not provided with any transitional measures. Right upon reaching the age of 18 years an unaccompanied minor becomes subject to the return procedure or (s)he can apply for a residence permit on other reasons if (s)he meets the requirements. However, it is highly complicated for a young person of such age to independently meet grounds for issuing a temporary residence permit in Lithuania (there could be introduced transitional measures, for example, based on Article 46(5) of the LLSA, which stipulates that a person could reside in Lithuania for another 6 months after completing studies). There are also no transitional social support measures in place.
6. The Law provides that an unaccompanied minor alien illegally staying on the territory of the Republic of Lithuania or illegally residing in it will be returned only provided that (s)he is duly taken care of in the foreign state to which (s)he is returned taking into consideration his/her needs, age and level of independence, which, in comparison with the Return Directive, should be considered as a higher standard.
7. Lithuanian legislation provides that unaccompanied minors may be returned or have access to assisted voluntary return programmes, whereas forced return is not applicable to the unaccompanied minors. Long-standing practice shows that as a rule, unaccompanied minors aliens, even if they have not been granted asylum, are not returned to their country of origin, because their family members are not traced or an adequate care facility to which they could be returned is not identified.

European Migration Network (EMN) is a network composed of migration and asylum experts from EU Member States, Norway and the European Commission. Its main objective is to collect, analyse and provide up-to-date, objective, reliable and comparable information on migration and asylum to policy makers at EU and Member State level and the general public.

The EMN National Contact Point (NCP) in Lithuania is composed of representatives from the Ministry of the Interior, the Migration Department, the State border guard service as well as the International Organization for Migration (IOM) Vilnius office which acts the national co-ordinator for the EMN activities in Lithuania. EMN NCP in Lithuania also collaborates with other entities from governmental as well as non-governmental institutions working in the area of migration.
