



**LIETUVOS RESPUBLIKOS NUOLATINĖ ATSTOVYBĖ
PRIE JUNGTINIŲ TAUTŲ BIURO
IR KITŲ TARPTAUTINIŲ ORGANIZACIJŲ ŽENEVOJE**

**PERMANENT MISSION OF THE REPUBLIC OF LITHUANIA
TO THE UNITED NATIONS OFFICE
AND OTHER INTERNATIONAL ORGANIZATIONS IN GENEVA**

No. 180.1.6.1) SN80-156

The Permanent Mission of the Republic of Lithuania to the United Nations Office and other International Organizations in Geneva presents its compliments to the Office of the High Commissioner for Human Rights and has the honor to submit the input of the Government of Lithuania to the Report of the Special Rapporteur on sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material.

The Permanent Mission of the Republic of Lithuania to the United Nations Office and other International Organizations in Geneva avails itself of this opportunity to renew to the Office of the High Commissioner for Human Rights the assurances of its highest consideration.

ENCLOSURE. 4 pages.



Geneva, 17 October 2019

Office of the High Commissioner for Human Rights
GENEVA

Input of the Republic of Lithuania to the Report of the Special Rapporteur on sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material

- i. *Context, awareness and attitudes underpinning the sale and sexual exploitation of children:* What are the current challenges, trends and emerging threats defining the scope and extent of the sale and sexual exploitation of children? What progress has been made in shifting the language and the narrative around these issues by the wider community of experts and practitioners? What are some of the good practices of raising public awareness and sensitisation on issues of sale and sexual exploitation of children at the local, national regional and global level?

In 2017, 11 pre-trial investigations were launched in connection with the purchase and sale of a child under Article 157 of the Criminal Code. Among them, there were 5 pre-trial investigations which were terminated on the grounds of the absence of elements of crime, and 1 terminated on the grounds of insufficient evidence which could justify the suspect's guilt. According to the report of the National Rapporteur on Human Trafficking, in 2017 there were three children trafficking cases in the purpose of the sexual exploitation. In 2018, there were no cases of children trafficking for sexual exploitation, but other trends rather appeared. Children were exploited for human trafficking for the purposes of criminal activities and illegal adoption. Exploitation took place in the country of source (Lithuania) as well as destination countries (Sweden, Germany). In 2019 (in the time frame from January to September), 2 pre-trial investigations have been undertaken in connection with child trafficking on the grounds of Article 157 of the Criminal Code. Fortunately, it should be stated that child trafficking for the purpose of the sexual exploitation is a rare crime in Lithuania. In case of such a crime, police immediately take all measures laid down in the Code of Criminal Procedure to identify and prosecute the individuals responsible for the crime. In addition, police closely cooperate with other state institutions and non-governmental organizations in providing multi-faceted assistance to a child who becomes a victim of human trafficking.

In order to raise public awareness, the activities of Santa Marta Initiative are being promoted. Community meetings are held in local townships, discussions with social workers working at schools and in crisis centers are organized, common preventive measures with the involvement of children are implemented (children write essays, create video clips, such as „ Beware of becoming a victim of human trafficking“, etc.). It is noteworthy that police takes active participation in the annual international event - Joint Action Days - with regard to joint actions, which is focused on the disclosure, prevention and control of criminal offences related to child trafficking.

- ii. *Risk factors, root causes and demand for the sale and sexual exploitation of children:* What are the root causes and origins of demand for the sale and sexual exploitation of children? What tools are available to States and non-State actors to effectively address the underlying causes of sale and sexual exploitation of children, beyond training and awareness raising? What are the remaining challenges and obstacles in overcoming this scourge?

In all cases of pre-trial investigations on purchase or sale of children instituted from 2017 to 2019, the potential victims were nationals of the Republic of Lithuania, children from social risk families or families close to that risk level, pupils of care establishments frequently with behavior disorders or lacking social skills.

Currently amendments to the Criminal Code of Lithuania are considered. The Ministry of the Interior has proposed to incorporate additional measures – an obligation for the person after previous conviction for children sexual exploitation to report the police on the place of his/her residence (from 1 to 5 years after release from the prison).

- iii. **Children's vulnerability to sale and sexual exploitation, including in the context of cross-border challenges, technology and innovation:** What is the available evidence about children's vulnerability to sexual exploitation, including about existing and emerging drivers of risk (e.g. precarious socioeconomic situations, migration, conflicts and violence, climate change and natural disasters, digital space)? What groups of children (including on the grounds of gender, age, disability and social groups) are especially vulnerable to exploitation in general and/or specific forms thereof?

Victims of child purchase and sale for sexual exploitation in all the pre-trial investigations commenced from 2017 to 2019 were girls from social risk families or families close to that risk who were left with no care or living with one parent, also mostly with behavior disorders and lacking social skills.

- iv. **The overarching legal-normative framework, commitment and institutional capacity:** What progress has been made in global, regional and national legislative frameworks to address children's vulnerability to sale and sexual exploitation, and to address impunity? To what extent do these frameworks adequately address or take due account of the challenges posed by transnational internet and financial flows, and their implications for accountability and challenging impunity?

On 17 December 2015, an order No. I-327/IV-1015/A1-758 of The Attorney General of the Republic of Lithuania, the Minister of the Interior of the Republic of Lithuania and the Minister of Social Security and Labor of the Republic of Lithuania "On the Recommendations for the Identification of Victims of Trafficking, Pre-Trial Investigation and Inter-institutional Co-operation" was adopted. By this order, the recommendations were approved for the identification of victims of trafficking, pre-trial investigation and inter-institutional co-operation. The main aims of these recommendations are to ensure unanimous criterion for determining the cases that fall under the definition of human trafficking. Also to improve the quality of the means of pre-trial investigation, to ensure that pre-trial investigation would be accomplished in the shortest possible terms and to coordinate inter-institutional co-operation in providing assistance to the victims of human trafficking.

On 11 August 2016 the Lithuanian Government adopted Resolution No. 785 on Co-ordination of the Fight against THB, which sets out the composition of the Commission for Co-ordination of the Fight against THB ("Co-ordination Commission") and defines its tasks. Pursuant to this Resolution, all state and municipal institutions having membership

in the Co-ordination Commission are expected to contribute to the implementation of the National Action Plan against THB, to send representatives to the meetings of the Commission and to coordinate the implementation of the Commission's decisions. The Commission consists of 23 representatives of State, municipal, civil society and religious bodies and organizations.

Lithuanian authorities have incorporated specific provisions on the identification of child victims of human trafficking onto the Recommendations on preventive and protective measures. The Recommendations specify the age-related risks of trafficking and re-iterate the irrelevance of the use of means to establish trafficking in children. Different authorities and NGOs may initiate identification of victims of THB. The Recommendations have been disseminated to staff of Child Rights Protection Divisions, social workers and other relevant professionals working with socially vulnerable families.

- v. **New and innovative strategies to effectively prevent and protect children from sale and sexual exploitation:** How adequate is our global multi-stakeholder response to this complex phenomenon (States, NHRIs, domestic and international policymakers, international and regional human rights mechanisms, CSOs, private sector)? How adequate are current systems and strategies to protect children effectively? What are the current global and domestic human rights and protection challenges in the context of evolving global developments? Are there sufficiently accessible complaints mechanisms available to victims and their representatives?

In 2014-2017, the Council of the Baltic Sea States (CBSS) implemented a project entitled "Strengthening the Role of Municipalities in the Work against Trafficking in Human Beings in the Baltic Sea Region" (STROM I and STROM II). This project resulted in developing "Guidelines for Municipalities - Stepping up Action against Human Trafficking"¹ on how to prevent and combat THB, develop referral mechanisms and clarify roles of local actors in preventing THB and assisting its victims. Through the second phase of this project, anti-trafficking co-ordination mechanisms were developed in a number of municipalities. In 2017-2018 an awareness-raising campaign was organized in Lithuania under the STROM I and II projects, focusing on municipalities where most of the victims of THB were trafficked from. The authorities reported that this campaign reached over one million inhabitants by means of videos, posters and flyers on THB for the purposes of sexual exploitation, forced criminal activities, forced labor and exploitative sham marriages. The information materials were disseminated in the public transport, at stations, in post offices, on public stands and advertisement boards, as well as at schools, universities and religious organizations, with the involvement of municipality employees, school personnel, social assistance agencies, children's rights specialists, police officers, border guards, and NGOs.

In 2017-2018, a campaign was conducted within Lithuanian communities in the United Kingdom, which has been the main country of destination for persons trafficked from Lithuania. It consisted of providing information on THB and the different forms of exploitation, agencies for referral and assistance, and profiles of the potential traffickers

¹ The Guidelines in English are available via the following link: <http://www.cbss.org/wp-content/uploads/2016/03/Guidelines-for-Municipalities-ENG.pdf>

and exploiters. Information was provided by means of video clips, flyers and social media. The authorities are considering to organize similar campaigns in other countries of destination.

In 2017, Lithuania joined the Amber Alert Facebook's fast child search engine after international inter-institutional training on handling cases of missing persons of over 80 specialists from different municipalities in Lithuania.

- vi. **Data and monitoring:** How effective are current tools and monitoring systems, including collection, analysis and publication of routine data, in supporting the prevention of and response to the sale and exploitation of children?

The National Rapporteur position was set up in Lithuania in 31 March 2017, by the ruling No. IV-245 of 31 March 2017 of the Minister of the Interior 'On the Appointment of the National Rapporteur'. One of the duties of the National Rapporteur is collecting statistical data and other relevant information on human trafficking. For this purpose, an electronic data collection system has been set up, capable of receiving and processing information from relevant state and non-state actors and allowing disaggregation by sex, age, form of exploitation, country of origin and/or destination. On the basis of this collected data, the National Rapporteur regularly reports to the Lithuanian Government, as well as to EU Anti-Trafficking coordinator, on situation about human trafficking in Lithuania.

On 21 March 2019 an agreement between the Minister of Social Security and Labor of the Republic of Lithuania, the Minister of the Interior of the Republic of Lithuania, the Minister of Education, Science and Sport, Minister of Health and Children support centre was signed to establish information dissemination system on the children victims of sexual exploitation as well as other offences against children. The statistical data is published on the website: <http://www.vaikystebesmurto.lt/>

- vii. **Institutional accountability:** How far are responsibility and accountability of each and all pertinent actors being enforced and upheld (including corporations in the tech, travel and tourism and other sectors)?

The Coordination Commission for Fighting Human Trafficking is composed of the representatives of state institutions and agencies, a representative of the Association of Local Authorities, one of the Lithuanian Bishops' Conference, as well as representatives of non-governmental organizations working in the field of human trafficking prevention and providence of necessary assistance to victims.

The objective of the Commission is to coordinate the measures and actions taken by state and local authorities and institutions in the area of combating human trafficking.

- viii. **The way forward:** How can the impact of the mandate be further enhanced in the future? Where are the major gaps in advocacy and awareness?

Lithuanian authorities should take measures to raise awareness about the risks and different forms of child trafficking.