2023-03-27

**The Response of the Republic of Lithuania to the call for inputs of the Special Rapporteur on contemporary forms of slavery, including its causes and consequences, Mr. Tomoya Obokata, on the homelessness as a cause and a contemporary forms of slavery.**

1. **What are the main causes/drivers of homelessness in your country?**

Homeless people do not form a single homogeneous social group. Research conducted in Lithuania has revealed the main individual reasons for homelessness to be alcoholism, violence and conflicts in the family, unemployment, poverty, material shortages, property and financial obligations, young people leaving foster homes, and those returning from detention facilities. Other reasons include divorce, loss of housing due to debt or deception, natural disasters and fire (Ivanauskienė and Gončiarova, 2017; Kocai, 2008).

1. **Is there evidence of persons experiencing homelessness,1 being exploited in contemporary forms of slavery such as forced of bonded labour, worst forms of child labour, sexual exploitation which may amount to slavery and other forms of exploitation in your country? If so, please provide details in relation to:**
2. **Profiles of victims (e.g. age, sex, gender identity/sexual orientation, ethnicity, nationality, migration status, socio-economic status, race and any other features).**
3. **Profiles of exploiters (e.g. criminal organizations; human traffickers; private businesses/employers, others);**
4. **Methods of recruitment of persons experiencing homelessness, including children in street situations;**
* **Manifestation of exploitation (e.g. sexual exploitation and/or labour exploitation in various sectors such as agriculture, domestic work and construction, as well as criminal exploitation (e.g. forced begging, drug production/trafficking, theft, etc.)), including their gender dimensions.**

In 2020 and in the first two months of 2023, two pre-trial investigations were opened under Article 147 of the Criminal Code of the Republic of Lithuania on trafficking in persons, in which the victims are persons who have no permanent place of residence, i.e. homeless people, sleeping in cars, sheltering in abandoned buildings, people with addictions. They are recruited with promises of good living conditions and care, then taken away and placed in an enclosed area, threatened with reprisals, subjected to physical violence and drugged. For those who do not have identity documents, these are provided to enable them to receive social benefits and allowances, and then the identity documents are taken away. Bank accounts were opened and used for homeless persons, social benefits and allowances were embezzled, and fast loans were taken out in their name. Persons are forced to work in jobs related to construction. They are subjected to humiliation, inadequate and poor quality food, threats and violence.

The profile of the victim of trafficking in human beings in the above-mentioned pre-trial investigations is that of a male with addictions, no relatives or no close relationship; an unemployed person aged 30 years or a person aged 60-65 years with an established disability; a female aged 60-65 years, also with addictions, no relatives or no close relationship. The profile of the person suspected of trafficking in human beings in the above-mentioned pre-trial investigations is a man aged between 30 and 40 years old, working in the private sector.

Every year, the Lithuanian police join international measures organised at European Union level with the main objective of detecting, preventing and controlling criminal cases of trafficking in human beings. During the measures, officers visit shopping centres, bus and train stations, and other places where people with no permanent place of residence tend to stay. Officers communicate with these persons and inform them about the most common forms of trafficking in persons, the methods of exploitation, explain the threats, and inform them about the rights of victims and the possibilities to get help.

Children

No data are available in Lithuania about homeless children. If a child would be found in street situation, it would be considered either as the presence of a child in a precarious environment and/or as child neglect. Accordingly, such cases would be examined as a possible violation of the child's rights and appropriate decisions would be taken to ensure the best interests of the child.

Children can be assigned to temporary out-of-home placements when their parents experience various crises such as addictions. In these cases, team of specialists, including case workers, social workers, psychologists and more, work with children and their parents to ensure children’s return home, to their biological families. While parents are assisted in solving their various issues, such as addictions, unemployment, lack of parenting skills and insufficient living conditions to ensure children’s safety, children are temporarily placed to community-based homes or professional foster care families. Usually, this type of intervention lasts up to one year and in the cases when families do not fulfil the criteria for their children to return home, after the year, children are enrolled into permanent foster care system. Nevertheless, there are various exceptions as the goal is for children to return to their biological families. These decisions are made in courts.

Such children need additional attention and informal communication. In solving the problem of street children, preventive measures are the most important, which comprehensively include both the protection of children and the provision of the services they need. The Ministry of Social Security and Labour provides financing for children's day centres and projects of mobile work with youth and work with youth in the street.

The Lithuanian Police implement early prevention measures in cooperation with other institutions. For instance, Vilnius County Chief Police Commissariat established a centre for children and young people with the aim to educate children and youth, to try to integrate them into society, providing and promoting the necessary personal and social abilities, without separating the child from his living environment, to strive for positive changes in his/her behaviour. Primary prevention is intended for children to prevent social risk factors by forming a healthy lifestyle, developing resistance to negative phenomena even before encountering them. Early prevention is aimed at children belonging to a certain contingent characterized by increased criminogenic (children growing up in dysfunctional families, abusing intoxicating substances, smoking, consuming alcohol) and direct prevention is intended for children who previously behaved criminally or committed administrative or other serious violations of the law. The centre has a safe environment where children gather after school and with the help of teachers, they cook meals, prepare lessons, play, attend various activities, consult with a psychologist and other specialists. The involvement of police officers in social activities was evaluated as an innovative example of preventive activities.

Children who have experienced harmful use of substances can attend the Child and Youth Rehabilitation Departments in Vilnius and Kaunas. Teenagers from the age of 16 years can register for a consultation with a psychiatrist by themselves, without being accompanied by a family member. Consultations are free and provided anonymously, there is no coercive treatment. After assessing the state of health of young people, various alternatives are offered according to the possibilities, and what could be best for the young person in the current situation is discussed.

The State Labour inspectorate conducts regular monitoring of labour law violations including the illegal employment of minors.

1. **Is there evidence of homelessness being a consequence of contemporary forms of slavery in your country (i.e. domestic/foreign victims being made homeless after sexual and/or labour exploitation )? If so, please explain further.**
2. **Are there examples of positive measures taken by your Government to prevent persons experiencing homelessness or at risk of homelessness, including children in street situations or discharged from child or foster care, from being subjected to contemporary forms of slavery? If so, please provide details, which may include, but are not limited to, development/implementation of legislative, policy and institutional frameworks, material/financial support, and promotion of access to housing, education/training, decent work, health/public services, as well as justice and remedies.**

National legislation (Law on Social Services and Catalogue of Social Services) provides a description of services, which are provided in case of homelessness:

• Provision of short-term temporary shelter is defined as a service provided to homeless people, people with addictions or in other critical situations when there is a threat to the person’s health or life. People can stay in a short-term shelter for no more than three nights. Services available include the provision of information, mediation and representation, access to basic facilities for personal hygiene and access to healthcare.

• Provision of shelter for the homeless and accommodation at crisis centres is a service for homeless people and victims of violence, with the aim of restoring their independent living and social connections, and helping them to reintegrate into society. The duration of service provisions is in general up to six months, but it can be extended. There is a wide spectrum of services provided in shelters and crisis centres, including social and psychological support, employment consulting, skill-building, access to healthcare, etc. Services are provided following an individual assessment.

All these services are provided following a needs assessment and after making an individual assistance plan. Broad cooperation between the providers of shelter accommodation and the providers of legal services, healthcare, education, employment services, self-help groups, etc. is envisaged. If shelters for homeless people cannot provide the required assistance (e.g. for people with disabilities), they are obliged to report such cases to the municipal administration, which is responsible for directing the person to an appropriate service.

Under the Law on Support for the Acquisition or Rental of Housing of the Republic of Lithuania, support for housing acquisition or rental shall be provided, inter alia, pursuant to the principle of social justice – to persons and families on the basis of an assessment of their property, income received and other factors relevant to the social situation of the person and the family. Support measures are provided for housing acquisition and housing rental.

At the end of 2021, the Parliament (Seimas) adopted amendments to the Law on Support for the Acquisition or Rental of Housing, which aim to increase the availability of social and other municipal housing, to establish more favourable conditions for the provision of one's own housing, and to clarify the regulation of the sale of municipal housing.

The amendments provide for that single-parent families will be able to apply for social housing rent without a queue. This will allow a better access to housing for some of persons who are at a higher risk of poverty or social exclusion.

According to the Law on Cash Social Assistance for Poor Residents of the Republic of Lithuania, families and single residents who are unable to obtain themselves enough funds for living, shall be entitled to cash social assistance. There are two types of cash social assistance: a social benefit and compensations for heating costs, drinking water costs and hot water costs (hereinafter – compensations). This support is means-tested.

Measures to help prevent homelessness:

A total of around EUR 32 million of EU Structural Funds for the 2014-2020 period has been earmarked for the social integration of vulnerable people. Some of the projects have already been completed and others will continue to be implemented in 2023. These funds have been earmarked for the integration into the labour market and society of different groups of socially vulnerable or socially excluded people (e.g., people with disabilities, people suffering from addiction, Roma, etc.). Almost 12 700 people participated in project activities, of whom around 40 per cent found employment or returned to education. One project that could be singled out is the "Alternative Investment Detector" project, which tests innovative project ideas from both the private and the non-governmental sector to help socially disadvantaged people get a job or return to education through a range of cross-cutting measures or partnerships.

The Ministry of Social Security and Labour (MoSSL) coordinates the implementation of the Model of Employment Promotion and Motivation for the Unemployed and Beneficiaries of Social Assistance (the Model). Currently, 45 municipalities provide services to participants in the Model. One of the main objectives is to combine the provision of employment promotion and motivation services with the provision of cash social assistance and personalised assistance through the employment of case managers. Each long-term unemployed person is treated individually and provided with services to help them prepare for the labour market. It is planned that from next year, this case management model will be applied by all Lithuanian municipalities.

The MoSSL is currently running a "Create for Lithuania" project to investigate the problem of debt. The overall objectives of the project are to analyse the debt problems in Lithuania, to identify the root causes and to propose ways to address them.

The MoSSL, together with experts from the Organisation for Economic Co-operation and Development (OECD), is carrying out the project "Establishment of a personalised service delivery system for vulnerable groups of society". The project focuses on three vulnerable groups: people with disabilities, people leaving prison and young people with fewer opportunities. This activity focuses on reducing social exclusion of the target groups by creating a mechanism for case management, access to information and accompaniment of services and assistance. It also focuses on integration into the labour market. The model, which has been developed and discussed with stakeholders (NGOs, municipalities, representatives of public authorities, etc.), is planned to be tested in three different sized municipalities in Lithuania.

Procedures for the social integration of persons released from correctional institutions are being implemented and further improved. The aim is to further strengthen cooperation between social workers and other professionals in correctional institutions and municipalities in order to address the problems of persons released from correctional institutions and to plan for their social integration prior to their release.

Under the provisions of the Law on Support for the Acquisition or Rental of Housing of the Republic of Lithuania, adopted on 7th May 2020, municipalities must ensure that the waiting period for social housing shall not exceed 5 years from 1st January 2024, and 3 years from 1st January 2026. For persons and families who are not granted social housing within the set period of time, municipalities will have to ensure from their budget funds a compensation for actual rent of a dwelling rented from natural or legal persons (except municipalities’ property). The compensation will be paid for up to 14 square meters of useful floor area per person.

It is estimated that a total of around 2049 housing units will be added to the social housing fund from the EU structural funds for the 2014–2020 period.

Moreover, it is planned to expand the supply of social housing form the EU structural funds for the period 2021–2027 for disabled and families raising three or more children because suitable housing for the aforementioned groups is hardly available in the market. A total of around 1100 housing units are planned to be added to the social housing fund under this measure until the end of the period.

1. **Are there examples of positive measures implemented by civil society organisations or other non-governmental stakeholders in protecting and promoting the rights of persons experiencing homelessness or at risk of homelessness and in preventing them from being victimised in contemporary forms of slavery? If so, please provide details.**

NGOs such as Lithuania CARITAS offer the ability to attend day-centres for homeless people where they can find shelter during the day, as well as special common lodging houses for homeless people in some municipalities where they can spend one or more nights.

1. **What are remaining challenges - in law and practice - in preventing persons experiencing homelessness from being subjected to contemporary forms of slavery and to prevent and eliminate homelessness in accordance with Sustainable Development Goal 11.1 and international human rights law?**

Homeless people have the right to housing as all other persons who meet statutory requirements. However, not all homeless people implement their rights and not always accept the proposed help.

Existing definitions of homelessness used for administrative and statistical purposes cover only some of the ETHOS Light categories of homelessness. It is essential to plug these gaps. Homeless people are among the most stigmatised groups, facing a high level of discrimination on the rental and labour markets, as well as in other spheres of life and in access to essential services. Early intervention in the prevention of long-term homelessness is essential.

1. **What practical recommendations would you propose to overcome these ongoing challenges?**

Development of a national strategy aimed at preventing and tackling homelessness and housing exclusion in an integrated manner would help consolidate existing resources, expertise, local and international best practice and funding, which are much needed to solve these complex problems. The issue of stigma and discrimination against homeless people should be systematically addressed through different channels, including social actions, media campaigns, etc.