

INTERNATIONAL ORGANIZATION FOR MIGRATION

EUROPEAN MIGRATION NETWORK

**Policies, practices and data on
unaccompanied minors in Lithuania**

2014



EMN STUDY 2014

Policies, practices and data on unaccompanied minors in Lithuania 2014

Executive Summary (Synthesis Report)

Executive Summary (up to three pages)

Executive Summary of Synthesis Report: this will form the basis of an EMN Inform, which will have EU and National policymakers as its main target audience. The Executive Summary/ Synthesis Report will be prepared by the EMN Service Provider (ICF International – Odysseus Network).

Top-line ‘Factsheet’ (National Contribution)

National contribution (one page only)

Overview of the National Contribution – introducing the study and drawing out key facts and figures from across all sections of the Focussed Study, with a particular emphasis on elements that will be of relevance to (national) policymakers.

Please also provide a summary of the main findings of Sections 1-6 below, notably:

- *What have been the key changes/ improvements in your (Member) State’s policy(ies) on UAMs, with a particular focus on developments since 2009?*
- *Has the phenomenon changed? Have any new challenges with regard to the situation of UAMs arisen / remained in your (Member) State?*

Summary

This European Migration Network (EMN) Focussed Study has been prepared by the International Organization for Migration (IOM) Office in Lithuania in cooperation with the United Nations High Commissioner for Refugees (UNHCR) Office in Lithuania. In the course of the Study, data were collected from a variety of sources, including the Refugees Reception Centre under the Ministry of Social Security and Labour (hereinafter: RRC), the State Border Guard Service under the Ministry of the Interior, the Migration Department under the Ministry of the Interior, the Police Department under the Ministry of the Interior and the State Child Rights Protection and Adoption Service.

Overview of the situation and motivation. The number of unaccompanied minors (both asylum seeking and non-asylum seeking) in Lithuania is small. On average 6 unaccompanied minors per year lodge asylum applications. These minors usually come from Afghanistan due to the insecure situation in the country. The number of non-asylum seeking unaccompanied minors ranges from 0 to 90 depending on a year. These minors usually arrive (are smuggled) to Lithuania in groups from Vietnam. They usually introduce themselves as young persons aged 15-17 years and come for economic reasons. Lithuania is for these minors a transit country. They most often abscond from the institution where they are accommodated.

Legal regulation. The Law on the Legal Status of Aliens (hereinafter: the ‘Law’) is the principal legal act governing the legal status of all aliens in Lithuania. Article 32 of the Law regulates the legal status of all unaccompanied minors, identifies this group of aliens as vulnerable and establishes special procedures for their reception (temporary custody) and their rights (to education, medical care, legal aid). Concrete procedures for both groups (asylum seeking and non-asylum seeking) are elaborated in two post-legislative acts: 1) In respect of seeking asylum unaccompanied minors by – Minister of Social Security and Labour,

Minister of the Interior and Minister of Health Order No A1-229/1V-289/V-491 and Minister of the Interior Order No 1V-361 of 15 November 2004 on the Approval of the Procedure for Examination of Applications for Asylum by Aliens and for Adoption and Implementation of Decisions; 2) In respect of non-asylum seeking unaccompanied minors - Procedure for Assessment of the Age of Non-asylum Seeking Unaccompanied Minor Aliens Identified in the Republic of Lithuania, Accommodation and Taking Other Procedural Action in Respect Thereof and Provision of Services Thereto of 23 April 2014 (hereinafter: the 'Procedure').

Arrival. Article 77(3) of the Law provides that asylum seeking unaccompanied minor cannot be refused entry into the country. In all cases, they must be given temporary territorial asylum. Non-asylum seeking unaccompanied minors may be refused entry into the country if they do not comply with provisions of Article 5 of the Schengen Borders Code. In these cases, decisions are taken on a case-by-case basis.

Asylum procedure. In Lithuania, asylum applications may be lodged with three authorities. An application may be lodged in writing or orally (taken down by an officer). The authority which receives the application informs a territorial child's rights protection division, which appoints a temporary guardian of a child. Meanwhile, the competent authority takes initial steps within 24 hours (conducts interview, takes fingerprints, takes pictures) and forwards the collected information to the Department of Migration, which within 48 hours decides on the entry of an asylum-seeking unaccompanied minor into the country and begins to examine the application on its merits. The asylum application must be processed within three months, but in practice the applications of unaccompanied minors are processed more speedily. These unaccompanied minors are accommodated at the Refugees Reception Centre (social institution).

Age assessment. The age of all unaccompanied minors is determined from documents or during an interview based on person's words. An age assessment (X-ray test) may be performed only when there is a reasonable doubt as to an unaccompanied minor's age and only with his/her consent. The test's conclusion permits a margin of error of two years. In the event of such an error, the person is considered to be a minor.

Reception. Since 2012, all unaccompanied minors have been accommodated at a social institution - the Refugees Reception Centre (RRC), which is responsible for accommodation of the minors, their education, health care and provision of other services. Unaccompanied minors receive an allowance in the amount of LTL 210 (EUR 60) per month to purchase food and pocket money in the amount of LTL 35 (EUR 10).

Abscinding. All unaccompanied minors are accommodated at the social institution without restricting their freedom of movement. Non-asylum seeking unaccompanied minors, whose main purpose of entry is transit through Lithuania, abscond from the RRC in an overwhelming majority of cases and are likely to leave to other EU countries in order to be reunited with their families or for financial reasons.

Status of unaccompanied minors who reach the age of majority. The status of unaccompanied minors who reach the age of 18 years changes, as they reach the age of majority. In practice, only those unaccompanied minors who have been granted asylum reach the age of majority at the RRC. If a person continues to meet the conditions for asylum and a temporary residence permit is replaced on an annual basis. However, there may be cases when the persons who reach the age of 18 years may be returned or expelled if they no longer can lawfully stay in the country.

Return of unaccompanied minors. Article 129 of the Law provides that an unaccompanied minor unlawfully staying in the territory of the Republic of Lithuania may be returned only provided that (s)he is duly taken care of in the foreign country to which the unaccompanied minor is returned, taking into consideration his/her needs, age and level of independence. The procedure concerning non-asylum seeking unaccompanied minors provides that in the event of receipt of information about an unaccompanied minor's parents/guardians, the RRC must consider the best interests of the child and inform the State Child Rights Protection and Adoption Service, which will decide on the transfer of the child. If it is not possible to return a non-asylum seeking unaccompanied minor (within four months), (s)he is issued a temporary residence permit. There were no cases of return or transfer of unaccompanied minors in Lithuania during 2012-2013.

Challenges. Responsible authorities indicate the absconding of non-asylum seeking unaccompanied minors from care institutions as the main challenge. They abscond, as the main reason for their arrival is transit through Lithuania to other Schengen countries. The ways of improving the current situation are being considered. Non-governmental organisations also note that the period of integration in municipalities (12 months) is too short and could be extended for asylum seeking unaccompanied minors (particularly those wishing to study).

[Section 1: Motivations and circumstances of UAMs for entering the EU](#)

This section of the Synthesis Report will aim to provide an up to date overview of the motivations and circumstances of unaccompanied minors who enter the EU. The section, along with Sections 2-6, will also aim to provide information, to the extent possible, on the conditions that may contribute to making certain Member States more attractive to unaccompanied minors than others.

In question 1, EMN NCPs are asked to indicate which motivations and circumstances apply in their Member State and to provide further information to describe each situation that applies. In question 3, EMN NCPs are also asked to report on any prevention programmes their (Member) State is implementing together with Third Countries in order to address the root causes of migration of unaccompanied minors.

Q1. Please state what the motivations and circumstances of UAMs for entering your (Member) State are and provide further information (please cite existing evaluation reports / studies / other sources or based on information received from UAMs and / or competent authorities). Possible motivations and circumstances of UAMs for entering the EU may include:

- **Fleeing persecution or serious harm and seeking protection (asylum)**
- **Family reunification (e.g. to join family members already in the (Member) State, to apply for asylum followed by family reunification)**
- **Join migrant / diaspora community**
- **Economic and aspirational reasons (including education)**
- **Transit to another Member State**
- **Victims of trafficking in human beings**
- **Facilitated illegal entry / smuggled**
- **Arrival at external borders**
- **Inadequate medical facilities in the country of origin / insufficient funds by parents for medical treatment**
- **Abandonment in a Member State (e.g. because parents have been returned / cannot or do not take care of their child in the (Member) State)**
- **Runaways / drifters**
- **UAMs do not know why they have entered the (Member) State**
- **UAMs are not able to explain why they have entered the (Member) State (e.g. due to their early age)**
- **UAMs are reluctant to report their motivations and circumstances for entering the (Member) State (e.g. due to trauma)**
- **Other (please specify)**

In Lithuania, the number of unaccompanied minors is relatively small. Over the period of 2009-2013, on average, 6 unaccompanied minors applied for asylum per year. The number of non-asylum seeking unaccompanied minors fluctuated during the mentioned period: in 2013, 90 cases were identified, and from 2009 until 2012 – from 4 to 11 cases.

Asylum seeking unaccompanied minors

In 2000-2008, the majority of asylum seeking unaccompanied minors arrived to Lithuania from the Russian Federation, Chechnya (they accounted for 56 percent of all cases) and Afghanistan (17 percent). In 2009-2013, the majority of asylum seeking unaccompanied minors came from Afghanistan (57 percent), though there were single cases from other states (Georgia, Guinea, India, Russia and Vietnam). These minors usually indicate that they arrive due to an insecure situation in the country of origin and search for protection in Europe. The biggest number of asylum seeking unaccompanied minors arrived to Lithuania in 2011 – 10 (8 were from Afghanistan). The smallest number of asylum applications was lodged in 2013, when 2 cases were registered (one from India and one from Guinea).

Asylum seeking unaccompanied minors often abscond from the RRC without awaiting a decision on granting asylum. Those who stay in the RRC receive a decision on asylum: a decision to grant subsidiary protection is usually taken, and a temporary residence permit is issued for one year with a possibility to replace it after a year.

Non-asylum seeking unaccompanied minors

Over the period 2009-2013, 122 non-asylum seeking unaccompanied minors¹ arrived to Lithuania. In 2012, the largest number was recorded – as many as 90 persons, of whom 82 were citizens of Vietnam were apprehended in Lithuania. It is necessary to point out that the citizens of Vietnam, who were detained without any identity documents, introduced themselves as minors and were accommodated at the RRC, although officials had doubts about their actual age. Their actual age was not established, because the citizens of Vietnam absconded from the RRC. In 2013, the number of non-asylum seeking unaccompanied minors decreased to 8 cases.

These unaccompanied minors enter Lithuania mainly with the aim of travelling further to the West and finding a job there, reuniting with their family/relatives or joining the migrant community in other EU countries. Vietnamese citizens usually do not specify the circumstances of entering Lithuania hold no identity documents and introduce themselves as minors aged 15-17 years. With the help of smugglers and by travelling in groups, they cross the Lithuanian border or enter across the EU's internal border. Among destination countries, Poland is mentioned most often. In practice, these persons are most often reluctant to answer the questions posed to them regarding reasons for and ways of the entry into Lithuania.

Q2. Please provide information on any prevention actions / projects / initiatives that your (Member) State undertakes together with Third Countries with the aim to address the root causes of UAMs' migration, for example:

- **Integration of UAMs' migration in key areas of development cooperation, e.g. poverty reduction, education, health, employment, human rights, democratisation and post-conflict reconstruction;**
- **Targeted awareness-raising activities and training in countries of origin and transit (e.g. aimed at law enforcement officers, border guards, potential victims of trafficking and their communities, children, wider public, etc.);**
- **Development of child protection systems.**

If possible, please provide a short description of the impact of these specific actions / projects / initiatives.

Lithuania did not undertake any prevention measures or actions with third countries.

The State Child Rights Protection and Adoption Service under the Ministry of Social Security and Labour is taking part in the Council of the Baltic Sea States project "Protect children on the move". The aim of the project is to discuss existing challenges, analyse specific cases and practices at the expert level. These meetings are also attended by representatives of Lithuanian institutions and organisations.

Section 2: Entry and assessment procedures including border controls for asylum-seeking and non-asylum seeking UAMs

This section of the Synthesis Report will aim to provide an up to date overview of the entry procedures including border controls that apply in the situation of unaccompanied minors who enter the EU, as well as the procedures that apply when an unaccompanied minor is apprehended or becomes known to the authorities. (Member) States are also requested to provide information on the procedures that apply when an unaccompanied minor claims to be a minor and once minority is either confirmed or disproved.

Section 2.1 Documentation required by unaccompanied minors for legal entry to the (Member) State (non-asylum seeking UAMs, but also asylum-seeking UAMs in some instances)

In question 3 below, EMN NCPs are asked to indicate / reconfirm the entry procedures and border controls plus the procedures that apply in their (Member) State and to provide further information to describe each situation that applies:

¹ Data of the Migration Department

The entry procedure for all aliens, including unaccompanied minors, is regulated by the Law of the Republic of Lithuania on the Legal Status of Aliens (hereinafter: the 'Law'). Article 5 of the Law stipulates that aliens who enter the Republic of Lithuania or depart from it are subject to the provisions of Regulation (EC) No 562/2006 of the European Parliament and of the Council of 15 March 2006 establishing a Community Code on the rules governing the movement of persons across borders (Schengen Borders Code). Just as all other aliens, unaccompanied minors must produce at the border the documents referred to in Article 5 of the Schengen Borders Code. This provision does not apply to aliens who have applied for asylum in Lithuania.

Under the provisions of the Law, the overall control of aliens entering the Republic of Lithuania, including unaccompanied minors, is exercised by the State Border Guard Service under the Ministry of the Interior (hereinafter: the 'SBGS') in cooperation with other Lithuanian state institutions and agencies. Decisions on granting entry to asylum seekers are taken by the Migration Department under the Ministry of the Interior (hereinafter: the 'Migration Department').

Q3. What documents are required by third-country national UAMs at the border to fulfil the entry requirements to the (Member) State?

Entry documents required by unaccompanied minors	Please provide more information about the types of documents required and the conditions that apply, with a particular focus on developments since 2009.	Please state if the process is different for those cases when the minor's age is doubtful (for instance, when the child has no documents) and the age assessment procedure has not been undertaken yet to determine the age of the minor.
Visa permitting entry and stay	Valid visa (not applicable to asylum seekers)	Same requirements apply
Passport	Valid passport (not applicable to asylum seekers)	Same requirements apply
Travel documents	Valid travel document (not applicable to asylum seekers)	Same requirements apply
Other (please state)	Adequate means of subsistence	Adequate means of subsistence

Section 2.2 Circumstances where an unaccompanied minor may be refused at the border (non-asylum seeking UAMs)

Q4. Can a non-asylum seeking unaccompanied minor be refused entry at the border if they do not fulfil the entry requirements set out above?

An alien can be refused entry to Lithuania in accordance with the Schengen Borders Code. The Law provides that asylum seeking unaccompanied minors must be allowed entry into the country, that is, the Law does not provide for cases of refusal of entry into the Republic of Lithuania in respect of an asylum seeking unaccompanied minor.

Non-asylum seeking unaccompanied minors may be refused entry, but in practice each decision is taken on a case-by-case basis.

Categories of unaccompanied minors that may be refused entry at the border	Please provide more information about the circumstances under which unaccompanied minors may be refused entry at the border: a) in <u>national legislation</u> / policy and b) in <u>practice</u> , with a particular focus on developments since 2009.	Please state if the process is different for those cases when the minor's age is doubtful (for instance, when the child has no documents) and the age assessment procedure has not been undertaken yet to determine the age of the minor.
Non-asylum seeking unaccompanied minor arriving at a land / sea	Unaccompanied minors may be refused entry if they do not meet the requirements of Article 5 of the Schengen Borders Code and the conditions set out for the entry of foreigners, but in practice each case is assessed individually.	Same provisions apply

border or airport		
Asylum seeking unaccompanied minor arriving at a land / sea border or airport	Refusal of entry is not provided for either by Law or in practice. The provisions of the refusal of entry do not apply to asylum seeking unaccompanied minors (Article 77(3) of the Law). In all cases, the Migration Department takes a decision on the granting of temporary territorial asylum and examines an application on its merits.	Same provisions apply
Asylum seeking unaccompanied minor arriving at an internal authority (e.g. police, child protection service, etc.)	If an asylum seeking unaccompanied minor applies to the police for the granting of asylum, police officers perform initial actions and transfer the application to the Migration Department for consideration. In all cases, the Migration Department takes a decision to consider an application on its merits.	Same provisions apply
Other (please state)		

Section 2.3 Apprehensions of unaccompanied minors by national authorities (non-asylum seeking UAMs)

Q5. Please describe the national rules and procedures that apply where a non-asylum seeking unaccompanied minor is apprehended / identified at the border and within the territory of the (Member) State. Please note that reception and care arrangements are covered in Section 3.

On 23 April 2014, Minister of Security and Labour, Minister of the Interior and Minister of Health of the Republic of Lithuania Order No A1-229/1V-289/V-491 on the Approval of the Procedure for Assessment of the Age of Non-asylum Seeking Unaccompanied Minor Aliens Identified in the Republic of Lithuania, Accommodation and Taking Other Procedural Action in Respect Thereof and Provision of Services Thereto (hereinafter: the 'Procedure for non-asylum seeking minors') was adopted². This Procedure was intended to establish detailed procedures and harmonise the practices applicable to non-asylum seeking unaccompanied minors.

The new Procedure presents a detailed description and regulation of all the necessary actions in respect of a non-asylum seeking unaccompanied minor.

I. The Procedure provides that, upon identifying a non-asylum seeking unaccompanied minor, **officers** of a police institution or the SBGS **must perform the following actions:**

- a) To immediately **inform** by telephone or by electronic means of communication a municipal **child's rights protection division** and the State Child Rights Protection and Adoption Service under the Ministry of Social Security and Labour (hereinafter: the 'State Child Rights Protection and Adoption Service');
- b) To draw up an official report, which indicates the circumstances of identification of the unaccompanied minor; **perform an inspection** of the unaccompanied minor, his/her documents and belongings; make a photo of the minor;
- c) To **conduct an interview** of the unaccompanied minor. The interview must be attended by a lawyer, an interpreter and, where appropriate, a representative of a child's rights protection division. During the interview, the unaccompanied minor is familiarised with his/her rights and the purpose of the interview;
- d) **Collect the fingerprints** of the unaccompanied minor, if (s)he is over the age of 14 years, and transmit data to the national EURODAC unit. Fingerprints of the unaccompanied minor (under 14 years of age) are taken when there are reasonable doubts as to his/her age;

² When preparing this document consultations were held with UNHCR Lithuania.

- e) To **check data** of the unaccompanied minor and his/her family members in the following Lithuanian registers and systems:
- i. Residents' Register (whether (s)he and his/her family members or other legal representatives have been issued an identity document of the Republic of Lithuania and have declared their place of residence in the Republic of Lithuania);
 - ii. Register of Aliens (whether (s)he and his/her family members or other legal representatives have lodged an application for the granting of asylum in the Republic of Lithuania, whether a Schengen or national visa was/has been issued);
 - iii. National Visa Information System (whether a Schengen visa was/has been issued);
 - iv. National second generation Schengen Information System (whether any other Schengen country has entered an alert concerning refusal of entry and residence of his/her family members or other legal representatives);
 - v. Register of Suspected, Accused and Convicted Persons and the Register of Preventive Measures Application (whether (s)he, his/her family members or other legal representatives are registered in any of these registers);
 - vi. Departmental Register of Wanted Persons, Unidentified Bodies and Unknown Helpless Persons (whether his/her family members or other legal representatives are registered in this Register);
 - vii. Register of Habitoscopic Data (whether (s)he or his/her family members or other legal representatives have been detained by competent control authorities for illegal border crossing by sea, land or air from a third party and have been returned to that country).
- f) To **enter data related to the unlawful stay of a minor into the Register of Foreigners**, if a decision is taken on the detention of the unaccompanied minor for up to 48 hours, and data of the minor's external appearance – in the Register of Habitoscopic Data;

- II. The State Child Rights Protection and Adoption Service immediately **takes a decision on the accommodation of an unaccompanied minor at the Refugees Reception Centre** if (s)he is in possession of an identity document and a document confirming his/her age, until the court takes a decision on an alternative to detention and orders to entrust the supervision of the unaccompanied minor to an appropriate social institution.
- III. Upon performing the above actions, police and border guard **officers immediately apply to court for the provision to the unaccompanied minor of an alternative to detention, namely, entrusting the supervision of the unaccompanied minor to an appropriate social institution**. A person providing State-guaranteed legal aid and a representative of a municipal child's rights protection division must participate in court hearing. After the hearing, the police or border guard officers enter data on the measure provided into the Register of Aliens, notify the relevant authorities, create the unaccompanied minor's file, which, together with the unaccompanied minor, they transfer to the Refugees Reception Centre, and send a copy of it to the Department of Migration.
- IV. Upon the receipt of the copy of the unaccompanied minor file, the Migration Department must immediately initiate a search for his/her family members or other legal representatives. In practice, possibilities of the search for relatives are highly limited. Successful cases of the search for the relatives are mostly linked with the relatives living in EU countries, but such cases are few.

NB: Please also highlight if the process is different for those cases when the minor's age is doubtful (for instance, when the child has no documents) and the age assessment procedure has not been undertaken yet to determine the age of the minor.

Section 2.4 Training of Border Guards and / or Police Authorities

Q6a. Does the (Member) State provide specific training to Border Guards and / or Police Authorities to recognise the situation of unaccompanied minors who try to enter the territory illegally / are

apprehended within the territory, or who may be the victims of trafficking in human beings / smuggling?

No

Q6b. If yes, please provide further information below, stating also if this has involved cooperation with EU agencies.

Although Lithuania does not carry out specific trainings for officers in relation to unaccompanied minors, the in-service training programme for border guards annually plans trainings that provide specialised knowledge and skills in order to more effectively combat trafficking in human beings and deal with issues of asylum seekers arriving at the border. The in-service training plan for border guards for 2014 provides for one-day courses under the programme *Combating trafficking in human beings*. The training involves officers carrying out border checks. Moreover, under a tripartite cooperation agreement on border monitoring signed in 2010 the Red Cross Society together with UNHCR one-day trainings of border guards on the persons who are in need of asylum is carried out (attention is paid also to issues of reception of asylum seeking unaccompanied minors at the border). Such trainings were included into the training plan for 2014.

Trainings for police officers in this field are not provided for.

The staff of the Refugees Reception Centre participate in joint trainings on child's rights protection issues, but specific trainings on working with unaccompanied minor are not organised.

Section 2.5 The organisation of the national [asylum procedures](#) for asylum-seeking unaccompanied minors

Q7. Please set out the national rules and procedures that apply where an unaccompanied minor apprehended / identified at the border and within the territory of the (Member) State lodges an application for asylum (e.g. which authority(ies) the minor is referred to, at what point an application is made, etc.).

The procedure for granting asylum in the Republic of Lithuania is stipulated in Chapter V of the Law and is discussed in detail in the European Migration Network study "On the Road: Unaccompanied Minors in Lithuania" (Vilnius, 2009). This procedure has not changed since 2009.

Lodging of an application for asylum. In Lithuania, an asylum application may be lodged:

- 1) With state border crossing points or in the territory of Lithuania, where the legal regime of the frontier has been established – with the SBGS;
- 2) With a territorial police agency;
- 3) With the Foreigners' Registration Centre.

Actions of the authority which has received an asylum application. Article 69 of the Law provides for the actions to be performed by the staff of state institutions in the cases of receiving of an application for asylum. Time limits for performing these actions are also specified. A civil servant of a state institution with which an alien's application for asylum has been lodged must, within 24 hours from the moment of lodging of the asylum application:

- 1) Indicate in the asylum application the date, time and place of submission of the application. An asylum application may be lodged in writing or verbally. A record is drawn up of an application which is lodged verbally;
- 2) Collect all the documents and travel tickets held by the asylum applicant;
- 3) Carry out an inspection of the asylum applicant and his/her personal belongings;
- 4) Interview the asylum applicant;
- 5) Take fingerprints of the asylum applicant;
- 6) Take pictures of the asylum applicant.

These actions are carried out also with asylum seeking unaccompanied minors. Further procedural safeguards are established by the Procedure³. When conducting interviews and performing other actions related to the

³ Procedure for the examination of asylum applications approved by Minister of the Interior of the Republic of Lithuania Order of 15 November 2004 on the Approval of the Procedure for Examination of Applications for Asylum by Aliens and for Adoption and Implementation of Decisions.

examination of asylum applications of unaccompanied minors, a child's guardian/custodian and authorised representative must participate, except for the cases when the authorised representative is unable to participate in the interview for objective reasons (beyond his/her control). In practice, a lawyer and/or a representative of a territorial child rights protection division participate in an initial interview, but ensuring of the participation of both representatives in all cases is still a challenge in practice.

Entry of asylum seeking unaccompanied minors into the territory of Lithuania and granting of temporary territorial asylum. The Law provides that asylum seeking unaccompanied minors are allowed to the territory of Lithuania in all cases. The Migration Department must take the decision within 48 hours of the lodging of the application for asylum. Asylum seeking unaccompanied minors wait for a decision permitting entry into the territory at the location of lodging of the application, that is, at a border guard unit, a police unit or the Foreigner's Registration Centre.

Accommodation of asylum seeking unaccompanied minors. A decision on accommodation is taken by the Migration Department. An unaccompanied minor is accommodated at the Refugees Reception Centre, unless his/her temporary guardian/custodian or another legal representative object. The asylum seeking unaccompanied minor is transferred to the RRC by a representative of the authority with which his/her application for asylum has been lodged.

Examination of an application for asylum. An application for asylum is examined by the Migration Department by conducting an investigation the purpose of which is to determine whether a minor meets the criteria set out for refugee status or subsidiary protection, also whether (s)he can be returned to his/her country of origin. The procedure must be completed within 3 months, though asylum applications of unaccompanied minors are examined as soon as possible.

During the procedure, fingerprints of an asylum seeking unaccompanied minor, who has reached the age of 14 years, are checked in the EURODAC system in order to determine whether the unaccompanied minor has come from another EU Member States responsible for the examination of his/her application. Fingerprints of asylum seekers under the age of 14 are taken if there are reasonable doubts as to his/her age. It is also established whether there are any grounds to apply the criteria of the EU Dublin Regulation.

Until 2009, there were no cases in Lithuania when another EU Member State would be identified as responsible for examining an asylum application under the Dublin Regulation. In 2009-2014, there was one case when an unaccompanied minor's parents were found in Germany, though the citizen of Afghanistan departed without waiting for the reunification with the family being arranged.

Inter-institutional cooperation. Institutions involved in the asylum procedure must cooperate with non-governmental and international organisations, enable them to meet with asylum seekers belonging to a particularly vulnerable group of persons at the location of their stay, and to provide services and assistance meeting their needs. Since 2010, the Lithuanian Red Cross Society has a possibility to visit the border area and to observe the lodging of applications for asylum and initial actions, also to visit the Foreigners' Registration Centre.

Statistical data. Over the past five years, asylum applications of 28 unaccompanied minors have been received. The unaccompanied minors were usually granted subsidiary protection (issued a temporary residence permit for one year with the possibility of replace it). Refugee status has not been granted to any unaccompanied minor.

NB: Please also highlight if the process is different for those cases when the minor's age is doubtful (for instance, when the child has no documents) and the age assessment procedure has not been undertaken yet to determine the age of the minor.

Q8. Please describe the specific rules and procedures that apply in respect of the (asylum) applicant's status as an (unaccompanied) minor. Please indicate, for example:

- **Whether and when a legal guardian is appointed;**
- **Whether and when an asylum interview(s) is conducted.**

Article 32 of the Law states that all unaccompanied minors (regardless of the lawfulness of their stay) are appointed a temporary guardian/custodian, who represents the interests of an unaccompanied minor.

At the Refugees Reception Centre, an asylum seeking unaccompanied minor is taken into institutional guardianship, that is, the interests of the asylum seeking unaccompanied minor are represented by the RRC. Upon the arrival of the unaccompanied minor to the RRC, the Centre immediately refers to a municipal child rights protection division, namely, the Child Rights Protection Division of the Jonava District Municipality. This Unit formally decides on taking of the asylum seeking unaccompanied minor into guardianship. The Director of the RRC is appointed as the guardian. Under an order, the Director obliges the staff to take care of the unaccompanied minor.

In practice, four employees are appointed. One is appointed as the legal representative, the other is an assistant who is to help in everyday life and is responsible for supply support, the third is responsible for integration measures and the fourth is responsible for the child's health care. Although normally the same staff members are appointed, these persons may be replaced if necessary.

Guardians of unaccompanied minors are social workers who have completed the courses necessary for their qualification, but specific courses related to their work with such unaccompanied minors have not been organised. The Centre employs two social workers and four assistant social workers.

NB: Please also highlight if the process is different for those cases when the minor's age is doubtful (for instance, when the child has no documents) and the age assessment procedure has not been undertaken yet to determine the age of the minor.

Q9. Please describe the procedure for assessing the age of an asylum-seeking UAM who claims to be a minor. Please indicate, for example:

- **Whether and when the stated age (date of birth) and unaccompanied situation is registered;**
- **Whether, when, why and how a formal age assessment is undertaken;**
- **Whether and how the conclusions from an age assessment are registered (e.g. is the registered claimed age (date of birth) replaced by the assessed age or is this age added to the file, etc.).**

The age of an asylum seeking unaccompanied minor can be determined in the following ways:

- 1) Based on the documents presented or his/her own words;
- 2) In the presence of reasonable doubts as to the age of the asylum seeking unaccompanied minor, an age assessment may be undertaken.

In practice, the age of an asylum seeking unaccompanied minors is usually recorded during an initial interview based on his/her own words. This information is added to the person's file.

An age assessment test is more an exceptional measure than everyday practice. Such cases in Lithuania are highly infrequent. An age assessment must be undertaken only with the consent of his/her parents, other legal representatives or a temporary guardian/custodian. The age assessment can be carried out by an order of the Department of Migration, where there are reasonable doubts as to the person's age. The costs of the age assessment are borne by the State. In Lithuania, the age assessment of asylum seekers is conducted by the State Forensic Medicine Service under the Ministry of Justice of the Republic of Lithuania. Experts of the Service provide a conclusion describing data of the examination and determining the age of the person. The conclusion indicates that it has been established, based on data of the examination and X-ray images and having regard to racial and sexual characteristics and climatic conditions, that the person's biological age is, for instance, over 19.

In 2014, in Lithuania a case was heard at the court concerning the imprisonment and age assessment of two asylum seeking unaccompanied minors. The young people had crossed the border of the Republic of Lithuania and introduced themselves as being of the age of 14 and 17 years. Having conducted a radiological examination of these persons' bones, the State Forensic Medicine Service determined the biological age of the persons, which was 20-24 years and were imposed a sentence of imprisonment for illegal border crossing. The court noted that in the event of doubt whether a person is an adult, (s)he must be considered as a child and doubt must be for the benefit of the child. In addition, the person's age assessment must take account not only of his/her physical features, but also mental state.

Q10. Please provide the average (or where this is not available median) duration of an asylum procedure for a UAM.

After an unaccompanied minor lodges an application for asylum in Lithuania, initial information on the minor is collected within 24 hours and is forwarded to the Department of Migration, which within 48 hours must take a formal decision on allowing the unaccompanied minor to enter the country. In all cases, the decision is positive, because the Law provides that an asylum seeking unaccompanied minor may not be refused entry into the territory of Lithuania. Unaccompanied minors usually wait for the decision of the Migration Department on entry and accommodation at the border or in a police unit. The Law stipulates that asylum applications are processed within three months. In practice, applications lodged by unaccompanied minors are processed more speedily.

Section 2.6 Guardianship and age assessment for non-asylum seeking UAMs

Q11. Please describe the arrangements for guardianship of non-asylum seeking UAMs. Please specify, for example: who organises guardianship for UAMs, who can become a guardian to a UAM, what the role of a guardian to a UAM is, which UAMs are entitled to a guardian, until what age and whether this depends on the status of the UAM, e.g. does the UAM get another guardian when s/he is granted international protection, etc.

In Lithuania, all unaccompanied minors are subject to the same guardianship procedure therefore the Refugees Reception Centre is appointed as the guardian of non-asylum seeking unaccompanied minors also.

Q12. Please describe the procedure for assessing the age of a non-asylum seeking UAM who claims to be a minor. Please specify different situations (e.g. UAMs who apply for asylum, at the border, illegally staying UAMs, etc.). Please indicate, for example:

- **Whether and when the stated age (date of birth) and unaccompanied situation is registered;**
- **Whether, when, why and how a formal age assessment is undertaken;**
- **Whether and how the conclusions from an age assessment are registered (e.g. is the registered claimed age (date of birth) replaced by the assessed age or is this age added to the file, etc.).**

The age of non-asylum seeking unaccompanied minors can be determined in the following ways:

- 1) Based on the documents presented by the person or his/her own words;
- 2) In the presence of reasonable doubts as to the age of the person, an age assessment may be undertaken.

In practice, the age of a non-asylum seeking unaccompanied minor is most often recorded from his/her words.

In the presence of reasonable doubts as to the age of an unaccompanied minor, an age assessment may be undertaken. The age assessment procedure is described in detail in the Procedure of 23 April 2014. Until the adoption of the Procedure, age assessment procedures were not regulated.

The procedure stipulates that:

- An age assessment can be carried out only with the consent of an unaccompanied minor. The unaccompanied minor must, in a language which (s)he understands, be informed of the purpose of the age assessment, potential effects on health and legal implications. If the unaccompanied minor does not consent to undergo the age assessment, a decision on the necessity of the assessment or on the recognition of the person as an unaccompanied minor is adopted by the court.
- The institution whose officers have identified an non-asylum seeking unaccompanied minor, where his/her age is doubtful, must, not later than within 48 hours, refer the person to the nearest personal health care institution for the performance of an X-ray examination. The costs of the X-ray examination are borne by the institution which has referred the person to the personal health care institution.
- X-ray images are forwarded to the Medical Criminalistics Laboratory of the State Forensic Medicine

Service under the Ministry of Justice of the Republic of Lithuania, which is requested to perform an age assessment and submit findings on majority or minority of a person.

- When person's age needs to be determined outside the working hours of the Medical Criminalistics Laboratory, an age assessment may be undertaken and an appropriate conclusion on majority or minority may be presented by a paediatric endocrinologist or by another professional having appropriate special knowledge and skills.
- An age assessment may be undertaken also where there are reasonable doubts as to the age of an unaccompanied minor accommodated at the Refugees Reception Centre, in respect of whom no age assessment has been undertaken so far. The Centre refers to the abovementioned institutions for the performance of the age assessment.
- In the presence of a two-year margin of error, it is considered that a person is a minor.

In practice, these tests have been performed rarely. However, the number of such test has been increasing in 2013 and 2014.

The Refugees Reception Centre has never initiated an age assessment in respect of the unaccompanied minor accommodated at the Centre.

Section 2.7 Residence permits granted to unaccompanied minors (both asylum- and non-asylum seeking UAMs)

Q13a. Please provide details on the possible residence options available to unaccompanied minors not applying for asylum and to those whose claims for asylum have been rejected.

Article 129 of the Law provides that an unaccompanied minor who unlawfully stays in the territory of Lithuania or unlawfully resides in it is subject to return only provided that (s)he is duly taken care of in the foreign country to which (s)he is returned, taking into consideration his/her needs, age and level of independence. If the unaccompanied minor cannot be returned to the country of origin or another state (e.g., the unaccompanied minor's family members or other legal representatives cannot be found, it is not possible to return him/her to the country of origin, etc.), (s)he must be granted the right to reside in Lithuania and be issued a temporary residence permit. This decision is taken no later than within four months after the accommodation of the unaccompanied minor at the Refugees Reception Centre. It should be noted that there have not been any such cases in practice.

Q13b. Please provide details of the residence permit granted to unaccompanied minors whose claims for asylum are successful (e.g. refugee status, residence permit issued on other grounds than international protection, etc.).

In Lithuania, asylum seeking unaccompanied minors may be granted refugee status (a permanent residence permit is issued for a period of five years) or subsidiary protection (a temporary residence permit is issued for a period of one year). In practice, unaccompanied minors are usually granted subsidiary protection, that is, a temporary residence permit is issued for a period of one year with the possibility of replacing it after a year. Refugee status has so far not been granted to any unaccompanied minor.

During 2009-2013, the Migration Department issued 8 temporary residence permits to asylum seeking unaccompanied minors.

Q13c. Please provide details of the (temporary) residence permit granted to unaccompanied minors who do not fulfil the entry requirements of the (Member) State but are not refused entry at the border / or who are apprehended in the territory of the (Member) State (e.g. tolerated stay, etc.).

Categories of unaccompanied minors	Please describe the residence permits granted to unaccompanied minors	Please state if the process is different for those cases when the minor's age is doubtful (for instance, when the child has no documents) and the age assessment procedure has not been undertaken yet to determine the age of the minor.
Non-asylum seeking unaccompanied minor arriving at a land /	If such an unaccompanied minor is allowed entry into the territory of Lithuania, and within four months from the accommodation of the unaccompanied minor at the RRC and if his/her	The same procedure applies, but if a person's age is doubtful, an age assessment may be undertaken.

sea border or airport	family members or other legal representatives are not found or it is established that the minor cannot be returned to a foreign country, a temporary residence permit would then be issued. In 2009-2014, no such permits were issued. All non-asylum seeking minors absconded from the accommodation institution.	
Non-asylum seeking unaccompanied minor apprehended in the territory of the (Member) State	If such an unaccompanied minor is allowed entry into the territory of Lithuania, and within four months from the accommodation of the unaccompanied minor at the RRC and if his/her family members or other legal representatives are not found or it is established that the minor cannot be returned to a foreign country, a temporary residence permit would then be issued. In 2009-2014, no such permits were issued. All non-asylum seeking minors absconded from the accommodation institution.	The same procedure applies, but if a person's age is doubtful, an age assessment may be undertaken.
Asylum seeking unaccompanied minor arriving at a land / sea border or airport	In Lithuania, asylum seeking unaccompanied minors may be granted refugee status (a permanent residence permit is issued for a period of five years) or subsidiary protection (a temporary residence permit is issued for a period of one year with the possibility of replacement), regardless of the place where an asylum application is lodged. In 2009-2014, 8 decisions were taken on the granting of subsidiary protection and 8 temporary residence permits were issued. Refugee status was not granted.	The same procedure applies, but if a person's age is doubtful, an age assessment may be undertaken.
Asylum seeking unaccompanied minor apprehended or identified in the territory of the (Member) State		
Asylum seeking unaccompanied minor arriving at an internal authority (e.g. police, child protection service, etc.)		
Other (please state)		

Section 3: Reception arrangements, including integration measures for UAMs

This section of the Synthesis Report will provide a factual, comparative overview of the reception arrangements in place for asylum-seeking and non-asylum seeking unaccompanied minors that exist in the EU, including integration measures such as access to healthcare, education and employment.

Please note: If there are different reception arrangements / integration measures for confirmed UAMs and UAMs who claim to be minors but are not confirmed, please elaborate on this difference in your answers to the questions in this section and provide a summary of the different arrangements / measures in Section 3.9 (e.g. more comprehensive measures available to confirmed UAMs(than UAMs who claim to be minors but are not confirmed), etc.).

Section 3.1: Reception and care arrangements for unaccompanied minors

Q14. Please provide an overview of the national legal framework of your (Member) State with regard to the reception and care arrangements available to UAMs from first arrival until a durable solution is found.

Please distinguish between the provisions in place for:

- **UAMs who are seeking asylum or have been granted international protection;**
- **UAMs who are not seeking asylum, including those who entered irregularly and/ or are in a trafficked situation;**
- **UAMs who are not yet confirmed as minors.**

The Refugees Reception Centre (RRC) is the only institution in Lithuania providing accommodation for unaccompanied minors, regardless of whether they have applied for asylum or not.

Article 79(5) of the Law stipulates that the RRC is a budgetary institution providing social services, intended for accommodating persons who have been granted asylum in Lithuania as well as non-asylum seeking minors. The Centre is established, reorganised and liquidated by the Minister of Social Security and Labour.

Asylum seeking unaccompanied minors

Accommodation of asylum seeking unaccompanied minors is regulated in detail by Minister of the Interior and Minister Social Security and Labour Order No 1V-31/A1-28 of 2 February 2005 on the Approval of the Rules for Accommodation of Asylum Seeking Unaccompanied Minors at the Centre.

When deciding on granting of temporary territorial asylum in Lithuania, the Department of Migration also decides on the issue of accommodation of an unaccompanied minor. The unaccompanied minor is provided with accommodation at the RRC, unless his/her guardian/custodian or another legal representative objects. If the asylum seeking unaccompanied minor's guardian/custodian or another legal representative objects to the accommodation at the RRC, the Migration Department decides on the accommodation at a location specified by the guardian/custodian or another legal representative.

Having made a decision to allow an asylum seeking minors to enter the country, the Migration Department issues a foreigner's registration certificate, which proves that the person enjoys temporary territorial asylum in Lithuania. The minor waits for a decision of the Migration Department on the granting of asylum at the RRC. If asylum is granted, a temporary or permanent residence permit is issued.

Non-asylum seeking unaccompanied minors

Since 2012, all unaccompanied minors have been accommodated at the RRC. The Procedure⁴ stipulates in detail the procedure for providing accommodation for non-asylum seeking minors. At the RRC, a minor may be accommodated:

- By a decision of the court;
- By a decision of the state child rights protection and adoption service, where (s)he is an unaccompanied minor (under the age of 14 years) or an unaccompanied minor holding a document confirming his/her identity and age;
- At the request of a territorial police unit, where for objective reasons this agency is unable, by the end of a working day, to appropriately interview the minor, request an age assessment or refer to court for the provision of an alternative to detention (namely, entrusting an appropriate social institution with the supervision of the unaccompanied minor).

The transfer of a minor is organised by a police unit or a border guard unit. The RRC provides conditions for both asylum seeking and non-asylum seeking unaccompanied minors to access the services as specified in post-legislative legal act⁵. The Refugees Reception Centre allows non-governmental and international organisations providing assistance to refugees to contact unaccompanied minor living at the Centre.

If information about unaccompanied minors' parents or other legal representatives is received, the Migration Department, a territorial police unit or the SBGS gives a written notice of the receipt of such information to the RRC no later than within three working days.

If the RRC receives information about the location of an unaccompanied minor's parents or other legal

⁴ Procedure for Assessment of the Age of Non-asylum Seeking Unaccompanied Minor Aliens Identified in the Republic of Lithuania, Accommodation and Taking Other Procedural Action in Respect Thereof and Provision of Services Thereto of 23 April 2014.

⁵ Procedure for Allocating Lithuanian State Support for the Integration of Aliens who have been Granted Asylum in the Republic of Lithuania, approved by Minister of Social Security and Labour of the Republic of Lithuania Order of 21 October 2004 on the Approval of the Procedure for Allocating Lithuanian State Support for the Integration of Aliens who have been Granted Asylum in the Republic of Lithuania.

representatives or their entry into the Republic of Lithuania not from the Migration Department, it immediately notifies the Migration Department in writing of the receipt of such information.

Upon receiving such information and having evaluated the best interests of the child, the RRC, not later than within five working days from the receipt of the information about the location of the unaccompanied minor's parents or other legal representatives, informs a municipal child rights protection division which takes a decision on the transfer of the unaccompanied minor to his/her parents or other legal representatives.

Where a possibility of returning a non-asylum seeking unaccompanied minor to the country of origin or another foreign country is established, the RRC forwards the minor's file to a migration division of a territorial police unit for it to decide on the return to the country of origin or the foreign country. If it proves impossible to find a non-asylum seeking unaccompanied minor's family members or other legal representatives or it is established that the non-asylum seeking unaccompanied minor cannot be returned to the foreign country, the Migration Department takes, within four months from the accommodation of the unaccompanied minor at the RRC, a decision to issue a temporary residence permit in Lithuania.

Q15. Which national authorities and organisations (including Non-Governmental Organisations where relevant) are responsible for the reception and care of UAMs from first arrival until a durable solution is found, indicating also the arrangements for funding (e.g. reception centres, healthcare, schooling, etc.)?

Please distinguish between national authorities and organisations deciding and administering the reception and care of:

- UAMs who are seeking asylum or have been granted international protection;
- UAMs who are not seeking asylum, including those who entered irregularly and/ or are in a trafficked situation.

In Lithuania, the following authorities are responsible for the reception of unaccompanied minors:

- The Refugees Reception Centre (RRC) – a budgetary institution providing social services, intended for accommodating persons who have been granted asylum in the Republic of Lithuania and both asylum and non-asylum seeking unaccompanied minor as well as for implementing social integration of the aliens who have been granted asylum. The RRC is the only institution in Lithuania which provides accommodation to unaccompanied minors.
- The State Child Rights Protection and Adoption Service and municipal child rights protection divisions are responsible for protection of a child right.
- The Migration Department takes decisions on the issuance of residence permits, conducts search for family members and examines asylum applications.
- Territorial police units provide temporary accommodation to unaccompanied minors pending a decision on their accommodation at the RRC, conduct initial interview of the unaccompanied minors and, in cooperation with the Police Department, conduct search of minors who have absconded.
- District courts decide on the imposition of an alternative measure to detention for unaccompanied minors who do not possess identity documents as well as take decisions on age assessment if a person refuses to undergo the age assessment test.

All the above-mentioned institutions are funded from the state budget.

In addition, assistance to unaccompanied minors is provided by the Lithuanian Red Cross Society, which provides humanitarian aid and legal assistance. Its activities are mostly financed from the European Refugee Fund.

Q16a. What is considered a durable solution for the child in your (Member) State (could also be derived from practices in place, guidelines used by reception / care facilities, etc.)?

In taking decisions on children, regardless of their citizenship and legal status, Lithuanian authorities are guided by the basic principles of the Law on Fundamentals of Protection of the Rights of the Child and provisions of the United Nations Organization's Declaration of the Rights of the Child (1959) and the Convention on the Rights of the Child (1989), as well as other norms and principles of international law.

The Law does not provide definitions of the concepts "durable solution" and the "best interests of the child". UNHCR Lithuania notes that this concept needs to be defined in the Law.

NB: Please also highlight if the process is different for those cases when the minor's age is doubtful (for instance, when the child has no documents) and the age assessment procedure has not been undertaken yet to determine the age of the minor.

Q16b. How quickly do the competent authorities take decisions on durable solutions for UAMs based on the best interests of the child? Please specify the starting point for the time taken by (Member) States to identify durable solutions (e.g. date of apprehension / application, etc.).

Although the term 'durable solution' is not defined by the Law, when considering the situation of unaccompanied minors the authorities attempt to take prompt decisions on the legal status of the unaccompanied minors taking into account the best interests of the child:

- In Lithuania, asylum applications must be examined within three months, though in the case of asylum seeking unaccompanied minors such applications are processed more speedily;
- An unaccompanied minor who is found to be illegally present in the territory of the Republic of Lithuania or unlawfully resides in it may be returned only provided that (s)he is duly taken care of in the foreign country to which he is returned, taking into consideration his needs, age and level of independence;
- If it proves impossible to find a non-asylum seeking unaccompanied minor's family members or other legal representatives or it is established that the unaccompanied minor cannot be returned to a foreign country, the Migration Department takes, within four months from the accommodation of the unaccompanied minor at the RRC, a decision to issue a temporary residence permit;
- The RRC, upon receiving information on parents or other legal guardians and having assessed the best interests of the child, not later than within five working days from the receipt of the information draws up and submits to a territorial child rights protection division a recommendatory conclusion on the transfer of an unaccompanied minor to his/her parents or other legal representatives. If a possibility of returning the unaccompanied minor to the country of origin or another foreign country is established, the RRC forwards the file to a territorial police unit for it to decide on the unaccompanied minor's return to the country of origin or a foreign country.

Section 3.2: Accommodation and other material reception provisions

Q17. Please describe in the tables below the reception and care arrangements granted to UAMs in your (Member) State (in accordance with Directive 2003/9/EC⁶) from first arrival until a durable solution is found. Where relevant, please distinguish between UAMs who are seeking asylum or have been granted international protection and UAMs who are not seeking asylum, including those who entered irregularly and/ or are in a trafficked situation.

⁶ Please note that Ireland does not participate in this Directive.

	Please state (Y/N) whether the accommodation types and other material reception provisions listed are available to UAMs (in cash or in kind) in each of the categories below, and provide a brief description of the facilities available in each case:		
Accommodation type and access to other care and material reception provisions	UAMs seeking asylum or have been granted international protection	UAMs not seeking asylum, including those who entered irregularly and / or child victims of trafficking	Please state if the process is different for those cases when the minor's age is doubtful (for instance, when the child has no documents) and the age assessment procedure has not been undertaken yet to determine the age of the minor.
Accommodation with adults	Not applicable	Not applicable	If an unaccompanied minor's age is doubtful, age assessment may be undertaken during which it is established if the person is a minor or not. Then relevant conditions apply.
Accommodation with a foster family	If an asylum seeking unaccompanied minor's guardian/custodian or another legal representative objects to his/her accommodation at the RRC, a minor can be accommodated at the location specified by the guardian/custodian or another legal representative.	Not applicable.	If an unaccompanied minor's age is doubtful, age assessment may be undertaken during which it is established if the person is a minor or not. Then relevant conditions apply.
Accommodation / reception facilities specifically for minors	Not applicable	Not applicable	Not applicable
Accommodation / reception facilities with special provisions for minors	Asylum seeking unaccompanied minors are usually accommodated at the RRC. A separate floor of the Centre contains several rooms intended for minors. Accommodation can be provided to up to 15 minors.	Non-asylum seeking unaccompanied minors are also accommodated at the RRC. A separate floor of the Centre contains several rooms intended for minors. Accommodation can be provided to up to 15 minors.	If an unaccompanied minor's age is doubtful, age assessment may be undertaken during which it is established if the person is a minor or not. Then relevant conditions apply.
Specialised accommodation facilities available for UAM victims of trafficking	Not applicable	Not applicable	Not applicable

Specialised accommodation facilities available to UAMS to meet specific identified needs	Not applicable	Not applicable	Not applicable
Other types of accommodation (please state, e.g. in adult accommodation facilities if over 16 years of age)	Not applicable	Not applicable	Not applicable
Food (please indicate how this is arranged in practice, e.g. meal vouchers to buy or prepare own meals, prepared meals, etc.)	<p>Persons accommodated at the RRC are paid a monthly allowance for food and miscellaneous expenses. Unaccompanied minors go shopping together with staff of the Centre and decide how to spend this amount of money.</p> <p>The monthly amount allocated for food is LTL 210 (EUR 60). In addition, the Lithuanian Red Cross Society distributes food packages once a month.</p>	<p>Persons accommodated at the RRC are paid a monthly allowance for food and miscellaneous expenses. Unaccompanied minors go shopping together staff members of the Centre and decide how to spend this amount of money.</p> <p>The monthly amount allocated for food is LTL 210 (EUR 60). In addition, the Lithuanian Red Cross Society distributes food packages once a month.</p>	If an unaccompanied minor's age is doubtful, age assessment may be undertaken during which it is established if the person is a minor or not. Then relevant conditions apply.
Clothing (please indicate how this is arranged in practice, e.g. provision of a budget to buy clothes, provision of second-hand clothes, etc.)	Unaccompanied minors are provided with seasonal clothing; there is also a possibility of providing second-hand clothes).	Unaccompanied minors are provided with seasonal clothing; there is also a possibility of providing second-hand clothes).	If an unaccompanied minor's age is doubtful, age assessment may be undertaken during which it is established if the person is a minor or not. Then relevant conditions apply.
Allowance / pocket money (please provide details on what possibilities there are to earn pocket money in reception facilities, what amount and how this is paid, etc.)	Unaccompanied minor is paid pocket money in the amount of LTL 35 (EUR 10) per month.	Unaccompanied minor is paid pocket money in the amount of LTL 35 (EUR 10) per month.	If an unaccompanied minor's age is doubtful, age assessment may be undertaken during which it is established if the person is a minor or not. Then relevant conditions apply.
Other types of material reception provisions (please state)	Minors are provided with basic toiletries, household items and means. School students are provided with all necessary school supplies.	Minors are provided with basic toiletries, household items and means. School students are provided with all necessary school supplies.	If an unaccompanied minor's age is doubtful, age assessment may be undertaken during which it is established if the person is a minor or not. Then relevant conditions apply.

Q18. Please explain if UAMs have the freedom to make their own choices with regard to the provisions available to them (e.g. do UAMs have the possibility to prepare their own meals, buy their own clothes, etc.) with the ultimate goal of preparing them for the transition to adulthood (please see also section 5).

Unaccompanied minors cook food and clean rooms themselves. Social workers teach the minors how to do their chores and to cook food.

Moreover, minors are taught personal care and hygiene. With the help of the staff, they wash their clothes, change bedding and go shopping on their own.

Q19. Which organisations (governmental and non-governmental) are responsible for the provision of accommodation / other material reception conditions of UAMs (if different from above)?

Responsible authorities are listed under Q15.

Q20. Please provide more information on the staff (e.g. care/ social workers, etc.) responsible for the reception and care of UAMs, for example:

- **What are the main tasks of the staff;**
- **Is there a specific training for the staff (if yes, please describe);**
- **In general, what is the staff to UAMs ration (the number of UAM per staff member).**

The RRC employs three social workers and six assistant social workers, who are responsible for work with unaccompanied minors and other vulnerable persons accommodated at the Centre.

Employees work under a job description of a guardian. In 2014, the guardian's job description was approved at the Centre by an order of the director and defines general requirements for this position, such as: to be a citizen of the Republic of Lithuania; to hold a higher education or equivalent education; to have knowledge of laws of the Republic of Lithuania, resolutions of the Government of the Republic of Lithuania, international legal acts governing children's rights and interests and orders of the Minister of Social Security and Labour of the Republic of Lithuania; to be diligent, hard-working, honourable, honest, be able to communicate and to listen to the opinion of others and to present one's own.

An unaccompanied minor's guardian has the following duties:

- To represent the rights and legitimate interests of unaccompanied minors at the Centre and outside it;
- To refrain from disclosing information on the unaccompanied minors' private life;
- To assess social problems and needs (to fill-in a social needs assessment questionnaire);
- To advise unaccompanied minors on the issues of teaching, organise their teaching;
- To consult colleagues and, where necessary, refer the unaccompanied minor to other professionals;
- To organise Lithuanian language courses for unaccompanied minor;
- To act in compliance with the code of ethics of a social worker;
- To comply with the internal rules of the Centre;
- To take part in commissions considering the issues related to unaccompanied minors;
- To gradually adapt unaccompanied minors to new living conditions and familiarise them with the Lithuanian way of life;
- To inculcate the culture and customs of inhabitants of Lithuania;

The guardian's job description also provides for the guardian's rights:

- To obtain information related to unaccompanied minors;
- To obtain the required information and support from child rights protection, law enforcement and other agencies;
- To submit proposals and recommendations concerning integration of unaccompanied minors in society;
- To improve his qualifications in accordance with the specified procedure;
- To submit to the management of the centre proposals regarding the imposition of disciplinary sanctions for violation of the internal rules of the centre;
- To submit to the management of the centre proposals regarding the implementation of a programme for the social integration of unaccompanied minors.

A guardian is subordinate to the Head of the Social Integration Division of the Centre.

In November 2014, the staff of the Centre will participate in trainings on psychological aspects of working with children deprived of their parents.

Q21. What is the overall assessment of the standard of accommodation / material reception conditions provided to UAMs in your (Member) State (as cited in existing evaluation reports / studies / other sources or based on publicly available information received from competent authorities)? Please provide references to these sources of information.

Do you foresee an evolution of the national legislation and / or the practice in light of the recast Reception Conditions Directive (2013/33/EU)⁷?

Such a specific assessment has not been conducted in Lithuania. The Ministry of the Interior is currently drafting amendments to the Law implementing the EU Reception Conditions Directive.

Section 3.3: Access to legal advice

Q22: Please describe access by UAMs to legal advice in your (Member) State.

Legal advice	UAMs seeking asylum or have been granted international protection	UAMs not seeking asylum, including those who entered irregularly and / or child victims of trafficking	Please state if the process is different for those cases when the minor's age is doubtful (for instance, when the child has no documents) and the age assessment procedure has not been undertaken yet to determine the age of the minor.
Legal advice and other forms of legal support	<p>Article 32 of the Law provides that unaccompanied minor, regardless of their legal status, have the right to receive State-guaranteed legal aid.</p> <p>When conducting an interview of an unaccompanied minor, a person providing State-guaranteed legal aid must participate.</p> <p>For this purpose, a lawyers' office has been procured, though ensuring of participation of lawyers in interviews and appropriate counselling of minors remains a challenge. Legal aid is usually provided to unaccompanied minors by lawyers of the Lithuanian Red Cross Society and funded by the European Refugee Fund.</p>	<p>Article 32 of the Law provides that unaccompanied minor, regardless of their legal status, have the right to receive State-guaranteed legal aid.</p> <p>When conducting an interview of an unaccompanied minor or participating in the court proceedings (e.g. to be granted the alternative to detention measure), a person providing State-guaranteed legal aid must participate.</p>	

Q23: Which organisations (governmental and non-governmental) are responsible for the provision of legal support to UAMs (if different from above)?

Responsible authorities are listed under Q22.

⁷ Please note that Ireland does not participate in this Directive.

Q24: What is the overall assessment of the provision of legal support to UAMs in your (Member) State (e.g. cited in existing evaluation reports / studies / other sources or based on publicly available information received from competent authorities)? Please provide references to these sources of information.

No such assessment has been undertaken in Lithuania.

Section 3.4: Healthcare

Q25: Please describe access by UAMs to healthcare in your (Member) State.

In Lithuania, groups of persons who are provided free public health services are listed in the Law on Health Insurance. This Law also covers unaccompanied minor. Health care services to all unaccompanied minors in Lithuania are currently provided free of charge. The State funds health care services regardless of whether the unaccompanied minors are staying in the country lawfully or not, and regardless of where they are accommodated and what procedures they are subject to.

In practice, medical assistance is provided to asylum seekers, and in respect to non-asylum seeking unaccompanied minors there is no practice. Absolute majority of them abscond from the RRC within first few days.

Medical services are provided to unaccompanied minors at a first-aid post of the RRC. The Centre has entered into a health care services contract with a local out-patients clinic, and in the event of a serious health disorder an unaccompanied minor would be referred by the medical staff to Kaunas Clinics for advice. All medical services provided at the Centre and by referral of the medical staff are covered by the state budget.

Psychological support to unaccompanied minors can be provided at the Refugee Reception Centre.

	Please state (Y/N) whether the healthcare types listed are available to UAMs in each of the categories below, and provide a brief description of the healthcare available in each case:		
Healthcare	UAMs seeking asylum or have been granted international protection	UAMs not seeking asylum, including those who entered irregularly and / or child victims of trafficking	Please state if the process is different for those cases when the minor's age is doubtful (for instance, when the child has no documents) and the age assessment procedure has not been undertaken yet to determine the age of the minor.
Emergency treatment	Yes, provided at the RRC	Yes, provided at the RRC	If an unaccompanied minor's age is doubtful, age assessment may be undertaken during which it is established if the person is a minor or not. Then relevant conditions apply.
Basic medical care	Yes, provided at the RRC	Yes, provided at the RRC	
Essential / specialised healthcare if required	Yes, provided at a local health care institution	Yes, provided at a local health care institution	
Psychological support / counselling	Yes, provided at the RRC	Yes, provided at the RRC	

Other (please state)	Not applicable	Not applicable	Not applicable
Do UAMs have equal access to healthcare as child citizens in the (Member) State?	Yes, though due to the language barrier certain difficulties may arise	Yes, though due to the language barrier certain difficulties may arise	If an unaccompanied minor's age is doubtful, age assessment may be undertaken during which it is established if the person is a minor or not. Then relevant conditions apply.
Are UAMs assessed to ensure their healthcare needs are met (e.g. through a health assessment)?	Such assessments have not been conducted	Such assessments have not been conducted	
Do UAM have access to health insurance? If yes, under what conditions?	Unaccompanied minors are covered by compulsory health insurance from state funds. Additional conditions do not apply.	Unaccompanied minors are covered by compulsory health insurance from state funds. Additional conditions do not apply.	
How is reception organised for UAMs with psychiatric problems or addictions?	General reception conditions apply. Determination of support needs and provision of support take place on a case-by-case basis	General reception conditions apply. Determination of support needs and provision of support take place on a case-by-case basis	

Q26: Which organisations (governmental and non-governmental) are responsible for the healthcare of UAMs (if different from above)?

Besides the Refugee Reception Centre, health care services are also provided by:

- Local out-patients clinics (in the case of unaccompanied minors, most often the Primary Health Care Centre in Rukla),
- Specialised health care institutions in county centres (in the case of unaccompanied minors, most often in Kaunas),
- National Health Insurance Fund.

Q27: What is the overall assessment of the standard of healthcare provided to UAMs in your (Member) State (e.g. as cited in existing evaluation reports / studies / other sources or based on publically available information received from competent authorities, please give references)? Please provide references to these sources of information.

Do you foresee an evolution of the national legislation and / or the practice in light of the recast Reception Conditions Directive (2013/33/EU)?

The study on Refugees integration in Lithuania prepared by the UNHCR in 2014 states that access to health care services at the Refugees Reception Centre is impeded by the lack of interpreters.

Section 3.5: Education

Q28: Please describe access by UAMs to education in your (Member) State.

Under the age of 16, education for all children in Lithuania is compulsory under the Constitution. Unaccompanied minors accommodated at the Refugees Reception Centre attend a Lithuanian secondary school in Rukla. Before assigning a minor to the school, a commission of teachers verifies his/her skills, assesses the level of learning and determines the grade to which (s)he is to be assigned. At the school, special adaptation and Lithuanian language teaching programmes are carried out. The guardians of minors appointed by the Refugees Reception Centre closely cooperate with teachers of the unaccompanied minors. When doing his/her home assignments, an unaccompanied minor is provided assistance by social workers of the Centre. They also monitor the child's progress and, where necessary, provide additional instruction in the Lithuanian language.

The Refugees Reception Centre organises Lithuanian language courses and studies of the Lithuanian society, whose aim is to familiarise unaccompanied minors with Lithuanian culture, traditions, history, geographical location, economy and basic legal acts. A number of education and support programmes intended for unaccompanied minors may be additionally introduced at the Centre. A guardian decides on their introduction on a case-by-case basis.

Unaccompanied minors also benefit from other education and support programmes intended for all minors:

- Moral instruction. The aim is work with negative habits. At workshops, conditions are provided to reveal common human values and to build personal and public life on such values, also to lay a foundation for self-awareness and positive relationships with other people.
- Occupational instruction. The aim is to develop an independent personality: to prepare a minor for independent life, to promote occupational activity, to provide theoretical and practical skills for occupational activity. The Refugees Reception Centre organises job matching and personality assessment, vocational training and job search courses. At vocational guidance workshops, minors become familiar with the Lithuanian labour market, the procedure for registering and visiting the Labour Exchange and the services it provides, educational and vocational training institutions and their activities, are taught how to sign and fill out the documents required when taking up employment, are familiarised with the Labour Code and assisted in finding a job. Aliens who have been granted asylum are familiarised with psychological recruitment methods and are taught to successfully introduce themselves and to communicate with potential employers.

	Please provide information on the issues raised below on access to education by UAMs:		
Education	UAMs seeking asylum or have been granted international protection	UAMs not seeking asylum, including those who entered irregularly and / or child victims of trafficking	Please state if the process is different for those cases when the minor's age is doubtful (for instance, when the child has no documents) and the age assessment procedure has not been undertaken yet to determine the age of the minor.
Is access to education (appropriate to the age and needs of the UAM) provided for in legislation in your (Member) State?	Article 32(2)(2) of the Law provides that all unaccompanied minors, regardless of the lawfulness of their stay in the territory, have the right to study at general education and vocational training schools.	Same provisions apply.	If an unaccompanied minor's age is doubtful, age assessment may be undertaken during which it is established if the person is a minor or not. Then relevant conditions apply.
How quickly can a UAM access education in the (Member) State?	Following arrival at the RRC	Same provisions apply.	If an unaccompanied minor's age is doubtful, age assessment may be undertaken during which it is established if the person is a minor or not. Then relevant conditions apply.
How does the (Member) State ensure that the education provided to UAMs are adapted to their age, level of education in the country of origin and the degree of the	Before assigning an unaccompanied minor to the school, a commission of teachers verifies his/her skills, assesses the level of learning and determines the grade to	Same provisions apply.	If an unaccompanied minor's age is doubtful, age assessment may be undertaken during which it is established if the person is a minor or not.

language barrier (e.g. individual assessments etc.)?	which (s)he is to be assigned.		Then relevant conditions apply.
What support measures are available to help the UAM with the transition to education in the (Member) State (e.g. language training, mentoring, vocational training, other support mechanisms – please state?)	Lithuanian language courses and studies of the Lithuanian society are organised. Lithuanian language is taught both at the RRC and at the school. The school also provides career development services. Vocational training is carried out on a project basis (no funds are allocated from the budget).	Same services are provided.	If an unaccompanied minor's age is doubtful, age assessment may be undertaken during which it is established if the person is a minor or not. Then relevant conditions apply.
Do UAMs have the same right to education as other children in the (Member) State?	Yes	Yes	If an unaccompanied minor's age is doubtful, age assessment may be undertaken during which it is established if the person is a minor or not. Then relevant conditions apply.
Do UAMs receive education in specialised educational establishments? If yes, does the (Member) State have plans to integrate these UAMs in the general education system?	No	No	If an unaccompanied minor's age is doubtful, age assessment may be undertaken during which it is established if the person is a minor or not. Then relevant conditions apply.
How does the education provided to UAMs support their social integration in the (Member) State?	Education significantly contributes to integration of the unaccompanied minors. They find friends and communicate with other children they age.	No such practice exists.	If an unaccompanied minor's age is doubtful, age assessment may be undertaken during which it is established if the person is a minor or not. Then relevant conditions apply.
How does the (Member) State prepare UAMs for accessing their labour market (e.g. provision of training, vocational guidance, etc.)?	The RRC organises job matching and personality assessment, vocational training and job search courses. During vocational guidance workshops, minors become familiar with the Lithuanian labour market, the procedure for registering and visiting the Labour Exchange and the services which it provides, educational and vocational training institutions and their activities, are taught how to sign and fill out the documents required when taking up employment, are familiarised with the Labour Code and assisted in finding a job. Persons who have been granted asylum are familiarised with psychological recruitment methods, are taught to successfully introduce	No such practice exists.	If an unaccompanied minor's age is doubtful, age assessment may be undertaken during which it is established if the person is a minor or not. Then relevant conditions apply.

	themselves and to communicate with potential employers.		
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Q29: Which organisations (governmental and non-governmental) are responsible for the education of UAMs (if different from above)?

The Education Division of the Jonava District Municipality is responsible for the education of minors.

Q30: What is the overall assessment of the standard of educational support provided to UAMs in your (Member) State (as cited in existing evaluation reports / studies / other sources or based on publicly available information received from competent authorities, please give references)? Please provide references to these sources of information.

Do you foresee an evolution of the national legislation and / or the practice in light of the recast Reception Conditions Directive (2013/33/EU)?

This Directive has not been transposed in Lithuania. However, the transposition of the Directive will involve the revision of legal acts.

Section 3.6: Access to support to employment

Q31: Please describe access by UAMs to employment in your (Member) State.

In Lithuania, asylum seekers are not provided access to employment. Asylum seeking unaccompanied minors are neither provided access to employment. Unaccompanied minors who have been granted subsidiary protection may take up employment upon reaching the age of 14 years, though in practice there have not been any such cases.

	Please state (Y/N) whether the measures to support access to employment listed are available to UAMs in each of the categories below:		
Access to support to employment	UAMs seeking asylum or have been granted international protection	UAMs not seeking asylum, including those who entered irregularly and / or child victims of trafficking	Please state if the process is different for those cases when the minor's age is doubtful (for instance, when the child has no documents) and the age assessment procedure has not been undertaken yet to determine the age of the minor.
What is the minimum age a UAM can take up employment in the (Member) State?	Such person must hold a residence permit and be at least 14 years old, but there have not been any such cases in Lithuania.	Such person must hold a residence permit and be at least 14 years old, but there have not been any such cases in Lithuania.	If an unaccompanied minor's age is doubtful, an age assessment may be undertaken during which is established if the person is a minor or not. Then relevant conditions apply.
Is access to employment for UAMs conditional upon obtaining legal (residence) status, a work permit, etc.?	Yes. If an unaccompanied minors is granted asylum, (s)he is issued a residence permit and s(he) is allowed to work without obtaining a work permit.	Yes. If (s)he is issued a residence permit because (s)he cannot be returned, (s)he will need to obtained a work permit.	If an unaccompanied minor's age is doubtful, an age assessment may be undertaken during which is established if the person is a minor or not. Then relevant conditions apply.

Under what circumstances does a UAM receive a permit to work in the (Member) State once the minimum age is reached?	(S)he does not need to obtain a work permit.	General provisions apply. Such a person needs to receive a work permit. The work place needs to be advertised at the labour exchange office for at least one month.	If an unaccompanied minor's age is doubtful, an age assessment may be undertaken during which is established if the person is a minor or not. Then relevant conditions apply.
Is labour market access limited to a maximum number of days per year?	The Labour Code provides for shorter working time for persons under eighteen years of age. Various restrictions have been stipulated, but there are no provisions as regards a maximum number of days per year ⁸ .	No practice.	No practice.
Can UAMs take up paid employment / household tasks for pocket money from the accommodation facilities where they are residing?	No.	No.	No.
What other forms of support are available to UAMs once working age is reached if they are unable to find employment?	General integration support available to all persons who have been granted asylum, also access to services of the Labour Exchange under general conditions.	At the RRC, they would be provided the same integration support available to other RRC residents. But in practice there have not been any cases.	If an unaccompanied minor's age is doubtful, an age assessment may be undertaken during which is established if the person is a minor or not. Then relevant conditions apply.

Q32. Which organisations (governmental and non-governmental) are responsible for providing employment access support to UAMs (if different from above)?

The Refugees Reception Centre promotes school attendance, language learning and vocational training. The Centre does not pursue the goal of employment of a minor. After the persons who have been granted asylum move to a municipality, they are provided with integration support by the Lithuanian Red Cross Society and Caritas Vilnius.

Q33. What is the overall assessment of the standard of employment access support provided to UAMs in your (Member) State (as cited in existing evaluation reports / studies / other sources or based on publicly available information received from competent authorities)? Please provide references to these sources of information.

Do you foresee an evolution of the national legislation and / or the practice in light of the recast Reception Conditions Directive (2013/33/EU)?

This Directive has not been transposed to Lithuanian law. However, transposition of the Directive will include revision of legal acts.

Section 3.7: Other integration measures

Q34. Does your (Member) State have any other integration measures in place supporting UAMs? If yes, please provide further information below.

⁸ Restrictions and conditions are regulated by the Government Resolution on the Approval of the Procedure for Employing Young Persons under 18 Years of Age, Examining their Health and Determining their Aptitude for Particular Work and of the List of Working Time, Prohibited Works and Factors Harmful and Dangerous to Health.

Integration measures in place at the Refugees Reception Centre are the same as for all persons who have been granted asylum in Lithuania. Unaccompanied minors are additionally provided a larger settlement allowance, which is equal to the allowance paid to children deprived of parental care who are citizens of the Republic of Lithuania (adults are allocated LTL 1560, and unaccompanied minors – LTL 7800). All other measures are the same as those applicable to adults.

NB: Please also highlight if the process is different for those cases when the minor's age is doubtful (for instance, when the child has no documents) and the age assessment procedure has not been undertaken yet to determine the age of the minor.

Section 3.8: Withdrawal of reception and integration support

Q35. Under what circumstance can any of the above reception and integration support provisions be withdrawn from UAMs?

	Circumstances for withdrawal of reception / integration support		
Type of support (please list)	UAMs seeking asylum or have been granted international protection	UAMs not seeking asylum, including those who entered irregularly and / or child victims of trafficking	Please state if the process is different for those cases when the minor's age is doubtful (for instance, when the child has no documents) and the age assessment procedure has not been undertaken yet to determine the age of the minor.
Not applicable	Not applicable	Not applicable	Not applicable.

Q36. Are there any complaint mechanisms available to UAMs in case of withdrawal of reception and integration support? If yes, please specify below.

Not applicable.

NB: Please also highlight if the process is different for those cases when the minor's age is doubtful (for instance, when the child has no documents) and the age assessment procedure has not been undertaken yet to determine the age of the minor.

Section 3.9 Identified challenges and good practices

Q37. Please indicate any challenges associated with the reception, care and integration of UAMs in your (Member) State (based on existing studies/ evaluations or information received from competent authorities) and how these can be overcome.

The main challenges associated with the reception, care and integration of unaccompanied minors in Lithuania are as follows:

- Police units do not have possibilities of providing unaccompanied minors with adequate accommodation, hence they are brought to the Refugees Reception Centre the same day. The main challenge for the police is transportation of an minor to the RRC from any region of the country, as there is a lack of specialised vehicles and properly trained police officers;
- The legislation currently in force indicates that when transporting an unaccompanied minor from a police unit or divisions of the State Border Guard Service, (s)he may be accompanied also by a representative of a municipal child rights protection division. In the opinion of the Police Department, accompanying such a minor to the RRC by the child rights protection officer together with police officers should become an imperative duty in order to ensure that the minor's needs are properly taken care of and his/her legitimate

- interests are protected, and the police would not be unjustly accused;
- Absconding of non-asylum seeking unaccompanied minors from the Refugees Reception Centre and their disappearance. In the opinion of the police, the accommodation of non-asylum seeking minors at the RRC is not the right solution since they do not plan to stay in Lithuania. The RRC does not restrict the freedom of movement of unaccompanied minors and therefore it cannot prevent their absconding. Moreover, the main goal, that is, return of the minor to his/her parents or other legal representatives is not attained;
 - Language barrier between minors and staff limited education and lack of motivation to learn.

Attempts are also made to provide more information to unaccompanied minors about available opportunities in Lithuania and dangers of trafficking in human beings.

Section 4: UAMs that go missing / abscond from reception / care facilities

Q38. Have evaluations or studies on the number/ rate/ country of origin of UAMs who go missing or abscond from guardianship/ reception/ care facilities been undertaken in your (Member) State? Please provide details and references below.

No evaluations or studies have been conducted in this field yet, this issue is relatively recent.

Q39. What are the possible reasons for the disappearance of UAMs, including absconding from guardianship/ reception/ care facilities (as cited in existing evaluations/ studies/ other sources or based on publicly available information received from competent authorities)?

Lithuania is not the destination country for such minors, hence they abscond from the Refugees Reception Centre soon after when they are brought there in order to continue their journey to the destination countries in other EU Member States.

Q40. What is the socio-demographic profile of UAMs that go missing / abscond from reception / care facilities (e.g. asylum seekers or non-asylum seekers, nationality, appointed with a guardian or not, etc.)?

Non-asylum seeking unaccompanied minors are mostly boys from Vietnam, who claim that they are 15-17 years old, have limited education and hold money and contacts.

Q41. When are UAMs most likely to disappear from guardianship/ reception/ care facilities (e.g. within first few days of arrival, during weekends, before/after age assessment procedures, etc.)? Please provide evidence cited in existing evaluations/ studies/ other sources or based on publically available information received from competent authorities.

According to data of the Refugees Reception Centre, such persons abscond from the Centre after staying there for several days, usually on weekends.

Q42. Please provide any other evidence that may be available of the impact of guardianship/ reception/ care facilities on the proportion of missing or absconding UAMs.

During 2009-2013, all non-asylum seeking unaccompanied minors absconded from Centre.

Q43. What measures has your (Member) State developed to a) prevent or to b) react to disappearances of UAMs (e.g. existence and use of support services, national hotlines for missing children, missing persons alerts in the Schengen Information System, NGO networks such as Missing Children Europe and their member organisations, taking fingerprints and photographs of UAMs as an aid for tracing, etc.)? Is there any evidence to suggest how effective these measures have been in practice (e.g. cited in existing evaluations/ studies/ other sources or based on publically available information received from competent authorities)?

The police, upon receiving information about a missing minor, must perform the actions as in the case of

disappearance of a minor citizen of the Republic of Lithuania. However, little is usually known about the true identity of such unaccompanied minors, hence it is not possible to conduct a proper search.

In the future, the Refugees Reception Centre plans to cooperate with the non-governmental organisation "Missing Persons' Families Support Centre".

Q44. What are the procedures and practices of your (Member) State to a) report and b) deal with disappearances of UAMs (e.g. protocols among authorities, standardised procedure for dealing with disappearances, etc.)?

The Refugees Reception Centre must give an immediate notice of an unaccompanied minor's disappearance (in writing or by electronic means) to a territorial police unit (after two hours), the Migration Department, the State Border Guard Service (after four hours), the State Child Rights Protection and Adoption Service, a municipal child rights protection division and the National Health Insurance Fund.

Q45. How is the registration of disappearances of UAMs organised in your (Member) State (e.g. by child, by incident, etc.)?

Missing persons whose identity is known are searched in accordance with the procedure specified by legal acts. They are entered in missing persons' search files at a territorial police agency.

Q46. Please indicate any challenges associated with UAMs who go missing or abscond from guardianship/ reception/ care facilities in your (Member) State (based on existing studies/ evaluations or publically available information received from competent authorities) and how these can be overcome.

A minor's disappearance is a challenge, as it is not known what happens later to these unaccompanied minors. Minors who go missing from the Centre are sometimes returned to Lithuania and abscond again.

In the opinion of the State Border Guard Service, greater attention should be devoted to ensuring of security of the unaccompanied minors accommodated at the Refugees Reception Centre, and the police propose to undertake extreme measures, namely, to restrict the freedom of movement of non-asylum seeking unaccompanied minors. The Centre considers it necessary to develop an information data base of unaccompanied minors in order to identify cases of trafficking in human beings, to provide additional information and to work with the local community.

Q47. Please provide any examples of proven (e.g. through evaluation reports / studies) good practices regarding UAMs who go missing or abscond from guardianship/ reception/ care facilities in your (Member) State. Please specify the source (as cited in existing evaluations/ studies/ other sources or based on publically available information received from competent authorities).

Nothing to report

Section 5: Arrangements in the (Member) States for UAMs when turning 18 years of age

This section examines the arrangements for former UAMs, both those seeking asylum and those not seeking asylum, once they reach the age of 18 years.

Q48. Please describe the situation in your Member State for former UAMs once they reach the age of 18 years:

The unaccompanied minors who reach the age of adulthood, where they have been granted asylum in Lithuania and have completed school, move from the Refugees Reception Centre to reside in municipalities. They are paid a one-off settlement allowance as provided for by the Law of the Republic of Lithuania on Benefits for Children. Their integration is continued in the territory of a municipality. For the duration of integration in the municipality, an

person is assigned an integration coordinator, who helps to solve everyday issues. All persons participating in the integration programme are paid a monthly allowance for basic needs, such as food, clothing, personal hygiene and public transport. Their rent and utility expenses are covered. The integration of such persons usually takes place in Kaunas. Duration of the integration programme – 12 months.

	Please describe the situation in your Member State for former UAMs once they reach the age of 18 years	
Arrangements for former UAMs	UAMs seeking asylum or who have been granted international protection	UAMs not seeking asylum including those who entered irregularly and / or child victims of trafficking
What residence permit provisions are in place for the UAM turning 18 years of age in your (Member) State? What are the consequences for the rights and obligations of the former UAM in accordance with these residence provisions?	<p>If an unaccompanied minor has been granted asylum in Lithuania, upon reaching adulthood (s)he can enjoy the same rights granted to all persons who have been granted asylum.</p> <p>If subsidiary protection granted to an unaccompanied minor and a temporary residence permit issued to him were not extended upon his reaching the age of 18 years, the person's status would change to 'found to be illegally present', and he would be subject to the general procedure applicable to all aliens found to be illegally present in the country.</p>	No practices are available, as there have not been any such cases.
Are there any exceptions to the residence provisions that are in place for UAMs who are turning 18 years of age? If not, what are the implications of these provisions for the reception arrangements and integration measures that have supported the UAM up to that stage?	No specific provisions are in place. After a person reaches the age of 18 years, (s)he becomes an adult, hence he becomes subject to all other general provisions applicable to adults.	Not applicable. There have not been any such cases in practice.
What measures are in place to support the UAM in advance of the transition (e.g. integration support, return support)?	Lithuania does not have in place any specific provisions concerning the transition period.	Not applicable. There have not been any such cases.
What measures are in place to support the former UAM after the transition (e.g. formal follow up or after-care service, open door policy at residential homes, personal adviser, pathway plan, etc.)?	No specific measures are in place.	Not applicable. There have not been any such cases.
What are the implications of the change in residence status for the access to education and/ or training of the former UAM?	If a person has not completed school education, (s)he is allowed to complete it at the RRC. Upon completion of school education, (s)he must move to reside in a municipality.	Not applicable. There have not been any such cases.
What are the implications of the change in residence status for the access to employment of the former UAM?	On reaching the age of 18 years and is granted asylum, (s)he can work without restrictions applicable to minors.	Not applicable. There have not been any such cases.

Q49. Please describe the monitoring mechanisms in place to ensure the effective transition of unaccompanied minors from the age of minority to 18 years of age, including the types of measure undertaken and the duration of the monitoring period, where the situation in the Member State has changed since 2009, or where the (Member) State did not take part in the 2009 Study.

No such monitoring and transition procedure is in place in Lithuania.

Q50. Please indicate any challenges associated with the transition to 18 years of age experienced by unaccompanied minors in your (Member) State (based on existing studies/ evaluations or information received from competent authorities) and how these can be overcome.

Non-governmental organisations working in the field of integration of aliens who have been granted asylum indicate that in Lithuania, it is necessary to devote more attention to promotion of upbringing and education of unaccompanied minors. Currently, unaccompanied minors who attain the age of majority can only make use of a 12-month integration period. This period is not sufficient, especially if an alien is admitted to an educational institution. In order to support himself/herself, the alien who until recently belonged to a vulnerable group must work, which reduces his/her learning possibilities.

The Centre emphasises unaccompanied minors' fear of living on their own, existing language barrier and lack of motivation. Moreover, non-governmental organisations propose to modify the integration procedure and associated measures, to focus on the specific needs of unaccompanied minors and to increasingly personalise their integration plans.

Q51. Please provide any examples of proven (e.g. through evaluation reports / studies) good practices regarding the transition to 18 years of age of UAMs in your (Member) State. Please specify the source (e.g. cited in existing evaluations/ studies/ other sources or based on publically available information received from competent authorities).

Nothing to report

Section 6: Return practices, including reintegration of UAMs

This section of the Synthesis Report will provide an overview of (Member) States' Return policies with regard to unaccompanied minors. (Member) States are also requested to provide information on the procedures that apply when an unaccompanied minor claims to be a minor and once minority is either confirmed or disproved.

Q52. Can an unaccompanied minor be returned (through voluntary or forced return) to the country of origin if s/he does not fulfil the entry requirements set out in Section 2?

The Law provides that an unaccompanied minor who unlawfully stays in the territory of the Republic of Lithuania or unlawfully resides in it may be returned only provided that (s)he is duly taken care of in the foreign country to which the (s)he is returned, taking into consideration his needs, age and level of independence (Article 129 of the Law). If the unaccompanied minor cannot be returned to the country of origin or another country, after the lapse of four months (s)he must be granted the right to reside in the Republic of Lithuania, that is, (s)he must be issued a temporary residence permit in Lithuania.

If an unaccompanied minor is apprehended at a border crossing point, (s)he may be refused entry if (s)he does not meet the entry conditions for third-country nationals as set out by Article 5 of the Schengen Borders Code, but each decision is taken on a case-by-case basis. A minor may be returned to their country of origin by the police after his/her parents or other legal representatives are found or the competent authorities of the country of origin declare that in the country of origin they will be duly taken care of. However, such cases are highly infrequent, and there were no cases during 2012-2013.

Categories of unaccompanied minors that may be	Please provide more information about the circumstances under which unaccompanied minors	Please provide more information about the circumstances under which	Please state if the process is different for those cases when
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returned to the country of origin	may be returned <u>voluntarily</u> to the country of origin a) in <u>national legislation</u> / policy and b) in <u>practice</u> , with a particular focus on developments since 2009.	unaccompanied minors may be the subject of a <u>forced return</u> to the country of origin / Dublin country / transit country a) in <u>national legislation</u> / policy and b) in <u>practice</u> , with a particular focus on developments since 2009.	the minor's age is doubtful (for instance, when the child has no documents) and the age assessment procedure has not been undertaken yet to determine the age of the minor.
Non-asylum seeking unaccompanied minor arriving at a land / sea border or airport	Unaccompanied minor is subject to return only provided that (s)he is duly taken care of in the foreign country to which (s)he is returned, taking into consideration his/her needs, age and level of independence.	Unaccompanied minor is subject to return only provided that (s)he is duly taken care of in the foreign country to which (s)he is returned, taking into consideration his needs, age and level of independence.	If an unaccompanied minor's age is doubtful, an age assessment may be undertaken during which is established if the person is a minor or not. Then relevant conditions apply.
Non-asylum seeking unaccompanied minor apprehended in the territory of the (Member) State	Unaccompanied minor who is found to be illegally present in the country is subject to return only provided that (s)he is duly taken care of in the foreign country to which (s)he is returned, taking into consideration his/her needs, age and level of independence. In Lithuania, such practice has not been applied since 2008.	Unaccompanied minor is subject to return only provided that (s)he is duly taken care of in the foreign country to which (s)he is returned, taking into consideration his needs, age and level of independence. From 2009 to 2013, only a few cases of return were recorded. Over the past two years, there have been no such cases in Lithuania.	
Asylum seeking unaccompanied minor arriving at a land / sea border or airport	Not applicable	Not applicable	
Asylum seeking unaccompanied minor apprehended in the territory of the (Member) State	Not applicable	Not applicable	
Asylum seeking unaccompanied minor arriving at an internal authority (e.g. police, child protection service, etc.)	Not applicable	Not applicable	
Other (please state)			

Q53a. Can unaccompanied minors be detained whilst awaiting return?

No, in contrast to the practice valid until 2009, unaccompanied minors are not subject to detention and are provided an alternative to detention, namely, accommodation at the Refugees Reception Centre. Until 2012, there were cases of detention of persons who claimed to be minors at the Foreigners' Registration Centre.

However, if minors have already reached the age of 18 years and a decision has been made not to extend their residence permit, they may be detained in such a case for the purposes of return (or expulsion). Only few cases have been recorded.

Until 2009, there have been cases that persons who claimed to be minors but who did not apply for asylum were treated as adult aliens illegally present in the country. For this reason, they were subject to administrative detention. There have been also cases when unaccompanied minors were held in police custody for up to 48 hours, regardless of their age. After the expiry of 48 hours, the unaccompanied minors used to be accommodated at temporary foster homes for children belonging to municipalities or at the Foreigners' Registration Centre. Currently, detention does not apply to unaccompanied minors, and they are promptly accommodated at the Refugees Reception Centre.

Data are available on returns of unaccompanied minors from 2009 until 2011. During the period 7 minors were returned. During 2012-2013, no returns were carried out, and there were no cases of voluntary return.

Q53b. If yes, please provide more information about the circumstances under which unaccompanied minors may be detained whilst awaiting return, and the legal basis for such detention.

Not applicable.

NB: Please also highlight if the process is different for those cases when the minor's age is doubtful (for instance, when the child has no documents) and the age assessment procedure has not been undertaken yet to determine the age of the minor.

Q54. Are there any alternatives to detention in place in the (Member) State for unaccompanied minors awaiting return? If yes, please provide more information in this regard.

Yes.

Instead of detention, unaccompanied minors are applied an alternative to detention –to entrust an appropriate social institution with the supervision of an unaccompanied minor. In practice, this means their accommodation at the Centre. This measure is specified by the Law (Article 115).

NB: Please also highlight if the process is different for those cases when the minor's age is doubtful (for instance, when the child has no documents) and the age assessment procedure has not been undertaken yet to determine the age of the minor.

Q55a. Does the (Member) State provide reintegration support to unaccompanied minors returning to their country of origin under return procedures? Please consider both voluntary and forced return in your answer.

No.

Q55b. If yes, please describe the reintegration measures in place to support unaccompanied minors before, during and after their return under return procedures.

No, Lithuanian legal acts do not provide for the provision by the State of reintegration support to unaccompanied minors subject to return. Reintegration support could be provided to unaccompanied minors who take part in the voluntary return programme funded by the European Return Fund. In Lithuania, this programme is implemented by IOM Vilnius Office, though during 2009-2013 there were no unaccompanied minors returned under this programme.

NB: Please also highlight if the process is different for those cases when the minor's age is doubtful (for instance, when the child has no documents) and the age assessment procedure has not been undertaken yet to determine the age of the minor.

Q55c. Please describe the monitoring mechanisms in place to ensure the effective reintegration of unaccompanied minors, including the types of measure undertaken and the duration of the monitoring period.

Not applicable

NB: Please also highlight if the process is different for those cases when the minor's age is doubtful (for instance, when the child has no documents) and the age assessment procedure has not been undertaken yet to determine the age of the minor.

Section 7: Overview of the International and EU Legislative Framework

This section of the Synthesis Report will briefly outline the EU legal framework guiding national legislation in relation to unaccompanied minors. It will provide a mapping of the substantive and procedural provisions in the EU acquis that regulate the protection of UAMs. The section will also highlight how the EU acquis relates to the broader international legal framework on UAMs.

This section will be developed by the EMN Service Provider and no input from the EMN NCPs is required.

Section 8: Conclusions

The Synthesis Report will outline the main findings of the Study and present conclusions relevant for policymakers at national and EU level. Member States should include any overall conclusions in the Top line Factsheet at the beginning of the Common Template rather than duplicate information in this Section.

Annex 1

Table 1: Statistics on asylum applications from unaccompanied minors in the (Member) State (2009-2013)

Please provide the cumulative figures per calendar year (i.e. the number of unaccompanied minors recorded against each criteria during each calendar year). To ensure comparability of data, please provide statistics on UAMs considered by the national authorities to be UAMs. Where available / appropriate, please provide statistics on UAMs who claim to be minors but whose age is doubtful and the age assessment procedure has not yet been undertaken to determine the age of the minor.

1. Statistics on numbers of <u>asylum applications submitted by third-country nationals unaccompanied minors</u>	2009	2010	2011	2012	2013	Source / further information
1.1 Total Number of Asylum Applications submitted by unaccompanied minors in the (Member) State in each reference period	3	9	10	4	2	Migration Department

1.2 Total number of <u>Asylum Applications</u> submitted by unaccompanied minors in the (Member) State in each reference period, disaggregated by their country of nationality, where available:	2009	2010	2011	2012	2013	National authorities/ Eurostat
Afghanistan	2	3	8	3	-	Migration Department
Georgia	-	2	2	-	-	
Guinea	-	-	-	-	1	
India	-	-	-	-	1	
Russia	1	-	-	-	-	
Vietnam	-	4	-	1	-	
Total (must equal the total in 1.1)	3	9	10	4	2	

1.3 Total number of <u>Asylum Applications</u> submitted by unaccompanied minors in the (Member) State in each reference period, disaggregated by their sex	2009		2010		2011		2012		2013		Source/ further information
	M	F	M	F	M	F	M	F	M	F	
											National authorities/ Eurostat

and age, where available:											
Less than 14 years old	3	-	8	1	10	-	3	1	2	-	Migration Department
From 14 to 15 years old											
From 16 to 17 years old											
Unknown											
Total (should equal 1.1)	3	-	8	1	10	-	3	1	2	-	

1.4 Total <u>Asylum Decisions</u> for unaccompanied minors, disaggregated by sex	2009		2010		2011		2012		2013		Source/ further information
	M	F	M	F	M	F	M	F	M	F	National authorities
1.4.1 Total number of <u>asylum decisions</u> for unaccompanied minors in the reference year (disaggregated by sex)	n/a		n/a		n/a		n/a		n/a		Migration Department
1.4.2 Total number of <u>positive asylum decisions</u> for unaccompanied minors in the reference year (disaggregated by sex)	3		1		2		1		1		
1.4.2.1 Of the total positive asylum decisions provided above please provide the <u>status granted to the unaccompanied minor</u> :											
a) Refugee status	-		-		-		-		-		
b) Subsidiary protection	3		1		2		1		1		

Table 2: Statistics on unaccompanied minors NOT applying for asylum in the (Member) State (2009-2013)

Please provide the cumulative figures per calendar year (i.e. the number of unaccompanied minors recorded against each criteria during each calendar year). To ensure comparability of data, please provide statistics on UAMs considered by the national authorities to be UAMs. Where available / appropriate, please provide statistics on UAMs who claim to be minors but whose age is doubtful and the age assessment procedure has not yet been undertaken to determine the age of the minor.

Statistics on numbers of third-country national unaccompanied minors <u>NOT applying for asylum</u>	2009	2010	2011	2012	2013	Source / further information
2.1 Total number of unaccompanied minors NOT applying for asylum in the (Member) State in each reference period	2 + 2*	3 + 4*	11 + 1*	90	9	Refugees Reception Centre *Migration Department. Unaccompanied minors were accommodated not in RRC but other institutions (e.g. orphan homes)

2.2 Total number of unaccompanied minors <u>NOT applying for asylum</u> in the (Member) State in each reference period, disaggregated by their country of nationality, where available:	2009	2010	2011	2012	2013	Source / further information
Georgia			1*	2		Migration Department and Refugees Reception Centre
Afghanistan			11	6	1	
Vietnam				82	8	
Turkey	1*					
Belorussia	1*	3*				
Russia		1*				

Total (must equal the total in 2.1)	2*	4*	11+1*	90	9	
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* accommodated not in RRC

2.3 Total number of unaccompanied minors <u>NOT applying for asylum</u> in the (Member) State in each reference period, disaggregated by their sex and age:	2009		2010		2011		2012		2013		Source / further information
	M	F	M	F	M	F	M	F	M	F	
Less than 14 years old	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	Data is not collected centrally
From 14 to 15 years old	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	
From 16 to 17 years old	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	
Unknown	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	
Total (should equal 2.1)	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	

2.4 Total number of residence permits granted to unaccompanied minors not in the asylum system, disaggregated by sex	2009		2010		2011		2012		2013		Source / further information
	M	F	M	F	M	F	M	F	M	F	
Type of residence permit granted 1 etc...(please add in additional rows as required):	0	0	0	0	0	0	0	0	0	0	Migration Department

2.5 Non-asylum seeking unaccompanied minors that 'go missing' for at least x weeks from the care of public authorities (including those	2009		2010		2011		2012		2013		Source / further information
	M	F	M	F	M	F	M	F	M	F	
											National authorities/ Eurostat

then accounted for)											
2.5.1 Total number of <u>non-asylum seeking unaccompanied minors that 'go missing'</u> from the care of public authorities, disaggregated by sex and, if and when possible, the type of UAMs that 'goes missing', e.g. runaways, child victims of trafficking, etc.	n/a	n/a	n/a	n/a	11		90		9		Refugees Reception Centre
2.5.2 Total number of <u>non-asylum seeking unaccompanied minors that are found back</u> ; if and when possible, please provide the MS in which they are found (to capture the cross-border dimension of the phenomenon)	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	

Table 3: Statistics on asylum and / or non-asylum seeking unaccompanied minors in the care of public authorities in the (Member) State (2009-2013)

Please provide the cumulative figures per calendar year (i.e. the number of unaccompanied minors recorded against each criteria during each calendar year). To ensure comparability of data, please provide statistics on UAMs considered by the national authorities to be UAMs. Where available / appropriate, please provide statistics on UAMs who claim to be minors but whose age is doubtful and the age assessment procedure has not yet been undertaken to determine the age of the minor.

Statistics on numbers of third-country national unaccompanied minors in the care of the public authorities	2009	2010	2011	2012	2013	Source / further information
3.1 Total Number of unaccompanied minors in the care of the public authorities in each reference period	5	12	21	94	10	Refugees Reception Centre

3.2 Total Number of unaccompanied minors in the care of the public authorities in each reference period, disaggregated by their country of	2009	2010	2011	2012	2013	Source / further information

nationality, where available:						
Afghanistan	2	5	19	9	1	Refugees Reception Centre
India	-	-	-	-	1	
Nigeria	1	1	-	-	-	
Uzbekistan	1	-	-	-	-	
Vietnam	-	4	-	83	8	
Georgia	-	2	2	2	-	
Russia	1	-	-	-	-	
Total (must equal the total in 3.1)	5	12	21	94	10	

3.3 Total Number of unaccompanied minors in the care of the public authorities in each reference period, disaggregated by their sex and age:	2009		2010		2011		2012		2013		Source / further information
	M	F	M	F	M	F	M	F	M	F	
Less than 14 years old	n/a	n/a	n/a	n/a	-	-	3	2	-	-	Refugees Reception Centre
From 14 to 15 years old	n/a	n/a	n/a	n/a	3	-	30	6	7	-	
From 16 to 17 years old	n/a	n/a	n/a	n/a	19	-	50	3	4	-	
Unknown	n/a	n/a	n/a	n/a							
Total	5		12		22*	0	83	11	11*	0	

* Unaccompanied minors from EU member countries are also added (2011-1 unaccompanied minor from Romania, 2013- 1 unaccompanied minor from France)

Table 4: Statistics on unaccompanied minors in detention pending return in the (Member) State (2009-2013)

unaccompanied minors who become adults in the host country during the reference year, if and when possible disaggregated by those who are at school / possess a work permit / have reunited with their family											
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