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Committee on the Rights of the Child**Concluding observations on the combined fifth and sixth reports of Lithuania*****I. Introduction**

1. The Committee considered the combined fifth and sixth periodic reports of Lithuania at its 2770th and 2771st meetings, held on 23 and 24 January 2024, and adopted the present concluding observations at its 2786th meeting, held on 2 February 2024.

2. The Committee welcomes the submission of the fifth and sixth periodic reports of the State party and the written replies to the list of issues, which allowed for a better understanding of the situation of children's rights in the State party. The Committee expresses its appreciation for the constructive dialogue held with the high level and multi-disciplinary delegation of the State party.

II. Follow-up measures taken and progress achieved by the State party

3. The Committee welcomes the various legislative, institutional and policy measures taken by the State party to implement the Convention, including the ratification of the Optional Protocol to the Convention on the Rights of the Child on a communication procedure in 2022; the adoption of 2017 and 2020 amendments of the Law on Fundamentals of Protection of the Rights of the Child, establishing the prohibition of all forms of violence against children, including corporal punishment in all settings; the establishment of the Interinstitutional Child Welfare Council under the Government of the Republic of Lithuania in 2018; the adoption of the Action Plan for Child Welfare 2022-2026; the Action Plan for the Prevention of Domestic Violence and Provision of Assistance to Victims for 2022-2023 and the National Action Plan on the implementation of the Child Guarantee System 2023-2030.

III. Main areas of concern and recommendations

4. The Committee reminds the State party of the indivisibility and interdependence of all the rights enshrined in the Convention and emphasizes the importance of all the recommendations contained in the present concluding observations. The Committee would like to draw the State party's attention to the recommendations concerning the following areas, in respect of which urgent measures must be taken: legislation (para.7), comprehensive strategy and policy (para. 10), allocation of resources (para. 12), corporal punishment (para. 28) and asylum-seeking, refugee and migrant children (para. 44).

* Adopted by the Committee at its ninety-fifth session (15 January – 2 February 2024).

5. **The Committee recommends that the State party ensure the realization of children's rights in accordance with the Convention and the Optional Protocol on the involvement of children in armed conflict and the Optional Protocol on the sale of children, child prostitution and child pornography throughout the process of implementing the 2030 Agenda for Sustainable Development. It urges the State party to ensure the meaningful participation of children in the design and implementation of policies and programmes aimed at achieving all 17 Sustainable Development Goals as far as they concern children.**

A. General measures of implementation (arts. 4, 42 and 44 (6))

Legislation

6. The Committee notes with satisfaction the adoption of the revised Law on Fundamentals of Protection of the Rights of the Child, which includes the principles of non-discrimination, the recognition of children as right-holders, the best interests of the child and the respect for the views of children. The Committee, however, remains concerned about the lack of concrete measures to enforce the legislation, in particular for children in marginalized and disadvantaged situations.

7. **The Committee recommends that the State party ensure that enforcement measures are adopted with sufficient human, technical and financial resources to:**

(a) **Guarantee that the best interests of the child are integrated as a primary consideration and consistently interpreted and applied into all legislative administrative and judicial proceedings and decisions;**

(b) **Make sure that the views of children in all settings on all matters affecting them are duly collected and taken into consideration in all legislative, administrative and judicial proceedings and decisions.**

Coordination

8. **The Committee recommends that the State party:**

(a) **Strengthen the role of the Ministry of Social Security and Labour established by the Law on Fundamentals of Protection of the Rights of the Child to coordinate the strategy and child protection system at all levels of the government;**

(b) **Continue to increase the allocation of human, technical and financial resources to the State Child Rights Protection and Adoption Service, notably by fulfilling the over 700 positions approved.**

Comprehensive policy and strategy

9. The Committee takes note of the approval of the Action Plan for Child Welfare 2022-2026 based on the evaluation of the precedent Action Plan for Child Welfare (2019-2021). However, the Committee regrets that the State party has not taken steps towards the development of a comprehensive policy or strategy covering all issues related to the implementation of children's rights.

10. **In line with its previous recommendation, the Committee recommends that the State party:**

(a) **Take measures to formulate a comprehensive policy and strategy on children's rights that would guide the development of programmes and projects that are needed and establish systems to monitor and evaluate them;**

(b) **Provide the relevant bodies with the necessary human, technical and financial resources and clearly indicate their roles and responsibilities at the national, municipal and local levels.**

Allocation of resources

11. The Committee notes that the State party budget allocation for child protection has increased. However, it is concerned about the lack of a system for the identification of budget allocation to and expenditure on children by specific ministries.

12. **Recalling its general comment No. 19 (2016) on public budgeting for the realization of children's rights the Committee recalls its previous recommendation and recommends that the State party:**

(a) **Conduct a comprehensive assessment of the budget needs of children and allocate with transparency adequate budgetary resources, in accordance with article 4 of the Convention, in particular, increase the budget allocated to social sectors and address disparities on the basis of indicators related to children's rights;**

(b) **Utilize a child-right-based approach in the elaboration of the State budget, by implementing a tracking system for the allocation, the use of resources for children throughout the budget and for assessing the impact of investments on the fulfilment of their rights;**

(c) **Ensure transparent and participatory budgeting through public dialogue, especially with children and for proper accountability of municipal authorities;**

(d) **Define budgetary lines for all children, with special attention to those in disadvantaged or vulnerable situations that may require affirmative social measures, and make sure that those budgetary lines are protected even in situations of economic crisis, natural disasters or other emergencies.**

Data collection

13. **Recalling its general comment No. 5 (2003) on general measures of implementation and while noting that State party has updated its list of indicators of statistical information on children, based on sectorial data collection systems, the Committee recommends that the State party:**

(a) **Expediently strengthen its data collection system to ensure that data collected on children's rights covers all areas of the Convention and the Optional Protocols thereto, with data disaggregated by age, sex, disability, geographical location, ethnic and national origin and socioeconomic background and migration status;**

(b) **Ensure that statistical data and indicators on children's rights are shared among the ministries concerned for the formulation, monitoring and evaluation of policies, programmes and projects for the effective implementation of the Convention;**

(c) **Ensure that statistical data and indicators on children's rights are made accessible to the public, including access to the Social Services Information System.**

Access to justice and remedies

14. **The Committee recommends that the State party:**

(a) **Ensure that all children have access to confidential, child-friendly and independent complaints mechanisms in schools, alternative care settings, foster care systems, mental health settings and in detention for reporting all forms of violence, abuse, discrimination and other violations of their rights;**

(b) **Raise awareness among children of their right to file a complaint under existing mechanisms;**

(c) **Provide social and legal support for all children, including the ones living in disadvantaged situations, to access these mechanisms.**

Independent monitoring

15. **The Committee recalls its previous concluding observations and recommends that the State party provide the Office of the Ombudsperson for Children's Rights with the adequate human, technical and financial resources to meet the needs for the Office**

to fully implement its mandate, including by expeditiously completing the hiring of the positions still vacant.

Dissemination, awareness-raising and training

16. The Committee recommends that the State party:

(a) Strengthen its awareness-raising programmes, including campaigns, in cooperation with civil society organizations, to ensure that the Convention and the Optional Protocols thereto are widely known by the general public, including parents and children themselves;

(b) Ensure the continuity of its existing training programmes on the rights of the child under the Convention and national law, and ensure they are mandatory for all professionals working with and for children;

(c) Promote the active involvement of children in public outreach activities, including in measures targeting parents, social workers, teachers and law enforcement officials, and encourage the media to ensure sensitivity to children's rights and the inclusion of children in the development of those programmes;

(d) Raise awareness of the Optional Protocol to the Convention on a communications procedure and provide capacity-building activities aimed at training relevant actors, including lawyers, civil society organisations, children and children human rights defenders, on the Optional Protocol.

Cooperation with civil society

17. While noting the information provided by the State party on the legal basis for activities by and funding of non-governmental organisations as well as their participation in inter-institutional entities, such as the Interinstitutional Child Welfare Council under the Government of the Republic of Lithuania, the Committee recommends that the State party take concrete steps to review the existing legal and institutional framework to ensure that civil society operates independently in the field of the rights of the child.

International cooperation

18. While the Committee welcomes the engagement of the State party under the European Economic Area Financial Mechanism's Programme "and taking note of target 17.2 of the Sustainable Development Goals, the Committee encourages the State party to meet the internationally agreed target of 0.7 per cent of its gross national income (GNI) allocated for official development assistance and to prioritise children's rights in its international cooperation agreements.

Children's rights and the business sector

19. Recalling its general comment No. 16 (2013) on State obligations regarding the impact of the business sector on children's rights and to the Guiding Principles on Business and Human Rights, endorsed by the Human Rights Council in 2011, the Committee recommends that the State party establish and implement regulations to ensure that the business sector complies with international and national human rights, labour, environment, and other standards, particularly with regard to children's rights. In particular, the Committee recommends that the State party:

(a) Establish a clear regulatory framework for the businesses operating in or managed from the State party to ensure that their activities do not negatively affect human rights or endanger environmental, health, labour and other standards, especially those relating to children's rights;

(b) Ensure effective implementation by companies, especially industrial companies, of international and national environment and health standards, effective monitoring of implementation of these standards and appropriately sanctioning and

providing remedies when violations occur, as well as ensure that appropriate international certification is sought;

(c) Require companies to undertake assessments, consultations, and full public disclosure of the environmental, health-related and children's rights impacts of their business activities and their plans to address such impacts;

(d) Require companies to undertake due diligence in their operations and across supply chain regarding harmful effects of environmental degradation on children's rights.

B. General principles (arts. 2–3, 6 and 12)

Non-discrimination

20. Taking note of the removal of the concepts of “social risk family”, “social risk child” and “social risk persons” from the legislation to protect children from discrimination and stigmatization, the Committee recommends that the State Party:

(a) Strengthen its awareness-raising activities, notably by conducting media campaigns to change social norms and behaviours that contribute to discrimination;

(b) Raise public awareness regarding the prohibition of discrimination, and promote tolerance and respect for diversity;

(c) Enforce its anti-discrimination legislation, with particular attention to children in disadvantaged situations.

Best interests of the child

21. Taking note that the Article 4 (1) of the Law on Fundamentals of Protection of the Rights of the Child recognizes the best interests of the child and recalling its general comment No. 14 (2013) on the right of the child to have his or her best interests taken as a primary consideration, the Committee recommends that the State party ensure that the right of the child to have his or her best interests taken as a primary consideration is appropriately integrated and consistently interpreted and applied as a children's right in all legislative, administrative and judicial proceedings and decisions as well as in all policies, programmes and projects that are relevant to, and have an impact on, children. The Committee also encourages the State party to ensure procedural guarantees in the assessment of the best interests of the child across the whole territory.

Respect for the views of the child

22. Recalling its general comment No. 12 (2009) on the right of the child to be heard and its previous concluding observations, the Committee recommends that the State party:

(a) Take measures to ensure the effective implementation of legislation, in particular article 11 of the Law on Fundamentals of Protection of the Rights of the Child, to ensure respect for children's views in all settings on all matters affecting them, including in the Interinstitutional Child Welfare Council under the Government of the Republic of Lithuania;

(b) Continue to conduct research to identify the issues that are most important to children, to hear their views on those issues, to find out how well their voices are heard in family decisions affecting their lives and the channels through which they currently and potentially have the most influence on national and local decision-making;

(c) Conduct programmes and awareness-raising activities to promote the meaningful and empowered participation of all children in decision-making in all matters related to children, with particular attention to girls and children in vulnerable situations, within the family, community and schools, including on formal and informal

education, notably by strengthening the Lithuanian Pupil's Parliament and the Lithuanian National Union of Pupils.

C. Civil rights and freedoms (arts. 7–8 and 13–17)

Nationality

23. Taking note of target 16.9 of the Sustainable Development Goals and while welcoming the amendments to the Citizenship Law, the Committee urges the State party to take the necessary steps to introduce legislative provisions to provide for the automatic granting of Lithuanian citizenship at birth to persons born on the territory who would otherwise be stateless.

Preservation of identity

24. Noting with appreciation the decrease in the number of cases of anonymous child abandonment in “safe haven baby box” during the reporting period, the Committee recommends that the State party continue to seek policies to guarantee children access to their identity and that information about the biological origins of such children are preserved and address the root causes of the child abandonment with a view to eliminating the use of baby boxes.

Right to privacy

25. Recalling its general comment No. 25 (2021) on children's rights in relation to the digital environment, the Committee recommends that the State party:

(a) Ensure the implementation of the European Union regulation No.2016/679, the law on legal protection of personal data and adopt regulations for media to protect children's privacy and safety in the digital environment;

(b) Enhance awareness raising activities, such as the “Safer Internet project”.

Access to appropriate information

26. Recalling its general comment No. 25 (2021) on children's rights in relation to the digital environment and taking into account the actions taken by the Communications Regulatory Authority to protect children from accessing inappropriate content in a digital environment, the Committee recommends that the State party enhance the digital literacy and skills of children, teachers and families, and protect children from information and material harmful to their well-being, including the strengthening of the use of filtering tools.

D. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)

Corporal punishment

27. While welcoming the amendment in the Law on Fundamentals of Protection of the Rights of the Child prohibiting all forms of violence against children, including corporal punishment, and the efforts already deployed to address the practice of corporal punishment, the Committee remains concerned by the persistence of attitudinal acceptance of this practice within the families and communities.

28. Recalling its general comment No. 8 (2006) on corporal punishment, the Committee recommends that the State party:

(a) Take all the necessary steps for the effective implementation of the prohibition of corporal punishment in all settings, including in the home and alternative care institutions, as provided by the amended Law on Fundamentals of Protection on the Rights of the Child, notably by ensuring adequate human, technical and financial resources to this end;

(b) Strengthen awareness-raising campaigns about the harmful impact of violence on the physical and psychological wellbeing of the child for parents and professionals working with and for children and expand activities to promote positive, non-violent and participatory forms of child-rearing and parenting program.

Abuse and neglect

29. In the light of its general comment No. 13 (2011) on the right of the child to freedom from all forms of violence and taking into account the amended Law on Protection against Domestic Violence, that introduces an urgent protection order against violence, the improvement of the register of incidents and a risk assessment system, the Committee recommends that the State party:

(a) Adopt measures for the effective implementation of the amended Law on Protection against Domestic Violence and establish a national database on all cases of domestic violence against children;

(b) Strengthen coordinated assistance to both children and their mothers in the context of domestic violence, notably by strengthening the child protection infrastructure at the local level and raising awareness among the professionals of the Specialized Assistance Centres about child protection.

Sexual exploitation and abuse

30. Taking note of targets 5.2, 16.1 and 16.2 of the Sustainable Development Goals, the Committee recommends that the State party:

(a) Ensure that all cases of the abuse of children, including sexual abuse, are promptly reported and investigated, applying a child-friendly and multisectoral approach with the aim of avoiding the revictimization of the child and provide the appropriate therapeutic support;

(b) Avoid repetitive interviews of child victims of abuse and ensure that they are carried out by trained interviewers in child friendly facilities;

(c) Consider as a standard procedure the acceptance of audio-visual recordings of the child's testimony as evidence followed by cross-examination without delay in child friendly facilities;

(d) Ensure that perpetrators are prosecuted and duly sanctioned and that reparations are provided to victims, as appropriate;

(e) Allocate adequate human, technical and financial resources for the strengthening and expansion of the Lithuanian barnahus;

(f) Implement the measures necessary to enhance awareness of child sexual abuse and exploitation among both the members of public and professionals working with and for children;

(g) Respond to all manifestations of child online sexual exploitation and abuse, including by strengthening the professional capacity and software tools to detect and investigate such abuse, promoting training for parents and teachers about risks online and the risks associated with sexting;

(h) Ensure and promote accessible, confidential, child-friendly and effective channels, such as the Clean Internet, for reporting all forms of online child sexual abuse images and encourage children to make use thereof.

Harmful practices

31. While noting that although the minimum age for marriage is 18, marriage under 18 years of age is still occurring according to official statistics, the Committee urges the State party to:

(a) Amend the Civil Code by removing all exceptions allowing marriage below the age of 18 years, notably articles 3.14 2) and 3), 3.42 1) and 3.38 d);

(b) Adopt measures to prevent marriage under 18 years old, including awareness raising campaigns.

Helplines

32. The Committee recommends that the State party:

(a) Maintain and strengthen the Child Rights Line, as a single, three-digit, toll-free, child-friendly national helpline, operating 24 hours per day, 7 days per week;

(b) Ensure capacity-building training for helpline personnel on the provision of child-sensitive and child-friendly assistance and procedures for following up on complaints;

(c) Promote awareness among children of how they can gain access to the helpline and ensure that the complaints procedure to the Child Rights Protection and Adoption Service and the Police is known, accessible and responsive to children, notably by the effective implementation of the rules for examining requests and complaints.

Optional Protocol on children on the sale of children, child prostitution and child pornography

33. Recalling its 2019 guidelines on the implementation of the Optional Protocol, and its previous concluding observations on the report of the State party submitted under article 12 (1) of the Optional Protocol, the Committee urges the State party to:

(a) Define and criminalize explicitly all the acts under article 3 (1) (c) of the Optional Protocol in the Criminal Code, including the production, distribution, dissemination, import, export, offer, sale or possession of child pornography, the disposal of pornographic materials; online child sexual exploitation and the sale of children for the purpose of transfer of organs of the child for profit;

(b) Adopt the draft Law regarding the extension of statute of limitation of offences covered by the Optional Protocol;

(c) Ensure that all child victims of offences under the Optional Protocol below the age of 18 years are not subject to any sanctions, including fines, and provided with the protection of their rights in conformity with article 8 (1) of the Optional Protocol;

(d) Carry out training of law enforcement officials, lawyers, prosecutors and the judiciary on the Optional Protocol, in particular on how to treat child victims of offences under the Optional Protocol as victims and not offenders in a child sensitive manner to avoid secondary victimization;

(e) Ensure that reported violations under the Optional Protocol are expeditiously investigated and that perpetrators are prosecuted and punished with appropriate sanctions, commensurate with the gravity of their crimes;

(f) Develop and strengthen awareness-raising programmes for children on risks related to the use of self-generated content through digital media and information and communications technologies.

E. Family environment and alternative care (arts. 5, 9–11, 18 (1)–(2), 20–21, 25 and 27 (4))

Children deprived of a family environment

34. Drawing the State party's attention to the Guidelines for the Alternative Care of Children, the Committee recommends that the State party:

(a) Ensure the effective implementation of the amended Law on Fundamentals of Protection of the Rights of the Child and of the National Action Plan for the implementation of the Child Guarantee in 2023-2030 to ensure that the separation of a child from the family is a measure of a last resort;

(b) Guarantee adequate safeguards and clear criteria, based on the best interests of the child, for determining whether a child should be placed in alternative care;

(c) Ensure sufficient alternative family-based and community-based care options for children who cannot stay with their families, including by speeding up the development of professional foster care model throughout the country;

(d) Establish quality standards for all alternative care settings, by ensuring independent monitoring of alternative care settings in a regular and systematic manner including assessments the of children's situation and remedy of maltreatment of children;

(e) Strengthen the capacity of professionals working with families and children, in particular family judges, law enforcement personnel, social workers and service providers, to ensure family-based alternative care responses and to enhance their awareness of the rights and needs of children deprived of a family environment;

(f) Ensure effective monitoring and supervision of measures to restore and maintain family ties and facilitate the reunification of children with their families when possible and their effective social reintegration.

F. Children with disabilities (art. 23)

35. Recalling its general comment No. 9 (2006) on the rights of children with disabilities, the Committee recommends that the State party adopt a human rights-based approach to disability to:

(a) Harmonize national legislation, policies and practices with the human rights model of disability;

(b) Strengthen the collection of data on children with disabilities and develop an efficient and harmonized system for early detection and assessment of disability;

(c) Take immediate measures to ensure access of children with disabilities to inclusive health care, social protection, and support services;

(d) Strengthen awareness-raising campaigns aimed at government officials, the public and families to combat the stigmatization of children with disabilities;

(e) Ensure prompt and effective measures to investigate all allegations of abuse and ill-treatment of children with intellectual and psycho-social disabilities, to prosecute and punish the perpetrators and to provide assistance for the recovery and rehabilitation of victims.

G. Health (arts. 6, 24 and 33)

Health and health services

36. Recalling its general comment No. 15 (2013) on the right of the child to the enjoyment of the highest attainable standard of health, the Committee recommends that the State party:

(a) Assess the impact of the health strategy for the period 2014-2025 and ensure the allocation of adequate human, technical and financial resources to maternal and child health programmes;

(b) Ensure the effective implementation of the Law on Nursing Practice and Midwifery Practice to ensure adequate maternal care to women who choose to give birth at home, including access to emergency obstetric and post-partum care;

(c) Strengthen the efforts to increase the number of specialized paediatricians and ensure direct access to paediatricians by removing the requirement of a referral from family doctors, in particular in primary care for children;

(d) Adopt measures of awareness raising of children, parents and legal representatives about children's right to health, including the right to participate in decision-making independently when appropriate, with the guarantee of the child's right to privacy;

(e) Develop policies and mechanisms to protect children from excessive screen use and online bullying including the promotion of public information and the dissemination of the guidelines developed by the Ministry of Health to support parents in addressing these issues.

Mental health

37. Taking note of target 3.4 of the Sustainable Development Goals, the Committee recommends that the State party:

(a) Adopt a comprehensive legislation and policy strategy on mental health, including suicide prevention;

(b) Strengthen the network of Mental Health Centres with adequate technical, financial, and human resources to ensure the availability of psychological and psychiatric services to all children;

(c) Maintain and expand the measures taken to prevent suicides, such as awareness-raising on healthy lifestyle, mental health training for school professionals, or the suicide prevention program at school;

(d) Develop and enact a strategy to address the short-term and long-term harm on children caused by living with alcoholic parents or family members;

(e) Adopt specific measures and procedures to ensure the identification of early signs of mental health issues.

Adolescent health

38. Recalling its general comment No. 4 (2003) on adolescent health and general comment No. 20 (2016) on the implementation of the rights of the child during adolescence, and taking note of targets 3.5, 3.7 and 5.6 of the Sustainable Development Goals, the Committee recommends that the State party:

(a) Ensure mandatory sexual and reproductive health education for adolescents with special attention on preventing early pregnancy and sexually transmitted infections;

(b) Ensure that all children, including those who are out of school and those in rural areas, receive confidential and child-friendly sexual and reproductive health information and services, including easy access to contraceptives, notably by removing any obstacles such as the referral requirement and the need for prescription;

(c) Decriminalize abortion in all circumstances and ensure, in law and in practice, access to safe abortion and post-abortion care services for adolescents, making sure that their views are always heard and given due consideration as a part of the decision-making process;

(d) Develop and implement a policy to protect the rights of pregnant teenagers, adolescent mothers and their children and combat discrimination against them;

(e) Take measures to raise awareness of and foster responsible parenthood with particular attention to boys;

(f) Strengthen the awareness raising campaigns, notably those carried out by the Department of Drug, Tobacco and Alcohol Control as well as the Early Intervention Program to prevent and address the incidence of drug use by children and adolescents by, *inter alia*, providing children and adolescents with accurate and objective information and life skills education on preventing substance abuse, including tobacco and alcohol;

(g) Develop specialized and child-friendly drug-dependence treatment for children and young people, by strengthening the training of specialists at the Centres for Addictive Disorders, including the Children and Youth Rehabilitation Unit at the Vilnius Centre for Addictive Disorder;

(h) Ensure the effective establishment of psychological and social rehabilitation for children with addictions.

H. Standard of living (arts. 18 (3), 26 and 27 (1) – (3))

Standard of living

39. Taking note of targets 1.1, 1.2 and 1.3 of the Sustainable Development Goals, the Committee recommends that the State party:

(a) Ensure the participation of families, children and children's rights civil society organizations in the implementation of the National Action Plan for the Implementation of the Child Guarantee System in 2023-2030;

(b) Maintain the universal child benefit and adopt specific measures to address the socioeconomic situation of children in the most marginalized and disadvantaged situations, such as Roma children and children of migrant workers, including migrant workers in an irregular situation;

(c) Maintain measures taken to mitigate the socioeconomic impact of the coronavirus (COVID-19) pandemic, in line with the 2021-2022 Action Plan for Reducing the Long-term Negative Consequences of the COVID-19 Pandemic on Individual and Public Mental Health and ensure that children and their families living in poverty receive adequate financial support and free, accessible services without discrimination.

I. Children's rights and the environment (arts. 2-3, 6, 12-13, 15, 17, 19, 24, 26-31)

Impact of climate change on the rights of the child

40. Recalling its general comment No. 26 (2023) on children's rights and the environment with a special focus on climate change and targets 13.2 and 13.3 of the Sustainable Development Goals, the Committee recommends that the State party:

(a) Take the necessary steps to ensure that the European Union Nationally Determined Contributions, and the related National Energy and Climate Plan 2021-2030 are participatory and child rights-based, in their implementation;

(b) Ensure that child rights impact assessments are conducted to inform the process of development and implementation of policies and programmes to address climate change and disaster risk management and that children are properly consulted in both the assessment and policy development;

(c) Collect disaggregated data identifying the types of risks faced by children in the occurrence of a variety of disasters in order to formulate national, regional and international policies, frameworks and agreements;

(d) Increase children's awareness and preparedness for climate change and natural disasters by incorporating it into the school curriculum and teachers' training programmes.

J. Education, leisure and cultural activities (arts. 28–31)

Education, including vocational training and guidance

41. Taking note of targets 4.1, 4.4, 4.5, 4.6, 4.a, and 4.c of the Sustainable Development Goals and while welcoming the amendments to the Law on Education and Educational Development Program for 2021-2030, the Committee recommends that the State party:

(a) Ensure that all children, including children belonging to minority groups, children living in rural areas, children in an irregular situation and asylum-seeking children, complete free, and quality primary and secondary education leading to relevant and effective learning outcomes;

(b) Ensure the findings of the study on “Situation of persons of Roma nationality in 2020” are regularly updated with the participation of Roma communities and Roma children, with a view to identifying measures necessary to ensure the right of Roma children to education;

(c) Improve the quality of education, by reducing the achievement gap between children in rural and urban municipalities, extending the “Millennium Schools” program to all municipalities, improving the teacher training system, increasing the number of teachers, ensuring the availability of modern teaching and learning tools;

(d) Adopt measures to increase children’s participation in non-formal education activities, including by maintaining adequate public fundings and by evenly extending the network of non-formal education throughout the territory, in urban and rural municipalities;

(e) Adopt measures for the effective implementation of the amended Law on Education with regard to inclusive education, in particular by increasing the number of education support specialists, providing training for all teachers on inclusive education and special education needs;

(f) Continue to strengthen measures to combat violence in schools, in particular bullying, and ensure that such measures encompass prevention, early detection mechanisms, the empowerment of children and professionals, intervention protocols, awareness-raising on its physical and psychological harmful effects and provide training for teachers on preventing and responding to violence in schools.

Rest, play, leisure, recreation and cultural and artistic activities

42. Recalling its general comment No 17 (2013) on the right of the child to rest, leisure, play, recreational activities, cultural life and the arts, the Committee recommends that the State party:

(a) Strengthen its efforts to guarantee the right of the child to rest and leisure and to engage in play and recreational activities appropriate to the age of the child, including by adopting and implementing play and leisure policies with sufficient and sustainable resources;

(b) Fully involve children in planning, designing and monitoring the implementation of play policies and activities relevant to play and leisure, at the local, community and national levels;

(c) Develop inclusive parks and playgrounds, and ensure access to landscaped green areas and open spaces.

K. Special protection measures (arts. 22, 30, 32–33, 35–36, 37 (b)–(d) and 38–40)

Asylum-seeking, refugee and migrant children

43. The Committee is concerned about:

- (a) The detention of asylum seekers under 18 years old authorized by the legislation and reported in practice;
- (b) The reported pushback operations at the border against asylum-seekers and migrants, including children;
- (c) The lack of access of asylum-seeking, refugee and migrant children to the child protection system;
- (d) The lack of appropriate age determination procedures;
- (e) The need for unaccompanied or separated children to be granted full benefits from the child protection system.

44. **Recalling the joint general comments No. 3 and No. 4 of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families/No. 22 and No. 23 of the Committee on the Rights of the Child (2017) on the human rights of children in the context of international migration, the Committee urges the State party to:**

- (a) **End the detention of asylum-seeking and migrant children in all circumstances, including the detention at the border, by reviewing the Law on the Legal Status of Foreigners accordingly and ensure alternatives to detention with the timely provision of safe and dignified accommodation;**
- (b) **Cease the practice of pushback operations at the border and ensure that children have access to information on asylum procedures and to legal aid, and have the right to apply for asylum and be assessed on an individual base, without discrimination;**
- (c) **Ensure that age assessment procedures are undertaken only in cases of serious doubt about the age of the person concerned and are subject to the informed consent of the child;**
- (d) **Develop a child-sensitive, multidisciplinary procedure, conducted by professionals relevant to the child's maturity and developmental level, ensuring that children have access to legal counsel throughout the process and, if necessary, can challenge the outcome of such assessments;**
- (e) **Continuously improve the qualification of all professionals involved in the asylum and migration system, including the officers of the State Border Guard Service in order to ensure that the reception process of unaccompanied minors meets international standards;**
- (f) **Maintain full benefits from the child protection system provided by the State Child Rights Protection and Adoption Service for unaccompanied or separated children, including individual assessments of their best interest;**
- (g) **Take all appropriate measures to prevent negative attitudes and intolerance towards asylum-seeking and refugee children and combat the dissemination of negative stereotypes by the media and facilitate their integration into society;**
- (h) **Continue to ensure the specific measures implemented regarding children from Ukraine, in particular those unaccompanied or separated, are in conformity with the Convention and provide full benefits from the child protection system.**

Administration of child justice

45. **The Committee recommend that the State party conduct an in depth assessment of its child justice system in the light of the general comment No. 24 (2019) on children's**

rights in the justice system with a view to bringing it fully in compliance with the Convention and other relevant standards and in particular:

(a) Promote non-judicial measures, such as diversion, mediation and psycho-social support, for children alleged as, accused of or recognized as having infringed criminal law and, wherever possible, the use of non-custodial sentences for children, such as probation or community service;

(b) Continue the efforts in view of ending the placement of children in socialisation centres and apply measures in line with international standards.

Optional Protocol on the involvement of children in armed conflict

46. Recalling its previous concluding observations on the report of the State party submitted under article 8 of the Optional Protocol, the Committee urges the State party to:

(a) Establish mechanisms for the early identification of refugee, asylum-seeking and migrant children who may have been recruited or used in hostilities abroad and to provide them with immediate culturally sensitive, child-centred and multidisciplinary assistance for their physical and psychological recovery, rehabilitation and their social reintegration;

(b) Develop systematic awareness-raising, education, and training programmes on the provisions of the Optional Protocol addressing all relevant groups working with children, in particular professionals working with asylum-seeking, refugee and migrant children entering the State party from countries affected by armed conflict.

L. Ratification of international human rights instruments

47. The Committee recommends that the State party, in order to further strengthen the fulfilment of children's rights, consider ratifying the following core human rights instrument to which it is not yet a party: the International Convention on the Protection of the Rights of All Migrant Workers and members of Their Families.

M. Cooperation with regional bodies

48. The Committee recommends that the State party continue to cooperate with the Council of Europe on the implementation of the Convention and other human rights instruments, both in the State party and in other Council of Europe member States.

IV. Implementation and reporting

A. Follow-up and dissemination

49. The Committee recommends that the State party take all appropriate measures to ensure that the recommendations contained in the present concluding observations are fully implemented and that a child-friendly version is disseminated to, and made widely accessible for, children, including those in the most disadvantaged situations. The Committee also recommends that the combined fifth and sixth periodic reports, the written replies to the list of issues and the present concluding observations be made widely available in the languages of the country.

B. National mechanism for reporting and follow-up

50. The Committee recommends that the State party establish a standing government structure and ensure that it has the mandate and the adequate human,

technical and financial resources to effectively coordinate and prepare reports to international and regional human rights mechanisms and to coordinate and track national follow-up to, and implementation of, treaty obligations and the recommendations and decisions emanating from such mechanisms. The Committee emphasizes that such a structure should be adequately and continuously supported by dedicated staff and should have the capacity to consult systematically with the Ombudsman for Child's Rights and civil society.

C. Next report

51. The Committee will establish and communicate the due date of the combined seventh and eighth periodic reports of the State party in due course, in line with the envisaged predictable reporting calendar based on an eight-year review cycle, and following the adoption of a list of issues and questions prior to reporting, if applicable, for the State party. The report should be in compliance with the Committee's harmonized treaty-specific reporting guidelines and should not exceed 21,200 words. In the event that a report exceeding the established word limit is submitted, the State party will be asked to shorten the report. If the State party is not in a position to review and resubmit the report, translation thereof for the purposes of consideration by the Committee cannot be guaranteed.
