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COUNCIL OF EUROPE
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Doc. 13170
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Lithuanian authorities retain Russian minors on their territory

Reply to Written question[1]: Written question No. 623 (Doc. 13091)
Committee of Ministers

1. When considering the question put by the distinguished parliamentarian, the Committee of Ministers was informed by the Lithuanian delegation that the Lithuanian authorities have taken all the necessary measures to protect the best interests of the children in question as their foster parents abandoned them when they left the country following suspicion of criminal activities. The Committee of Ministers notes that according to principles of international law and the Lithuanian Law on the Legal Status of Aliens, the confidentiality of the status granted to the children in the Republic of Lithuania needs to be respected.

2. Moreover, according to the information provided by the Lithuanian authorities, the latter are seeking information about the children's biological parents in their country of origin.

3. The Committee of Ministers underlines that it cannot substitute ongoing national investigations or authorities. It recalls that Lithuania is bound by Council of Europe conventions, such as the European Convention on Human Rights (ETS No. 5) and the European Convention on Recognition and Enforcement of Decisions concerning Custody of Children and on Restoration of Custody of Children (ETS No. 105), as well as by other international obligations, in particular the United Nations' Convention on the Rights of the Child. It notes that Article 3 paragraph 1 of the UN Convention provides that "in all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration".

4. The Committee of Ministers urges the Lithuanian and Russian authorities to closely co-operate on this important humanitarian issue.

1. Adopted at the 1168th meeting of the Ministers' Deputies (10 April 2013).