
Unedited versionDistr.: General
19 February 2026

Original: English

Committee on the Rights of the Child**Decision adopted by the Committee under the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, concerning communication No. 235/2023*^{*} ****

<i>Communication submitted by:</i>	S.R.H.P. (represented by counsel, Rytis Satkauskas)
<i>Alleged victims:</i>	S.R.H.P.
<i>State party:</i>	Lithuania
<i>Date of communication:</i>	30 August 2023
<i>Subject matter:</i>	Family reunification
<i>Articles of the Convention:</i>	3, 6 (2), 7 (1), 9 (1) and (3), 10 and 18 (1)

1. The authors of the communication are S.R.H.P., her partner C.O.C.G. and their children A.R.C.H and A.O.C.H., born in 2014 and 2016, respectively. All the members of the family are nationals of the Republic of Cuba. The authors alleged that the State party has violated their rights under articles 3, 6 (2), 7 (1), 9 (1) and (3), 10 and 18 (1) of the Convention as the national regulations in force did not permit implementation of family reunification as well as the decision refusing to take *ad hoc* steps for such reunification.

2. In 2021, the authors left their country of origin due to alleged persecution. On 15 March 2023, the Migration Department under the Ministry of Interior of the Republic of Lithuania granted the authors refugee status. The authors were also issued long-term EU residence permits. The authors' children A.R.C.H. and A.O.C.H continued to live in the Republic of Cuba. On 24 March 2023, the authors applied for family reunification with a request to issue a mediation letter in English to the Embassy of Hungary in Cuba for the issuance of a single-entry D visa, stating that the children were travelling for family reunification purposes and that they would be issued with a residence permit for the Republic of Lithuania on arrival, as well as to specify that the children will be accompanied by their grandmother, who is not seeking family reunification. On 21 April 2023, the State party refused to grant the request to the authors. On 11 May 2023, the authors appealed this decision before the Vilnius Regional Administrative Court. On 14 June 2023, the Vilnius Regional Administrative Court rejected the authors' appeal. They subsequently appealed this decision before the Supreme Administrative Court of Lithuania, which dismissed the appeal on 2 August 2023.

* Adopted by the Committee at its one-hundredth session (12-30 January 2026).

** The following members of the Committee participated in the consideration of the communication: Suzanne Aho, Thuwayba Al Barwani, Hynd Ayoubi Idrissi, Mary Beloff, Rosaria Correa, Timothy Ekesa, Bragi Gudbrandsson, Mariana Ianachevici, Philip Jaffe, Sopia Kiladze, Cephas Lumina, Benyam Dawit Mezmur, Aissatou Alassane Sidikou, Juliana Scerri Ferrante, Zeinebou Taleb Moussa, and Benoit Van Keirsbilck.

3. On 5 September 2023, the Committee, acting through its Working Group on Communications, registered the communication and requested the State party to submit observations on the authors' interim measures request.
 4. On 20 September 2023, the State party submitted its observations on the interim measures request. The Committee, acting through its Working Group on Communications, decided not to issue interim measures under article 6 of the Optional Protocol.
 5. On 5 March 2024, the State party submitted its observations on the admissibility and merits of the communication. On 6 March 2024, the AIRE Centre, the European Council on Refugees and Exiles and the Dutch Council for Refugees submitted their request to intervene in the communication. On 18 June 2024, the Committee, acting through its Working Group on Communications, decided under article 23 of the Rules of Procedure to authorize the third-party intervention. On 18 July 2024, the AIRE Centre, the European Council on Refugees and Exiles and the Dutch Council for Refugees submitted their observations on the communication. On 19 August 2024, the authors provided their comments on the State party's observations.
 6. On 15 January 2025, the State party submitted additional observations and observations of the third-party intervention. The State party informed the Committee that on 23 September 2023 the reunification of the author S.R.H.P. with her children had been achieved in Lithuania. On 11 September 2024, the Migration Department under the Ministry of Interior of the Republic of Lithuania granted asylum and long-term permits to A.R.C.H and A.O.C.H. On 16 May 2025, the authors submitted additional observations on the communication and informed the Committee that they disagreed with the Committee discontinuing its consideration of the communication.
 7. As its meeting on 30 January 2026, the Committee, taking into account that the reunification of the author S.R.H.P. with her children have been achieved, considered that the case had become moot and decided to discontinue its consideration of the communication No. 235/2023, in accordance with rule 26 of its rules of procedure under the Optional Protocol to the Convention on the Rights of the Child on a communications procedure.
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