



## International Covenant on Civil and Political Rights

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### Human Rights Committee

#### List of issues prior to submission of the fourth periodic report of Lithuania\*

##### A. General information on the national human rights situation, including new measures and developments relating to the implementation of the Covenant

1. Please provide information on measures taken to implement the recommendations contained in the Committee's previous concluding observations (CCPR/C/LTU/CO/3), including any relevant statistical data. Please indicate which procedures are in place for the implementation of the Committee's Views under the Optional Protocol and provide information on measures taken to ensure full compliance with each of the Views adopted in respect of the State party.

2. Please report on any other significant developments in the legal and institutional framework within which human rights are promoted and protected that have taken place since the adoption of the previous concluding observations, including examples of cases in which the provisions of the Covenant have been referred to by national courts.

##### B. Specific information on the implementation of articles 1-27 of the Covenant, including with regard to the previous recommendations of the Committee

###### Constitutional and legal framework within which the Covenant is implemented (art. 2)

3. In the light of the previous concluding observations (para. 5),<sup>1</sup> please indicate the measures taken to establish a consolidated national institution with broad competence in the field of human rights, in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).

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\* Adopted by the Committee at its 117th session (20 June-15 July 2016).

<sup>1</sup> Unless otherwise indicated, paragraph numbers in parentheses refer to the Committee's previous concluding observations.



4. Please provide information on the application of the provisions of the Covenant by domestic courts. Please provide information on training provided to, inter alia, judges and law enforcement officers with respect to the provisions of the Covenant and the concluding observations and Views of the Committee. With reference to the Committee's previous concluding observations (para. 16), please provide information on measures taken to widely disseminate the Covenant, the two Optional Protocols to the Covenant, the text of the third periodic report, the written responses provided by the State party in response to the list of issues drawn up by the Committee and the previous concluding observations, so as to increase awareness among the judicial, legislative and administrative authorities, civil society and non-governmental organizations operating in the country, as well as the general public.

**Non-discrimination, equal rights of men and women, incitement to national, racial or religious hatred, equality before the law and rights of persons belonging to minorities (arts. 2 (1), 3, 19, 20, 26 and 27)**

5. Please provide information on implementation of the Law on Protection against Domestic Violence, including on the allocation of resources to ensure its effective implementation. Please provide an update on whether a new plan on the implementation of the national strategy for combating violence against women has been adopted (para. 6). Please provide information on: the availability and number of shelters; the financial situation of those shelters, including information on the entities that finance and manage them; the type and quality of accommodation in the shelters; and the availability of legal aid to victims of domestic violence. Please provide statistics on the number of complaints, investigations and convictions in cases of domestic violence, including marital rape.

6. Please provide information on measures of protection for victims of sexual harassment, including relevant legislation, the number of complaints, investigations and convictions, as well as awareness-raising measures aimed at preventing sexual harassment and at publicizing ways to receive protection and redress.

7. Please provide an update on the implementation of the national Action Plan for Roma Integration into Lithuanian Society (2012-2014) and its effect in terms of improving the social and economic conditions of Roma (para. 7). Please indicate whether the Action Plan has been updated or the time frame for its implementation has been extended. Please provide statistics on complaints of violence and discrimination against the Roma community and on the number of investigations, prosecutions, convictions and other measures taken against the perpetrators of such acts.

8. Please provide an update on measures taken with the aim of preventing discrimination on the basis of sexual orientation (para. 8), including any legislative developments concerning same-sex partnerships. Please provide an update on the implementation of legislation concerning legal recognition of gender reassignment and the issuing of identity documents to transgender people, including on whether there have been any complaints from transgender people on its practical application. Please provide information on any court cases concerning the rights of lesbian, gay, bisexual, transgender and intersex people.

9. Please submit any recent statistics on complaints, investigations and measures against perpetrators, in particular in relation to the cases of incitement to hostility that have come before the Office of the Inspector of Journalists. Please provide an update, in line with the Committee's general comment No. 34 (2011) on the freedoms of opinion and expression, on efforts made to prevent the commission of crimes with racial, discriminatory or xenophobic motives, on bringing the perpetrators of such crimes to justice and on making effective remedies available to victims (para. 15). Please provide information on the steps taken to raise public awareness with a view to reducing the prevalence of hatred

and intolerance in the media, including through the Internet (para. 15). Please provide an update on the training programmes aimed at reducing the prevalence of hatred and intolerance, especially programmes targeting law enforcement agencies (para. 15).

10. Please provide statistical information on complaints about discrimination on the basis of gender, in particular concerning the right of men and women to equal pay for work of equal value and on the measures taken to address those complaints.

11. Please provide information on measures taken to guarantee access to employment, health care, accommodation and education, without discrimination on the basis of gender, race, ethnicity, religion, disability, HIV status or any other grounds. Please indicate the measures taken to investigate any allegations of discrimination and to punish perpetrators, as well as measures to prevent such discrimination in the future.

#### **Counter-terrorism measures and respect of Covenant guarantees**

12. Please provide an update on progress in the reopened investigation in the case of Mustafa Ahmed al-Hawasawi (case No. 01-2-00015-14) (para. 9).

#### **Prohibition of torture and cruel, inhuman or degrading treatment or punishment and humane treatment of persons deprived of their liberty (arts. 7 and 10)**

13. Please include information on complaints received from or on behalf of children concerning ill-treatment and on measures taken to investigate such complaints, punish the perpetrators and prevent such ill-treatment from reoccurring. Please provide an update on measures taken to prohibit the corporal punishment of children in schools, penal institutions and alternative care settings (para. 10).

14. Please provide information on the number of complaints about excessive use of force by prison and detention centre officers, whether there are complaint mechanisms available, whether the complaints procedure is prompt and whether it leads to appropriate sanctions. Please provide information about the investigations into such allegations, including the number of investigations undertaken.

15. Please provide information on measures taken to improve conditions of detention in prisons and detention centres for immigrants and asylum seekers, in particular any measures aimed at improving access to good quality food, hygiene facilities, natural light and adequate medical care. In addition, please include information concerning measures taken to include access by asylum seekers to social, psychological and rehabilitation services.

#### **Elimination of slavery and servitude (art. 8)**

16. Please provide up-to-date statistics on the number of allegations of trafficking in human beings, the number of recognized victims, the number of investigations and prosecutions and any convictions (para. 11). In particular, please provide information on the results of the investigation into the trafficking in children in special institutions. What measures, if any, have been taken to provide residence permits to victims of trafficking? What measures have been taken to train judges, prosecutors, police officers and other relevant State agents to identify cases of trafficking, undertake investigations and prosecute those responsible? Please provide an update on measures to prevent trafficking in human beings and to proactively identify the victims and provide assistance to them, including through financial assistance to non-governmental organizations and for the construction and operation of shelters.

**Right to liberty and security of persons (art. 9)**

17. Please provide information, including statistics, on alternatives to imprisonment, including probation, mediation, community service and suspended sentences, and on their application (para. 12).

18. Please provide statistics on cases in which bail and alternatives to pretrial detention have been granted, including as a proportion of the overall number of requests for bail. Please include information on the ratio of convicted persons to persons in pretrial detention (para. 12). Please provide information on the average time that individuals spend in pretrial detention.

19. Please provide statistics on the number of detained immigrants and asylum seekers and on the reasons for their detention. Please provide information on the conditions of their detention, including in relation to access to adequate space, light, water and sanitation, health care and adequate food. Please provide information on the maximum length of deprivation of liberty and on measures taken or envisaged to improve the judicial review of the detention of migrants and asylum seekers, including on whether the necessity of such detention is reviewed during the detention period. Please indicate what measures are in place to allow migrants or asylum seekers in detention to challenge any decision regarding their detention or to complain about ill-treatment while in detention. Please clarify what alternatives to detention exist for immigrants and asylum seekers and whether they are resorted to regularly.

**Right to a fair trial and recognition as a person before the law (arts. 14 and 16)**

20. Please provide information on measures taken to ensure free and effective legal representation for individuals deprived of their legal capacity in all proceedings related to decisions regarding their legal capacity, including legal representation related to any review of a decision related to an individual's legal capacity (para. 14).

**Right to protection of privacy, family, home and correspondence (art. 17)**

21. Please provide information on legislative and implementing measures taken to prevent the collection, without legal justification, of personal data by private companies and State authorities. Please also provide information on the number of complaints of unlawful collection of personal data and on progress in the investigation of such complaints by the respective authorities.

**Freedom of thought, conscience and religion (art. 18)**

22. Please provide information, in the light of the reintroduction of conscription in 2015, on the opportunities for alternative service for conscientious objectors. Please indicate the conditions necessary to qualify for alternative service, the duration that alternative service and the number of requests for an alternative service made since the reintroduction of conscription.

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