

**CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 19 OF THE CONVENTION**

Concluding observations of the Committee against Torture
(Extracts for follow-up of CAT/C/LTU/CO/3)

LITHUANIA

(...)

C. Principal subjects of concern and recommendations

(...)

Fundamental legal safeguards

10. The Committee is concerned that detained persons do not enjoy in practice all the fundamental legal safeguards against torture and ill-treatment that should be afforded from the very outset of deprivation of liberty, such as the right to be informed of and understand their rights, the right to have access to a lawyer, the right to an independent doctor and the right to inform a relative or person of their choice. (arts. 2, 12, 13 and 16)

The State party should take effective measures to guarantee that all detained persons are afforded, by law and in practice, all fundamental legal safeguards from the outset of deprivation of liberty, in particular the rights to be informed of and understand their rights, to prompt access to a lawyer and, if necessary, to legal aid; the right to notify a member of their family or another appropriate person of their own choice; and the right to have access to a medical examination by an independent doctor and, if possible, a doctor of their choice, in accordance with international standards. All health-related tasks in police stations should be performed by qualified medical personnel.

Pretrial and administrative detention

11. The Committee is concerned at the duration of and the high number of persons held in pretrial and administrative detention and that pretrial detention is not used as a measure of last resort. It is also concerned that remand prisoners may be returned from prison to police custody several times and that persons can be held in police arrest houses for long periods, serving consecutive penalties for administrative offences. In addition, it is concerned at the placement of minors in “socialization centres”, which amounts to administrative detention, and their placement in “relaxation rooms” for violations of discipline, which amounts to solitary confinement. (arts. 2, 10 and 16)

The State party should:

- (a) Adopt all necessary measures to reduce resort to pretrial detention and its duration, ensure that pretrial detainees are brought before a judge without delay, and eliminate detention for administrative offences;**
- (b) Review “socialization centres” where minors are held in de facto administrative detention and ensure effective monitoring of such institutions in order to prevent any breach of the Convention;**
- (c) Ensure that there is minimal detention on remand in police stations, even for a few days, and that persons remanded in custody are always promptly transferred to a remand centre;**
- (d) Take steps, including of a legislative nature, to ensure that prisoners are not returned to police detention facilities and that each case is subject to the approval of a prosecutor under judicial oversight;**
- (e) Provide training to law enforcement and judicial professionals on alternatives to incarceration, such as probation, mediation, community service and suspended sentences, taking into account the provisions of the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules).**

(...)

Conditions of detention in police arrest houses

19. The Committee is concerned that material conditions, such as hygiene, access to natural and artificial light, ventilation, the partitioning of sanitary facilities and clean mattresses and bedding, in police arrest houses, as well as the regimen offered to detained persons in terms of daily outdoor exercise in certain police facilities, are not in conformity with international standards. The Committee is also concerned that administrative detainees can be held in such cells for several months. It is particularly concerned at the conditions in the Vilnius City Police Headquarters Arrest House, especially with regard to a number of cells with no access to natural light or ventilation that are also used for lengthy administrative detention. (arts. 11, 13 and 16)

The State party should:

- (a) Continue to take steps to improve conditions in police detention facilities with regard to material conditions, including infrastructure, hygiene, access to natural and artificial light, ventilation, the partitioning of sanitary facilities, and clean mattresses and bedding, as well as with regard to the regimen of outdoor activities, in accordance with the Standard Minimum Rules for the Treatment of Prisoners;**
- (b) Ensure that the renovation of existing police detention facilities and the building of new ones continues according to schedule, and ensure**

that police arrest houses are properly equipped to hold administrative detainees;

(c) Comply with the Programme for the Optimization of the Operations of Police Detention Facilities 2009–2015 and with the hygiene norms entitled “Police detention facilities: general health safety requirements”.

(...)

29. The Committee requests the State party to provide, by 23 May 2015, follow-up information in response to the Committee’s recommendations relating to: (a) strengthening legal safeguards for persons deprived of their liberty; (b) pretrial and administrative detention; and (c) conditions of detention in police arrest houses, as contained in paragraphs 10, 11 and 19, respectively, of the present document.

(...)
