



## International Covenant on Civil and Political Rights

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### Human Rights Committee

103rd session

17 October – 4 November 2011

### List of issues to be taken up in connection with the consideration of the third periodic report of Lithuania (CCPR/C/LTU/3)

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

1. Please state whether the provisions of the Covenant have ever been invoked before domestic courts. If so, please provide information on all cases in which this was done.
2. Please indicate what procedures are in place for the implementation of the Committee's Views under the Optional Protocol.

#### Non-discrimination and equal rights of men and women (arts. 2, para. 1, 3 and 26)

3. Please indicate what measures are being taken to increase the number of women in decision-making positions in the private and public sectors.
4. Please provide information on measures taken to ensure that acts of domestic violence are effectively prohibited and laws enforced, so that perpetrators are prosecuted and sanctioned.
5. Please provide information on steps taken to combat persistent manifestations of anti-Semitism, such as the vandalism of Jewish statues, cemeteries, memorials and buildings, to investigate each incident, and prosecute those found responsible.
6. Please provide information on steps taken to combat discrimination and social exclusion of lesbian, gay, bisexual or transgender (LGBT) persons. Please also clarify what actions have been taken by the Seimas (Parliament) on the draft bill, aimed at amending the Administrative Code by imposing fines for the "promotion of homosexual relations", and please explain how such a Bill could be compatible with the Covenant.
7. Please provide information on steps taken to address patterns of discrimination against the Roma minority. Please also specify which steps have been taken to ensure that members of the Roma community have necessary identity cards, to prevent them from being considered stateless.

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

8. Please provide information on whether, following the closure of the Prosecutor General's investigation, a further independent and public inquiry will be conducted into state actors' alleged involvement in the establishment and potential operation of secret detention sites, as reported by the parliamentary inquiry released on 22 December 2009.

**Right to life (art.6)**

9. Please provide information on steps taken to help women prevent unwanted pregnancies and to ensure they do not resort to clandestine abortion. Please also provide information on the alleged use of forced abortions in institutions for persons with intellectual and psychosocial disabilities.

**Prohibition of torture and cruel, inhuman or degrading treatment or punishment, right to liberty and security of person, and treatment of persons deprived of their liberty (arts. 7, 9, 10, 12 and 13)**

10. Please clarify whether the crime of torture has been incorporated into domestic law, and whether it meets the definition in article 7 of the Covenant and article 1 of the Convention against Torture.

11. Please specify how many individuals are currently held in pretrial detention, as well as the average length of pretrial detention. Please also comment on information before the Committee on the use of illegally prolonged pretrial detention.

12. Please provide information on steps taken to prevent the excessive use of force and ill-treatment by law enforcement officials, as well as the number of complaints since 2007, the number of investigations carried out and the number of prosecutions and convictions. Please also respond to reports that evidence in investigations is sometimes obtained through the use of force and psychological pressure by law enforcement officials. What safeguards are in place to ensure that confessions obtained through such methods are not admitted as evidence in a trial?

13. Has a system been established for regular and independent monitoring of places of detention? Please report on the use of solitary confinement as a disciplinary method. Please indicate which steps are being taken to address the problem of overcrowding and inadequate detention conditions in correctional institutions, as well as in police detention centres. Please also provide information on cases of mistreatment of detainees that have been referred to the judicial authorities, in particular in relation to Lukiskes Prison, Pravienskės Corrections Home No.3 and the Kaunas Juvenile Remand Prison and Correction home.

14. Please specify whether juveniles are separated from adults as a matter of standard procedure.

15. Please provide information on what steps are being taken to ensure that the law explicitly prohibits all forms of corporal punishment of children in detention and all institutional settings, including schools.

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

16. Please provide information, on an annual basis since 2008, on the number of victims of the crime of trafficking in women and children for sexual and other exploitative purposes, as well as prosecutions and convictions of perpetrators. Please also provide information on how the human rights of victims of trafficking are protected.

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**Right to a fair trial (art. 14)**

17. Please clarify which measures have been taken to guarantee the right to legal assistance of one's own choosing, including free legal assistance for indigent defendants (also for persons with disabilities), and the right to communicate freely with counsel.

**Prohibition of arbitrary or unlawful interference with privacy, family, home or correspondence (art.17)**

18. Please provide information on how the constitutional prohibition of arbitrary interference in an individual's personal correspondence or private and family life is guaranteed in practice. Please comment on the significant rise in 2009 in investigations by the State Data Protection Inspectorate into allegations of arbitrary interference with privacy by Government officials and companies, and provide information on remedial action taken.

**Freedom of religion and belief (art. 18)**

19. Please clarify whether the criteria to register a religious group have been amended so that they do not distinguish between different religions, allowing for all religious groups to register as legal persons. Please also clarify how these criteria, if not amended, are compatible with the Covenant.

**Freedom of opinion and expression (art.19)**

20. Please provide information on the complaints examined by the Inspector of Journalist Ethics since 2006, and on action taken and proposals submitted to public authorities following the conclusion of the examinations. Please also explain how the complaints mechanism addresses standards of compliance with article 19 of the Covenant, as set out in general comment No. 34 (2011).

**Freedom of assembly and association (arts. 21 and 22)**

21. Please provide information on legislative restrictions placed upon the right of peaceful assembly, including criteria for prohibiting an assembly. Please also specify the reasons why, in March 2009, the Human Rights Monitoring Institute and the Center for Equality Advancement were refused a permit to hold a rally, while the Lithuanian National Center, which allegedly openly sympathized with neo-Nazi groups, were at the same time allowed to hold a march.

**Freedom of movement, marriage, family and measures for the protection of minors (arts. 7, 12, 23 and 24)**

22. Please provide information on measures in place for the protection of children who are deprived of their family environment. Is there a mechanism in place to ensure independent and regular monitoring of the orphanages and foster homes? Please provide information, since 2006, on prosecutorial action undertaken following investigations by the children's rights ombudsman into violations of children's rights in orphanages and foster homes. Please also provide information on how the human rights of victims of such crimes are protected.

23. Please provide information on the number of courts with specialized juvenile judges as well as steps taken to train judges and lawyers on juvenile justice related matters.

**Rights of persons belonging to minorities (art. 27)**

24. Please provide information on the implementation, so far, of and plans under the National Minorities Policy Development Strategy adopted in 2010 and covering the period up to 2015.

25. Please provide information missing in the State party report on the implementation of articles 11, 18, 20 and 21 of the Covenant, to the extent not addressed in the current list of issues.

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