



Lithuanian NPM model

THE SEIMAS OMBUDSMEN'S OFFICE OF THE REPUBLIC OF LITHUANIA

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The Seimas (Parliamentary) Ombudsmen

- ❑ The Office was established on 31 March, 1995
- ❑ Art. 3 of the Law of the Ombudsmen:

The purpose of activities of the Seimas Ombudsmen is to protect a person's right to good public administration securing human rights and freedoms, to supervise fulfilment by state authorities of their duty to properly serve people.

The Seimas ombudsmen also implement national torture prevention in places of deprivation of liberty under the Optional Protocol to the UN Convention against torture and other cruel, inhuman or degrading treatment or punishment.

Art. 19¹ of the Law of the Ombudsmen

1. The Seimas Ombudsmen institution is considered a **NPM**.
2. In order to prevent torture and other cruel, inhuman or degrading treatment or punishment, Ombudsmen **make regular visits** to places of detention.
3. The **place of deprivation of liberty** is a place under jurisdiction and control of the Republic of Lithuania where persons are or may be deprived of their liberty, either by virtue of an order given by a public authority or at its instigation or with its consent or acquiescence. **Such places are:**
 - 1) correctional institutions
 - 2) remand prisons
(non-exhaustive list of places).

Art. 19¹ of the Law of the Ombudsmen (2)

4. In carrying out the national torture prevention, the Ombudsman has the right to:
 - 1) regularly examine the treatment of persons deprived of their liberty in places of detention
 - 2) have access to all information concerning their treatment, conditions of detention, their number, the number of places and their location
 - 3) have access to all detention places and all of their premises, as well as their installations and facilities
 - 4) interview in private persons deprived of their liberty and any other who may supply relevant information
 - 5) choose which places to visit and persons to interview
 - 6) carry out visits with selected experts
 - 7) make recommendations to the relevant authorities to improve the treatment of persons deprived of their liberty and their detention conditions and to prevent torture, etc.
 - 8) submit proposals and observations concerning existing or draft legislation

Art. 19¹ of the Law of the Ombudsmen (3)

5. No government body or official may order, apply, permit or tolerate any sanction against person or organization for having communicated to the Ombudsmen any information linked to implementation of national prevention functions.

6. The competent authorities shall examine the Ombudsmen's recommendations, consult with the Ombudsmen on possible implementation measures and inform the Ombudsmen about implementation results.

7. The Ombudsmen liaise with the Subcommittee on prevention of torture and other cruel, inhuman or degrading treatment or punishment.

First steps

- Approached SPT, National authorities, other ombudsmen who are NPMs
- Made a list of places of detention
- Analysed SPT Guidelines on national preventive mechanisms and NPMs practice
- Approved a programme on implementation of new functions

Places of deprivation of liberty in Lithuania

Amount: ≈ 400

People: > 26 000

11 prison facilities (correction institutions, remand prisons and a prison)

25 police arrest houses

12 psychiatric institutions

1 centre for treatment of transmittable diseases

250 **plus** social care homes

39 border checkpoints with temporary detention cells, a Centre for foreigner registration and a Refugee reception centre

Successes

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- 32 monitoring visits (or thematic inspections)
 - Questionnaires for all types of institutions
 - Positive responses
 - Cooperation with SPT and NGOs

Challenges

- Psychologically demanding work
- Number and size of places
- Duration and regularity of visits
- Time-planning
- Diversity of fields
- Division of work and responsibilities
- Effective problem detection, evaluation and focus
- Cooperation with responsible authorities

Perspectives

- Turning challenges into opportunities
- Variety of visits
- Involving experts
- Cooperation with stakeholders
- International cooperation

Thank You!

The Seimas Ombudsmen's Office
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