Criminal Detention in the EU Conditions and Monitoring

National Standard

Country	Detention Issues	Key provision	Legal Instrument	NPM Recommendation	NPM Recommendation year	NPM report URL
Lithuania	Ill treatment	Lithuanian prison service officers must, in the institutions of deprivation of liberty, respect and protect the human dignity of the convicts; ensure and protect their human rights and freedoms; protect convicts from imminent danger to their health and/or life; upon receiving information about a criminal act or other violation of the law being prepared or committed, or witnessing it, must take immediate measures to prevent it and report it to the officials and/or institutions investigating such violations; perform other duties established by Lithuanian legislation. Guards/prison staff have the right to use coercion in certain situations: to protect themselves or to protect others from imminent danger to life or health; when the convict does not comply with the demands or instructions of the officers and several others. When there is no imminent danger to the life or health of the guards/prison staff or other persons, the use of physical coercion and special measures (except for handcuffs, means or tools for arresting, tying or restraining persons) is prohibited against persons with disabilities, persons with the right to inviolability; against pregnant women, against minors.	Law on the system of execution of punishments (Bausmių vykdymo sistemos įstatymas)	Recommendations: - To the Director of the Prison Department: to assess the possibility of adapting the Police School's programme on the use of violence to the needs of supervision of detainees and to provide officers with an electronic proficiency test, while taking into account the recommendations of the Office of the United Nations High Commissioner for Human Rights and the Office on Drugs and Crime on the use of force. To ensure training of health care workers in detention institutions on how to identify potential ill-treatment of detainees by officers, how to interview a person who may have been ill-treated, and how to record a medical examination, the statements of the examinee relevant to the medical examination and the conclusion on how much the person's statements correspond to the examination results. To ensure that in all detention institutions, the conclusion of an official investigation into the use of violence would assess whether the principle of proportionality enshrined in the TKDS was applied when using force (i.e. applied only to the extent necessary to perform the duty, adequately to the circumstances, and proportionate to the threat, with regard to the nature of the offence, intensity and individual characteristics of the offender), also that the account of the person, against whom violence was used, on the use of force or account of the circumstances of their injuries, is assessed. - To the Director of Lukiškės Remand Prison: to implement measures to ensure that the medical examination report of an injured person in all cases contains the person's statements on how they suffered the injury, and an assessment (as far as possible) of whether the statements correspond to the results of the medical examination. - To the Director of Prison Hospital: to implement measures to ensure that the medical examination report of an injured person in all cases contains the person's statements on how they suffered the injury, and an assessment (as far as possible) of whether the statements correspond to the results of the medical examination.	2018	https://www.lrski.lt/wp-content/uploads/2020/11/LukiskiuTIK_ir_LAVL_atask_NR_38_20180629-1.pdf

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http://fra.europa.eu/en/databases/criminal-detention/

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