30 January 2026

Information provided by the Republic of Lithuania to the Committee on Enforced Disappearances and the Working Group on Enforced or Involuntary Disappearances

1. *How do enforced disappearances occur in the context of transnational repression, and which individuals are most at risk?*

Forced disappearances in the context of cross-border repression are most at risk for representatives of the political opposition, human rights defenders, journalists and other civil society actors, as well as persons persecuted by authoritarian regimes and subject to migration, international transfer or extradition procedures. The vulnerability of these persons is exacerbated by the transnational nature of the crimes, which makes it difficult to identify the perpetrators, gather evidence and ensure an effective investigation, especially when the circumstances of the offence or the suspects fall under the jurisdiction of another state.

2. *Which national, regional, or international laws, practices, or (bilateral) agreements contribute to or prevent such acts?*

Criminal liability for the crime of enforced disappearance is established in Articles 1001, 1003, 1131 of the Criminal Code of the Republic of Lithuania (hereinafter referred to as the CC) and in the International Convention for the Protection of Persons from Enforced Disappearance of 6 February 2007 (hereinafter referred to as the ICPPED), which was ratified by the Republic of Lithuania on 23 April 2013.

- Article 100-1 of the Criminal Code of the Republic of Lithuania. Enforced disappearance

Anyone who, acting as a person authorized by the state or as a person or group of persons acting with the permission, support or approval of the state, detains, arrests, kidnaps a person or otherwise deprives him of his liberty and then refuses to acknowledge such detention, arrest, kidnapping or deprivation of liberty or conceals the fate or whereabouts of the missing person, shall be punished by imprisonment for a term of three to fifteen years.

- Article 100-2 of the Criminal Code of the Republic of Lithuania. Separation of a child

Anyone who unlawfully separates children, knowing that these children, their parents or guardians have been victims of the criminal acts provided for in Article 100-1 of this Code, shall be punished by imprisonment for a term of two to eight years.

- Article 100-3 of the Criminal Code of the Republic of Lithuania.

Anyone who, in pursuance of state policy or acting with the permission, instigation, support or approval of the state, in any way tortures or otherwise treats a person with extreme cruelty, thereby causing the victim severe physical or mental pain or great suffering, shall be punished by imprisonment for a term of one to seven years.

Article 1131 provides for the criminal liability of a commander for his actions when he has information about the intention of persons legally or actually subordinate to him to commit an enforced disappearance or knows about the already committed enforced disappearance of the aforementioned persons and intentionally fails to take all necessary and reasonable measures in his power to prevent criminal acts or to investigate these acts.

Under Lithuanian national law, enforced disappearance is considered a serious crime.

3. *Which mechanisms exist—or are lacking—to ensure investigation, prosecution, and mutual legal assistance in cases of transnational enforced disappearances?*

The main international legal basis is the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED), which provides for the obligation of States to investigate, prosecute or extradite suspects (aut dedere aut judicare), as well as to provide mutual legal assistance and cooperate in investigations (Articles 13-16). The Convention itself can be considered as a sufficient legal basis for international cooperation, including the setting up of joint investigation teams. There are additional provisions implemented into Criminal Code of the Republic of Lithuania (Article 7) that allow Lithuania to assert jurisdiction over transnational crimes regardless of where they were committed. Criminal Code of the Republic of Lithuania also exclude gravest international crimes (including enforced disappearance) from ordinary limitation periods.

One of the main obstacles is that transnational disappearances often involve evidence or witnesses in non-cooperative states and even with mutual legal assistance instruments, countries cannot compel evidence from those jurisdictions.

4. *Which measures should States adopt to ensure effective protection, truth, justice, and reparation for victims and their relatives?*

Measures should include immediate, independent and effective investigation, recognition of victims and their family members as victims, ensuring the right to information on the circumstances of the disappearance, the progress of the investigation and its outcome, as well as access to proceedings, safeguards against intimidation or persecution, and the right to compensation for material and non-material damage, including medical, psychological and social assistance.

5. *How can international organizations such as INTERPOL strengthen safeguards against misuse of their mechanisms?*

International organizations should ensure the effective application of the principle of non-refoulement, refusing or suspending notices and diffusions when there are substantial grounds to believe that their use could expose an individual to enforced disappearance or other serious human rights violations. Additional safeguards include enhancing transparency and oversight, guaranteeing accessible and effective review and complaints mechanisms, strengthening cooperation with UN human rights mechanisms, and providing regular training to national authorities on preventing the misuse of international police cooperation tools.

6. *Are there positive examples of domestic or international cooperation that have effectively prevented or addressed enforced disappearances in a transnational context?*

Positive example of international cooperation that addressed enforced disappearances in transnational context is related to criminal case which was initiated in May 2021, when a Ryanair passenger plane registered in Poland, flying from Athens to Vilnius carrying Lithuanian and foreign citizens, was forced to change its route and make an emergency landing in Minsk, Belarus. The plane was grounded after a false report of a bomb on board. Journalist Roman Protasevich and European Humanities University student Sofija Sapega were disembarked in Minsk at that time. Upon receiving a report of the downed plane, a pre-trial investigation was initiated in Lithuania under Article 7 of the Criminal Code of the Republic of Lithuania, which regulates criminal liability for crimes provided for in international treaties and Article 100-1 (Enforced disappearance) of the Criminal Code of the Republic of Lithuania. In parallel, Polish law enforcement authorities launched an investigation and a joint investigation team of two countries was formed. Close cooperation allowed to promptly collect data relevant to the investigations and make decisions regarding further investigation in one of the countries.

Additionally, the Government of the Republic of Lithuania, pursuant to Articles 13(a) and 14 of the Rome Statute, on 30 September 2024, referred to the International Criminal Court the situation in the Republic of Belarus for investigation by the Office of the Prosecutor of the Court. In its referral, the Government of the Republic of Lithuania stated that there were reasonable grounds to believe that since 1 May 2020, and continuing, crimes against humanity, including enforced disappearances. The Government of Lithuania has taken the lead to be the first state to make a referral of the situation in Belarus before the International Criminal Court.