III. REPORT ON THE IMPLEMENTATION OF NATIONAL TORTURE PREVENTION

While implementing the mandate of the national torture prevention institution, five inspections were carried out in 2024 on the situation of human rights and freedoms in different types of places of deprivation of liberty: one in a place of imprisonment (prison), two in social care institutions, one at a border guard station, and one at a mental health care institution. This annual activity report presents the results of the reports prepared in 2024, therefore the report on the inspection of Rokiškis Psychiatric Hospital, which was prepared and published in 2025, will not be discussed.

In order to increase the competence of staff at places of deprivation of liberty in the areas of human rights protection and prevention of inappropriate behaviour, two training courses were organised for social care institutions staff in 2024 (for more details, see pages 10 and 11 of this Report). Furthermore, in order to strengthen the competencies of experts and civil society, including in the area of preventing inappropriate behaviour in places of detention of liberty for foreigners, the Seimas Ombudspersons' Office organised training on the European Union's Pact on Migration and Asylum. The training was facilitated by Vladimiras Siniovas, Legal Officer at the Office of the United Nations High Commissioner for Refugees (UNHCR) in Lithuania.

In 2024, meetings were also held with representatives of the European Union Agency for Fundamental Rights (FRA), the Office of the United Nations High Commissioner for Refugees, the European Border and Coast Guard Agency (FRONTEX), the leadership of the Lithuanian Prison Service, representatives of The Commission for the Monitoring of the Rights of Persons with Disabilities under the Office of the Equal Opportunities Ombudsperson, as well as civil society organisations whose activities cover issues relevant to Seimas Ombudspersons in the prevention of torture at the national level.

It should be noted that issues relevant to the prevention of ill-treatment of persons in places of deprivation of liberty are also examined when investigating complaints from prisoners serving custodial sentences and when conducting investigations on the initiative of the Seimas Ombudspersons' (for more information on the investigations carried out, see Section II of this report).

1. INSPECTION OF THE PLACE OF IMPRISONMENT

On January 9-11, 2024, Seimas Ombudsperson Erika Leonaitė, together with members of the staff from the Human Rights Division of the Seimas Ombudspersons' Office, conducted an inspection at Panevėžys Prison, where women serving custodial sentences are held. This place of imprisonment was chosen for inspection, among other things, because the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders recognize that women serving custodial sentences are one of the vulnerable groups with special needs.

At the time of the inspection, 169 women were serving custodial sentences in this prison, which officially has 425 places, 26 women were in custody and 6 were serving arrest sentences. There were 6 mothers with children in the Child and Mother's Home located on the premises of the Panevėžys Prison, 4 mothers with children and 1 pregnant woman in the Child and Mother's Home located outside the premises of the Panevėžys Prison.

During the inspection, issues related to the problems raised in the complaints of convicts to the Seimas Ombudsperson were assessed, including the organisation of resocialization, ensuring employment, the availability of health care services and psychological assistance to convicts, ensuring prisoners' contact with the outside world, and the organisation of catering.

In the report issued after the inspection, "On the human rights situation in the Panevėžys Prison of the Lithuanian Prison Service," [1] Seimas Ombudsperson E. Leonaitė noted that the administration of Panevėžys Prison is actively seeking to ensure the employment and resocialization of prisoners, among other things by attracting volunteers to lead activities. It was positively assessed that prisoners were given the opportunity to suggest desired employment activities to responsible prison staff and/or the Prisoners' Council and, after assessing the prisoner's capabilities, to carry out these activities. Convicts were motivated to pursue

[1] Report No. NKP-2024/1-1 of the Seimas Ombudspersons' Office of the Republic of Lithuania dated June 14, 2024, "On the human rights situation in the Panevėžys Prison of the Lithuanian Prison Service." Available (in Lithuanian) at: https://www.lrski.lt/wp-content/uploads/2024/06/ATASKAITA-Panevezio-kalejimas.pdf.

education, and responsible officials took into account the needs of convicts in organising the needed education.

On the other hand, challenges were identified related to the lack of human resources and difficulties in attracting the necessary specialists in different fields, for example:

- Due to a shortage of resocialization staff, activities were only conducted for a small number of prisoners, and many prisoners did not have the opportunity to participate in the activities they wanted. In addition, since the activities carried out depended largely on the availability and involvement of volunteers, the staff of the Resocialization Department were unable to compile and approve a list of leisure, cultural, self-development, spiritual activities and schedules for these activities in advance and present them to the convicts so that they could plan to participate in these activities and coordinate them with their work activities.
- There was no rehabilitation centre in the prison for inmates who were motivated to seek treatment for alcohol or other psychoactive substance dependence. Also, due to the lack of an appropriate specialist, there was no rehabilitation program for persons dependent on psychoactive substances. Although there was a Methadone maitenance treatment (MMT) in the prison, alternative specialist assistance was not available to female prisoners who wanted to completely give up harmful substances that cause addiction.
- The lack of qualified psychologists resulted in insufficient availability of psychological services and limited opportunities to participate in psychotherapy sessions. Psychological assessments were only carried out for newly arrived prisoners and repeated assessments of the psychological (emotional) state of prisoners and their need for psychological services were only carried out if it was determined that the prisoner had harmed herself or attempted suicide.
- The possibility of obtaining a face-to-face consultation (not by telephone or through a prison employee) with a family doctor was limited, and prisoners stated that they sometimes harmed themselves in order to be able to see a family doctor immediately.
- There was only one employee working in the prison shop, so when she was absent (e.g., due to illness or vacation), the convicts had no opportunity to purchase additional food products.

The report also highlighted other challenges and areas for improvement:

- Due to a lack of orders, convicts engaged in work activities in the prison's production workshop often had no work to do. This directly resulted in the inability to implement the provisions of the Execution of Penalties Code of the Republic of Lithuania regarding the extent of involvement of prisoners in work activities and, at the same time, the prisoners' opportunities to receive remuneration for their work.
- Due to a shortage of teachers from the Vocational Training Centre, with which a cooperation agreement had been concluded, only two vocational training programs (seamstress-operator or hairdresser) were available to convicts.
- None of the activity areas inside the prison buildings were adapted for persons with mobility disabilities.
- Payphones in the institution were not isolated and did not ensure the privacy of prisoners' conversations with their relatives and lawyers. Remote meetings took place in a room for short visits and telephone calls, which had three booths with minimal sound insulation, meaning that the conversations of the people inside could be heard by those around them. Some prisoners also complained about the lack of confidentiality during short visits, which took place under the supervision of prison staff.

  

  Figure 1. Non-insulated payphone.

  Prisoners lacked information about the possibility of using limited internet access and which websites they were permitted to visit.
- Although the convicts were formally given the opportunity to call organisations providing free anonymous emotional support (“Vilties linija” (Hope Line), “Jaunimo linija” (Youth Line), “Sidabrinė linija” (Silver Line), and “Pagalbos moterims linija” (Women’s Helpline), they were not guaranteed privacy when making these calls, and the time spent on these calls was counted towards the total call time limit allowed for prisoners.

- There was no guarantee that the portions provided to all prisoners would correspond to the portion sizes specified in the menus, so some prisoners received less food than they were entitled to under the standards set out in the legislation.

After assessing the circumstances established during the inspection, the Seimas Ombudsperson concluded that measures had been taken at Panevėžys Prison to ensure that prisoners had access to education and employment opportunities, could maintain contact with their relatives and the outside world, and the provision of personal healthcare services, but difficulties in attracting resocialization specialists, psychologists, and other specialists, as well as shortcomings in material conditions and the provision of information to prisoners, necessitated additional measures to be taken to avoid the risk of treatment degrading human dignity prohibited by the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.



Figure 2. Irregularities in food weight detected during inspection.

Considering the identified shortcomings, the Seimas Ombudsperson issued 33 recommendations to the Lithuanian Prison Service to address them. Most of the recommendations were implemented, including the following: the ranks of employment specialists organising employment activities for inmates were joined by another employment specialist; events and other employment activity programs started to be coordinated with other prison departments, and contact officers and other prison staff who are in contact with prisoners are informed about the activities by electronic means; the choice of activities after prisoners' work activities or working hours has been expanded; targeted employment activities have been organised for inmates of other nationalities and citizenships. A meeting was organised with the head of the Service Training Department of the Panevėžys Training Centre (Panevėžio mokymo centras), during which the possibility of expanding vocational training services for inmates was discussed. Funds were planned for the repair of the production workshop

premises and leaky windows in 2025. Supervision by an external specialist began in September 2024 for specialists providing psychological services in the prison. In order to ensure continuous cooperation between prison departments and to provide preventive and intervention assistance to prisoners, a Crisis Management Team was set up, involving a healthcare specialist and a psychologist. A new family doctor was hired to ensure that preventive and pre-emptive personal health care examinations are carried out for prisoners. Panevėžys Prison also indicated that continuous efforts are being made to recruit the missing specialists and staff.

It should be noted that, in implementing certain recommendations related to adapting the premises for persons with disabilities, obstacles arose because the Panevėžys Prison complex is a protected cultural heritage site; therefore, changes to the internal and external infrastructure are restricted. For this reason, the Panevėžys Prison administration organises employment activities in premises located closer to the living quarters of prisoners with mobility disabilities or in spaces that are not restricted by thresholds or stairs.

To ensure that all the Seimas Ombudsperson's recommendations are fully implemented, further cooperation with the Lithuanian Prison Service is planned for 2025.

The data collected in the aforementioned report was used in 2024 by the Seimas Ombudspersons' Office to contribute to the report of the Association for the Prevention of Torture (APT) about the situations of women in prisons. A total of 45 countries provided data for this report. Taking into account the situation of convicted women in places of deprivation of liberty in various countries, the APT made recommendations to national torture prevention mechanisms aimed at the need for systemic changes in punishment execution policy and with regard to women in prisons: to implement alternatives to imprisonment for women, taking into account gender equality, especially for non-violent crimes; ensure access to gender-specific health care and mental health care; strengthen family ties by implementing flexible visiting arrangements and communication opportunities; improve staff education on gender equality issues; take into account the specific needs of women who are at greater risk of abuse, including pregnant women, LGBTIQ+ women, and foreign women.[2]

[2] Association for the Prevention of Torture (APT), Global Report on Women in Prison Analysis from National Preventive Mechanisms, 2024: Women in Prison - APT.pdf.

2. INSPECTIONS IN SOCIAL CARE INSTITUTION

2.1 The Human Rights and Fundamental Freedoms Status at the Prūdiškės Social Care Home

The Prūdiškės Social Care Home is one of the largest social care institutions in Lithuania, comprising a main facility and two group-living homes located in the city of Vilnius. During the inspection conducted on 3–5 and 11 June 2024, the main facility was providing long-term social care to 190 residents, short-term care to 3 residents, and respite care to 1 individual. One of the group-living homes accommodated 10 women, while the other housed 8 women.

The inspection at the Prūdiškės Social Care Home assessed issues related to the institution's organisational structure and staffing, the adaptation of the physical environment and information for persons with disabilities, and the installation of an assistance-call system. Particular attention was given to the protection of residents' privacy, the safeguarding of their freedom of movement, the promotion of autonomy, the organisation of occupational and daily-activity programmes, access to psychological services, the use of physical restraint measures, the provision of mental-health care, and the implementation of violence-prevention, intervention, and postvention measures.

In the report prepared following the inspection, titled "On the Human Rights Situation at the Prūdiškės Social Care Home"[3], Seimas Ombudsperson Leonaitė noted that no fundamental shortcomings or indications of organisational practices in breach of legal requirements were identified, which would significantly undermine residents' well-being or give rise to potential human rights violations. She further emphasised that the care home implements measures aimed at ensuring residents' engagement in activities, protection of privacy, access to psychological services, freedom of movement, and the adaptation of the environment and information for persons with disabilities, as well as promoting individuals' autonomy.

On the other hand, attention was drawn to shortcomings in the provision of psychological services to residents, the application of physical restraint measures, and the availability of

[3] Report No. NKP-2024/1-2 of the Office of the Ombudsman of the Republic of Lithuania dated 19 September 2024 "On the human rights situation in the Prūdiškės social care home." Available at: https://www.lrski.lt/wp-content/uploads/2024/09/FINAL_Ataskaita_2024-1.pdf.

mental-health care services. The Seimas Ombudsperson also identified areas requiring improvement in the implementation and safeguarding of assistance, support, services, and educational measures aimed at protecting residents and staff from any form of exploitation, violence, abuse, or harassment. The Seimas Ombudsperson further observed that the care institution (including the group-living homes), as is the case with all long-term social care facilities, is not a conducive environment for promoting residents' autonomy or preparing individuals for community-based living, due to its physical remoteness from the wider community, the centralised nature of service provision, and standardised care arrangements.

The following shortcomings were identified during the inspection at the Prūdiškės Social Care Home:

- Not all outdoor infrastructure areas were accessible to persons with mobility impairments, and assistance-call system buttons were either not functioning or not installed in all parts of the institution.
- The information displayed on the institution's notice boards was not always presented in an orderly manner, in large print, and/or in easy-to-understand language, and internal documents relevant to residents were not prepared in easy-to-understand language. Additionally, staff in the Social Services Unit and the Health Care Unit had no planned professional development activities related to enhancing their knowledge of alternative communication methods and their applications.



Figure 3. Notice board not adapted for persons with disabilities.

- Staff did not always knock before entering residents' rooms, or, when they did knock, they did not always wait a few moments before entering.
- The institution lacked spaces intended for spending time in solitude, in silence and tranquillity. Some more independent residents did not have the opportunity to store their

personal belongings in a lockable cupboard. In on of the group-living home residents were prohibited from locking the doors of personal hygiene facilities.

- Residents with severe disabilities who were unable to move independently were not provided with opportunities to spend time outdoors, and the institution's internal regulations and the notices on the ward doors did not specify clear door-locking times.
- On the day of the European Parliament elections, several more independent residents were absent from the institution, as they had taken a pre-planned leisure trip. The administration indicated, however, that those who wished to vote were provided with the opportunity to do so by being transported to the nearest polling station. In addition, the spaces designated for voting within the care home were not suitably adapted for voting by persons with mobility impairments.



Figure 4. Spade inadequately adapted for voting.

- Residents of the group-living homes were not ensured the possibility of keeping their personal bank cards with them.
- Residents were not proactively provided with information about opportunities to study in the community, or about using public transport, household appliances, and similar matters.
- Tvvhe majority of residents had not participated in any outings, or had done so only a few times, in the eighteen months preceding the inspection. In addition, occupational or activity programmes for residents were not organised after 16:15 on weekdays or at weekends, and residents of the group-living homes lacked a wider variety of leisure-time activities.

- The institution did not meet the minimum staffing requirement for psychologists. Moreover, residents were not provided with up-to-date information on the procedures for accessing psychological services.
- Isolation in the observation room was applied not only by those employees authorised to do so under an order approved by the director of the institution and other applicable national legal acts.
- The information recorded in the Prūdiškės Social Care Home duty log and the emergency call register concerning the administration and use of medicines did not correspond to the information in doctors' prescriptions and extracts from medical records.
- The institution did not conduct consistent and regular resident education on violence-prevention topics and had not approved procedures or staff action algorithms covering resident education, protection, and assistance in cases of violence.

Taking into account the identified aspects requiring improvement, the Seimas Ombudsperson submitted 66 recommendations to the responsible state authorities and institutions (the Ministry of Social Security and Labour of the Republic of Lithuania, the Department of Supervision of Social Services under the Ministry of Social Security and Labour, and the Prūdiškės Social Care Home) regarding the improvement of the human rights situation at the Prūdiškės Social Care Home.

In reporting on the implementation of these recommendations, the Prūdiškės Social Care Home submitted a plan for their implementation together with additional information on its implementation. The institution indicated that many of the recommendations had been carried out, including the adaptation of the outdoor and indoor infrastructure for persons with mobility impairments; inspections of electrically powered assistive devices (lifts) had been conducted, faults had been remedied, and training for staff on the safe use of these devices had been organised; staff had participated in practical training on developing skills in alternative communication; a screen displaying the daily menu and other relevant notices in pictures and text had been installed near the dining area, and the information on the institution's notice boards had been updated into easy-to-understand language. A leaflet on residents' rights and violence prevention had been prepared in easy-to-understand language, as well as leaflets aimed at educating residents on matters of sexuality.

The Office of the Seimas Ombudspersons' contacted the Lithuanian Forum for the Rights of Persons with Disabilities to obtain its views on issues related to the accessibility of information at the Prūdiškės Social Care Home and its compliance with the needs of persons with disabilities. Considering the insights received, further recommendations will be provided to the Prūdiškės Social Care Home regarding the improvement of information accessibility.



Figure 5. Information provided by the Prūdiškės Social Care Home on the implementation of the Seimas Ombudsperson's recommendations.

In implementing the Seimas Ombudsperson's recommendations, a new assistance call system was installed in all residential rooms and hygiene facilities of the institution, and the reception of calls was modernised. In the group-living homes, staff and residents were reminded of the need to respect residents' privacy and not to enter rooms without knocking. A schedule began to be maintained for taking residents with severe mobility impairments (i.e., those unable to move independently) outdoors. Measures were taken to educate residents about their rights, including the right to independent living; measures were also taken to develop residents' independence in household tasks. A regular information-technology literacy group was launched.

Considering the Seimas Ombudsperson's recommendation concerning deficiencies in the organisation of elections at the institution during the European Parliament elections, the voting premises for the elections to the Seimas of the Republic of Lithuania were adapted for persons with mobility impairments, and no outings for care-home residents were organised during the election period. A full-time psychologist was also employed.

The implementation of part of the recommendations has been planned for 2025. It is envisaged that during this year, the care institution, together with its psychologist, will prepare a Procedure

on Violence Prevention for Residents in the Institution, as well as a de-escalation algorithm for residents experiencing a crisis, which will set out behavioural rules for staff in different positions. General practice nurses will be included in mental-health nursing qualification training; financial literacy training will be organised for residents of the group-living homes; the institution's internal rules will be prepared in easy to understand language and translated into Russian and Polish; regular presentations, sessions and training on the protection of human rights and freedoms will be organised, taking into account the differing levels of residents' independence. The institution will also cooperate with the Public Health Bureau on educating residents on matters of sexuality. Accordingly, the Office of the Seimas Ombudsperson is monitoring the implementation of these recommendations in 2025.

2.2 The Human Rights and Fundamental Freedoms Status at the Aknystos Social Care Home

Staff of the Human Rights Division of the Office of the Seimas Ombudspersons' carried out their first inspection at the Aknystos Social Care Home in 2020. During this inspection, shortcomings were identified relating to insufficient compliance with human rights and fundamental freedoms standards in the institution. Accordingly, the 2020 report set out 61 recommendations to address the identified deficiencies.[4] In order to determine how the recommendations contained in that report had been implemented in practice, the Seimas Ombudsperson, E. Leonaitė, instructed staff of the Human Rights Division to carry out a follow-up inspection at the Aknystos Social Care Home on 12–14 August 2024.

During the follow-up inspection, issues were assessed relating to the adaptation of the environment and information for persons with disabilities and the installation of an assistance call system, the protection of residents' privacy, the safeguarding of residents' freedom of

[4] Report No. NKP-1-3/2020 of the Office of the Ombudsman of the Republic of Lithuania dated September 22, 2020, "On the human rights situation at the Aknysta Social Care Home." Available at: https://www.lrski.lt/wp-content/uploads/2020/11/NKP-2020-1-3_2020-09-22.pdf.

movement, the promotion of autonomy, the organisation of activities, the application of physical restraint measures, and the provision of mental-health care services.

At the time of the follow-up inspection, 273 residents lived in the institution, of whom 269 were receiving long-term care services and 3 were receiving short-term care services. There were 10 residents in the Šlavėnai group-living home. The inspection found that most of the recommendations had been fully or partially implemented.

It should be noted that the institution took appropriate measures to ensure residents' freedom of movement and the accessibility of the environment: more independent residents were allowed to move freely within and outside the institution's grounds, and residents were properly informed of this possibility; the institution's internal regulations set out the procedure for residents' accommodation in the institution's branches; residents were ensured the possibility to communicate directly with the administration; and information boards were installed in the institution's branches.

Positive developments were also achieved in ensuring residents' right to privacy: curtains (or roller blinds) were installed in residents' rooms; all hygiene facilities were fitted with doors that can be locked from the inside; and screens were purchased for branches where they had been lacking during the previous inspection. In the area of promoting autonomy, the institution implemented the recommendation on individualising residents' clothing, enabled residents to do their own shopping either independently or with staff assistance, and ensured that residents were allowed to retain their personal bank cards, taking into account their individual level of independence.

However, the inspection also identified several shortcomings requiring correction:

- Persons with severe disabilities who were confined to bed were not taken outdoors, as the lifts available in the care home were not suitable for transporting beds.
- Not all electrical switches in the institution's branches were installed at a height accessible to persons with mobility impairments, and not all electrical switches in residents' rooms were installed inside the rooms themselves.

- In some branches of the institution, the assistance call system had not been installed, or it was defective or switched off.
- Some of the information displayed on notice boards in the institution's branches was presented in complex, formally structured sentences and was partially obscured by other materials; furthermore, not all information boards were installed at a height accessible to persons with mobility impairments.
- Residents were able to lock their living quarters from the inside, but not all residents were aware of this possibility. In addition, only a small number of the more independent residents had personal lockers (wardrobes) in with a key; other residents had not been informed of this possibility, and their lockers (wardrobes) remained unlocked.

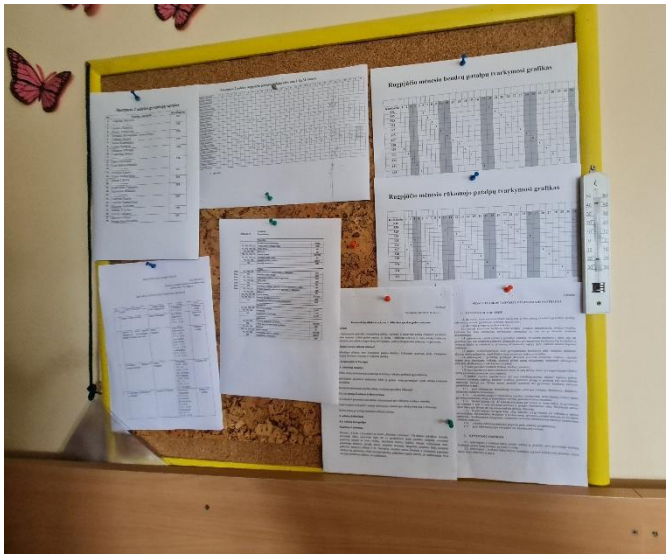

Figure 6. Notice board not adapted for persons with disabilities.

- In all branches of the institution, there were hygiene facilities with door locks that did not ensure residents' safety, as staff would not be able to unlock them if needed.
- Following the abolition of the institution's Privacy Rules, a substantial number of important provisions on ensuring residents' right to privacy had not been incorporated into any other internal legal acts of the institution.
- Not all staff adhered to the rule of knocking before entering residents' rooms.
- Less independent residents of the main branch of the institution were not proactively taught to use the washing machine independently.
- Not all branches, located away from the main facility, had shared-use computers available for residents, and in some branches, laptops and tablets were kept in social workers' offices, resulting in limited access for residents.
- Residents were prohibited from using the lifts or hoists located in the main branch of the institution.



Figure 7. Information provided by the Aknystos Social Care Home on the implementation of the Seimas Ombudsperson's recommendations.

- Not all hygiene facilities (sanitary units) in the institution's branches were adapted to the needs of persons with mobility impairments, and in some cases, the doors to sanitary facilities were too narrow for wheelchair users to enter independently.
- A lack of organised activity programmes and outings, as well as shortcomings in their organisation, was identified.
- The personal social plans of some residents did not contain the specific needs assessment forms or the individual social care plans that should have been drawn up one year after, or earlier than, the date of the previous such document.
- For residents who were less independent and had reduced mobility, activity programmes and their organisation were not being carried out at the time of the inspection.
- The intervals between Residents' Council meetings exceeded three months and did not correspond to the timeframes set out in the Rules of the Care Home Council.

The inspection also noted that institutional staff reported interpreting court decisions declaring a resident incapable or of limited capacity in a specific field or fields as restricting the resident's civil rights (including the right to vote) where such decisions do not explicitly confirm the retention of legal capacity in this area; consequently, the right to vote is not ensured for these residents.

Taking into account the identified shortcomings, the Seimas Ombudsperson, Erika Leonaitė, submitted 54 recommendations to the Head of the Aknystos Social Care Home concerning the improvement of the human rights situation at the Aknystos Social Care Home. In their response to the recommendations, the Aknystos Social Care Home informed that measures had been taken to implement part of the recommendations, including adjustments to the internal and

external infrastructure to better adapt the institution's facilities to the needs of persons with mobility impairments, as well as efforts to improve conditions for residents' privacy. The Seimas Ombudsperson was also informed that complaint and suggestion boxes had been reinstalled in those branches of the institution in which they had previously been inaccessible or difficult to access for persons with mobility impairments; that the information displayed on notice boards had been reorganised to meet residents' needs; and that part of the information had been presented in easy-to-understand language.

To ensure that all of the Seimas Ombudsperson's recommendations are fully implemented, further cooperation with the Aknystos Social Care Home is planned for 2025.

3. INSPECTION AT THE BORDER GUARD STATION

On March 18, 2024, Seimas Ombudsperson E. Leonaitė received information that eight Afghan citizens who had entered Lithuania illegally from the Republic of Latvia had been transferred to the Druskininkai Border Guard Station (hereinafter referred to as Druskininkai BGS, Station) of the Varėna Frontier District of the State Border Guard Service (hereinafter referred to as SBGS) Taking into account that several non-governmental organisations had previously raised concerns to the Seimas Ombudsperson of the potentially inadequate conditions of accommodation of detained foreigners who had arrived in the Republic of Lithuania from the Republic of Latvia at border guard stations, restrictions on their ability to contact their relatives and international and local non-governmental organisations and to obtain legal assistance, an inspection was conducted at the Druskininkai Border Guard Station on March 20, 2024.



Figure 8. Accommodation premises for foreigners at Druskininkai BGS.

During the inspection, issues related to the conditions of accommodation of foreigners, their ability to contact their relatives and representatives of international and local organisations, as well as humanitarian assistance provided to persons who have

crossed the border of the Republic of Lithuania with the Republic of Belarus at undetermined locations and who are not allowed to enter the territory of the Republic of Lithuania (hereinafter referred to as "turned back persons"), and information collected about these turned back persons.



Figure no. 9. Dry food ration for temporarily detained persons.

During the inspection at Druskininkai BGS, it became clear that, according to officials, the aforementioned Afghan citizens had already been transferred to the Republic of Latvia in accordance with the Agreement between the Government of the Republic of Lithuania, the Government of the Republic of Estonia, and the Government of the Republic of Latvia on the Return of Illegally Residing Persons, dated June 30, 1995.

When asked about the possibility for foreigners to use external means of communication, it was found out that, according to Druskininkai BGS officers, Afghan citizens were brought to the border guard station without telephones, but foreigners were not restricted to contact their relatives and other persons using a telephone provided by the Lithuanian Red Cross Society. However, the telephone was kept in the administrative premises, accessible only to the staff of the institution, and no information about the possibility of using this telephone was provided at the border guard station, nor were the foreigners informed about this possibility verbally.

During the inspection, it was noted that the border guard officers' official reports contained information about the persons who had been turned back, their gender, approximate age, and their self-declared nationality, but their names and surnames were not indicated. The fact that State Border Guard Service officers collect sufficiently detailed information about turned back persons was assessed positively. This is particularly relevant given that non-governmental organisations in Lithuania have reported receiving a significant number of inquiries about

persons who have disappeared while attempting to enter the European Union irregularly, but whose search is complicated, because public authorities are reluctant to share information.

Taking into account the circumstances, Seimas Ombudsperson E. Leonaitė submitted recommendations to the State Border Guard Service regarding the provision of written information at border checkpoints to foreigners in a language they understand about their rights and obligations, which would include information about the possibility of contacting legal representatives, family members, and competent consular authorities, as well as with the relevant competent national, international, and non-governmental organisations. It is also recommended to systematise the collection of information on turned back persons so that relatives searching for missing persons and national and international organisations assisting them are provided with all the information necessary for the search for missing persons; to work with non-governmental organisations to create a mechanism that would help to provide information about missing persons to their relatives and/or relevant international and national non-governmental organisations in a secure manner and with respect for personal data protection.[5]

The State Border Guard Service provided information on the implementation of the recommendations, indicating that information on the rights and obligations of foreigners had been prepared and made available to them, and that foreigners would be informed about the possibility of contacting the consular office of their country of origin, family members, and relatives. In addition, in cooperation with representatives of the Lithuanian Red Cross Society, information was prepared on the possibility for foreigners to use the telephone provided by this organisation. All relevant information was provided to the structural units of the State Border Guard Service, displayed in a place visible to foreigners and in their accommodation facilities.

It should be noted that, when commenting on the implementation of other recommendations of the Seimas Ombudsperson, the State Border Guard Service provided information that it does not have the possibility to systematise data on returned foreigners and that, in accordance with

[5] Report on the visit of the Seimas Ombudspersons' Office of the Republic of Lithuania to the Druskininkai Border Guard Station of the State Border Guard Service on May 22, 2024. Available (in Lithuania) at: https://www.lrski.lt/wp-content/uploads/2024/05/Rastas-del-Druskininku-PU_red-Adoc-nuorasas.pdf.

the cooperation agreement, the State Border Guard Service cooperates with representatives of the Lithuanian Red Cross Society on issues related to the restoration of family ties and that a clear cooperation mechanism is in place.

Having assessed the response provided by the State Border Guard Service and the information received by the Seimas Ombudspersons' Office on July 19, 2024, regarding Cuban citizens who disappeared at the border between the Republic of Lithuania and the Republic of Belarus, Seimas Ombudsperson E. Leonaitė, seeking to assist the Republic of Lithuania in implementing its international obligations under, inter alia, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Convention for the Protection of All Persons from Enforced Disappearance, organised a meeting with representatives of the State Border Guard Service, the Office of the United Nations High Commissioner for Refugees in Lithuania, the Lithuanian Red Cross Society, and the International Organization for Migration. The meeting discussed cases of disappearances and ways to improve the current mechanism in order to prevent further human rights violations.

4. MONITORING THE IMPLEMENTATION OF RECOMMENDATIONS

In executing its national torture prevention functions in 2024, various methods were used to monitor the implementation of the recommendations submitted in the reports of the Seimas Ombudsperson. The responsible institutions were consulted by telephone, e-mail, and other means of communication, and after analysing the plans for the implementation of the recommendations submitted to the Seimas Ombudspersons' Office, the institutions that were inspected were provided with suggestions for improving the plans for the implementation of the recommendations and their execution and in cases of lack of information, requests were made to clarify these plans. In order to ensure consistent and proper implementation of the recommendations, consultations were held with representatives of civil society and experts in the relevant fields, where necessary.

When assessing the implementation of recommendations made following inspections of places of deprivation of liberty, it should be noted that in 2024, the relevant authorities were given 156 recommendations to improve the situation of human rights and freedoms in Panevėžys Prison, Prūdiškės Social Care Home, Aknystos Social Care Home, and Druskininkai BGS, most

of which concerned the adaptation of premises, infrastructure, and information for persons with (mobility) disabilities, organising more diverse activities that meet the individual needs of persons, ensuring the right to information and privacy, as well as promoting the independence of persons in social care institutions.

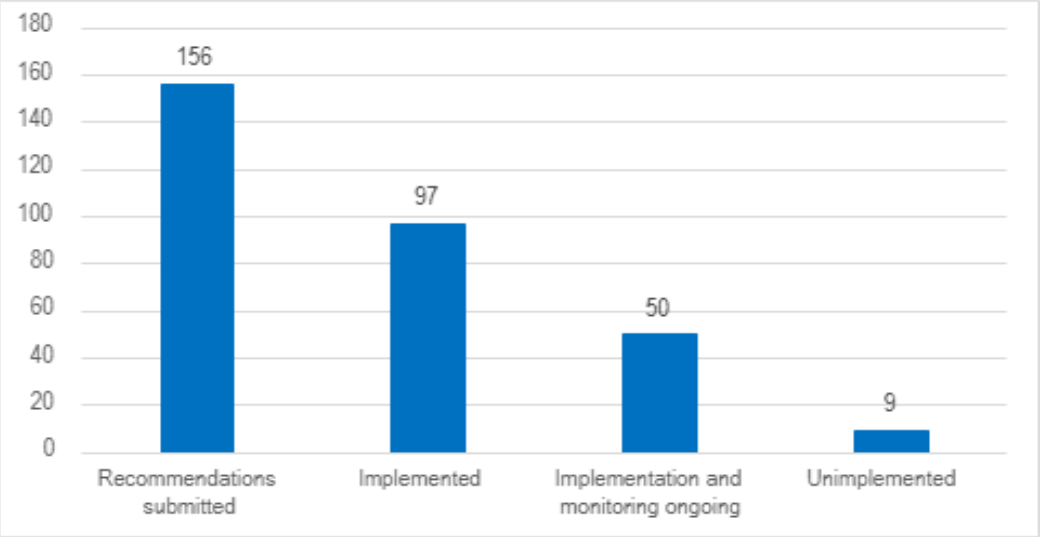

Figure 10. Implementation of recommendations made following inspections of places of deprivation of liberty.

Of all the recommendations made during the 2024 national torture prevention process, 62% were implemented, 32% are ongoing and will be monitored in 2025, and 6% were not implemented. The implementation of some of the recommendations related to the adaptation of premises for persons with mobility disabilities was impeded by a lack of financial resources, as well as other restrictions provided for by legal regulations (premises considered to be protected cultural heritage, etc.). The implementation of the recommendations was also obstructed by challenges related to attracting employees to certain positions and the reluctance of the institutions and agencies to which the recommendations were addressed to change established practices. Monitoring of the implementation of the recommendations that have not been implemented and those that have been started to implement is planned to continue in 2025.