



**LIETUVOS RESPUBLIKOS NUOLATINĖ ATSTOVYBĖ PRIE
JUNGTINIŲ TAUTŲ BIURO IR KITŲ TARPTAUTINIŲ ORGANIZACIJŲ
ŽENEVOJE**

**MISSION PERMANENTE DE LA LITUANIE AUPRÈS DE
L'OFFICE DES NATIONS UNIES ET DES AUTRES ORGANISATIONS
INTERNATIONALES À GENÈVE**

Felice D. Gaer
Rapporteur on Follow-up
Committee against Torture
OHCHR

OHCHR REGISTRY

29 MAR 2011

Recipients : ... CAT
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29 March 2011
S-169

Dear Ms. Felice D. Gaer,

In reply to your letter of 28 March 2011 I would like to advise you that information requested by the Committee against Torture after consideration of the second periodic report of Lithuania was transmitted to the OHCHR by the Permanent Mission's note No.115/2009 of 26 November 2009. I would like to ensure you that Lithuania looks very seriously into its reporting obligations and the information was provided within one year of consideration of the above-mentioned report.

If for some reasons our reply did not reach the Committee, I am attaching copy of the note and responses sent together with it.

Please accept, Madame, assurances of my highest consideration.

Jonas Rudalevičius
Ambassador, Permanent Representative



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No. SN-115/2009

The Permanent Mission of the Republic of Lithuania to the United Nations Office and other International Organizations in Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights and has the honour to transmit to the Committee against Torture the enclosed response of the Government of the Republic of Lithuania to recommendations contained in the concluding observations of the Committee against Torture on the second periodic report of the Republic of Lithuania.

The Permanent Mission of the Republic of Lithuania to the United Nations Office and other International Organizations in Geneva avails itself of this opportunity to renew to the Office of the United Nations High Commissioner for Human Rights assurances of its highest consideration.

Geneva, November 26, 2009

Office of the United Nations
High Commissioner for Human Rights
Geneva



MILLENNIUM
OF LITHUANIA

**RESPONSE OF THE GOVERNMENT OF THE REPUBLIC OF LITHUANIA TO
RECOMMENDATIONS OF THE UNITED NATIONS COMMITTEE AGAINST
TORTURE**

The UN Committee against Torture (CAT) requested in its concluding observations regarding the 2nd periodic report of Lithuania of 19 January 2009 to submit within one year information on the implementation of the recommendations contained in paragraphs 7, 12, 14 and 15. Responding to this request, the Government of the Republic of Lithuania provides the following information.

In addition, the Government of the Republic of Lithuania wishes to draw the attention of the CAT that its response to the recommendations of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) made following the CPT visit to Lithuania in April 2008 was made public on 15 September 2009 and is available on the CPT website.

Regarding access to a doctor at police detention facilities

It should be noted that, pursuant to Article 45(1) of the Law on Detention of the Republic of Lithuania, detained persons must be guaranteed the same quality and level of treatment as persons at liberty. This legal provision has also been transposed into the rules on the activities of detention facilities of territorial police establishments, approved by Order No 5-V-356 of the Lithuanian Police Commissioner General of 29 May 2007 (Official Gazette Valstybės Žinios, 2007, No 61-2361). It should also be noted that none of the legal acts regulating the health care procedure that are currently in force in the Republic of Lithuania restrict the right of persons deprived of their liberty to a doctor of their choice. The Law on Health Care Institutions (Official Gazette Valstybės Žinios, 1996, No 66-1572, 1998, No 109-2995) sets out strict requirements for health care institutions and notably envisages the possibility of revocation of their licences and accreditation in the event of failure to comply with the above requirements. Health care institutions are required by this Law, *inter alia*, to ensure the basic medical aid, equal rights of patients, and provision of information to a patient concerning his or her health. Furthermore, it is noteworthy that the police have not received any complaints regarding the issue of access to a doctor at police detention facilities.

Pursuant to paragraph 18 of Lithuanian Medical Standard 129:2004 Medical Station (Office) at Detention Centres of a Territorial Police Establishments, approved by Order No V-8 of the Minister of Health of 19 January 2004 (Official Gazette Valstybės Žinios, 2004, No 15-473), a nurse employed at a police detention centre may examine and evaluate the state of health of newly-arrived remand prisoners with their consent (currently no fewer than 28 nurses work in 28 police detention centres, i.e. a minimum of 1 nurse in each of them). The state of health of such persons is examined if there are certain suspicions of a health impairment, illness, injury, etc. when placing a person in police detention facilities. A control mechanism obliging officers to record any visible contusions, abrasions and similar lesions before placing persons in police detention facilities has been established in legal acts regulating the activities of police detention facilities in order to prevent ill-treatment of persons deprived of their liberty. For this purpose, a medical examination form for persons placed in police detention facilities must be filled in according to the security and supervision instructions for detention facilities of territorial police establishments, approved by Order No 5-V-357 of the Lithuanian Police Commissioner General of 29 May 2007 (Official Gazette Valstybės Žinios, 2007, No 61-2362), recording any visible injuries, contusions, abrasions and similar lesions on the body of the person placed in police detention facilities.