



2020

The Seimas Ombudsmen's Office

2019

REPORT ON NATIONAL  
PREVENTION OF TORTURE

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## INTRODUCTION

We are pleased to present the latest annual report of the National Preventive Mechanism and in doing so, welcome the growing confidence and influence of the Lithuanian NPM. It is the 6th year the Seimas Ombudsmen's Office has been assigned the NPM functions and has been monitoring places of detention in Lithuania. The United Nations' Optional Protocol to the Convention Against Torture (OPCAT) provides us with a crucial framework to strengthen our work monitoring places of detention, and it encourages us to focus even more carefully on preventing ill treatment in practice.

Every time our NPM team members visit a place where people are detained it increases openness and transparency. The visit creates a less closed atmosphere and gives those detained an opportunity to voice their concerns. Importantly, it reduces the likelihood that the conditions of detention will deteriorate any further and reduces the chances that the detained person will be ill-treated. NPM members listen carefully to detainees and staff, make recommendations for change and bring forward improvements in conditions, reducing still further the risk of ill-treatment. Moreover, at the core of the Lithuanian NPM's work is a human rights approach, i.e. placing the lived experience of detainees at the heart of the inspection and monitoring process and drawing on international standards and best practice to assess treatment and conditions in detention.

There are around 450 places of detention in Lithuania and during 2019 the Seimas Ombudsmen's Office as an NPM conducted a total of 45 inspections. Visits were made to social care,

mental health, correctional institutions, police facilities and places of detention of foreigners and the number of visits to institutions in a particular area was planned in proportion to their number. It has to be stated here that unfortunately the risk of ill-treatment for those detained in facilities across Lithuania still exists. NPM members this year continue to report concerns that detainees are not being held in safe and decent conditions. We have discovered poor physical conditions and conditions not fit for purpose, and excessive or improper use of restraints on some of the most vulnerable detainees, including those in mental health detention, social care institutions (especially persons with disabilities), prisons and police custody facilities. For these reasons, we must recognise that however successful we are, we cannot do this work alone; we need to welcome the parallel roles undertaken by experts from non-governmental organisations (NGOs) and the media in exposing malpractice in the institutions we visit and inspect. Moreover, we have to continue to engage widely with international and regional human rights bodies, such as the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) and the SPT and other inter-governmental bodies.

There is still much more to do; however, we know that we are on the right path - by working together across the detention institutions in Lithuania, NPM members can and do make a difference each year. While the Lithuanian NPM continues to look for ways to strengthen our joint working processes we invite you to look into findings of the year 2019 below.

This part of the Annual Report of the Seimas Ombudsmen presents the activities of the National Prevention of Torture carried out in 2019: the inspections at places of detention; systemic,

main issues identified during inspections; issued recommendations on improving the human rights situation and training organised for staff of the places of detention, etc.



*Adult care institutions are marked in yellow, child care institutions – in blue, police institutions – in black, prison institutions – in grey, places of detention of foreigners – in green, and mental care institutions – in red.*

# NATIONAL PREVENTION OF TORTURE AND THE SEIMAS OMBUDSMEN'S MANDATE

On 3 December 2013, further to the ratification by the Seimas of the Optional Protocol to the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Seimas Ombudsmen were assigned the task of performing the national prevention of torture at the places of detention and inspecting them on a regular basis, while the Seimas Ombudsmen's Office was designated as the Institution for the National Prevention of Torture.

The year 2019 was the sixth year when the Seimas Ombudsmen have been performing the national prevention of torture, regularly visiting various

places of detention and observing how human rights are enforced in them. The performance of the national prevention of torture requires a comprehensive approach, where instead of addressing individual situations, the aim is to identify possible causes of misconduct through systematic analysis of situations of restriction of liberty. These activities are aimed at positive changes to prevent torture, reduce the risk of torture and ill-treatment and improve the treatment of persons whose liberty is restricted.

The report below outlines the positive developments achieved in performing activities of the national prevention of torture.

# ACTIVITIES OF THE NATIONAL PREVENTION OF TORTURE

## VISITS TO PLACES OF DETENTION

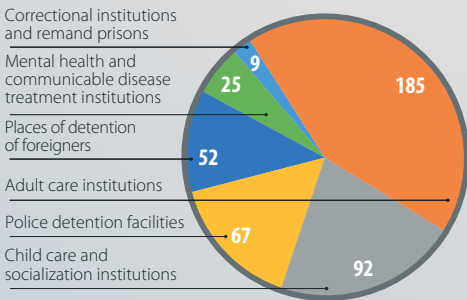
In performing the national prevention of torture, visits were made to various places of detention: social care, mental health, imprisonment, police and other institutions. The number of visits to institutions in a particular area is planned in proportion to their number. For example, the largest number of visits was made to adult social care homes as their number is the largest (over 180 units).

In 2019, a total of 45 (forty-five) visits were made (several inspected institutions were visited two and more times). According to the proportion of places of detention, the distribution of visits was as follows: adult care institutions were visited 20 (twenty) times (twenty adult care institutions were inspected), mental health care institutions – 6 (six) times (mental health departments of three hospitals were inspected arranging from one to three visits to them);

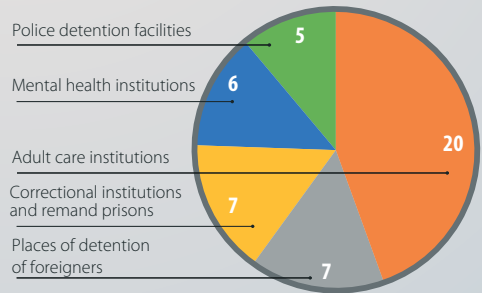
places of detention (housing) of foreigners – 7 (seven) times (three units of the State Border Guard Service (SBGS) under the Ministry of the Interior – the Foreigners Registration Centre (FRC), which was visited five times and two Border Inspection Posts); prisons – 7 (seven) times (seven prisons were inspected) and temporary detention facilities of police headquarters – 5 (five) times (five temporary detention facilities of police stations were inspected).

## INFORMATION ACTIVITIES

In the context of national prevention of torture and other activities of the NHRI, it is also important to ensure the proper dissemination of information on human rights implementation and inter-institutional cooperation; therefore, the functions of the national prevention of torture and the results of their implementation are presented in different counties of Lithuania



Number of places of detention in Lithuania



Number of visits to places of detention in 2019

every year. These meetings are used to present the national prevention of torture performed by the Seimas Ombudsmen in social care institutions, identify the most urgent issues of ensuring human rights, analyse their potential solutions and discuss the organisation of adult care in municipalities and the problems encountered.

In 2019, such presentation was hosted in Telšiai District Municipality for representatives of social service management units and care institutions responsible for the provision of long-term social care services to adults in Telšiai District Municipality.

## COOPERATION

With a view to ensuring inter-institutional cooperation, in 2019, the Seimas Ombudsmen repeatedly met with representatives of public groups, public authorities, international human rights organisations representatives of the staff of the places of detention, other responsible authorities, such as the Ombudsman for Children, E. Žiobienė, representatives of the Lithuanian Trade Union 'Solidarumas', representatives of the Ministry of Justice and the Prisons Department, public authorities and non-governmental organisations on the implementation of recommendations issued by the United Nations Committee on the Rights of Persons with Disabilities, representatives of the International Organisation for Migration, representatives of the UN Refugee Agency, the National LGBT Rights Organisation, and representatives of the State Border Guard Service.

During the meetings such issues as draft legal acts, regulating enforcement of sentences and arrests assessing their compliance with human rights standards, the situation in prisons as well as other issues were discussed. It should be noted

that the shortcomings of the penal enforcement system were also discussed by the Seimas Ombudsmen at the meeting of the Seimas Committee on Human Rights.

Employees of the Human Rights Division of the Seimas Ombudsmen Office participate in various international cooperation events hosted for staff of the national mechanisms for the prevention of torture. In 2019, the employees participated, inter alia, in an expert meeting on the topic of 'Treatment of vulnerable groups of prisoners' organised by the European Union-funded project 'Working towards harmonised detention standards in the EU – the role of the NPM', in Sofia (Bulgaria). The meeting was organised by the Bulgarian Helsinki Committee along with its partners (Hungarian Helsinki Committee, Ludwig Boltzmann Institute for Human Rights and the Association 'Antigoné'). The purpose of the meeting was to help the authorities and individuals performing the NPM functions improve the monitoring of the protection of human rights of vulnerable groups of the convicted (women, children, persons with disabilities, foreigners, homosexuals), motivating them to regularly share their knowledge and experience with foreign partners in the internet system (platform) and to develop the joint document/handbook for monitoring human rights. During the event, the organisers presented the joint document (guide) and the internet system (platform) designed for the implementation of the functions of the national prevention of torture as well as other objectives mentioned above. More than four working groups were formed and participant, following practical tasks provided to them, could share their experience acquired in performing the NPM functions and could receive advice on arising challenges and their possible solutions.

## TRAINING

In regard to the recommendations made by the European Committee against Torture and Other Violent, Inhuman or Degrading Treatment or Punishment (CPT) to Lithuania on the need to increase the competences of persons working in places of detention in the fields of ensuring human rights, as well as prevention of torture and other ill-treatment, by improving their skills and expanding their knowledge, the Seimas Ombudsmen seek to contribute to the development of the staff competences by organising training for employees of places of detention on the topics of restriction of human rights and freedoms in places of detention.

On 22 October 2019, the Human Rights Division of the Seimas Ombudsmen's Office organised training for employees of social care institutions. During the training, employees of social institutions were familiarised with the care of persons in social care homes based on the principles of human rights, thereby increasing and ensuring the quality of social services and respect for the human rights of the users of these services.

On 11 December 2019, the Human Rights Division of the Seimas Ombudsmen's Office organised training for the officers of correctional institutions to familiarise them with the supervision of life sentences based on human rights principles. During the training, areas for improvement were presented and analysed.



# KEY COMMENTS, RECOMMENDATIONS AND ACHIEVED DEVELOPMENTS

## LONG-TERM SOCIAL CARE INSTITUTIONS FOR ADULTS

In 2019, inspections were carried out in 20 (twenty) social care institutions (for adults with disabilities and elderly people):

1. 11 (eleven) care institutions in Telšiai county: Plungė Parish Retirement Home, Public Institution Plungė District Municipal Hospital, Care Home of Žemaičių Kalvarija 'Caritas' Division, Public Institution Rietavas Parish Retirement Home, Public institution Rietavas Primary Health Care Centre, Telšiai District Retirement Home, Public Institution Varniai Primary Health Care Centre, Public Institution 'Vilties erdvė', JV Plinkšiai Care Home, Mažeikiai District Orphanage and Retirement Home and Public Institution Seda Primary Health Care Centre;
2. 9 (nine) care institutions in Telšiai, Tauragė and Marijampolė counties<sup>1</sup>: Care Division of the Public Institution Kaltinėnai Primary Health Care Centre, Kukarskė Care Home, JV Lauksargiai Care Home of Tauragė District Municipality, Marijampolė Special Social Care Home, Public Institution Marijampolė Primary Health Care Centre, Pagėgiai Palliative Treatment, Nursing and Retirement Home, Seredžius Retirement Home, Care Division of

Public Institution Skaudvilė Palliative Treatment and Nursing Hospital and Dūseikiai Social Care Home.

The following main shortcomings identified during the inspections should be mentioned:

1. Not all territories and premises of care institutions as well as information provided by them are adapted to the needs of persons with disabilities; people with disabilities are accommodated in premises not adapted to their needs; in many institutions, the system of calling for assistance was flawed;
2. The locking of the resident in his/her room is applied; the right of the residents to privacy (i.e. private, individual space, privacy of personal hygiene or confidentiality of information, etc.) is not adequately guaranteed<sup>2</sup>; insufficient attention is paid to discussing privacy issues with the residents;
3. The relevant information about menus is not provided in a proper and timely manner, adequate conditions for submitting requests for a range of foods and meals are not created; there is no possibility for residents to make food themselves, nor eat in shared spaces;

<sup>1</sup> Repeated inspections to ascertain how recommendations of the Seimas Ombudsman are implemented.

<sup>2</sup> There is a particular lack of privacy in personal health care institutions providing care services, where a cosy home environment, privacy of medical examination, individualised supply of residents with underwear and upper clothing are not guaranteed, and there is a lack of facilities for private communication.

- the residents receive only some cutlery during meals, they have no possibility to use all cutlery and no efforts are made to encourage them to use it;
4. Unfit for use medicinal products are still kept (expired, not in original packaging of the producer); the contents of first-aid cases do not meet the requirements of their composition laid down by the Minister of Health for such cases; there is no control over how residents independently keep and consume various medicinal products in their living rooms; the residents have to purchase medicinal products prescribed to them by the doctor also for their own account; and the accounting of medicinal products is kept negligently;
  5. There is lack of appropriate activities for residents: no plans for individual social care, no personalised organisation of appropriate activities for residents, who are unable to get out of bed due to health reasons; lack of books and a wider range of activities focused on the needs of residents and enhancement of their social skills.

Following inspections of care institutions in Telšiai county, a total of 171 (one hundred and seventy-one) recommendations were provided<sup>3</sup>: 165 (one hundred and sixty-five) – to heads of the inspected care institutions, 3 (three) – to county municipal administrations, 2 (two) – to the Department of Supervision of Social Services under the Ministry of Social Security and Labour and 1 (one) – to the Minister of Social Security and Labour.

<sup>3</sup> Given the Seimas Ombudsman's instruction to report on the results of implementation of recommendations by 27 March 2020, competent authorities have not yet provided information on possible implementing measures of recommendations of the Seimas Ombudsman.

During the reporting period, follow-up inspections of care institutions, which were inspected in 2015 and 2018, revealed that out of 177 (one hundred and seventy-seven) recommendations repeatedly submitted to them, 114 (one hundred and fourteen) recommendations were implemented by the institutions, 40 (forty) were partially implemented and 23 (twenty-three) recommendations were not implemented, i.e. eighty-seven (87%) percent of the recommendations were implemented or partially implemented. In regard to the circumstances established during the follow-up inspections (partly implemented and/or unimplemented recommendations, as well as additionally identified shortcomings), the Seimas Ombudsman submitted recommendations to each care institution and its founder, the institution purchasing social care services (respective municipal administration)<sup>4</sup> in order to take the necessary measures to address the identified shortcomings (for the proper implementation of the recommendations). In addition, 39 (thirty-nine) recommendations were submitted. According to the data provided by the institutions in respect to follow-up inspection, all repeatedly submitted recommendations were implemented immediately after the follow-up inspection.

## CORRECTIONAL INSTITUTIONS

In 2019, checks on the human rights situation were carried out in 7 (seven) correction institutions:

<sup>4</sup> An individual's need for social care is established, a decision on the allocation of social services and social care is organised and the quality of social services allocated in the municipality is ensured by the municipal administration; accordingly, the latter must take all necessary measures to ensure proper implementation of recommendations submitted to care institutions.

Lukiškės Remand Prison (Lukiškės RP), Alytus Correction House (Alytaus CH), Marijampolė Correction House (Marijampolė CH), Vilnius Correction House (Vilnius CH), Pravieniškės Correction House – Open Colony (Pravieniškės CH-OC), Panevėžys Correction House (Panevėžys CH) and Šiauliai Remand Prison (Šiauliai RP).

The following main shortcomings identified during inspections should be mentioned:

1. No measures are taken to maintain social skills of the convicted transferred from Lukiškės RP to other correction institutions;
2. The right of the convicted to be informed of a specific transfer decision taken in respect of the convicted person is restricted, family members and relatives are not informed about the transfer in advance and conditions are not created for appeal against such a decision in accordance with the procedure laid down by legal acts;
3. When relocating persons to other correction institutions, the place of residence of the convicted and their spouses, family members and other relatives has not been taken into account, thus preventing the convicted from effectively maintaining social relationships with the external world; for this reason, relocation to other correctional institutions was favourable for maintaining social relationships with relatives only to one third of inmates; the number of living rooms for long-term visits is smaller than provided for by legal acts;
4. Material housing conditions are not adequately guaranteed, the lighting of cell-type premises in correction institutions, where life prisoners and persons sentenced by the court to serve a prison sentence are placed,

does not meet the minimum requirements of natural light coefficients, accordingly, conditions are not created for ensuring minimum natural lighting<sup>5</sup>;

5. Possibilities to continue studying at schools of general education and to work are not provided, thus violating their right to engage in all kinds of meaningful activities, social rehabilitation documents of the relocated prisoners are handled only partially, their social skills development and healthy life-style programmes are not implemented; the convicted have no access to literature adapted to their needs, activities with public organisations focused on moral education do not include other forms of positive activities for the convicted or such meetings do not take place; there are no risk assessments of criminal behaviour of relocated inmates, the number of websites available to relocated inmates in different correction institutions ranges from 1 to 107, and in some institutions computer equipment is very outdated.

60 (sixty) recommendations were issued to competent authorities: 1 (one) recommendation was issued to the Minister of Health (for improving legal regulation – the hygiene standard should include the requirement to ensure natural lighting measured according to the natural lighting coefficient), 2 (two) – to the Director of the Prison Department; in addition, control of recommendations submitted to subordinate institutions: Alytus Correction House – 9 (nine), Marijampolė Correction House – 10 (ten), Vilnius Correction House – 8 (eight), Pravieniškės

<sup>5</sup> Natural lighting coefficients do not correspond to even the minimum established analogue natural lighting coefficient, which must be at least 0.5%.

Correction House-Remand Prison – 10 (ten), Panevėžys Correction House – 9 (nine) and Šiauliai Remand Prison – 11 (eleven).

Data provided by the competent authorities on the results of the implementation of the recommendations showed that the Prison Department implemented 2 (two) recommendations, Alytaus Correction House – 9 (nine), Marijampolė Correction House – 7 (seven) (three recommendations not implemented or implemented improperly), Vilnius Correction House – 7 (seven) and 1 (one) recommendation was not implemented or implemented improperly, Pravieniškės Correction House-Remand Prison – 8 (eight), 1 (one) recommendation was not implemented or implemented improperly; moreover, Pravieniškės Correction House-Remand Prison failed to provide implementation information in respect of 1 (one) recommendation, Panevėžys Correction House – 9 (nine), and Šiauliai Remand Prison – 9 (nine) and 2 (two) recommendations were not implemented or were implemented improperly. Measures for implementing the submitted recommendation are being revised with the Ministry of Health.

## POLICE FACILITIES

During the reporting period, the assessment of the human rights situation at temporary detention facilities of police stations (PS) included a total of 5 (five) police stations: Švenčionys District Police Station of Vilnius County Police Headquarters and Ukmergė District Police Station, Anykščiai District Police Station of Utena County Police Headquarters, Jonava District Police Station of Kaunas County Police Headquarters and Prienai District Police Station of Alytus County Police Headquarters.

During inspections the following main shortcomings were identified:

1. Legal acts are not published and/or their applicable version is not available in the Register of Legal Acts and on the website of the Police Department;
2. There are cases when not all data is recorded in the Register of Police-Registered Events;
3. Not all PS premises for interrogation of adults have video surveillance systems; the minimum retention period of video surveillance records concerning the imprisoned is not guaranteed;
4. Adequate material housing conditions for detainees are not guaranteed.

Following the inspections, the responsible authorities – the Ministry of the Interior (MoU) and the Police Department (PD) under the Ministry of the Interior were issued 8 (eight) recommendations: 1 (one) recommendation was issued to the MoU (on improving the legal regulation of police activities – to ensure that all legal acts adopted by the Lithuanian Police Commissioner General and their amendments are published in the Register of Legal Acts and on the PD website) and 7 (seven) recommendations – to the PD. The results of the implementation of the recommendations reported by the competent authorities show that all recommendations are being implemented – prepared plan of measures for implementing the recommendations is fulfilled within the established time limits.

## PLACES OF DETENTION OF FOREIGNERS

In 2019, the Seimas Ombudsmen assessed the human rights situation in 3 (three) State Border

Guard Service (SBGS) facilities: SBGS Foreigners' Registration Centre (FRC) (five inspection visits carried out), the Coast Border Guard at the Port Border Inspection Post (Port Border Inspection Post) and Palanga Border Control Post of Palanga Airport (Airport BCP).

During the inspections the following main shortcomings were identified:

1. Part of the premises of the FRC, including its administrative premises are not adapted for the disabled; accommodation for persons with disabilities does not always take due account of their physical abilities to live in the respective premises;
2. The cleanliness and order in the premises is not properly ensured; the standards of supplying inmates with hygiene articles, in terms of quantity and frequency of supply (including diapers for babies under one year of age only) are insufficient to ensure personal hygiene;
3. The offered alternative menu is not adapted to foreigners confessing to Islam, conditions are not created for foreigners to perform ceremonies according to their professed religion in a separate facility adapted for that purpose within the territory of the FRC, not all persons with special nutritional needs are provided with separate menus; it is not ensured that all children attending school can have breakfast in the canteen before school starts;
4. There is no clear procedure for submitting and handling requests, complaints concerning food supplied in the canteen;
5. Quality healthcare services and timely access to them is not guaranteed;
6. In the case of applying detention when a family (a mother with minors) is placed in

cell-type premises, the proportionality of the extreme measure (detention) taken to achieve the objectives and its compliance with children's best interests is not assessed;

7. The vulnerability of asylum seekers is assessed ineffectively and inefficiently because of: the lack of knowledge of foreign languages by the staff, lack of opportunities to improve the staff qualifications, problems of the organisation of work (including the allocation of the workload of staff performing assessment, proper filling in and storage of assessment documents), lack of mobilisation of competent external authorities and specialists; lack of cooperation with specialists of the State Child Rights Protection and Adoption Service in order to adequately ensure the rights and legitimate interests of the child; failure to ensure the interpreter's services; failure to ensure the smooth operation of the electronic registry system of the Port Border Inspection Post and Airport BCP, which makes it more difficult for officials to work on the processing of the provided personal data; administrative, temporary detention and asylum seekers' facilities are not adapted for the disabled; minimum natural and/or artificial lighting is not ensured.

Following the inspections carried out in the Foreigners Registration Centre (FRC), 24 (twenty-four) recommendations were issued to the responsible authorities – the Ministry of Health (MoH), MoI, SBGS, FRC and the State Health Care Accreditation Agency under the Ministry of Health (Accreditation Agency): 1 (one) recommendation was submitted to the MoH (for the improvement of legal regulation – providing in the hygiene standard for larger rates (quantities) and wider range of hygiene articles provided to

one person); 2 (two) recommendations – to the Mol (for the improvement of legal regulation – to recalculate and change daily rates of costs for meals established for adults and minors placed in the FRC, taking into account the current average market prices for agricultural and food products, also to establish a third option of meals, i.e. to include in the menu dishes from meat other than pork; to ensure the right to adequate food according to religious beliefs; 5 (five) recommendations were submitted to the SBGS (of which 1 (one) – for the improvement of legal regulation of the SBGS activities – to supplement the questionnaire form of the arriving alien in order to ensure that his/her special nutritional needs are identified immediately), 15 (fifteen) recommendations were submitted to the FRC and one (1) – to the Accreditation Agency. All recommendations were implemented except for the recommendation submitted to the MoH (no information about the implementation of the submitted recommendation has been received yet).

Inspections carried out at the border inspection posts and border control posts resulted in 6 (six) recommendations: 5 (five) recommendations were issued to the SBGS and 1 (one) – to Klaipėda Department of the National Public Health Centre under the Ministry of Health. According to the information provided by the institutions about the results of implementation of the recommendations, all recommendations were implemented: the plan of measures drawn up for the implementation of the submitted recommendations was implemented within the time limits set out in the plan.

## MENTAL HEALTH INSTITUTIONS

In 2019, inspections were carried out in three (3) mental health institutions – the Mental Health

Brach of the Public Institution ‘Respublikinė Klaipėdos ligoninė’ (hereinafter – Klaipėda Hospital), the Psychiatry Department of the Public Institution ‘Respublikinė Panevėžio ligoninė’ (hereinafter – Panevėžys Hospital) and the Child Psychiatry Department of the Woman and Child Clinic of the Public Institution ‘Respublikinė Šiaulių ligoninė’ (the report is being prepared). The President of the Lithuanian Disability Forum, Dovilė Juodkaitė, was involved in the inspections as the expert of mental health and rights of the disabled.

The following main shortcomings identified during the inspections should be mentioned:

1. No approved workloads for doctors and other health care specialists; staff complained about high emotional pressure, lack of incentives, costs of refresher courses not always covered by the administration of the institution;
2. The provisions of the internal rules defining the procedures for involuntary hospitalisation of patients do not comply with the existing legal regulation; not all patients know about their right to refuse to continuing their hospitalisation and treatment at the institution and are not properly informed about the treatment regime;
3. The access to information on internal rules of the institutions, patients’ rights and responsibilities, possibilities to apply to the institutions’ ethics commissions is not ensured; patients lack information on the procedure for submitting written requests, the ethics commissions and their functions, oral requests of patients are not registered, the possibility of anonymous referral is not adequately guaranteed in most of the visited departments;

4. The applicable procedure of physical restraint arrangements are not in line with the existing legal regulation, no attention is paid to improving staff qualifications in the light of new legal regulation, the privacy of patients, subject to physical restraint measures, is not ensured; the monitoring of the state of intended periodicity and the proper registration of the application of restraint measures is not guaranteed;
  5. Not all facilities are adapted to the needs of persons with reduced mobility; equipment in hygiene facilities are disorderly, there is a lack of cleanliness, no curtains in wards, inadequate ventilation of premises, premises for meetings with visitors are not installed, thus failing to ensure the privacy of patients and people visiting them;
  6. Provisions of national legal acts prohibiting the use of tobacco products and e-cigarettes in all health care establishments and their territories are infringed, smoking of patients is tolerated both by passive and active actions of administrations and staff, and smoking addiction prevention programmes are not applied;
  7. Access to the psychologist's services, psychosocial rehabilitation and leisure activities is not properly ensured (the majority of departments have no separate rooms for recreation / activities, patients are rarely taken out for walks).
- In the light of the identified shortcomings recommendations will be issued to the responsible authorities to address these shortcomings and the implementation of the recommendations will be monitored.

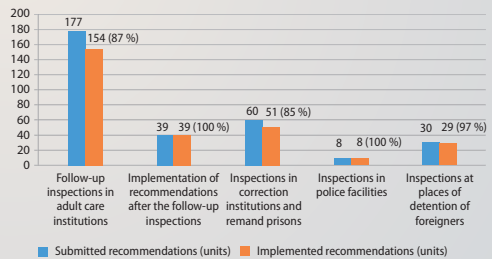
## FOLLOW-UP OF THE IMPLEMENTATION OF RECOMMENDATIONS

The follow-up of the implementation of recommendations provided to the responsible institutions is a very important measure of ensuring the national prevention of torture. In implementing the submitted recommendations competent institutions must take certain actions, if necessary, provide for the action plan, and the Seimas Ombudsmen monitor the implementation of these recommendations. The follow-up of the implementation of recommendations is a process in which the institution responsible for preventing torture monitors and gathers information on the actions and measures taken by the responsible institutions in accordance with the recommendations provided to them, promotes the proper implementation of recommendations in different ways, and consults on the effectiveness of the selected measures.

The follow-up of the implementation of recommendations provided to the responsible institutions is carried out by assessing the information received from the responsible institutions, adjusting such information and conducting follow-up inspections to determine the results of imple-

mentation of recommendations of the Seimas Ombudsmen through the on-site assessment of the information submitted by the institution (as already mentioned, in 2019, nine (9) follow-up inspections were carried out in the adult care institutions).

A high average (94%) of the number of implemented recommendations is encouraging. Recommendations that remain not implemented are the subject of the continuous dialogue seeking to have all of them implemented; the relevant information will be included in other reports of the Seimas Ombudsmen's activities.



*Implementation of submitted recommendations*