

Summary of the Annual Report

on the Activities of the Seimas Ombudsmen's Office of the Republic of Lithuania – the National Human Rights Institution in 2018



THE SEIMAS OMBUDSMEN'S OFFICE OF THE REPUBLIC OF LITHUANIA

SUMMARY OF THE ANNUAL REPORT ON THE ACTIVITIES OF THE SEIMAS OMBUDSMEN'S OFFICE OF THE REPUBLIC OF LITHUANIA – THE NATIONAL HUMAN RIGHTS INSTUTION IN 2018

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INTRODUCTORY WORD BY THE SEIMAS OMBUDSMEN

Twenty-six years ago, Lithuania, having voted in favour of the Constitution of the Republic of Lithuania (hereinafter referred to as "the Constitution") defining the direction of the legal, economic, social and political development of the restored state, also advocated for the democratic development of the country. As we know, the provision that the Lithuanian state is a democratic state entails ensuring the supremacy of the Constitution, the protection of human rights and freedoms, the equality of all persons before the law and the court, the separation and balance of powers, the responsibility of the authorities to the citizens, the democratic decision-making process and the possibilities for the development of civil society, etc. in the state. One of the most important duties





of each democratic state is to respect human rights and ensure their protection.

The Constitution and other laws de jure and de facto serve as a system guaranteeing the protection of human rights. One of the constitutional institutions whose duty is to protect human rights and freedoms is the Seimas Ombudsmen's Office of the Republic of Lithuania (hereinafter referred to as "the Seimas Ombudsmen's Office"), which has been in operation since 1994. Throughout this period – for over twenty years – the Seimas Ombudsmen's Office has proved that it is capable of performing the mission entrusted to it properly and honourably, namely to focus on and assist each person in the protection of human rights and freedoms, to promote respect for them, to promote dialogue between the individual and the authorities for the latter to serve the people properly.

It is noteworthy that since the establishment of the institution the status of the Seimas Ombudsmen's Office has been changed and improved quite a number of times and its functions have been adjusted too. Over time, the scope of powers conferred upon the Seimas Ombudsmen has changed, so today the Seimas Ombudsmen's Office is not only an institution investigating citizens' complaints about the abuse of power or bureaucracy of state and municipal officials, but also a national human rights institution and an institution performing the national prevention of torture in places of detention. Therefore, the Seimas Ombudsmen's Office is trying to contribute to the legal education in shaping the attitude of civil servants and employees and of society as a whole to the protection of human rights and freedoms and the ongoing changes in this process¹. These major challenges call for considerable effort, concentration and organization by the Seimas Ombudsmen and the staff of the Seimas Ombudsmen's Office to achieve the operational objectives of this important constitutional institution.

In reviewing the work done by the Seimas Ombudsmen's Office in 2018, for which specific statistical data are provided, taking into account the powers conferred upon this institution (see below), attention should be paid, among other things, to the functioning of in our opinion very important element of the principle of the separation of powers in the state i. e. interaction of powers, for in many cases it determines the quality of the desired performance and the general attitude of the people towards the state and its institutions.

As is well known, the constitutional principle of the separation of powers implies, among other things, that each authority is endowed with a competence appropriate to its purpose, the specific content of which depends also on the authority's position among

other authorities, the relation of its powers to those of other authorities. It is important that all authorities implementing the power of the state have to obey the Constitution, to fulfil the constitutional duty to serve the people and to jointly achieve goals that are important for the whole society. In other words, it is very important that all state institutions established at the constitutional or legislative level understand the importance of cooperation so that there would prevail the perception that the whole state can function as a coherent mechanism only when the following provision is respected: the independence of state institutions must be understood as acting within the limits of the conferred competence and authority based on respect and partnership with other authorities. In its rulings, the Constitutional Court has repeatedly emphasized that in the performance of the general objectives and functions of the state, the activities of state institutions are based on the principle of their cooperation, therefore their interaction can be described as inter-functional partnership.

In this context, it should be emphasized that the Seimas Ombudsmen's Office, acting in accordance with the aforementioned principle since its establishment, and thus in 2018 too, has played the role of an active moderator, mediating between various state authorities in solving relevant problems².

Since the purpose of the existence of the Seimas Ombudsmen is to protect the human right to good public administration, to ensure human rights and freedoms, to oversee the duty of public authorities to serve the people, it is this task that makes it particularly possible to understand the role of civil service in the state: the essential purpose of civil service, like that of the state, is to ensure human



¹ On 18 December 2018, for instance, the Seimas Ombudsmen's Office organized training for the staff of penitentiary institutions on the principles of supervision of convicts based on respect for human rights.

² For instance, in response to a wave of dissatisfaction with the new regulation on the purchase of food products in detention facilities, on 4 December 2018 the Seimas Ombudsmen had a meeting with the representatives of the Ministry of Justice and the Prison Department under the Ministry of Justice to try to find together ways of addressing this issue.

rights and freedoms and to safeguard the public interest. In other words, civil servants have a great responsibility for the performance of the functions assigned to them, i. e. public administration, the provision of public services to ensure the public interest of all the public community, i. e. the Civil Nation. If these constitutional imperatives are not respected, the performance of other institutions will be disrupted, human resources and state assets will be irresponsibly wasted, as in this case the people of the country are forced to seek help and support to solve problems they are unnecessarily facing. Therefore, here it should be mentioned one of the important function of the Seimas Ombudsmen, namely, organizing meetings with municipal civil servants and other employees to discuss the principles of public administration and their content, among other issues³.

In this context, it should be emphasized that all state institutions should act in accordance with constitutional and legal requirements, not abuse the established powers, observe the requirements of official ethics, follow such fundamental principles of organization and activity of civil service as the rule of law, openness and accessibility of state institutions to people, proportionality, objectivity, efficiency, equality, subsidiarity, transparency, information of the public about the performance of state and municipal institutions, promptness of issuesolving and decision-making, etc. It is important to emphasize this because the state will be able to attain the objective of the open, just, harmonious civil society and the rule of law established by the Constitution only when all state institutions act in accordance with the afore-mentioned principles.

MANDATES OF THE SEIMAS OMBUDSMEN

Article 73 of the Constitution establishes the duty of the Seimas Ombudsmen to investigate citizens' complaints about the abuse of office by or bureaucracy of state and municipal officials (except judges). The second part of the same article provides that the powers of the Seimas Ombudsmen shall be established by the Law of the Seimas Ombudsmen of the Republic of Lithuania (hereinafter referred to as "the Law on the Seimas Ombudsmen", "the Law"). Article 3 of the Law, which was amended taking into account the new obligations of the Republic of Lithuania assumed as a member of the international community, states that there are three main objectives (mandates) of the activities of the Seimas Ombudsmen.

It should be noted that in addition to the handling of complaints provided for in the Constitution, following the ratification of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment by the Republic of Lithuania at the end of 2013, the Seimas Ombudsmen were empowered to perform the national prevention of torture, and from 1 January 2018 onwards assigned the functions of the national human rights institution.

Complaint Handling

The powers of the Seimas Ombudsmen to investigate citizens' complaints about the abuse of office by and bureaucracy of officials arise from Article 73 of the Constitution and are specified in the Law on the Seimas Ombudsmen. Handling of complaints accounts for the larger part of the Seimas Ombudsmen's activities, which receive special attention.

To realize a person's right to proper public administration, the Seimas Ombudsmen by using all the rights provided by the Law investigate complaints, having objectively evaluated the



³ For instance, on 14 November 2018, the Seimas Ombudsman had a meeting with the heads of Vilnius City Administration. Among other things, the meeting addressed issues raised in citizens' complaints, highlighted issues related to complaint handling, including the provision of incomplete and non-motivated responses to applicants, or the failure to respond to all the issues raised in complaints.

circumstances complained about, make decisions, issue recommendations to institutions, analyse information on implementation of recommendations, and, if necessary, take other measures to ensure effective implementation of recommendations.

The Seimas Ombudsmen actively respond to information received from the media or other means about possible abuse of office by officials, bureaucracy or other violations of human rights and freedoms. In such cases, the Seimas Ombudsman conduct investigations on their own initiative.

The right of the Seimas Ombudsmen to mediate between a person and an official refusing to solve her/his problem is the traditional right of ombudsmen exercised all around the globe. This right is also provided for in the Law on the Seimas Ombudsmen, according to which the Seimas Ombudsmen may mediate to solve a person's problem in good faith. They mediate in cases where there are grounds for refusal to investigate the complaint provided for in Article 17 (1) (6), and sometimes also in Article 17 (1) (3), of the Law on the Seimas Ombudsmen. This allows for quick and effective resolution of issues raised by an individual's complaint. By mediating between individuals and state or municipal institutions and issuing recommendations, the Seimas Ombudsman draws the attention of officials to what should be done. The Ombudsman evaluates the information received from the institutions on the implementation of the recommendations made. If the mediation procedure does not resolve the problem and the recommendations are not followed, the complaint is examined on the merits. It should be emphasized that the mediation procedure makes it possible to significantly shorten the duration of the complaint investigation and to resolve issues relevant to the applicants within 1-1.5 months, as well as to pay more attention to the burning issues relevant to a large part of the society.

Only when people are confident that their rights and freedoms are protected and, in the event of a violation, are effectively defended, will confidence in the state and its institutions increase. Effective protection of human

rights and freedoms is ensured by a variety of means: by investigating complaints, conducting investigation on the own initiative, mediating between individuals and the state, collaborating with non-governmental organizations, etc. It should be emphasized that human rights are effectively protected only if all the envisaged human rights remedies are implemented, without prejudice to any of them.

National Prevention of Torture

Since 2014, the Seimas Ombudsmen have been carrying out national prevention of torture by regularly visiting places of detention. According to Article 19¹ (2) of the Law on the Seimas Ombudsmen, the place of detention shall be any place under the jurisdiction or control of the Republic of Lithuania, where persons are or may be deprived of their liberty, either by virtue of an order given by a public authority or at its instigation or with its consent or acquiescence, i. e. arrest houses, imprisonment institutions, nursing homes, mental health facilities, communicable disease treatment facilities, places of detention of foreigners and other institutions. According to the data available to the Seimas Ombudsmen's Office, there are more than 400 places of detention in Lithuania.

In carrying out the national prevention of torture, the Seimas Ombudsmen exercise broad powers, i.e. have the right to choose which places of detention to visit and who to interview, to enter all places of detention and all the premises therein, to familiarize themselves with their facilities and infrastructure, to speak without witnesses with the persons deprived of liberty, as well as to guestion any other person who may provide the relevant information. In addition, the Seimas Ombudsmen have the right to conduct inspections of places of detention together with selected experts. In performing this function, there are regular visits made to places of detention and inspections are carried thereof to determine whether there is any torture, other cruel, inhuman or degrading treatment, and if there are any other

forms of violation of human rights. Moreover, the supervision is carried out of the implementation of the Seimas Ombudsmen's recommendations. There are about 50 visits per year to places of detention.

In the course of performing the national prevention of torture, it has been ascertained that the prevention of torture and other human rights violations is important and has positive effects such as: detection of various types of human rights violations that were not known during the investigation of complaints, drawing the attention of the authorities to problems, aspects that may lead to the violation of rights of individuals in places of detention, promotion of a progressive, respectful approach to attain the longterm goal of ensuring that the rights of persons in places of detention are not violated. The ongoing programme of the national prevention of torture is an important contribution to the improvement of the human rights situation in the country through the implementation of the recommendations made to Lithuania by the United Nations (hereinafter referred to as "the UN") Human Rights Council and various other international institutions.

National Human Rights Institution

The origin and scope of activities of national human rights institutions (hereinafter referred to as "the NHRI") are closely linked to the international mechanism for the protection of human rights. The concept of the NHRI activities was formulated by the UN General Assembly in 1993 in Resolution no. 48/134, which encourages Member States to set up NHRIs, emphasizes the need for such institutions to adhere to the principles governing their status, the operational guidelines and the main requirements (called the Paris Principles). The adopted document foresees that country's institutions are awarded the status of the NHRI if they are independent and able to ensure that international human rights organizations shall be provided with the objective insights (opinion) on the progress of human rights in the country, they shall be able to, independently of the

state's executive power, participate in the discussion of state-generated reports under provisions of the UN Convention for the Protection of Human Rights.

On 23 March 2017, the International Coordinating Committee of National Human Rights Institutions for the Promotion and Protection of Human Rights accredited the Seimas Ombudsmen's Office as an NHRI (Status "A") in line with the Paris Principles. On 7 December 2017, the Seimas of the Republic of Lithuania (hereinafter referred to as "the Seimas") adopted the Law (entered into force on 1 January 2018) amending Articles 3, 19 and 19¹ of the Law on the Seimas Ombudsmen no. VIII-950 and adding Article 19² which defined new areas of competence of the Seimas Ombudsmen in the exercise of the following functions attributable to the National Human Rights Institution:

- to carry out human rights monitoring in Lithuania and to prepare reports on the human rights situation;
- to perform dissemination of information on human rights and public education on human rights;
- to present assessment of the human rights situation in Lithuania to international organizations and to provide them with information in accordance with the obligations established in the international treaties of the Republic of Lithuania;
- to make proposals to state and municipal institutions and bodies on human rights issues;
- to seek harmonization of national legislation with the international obligations of the Republic of Lithuania in the field of human rights;
- initiate investigations into fundamental human rights issues.

There should be emphasized the particular importance of the role of the NHRI in systematically analysing and summarizing information for ongoing reporting on fundamental human rights issues, evaluating national legislation on its compliance with universally recognized human rights principles and standards,



proposing conditions for the elimination of potential human rights violations, etc. In pursuit of more effective implementation of decisions and recommendations, the NHRI uses international, regional and national human rights mechanisms, national courts and the European Court of Human Rights (hereinafter referred to as "the ECHR"), cooperates with public authorities and non-governmental organizations, involves experts, representatives of the academic community working in various fields of human rights.

ACTIVITIES OF THE SEIMAS OMBUDSMEN'S OFFICE AS THE NATIONAL HUMAN RIGHTS INSTITUTION

In the exercise of its functions as the national human rights institution, the Seimas Ombudsmen's Office in 2018 paid great attention to mental healthcare problems, therefore it studied the draft amendments to the Law of Mental Health Care, made proposals for its improvement, and organized meetings with the Minister of Health and non-governmental organizations. The Seimas Ombudsmen's Office also looked into problems of the reform of penitentiary institutions, provided training to penitentiary insitutions' officials on the supervision of convicts based on the principles of human rights, and contributed to the organization of the first National Human Rights Forum to celebrate the International Human Rights Day. At the event, representatives of state institutions and non-governmental organizations invited the public to discuss topics related to domestic violence, the right to freedom of elections, modern slavery, and public right to information. In addition, the Seimas Ombudsmen's Office submitted an alternative report to the United Nations on the implementation of the International Covenant on Civil and Political Rights in Lithuania.

Below is a more detailed information on the activities of the NHRI conducted by the Seimas Ombudsmen in 2018:

• Carried out human rights monitoring in Lithuania and prepared reports on the human rights situation (Article 19² (2) (1))

- On 19 January 2018, the Seimas Ombudsmen's Office hosted a meeting with nongovernmental organizations belonging to the Coalition of Human Rights Organizations. At the meeting, the Seimas Ombudsmen together with representatives of the Coalition for Human Rights Organizations discussed co-operation opportunities in addressing human rights issues. The meeting focused on the importance of Roma integration, public education on human rights issues and the need to implement the European Court of Human Rights decision on gender reassignment.
- On 18 October 2018, representatives of the Seimas Ombudsmen's Office at the Ministry of Justice of the Republic of Lithuania (hereinafter referred to as "the Ministry of Justice") attended a meeting with ministries, other responsible executive governmental agencies and nongovernmental organizations to discuss the implementation of the recommendations made during the second cycle of the UN Human Rights Council's Universal Periodic Review.
- On 19 October 2018, representatives of the Seimas Ombudsmen's Office at the Ministry of Foreign Affairs of the Republic of Lithuania (hereinafter referred to as "the Ministry of Foreign Affairs") attended a meeting with ministries, other responsible executive governmental agencies and nongovernmental organizations, during which they discussed the final comments of the UN Human Rights Committee on Lithuania's Fourth Report under the International Covenant on Civil and Political Rights
- Disseminated information on human rights and raised the awareness of the society on the issues of human rights (Article 19² (2) (2))



- On 30 October 2018, the Seimas Ombudsmen's Office hosted a training provided for employees of social care institutions on "Challenges and opportunities of longterm social care provision within the client employment field". During the training, the head of the Seimas Ombudsmen's Office, Augustinas Normantas, emphasized that social care in the care homes for the elderly is not just about addressing certain physiological needs, but also includes the participation of the residents of the care homes in various daily activities, their cultural and social education, meeting of spiritual and psychosocial needs. Municipal civil servants, responsible for organizing social care services in municipalities, and social care workers that participated in the event were presented with methods of providing human rights-based social care services, the implementation of which requires that all aspects of service planning, policy development and practice be based on human rights principles and standards.
- On 18 December 2018, the Seimas Ombudsman Office hosted a training for the staff of correctional institutions "Ensuring fundamental human rights and freedoms in penitentiary institutions". By participating in practical activities, the staff of correctional institutions analysed problems raised in convicts' complaints, looked into the peculiarities of complaint handling, and used critical thinking to search for unusual solutions to the problems. Representatives of the Seimas Ombudsmen's Office reminded the participants of the training about the principles of respectful treatment of convicts approved by the United Nations, spoke about the supervision of convicts that is based on the principles of human rights. During the training, the participants were introduced to an auxiliary model of response to provocation

employed to have positive communication with convicts, and analysed the practical situations they often face.

The Seimas Ombudsmen's Office was one of the organizers of the National Human Rights Forum, which was organised to commemorate the International Human Rights Day. The Forum was organized for the first time in Lithuania and was attended by more than 60 national and foreign experts, public figures, journalists, politicians, human rights activists, diplomats, business representatives, high school students and university students, who discussed the human rights culture in schools, voter manipulation, human trafficking, domestic violence, minority rights and other issues. The event was dedicated to the 70th anniversary of the signing of the Universal Declaration of Human Rights. When discussing human rights, the head of the National Human **Rights Institution (the Seimas Ombudsmen's** Office), Augustinas Normantas, emphasized the importance of human rights education. During the forum, representatives of the state, non-governmental and business sectors together with the academic community and society participated in discussions about the current situation of human rights as well as changes and solutions necessary in order to make life in Lithuania good for people of all nationalities, races, faiths, genders, social statuses and beliefs. The discussions of event were attended by officers of international institutions, such as the European Council, United Nations, European Commission, as well as the US, Canadian, Swedish and Norwegian ambassadors. Common debates were joined by members of the Seimas, ministers, experts from Vytautas Magnus University (hereinafter referred to as the "VMU"), representatives of Lithuanian Social Research Centre, Vilnius Institute for Policy Analysis, Equal Opportunities Ombudsperson, Seimas Ombudsmen's Office,



Lithuanian Disability Forum, Lithuanian Human Rights Centre, The White Gloves and other organizations. Human rights issues were also discussed by Marceline Naudi, vice president of the GREVIO Committee of the Council of Europe, an expert from the United Nations, Professor of VMU Jonas Ruškus, Lisa Gawell from the Raoul Wallenberg Academy in Sweden and many others. The discussion were also joined by well-known public figures active in the field of human rights: singer Erica Jennings, actor Dominykas Vaitiekūnas, creator of social initiatives Beata Tiškevič, journalist Edmundas Jakilaitis and others.

- Presented the assessment of the human rights situation in Lithuania to international organizations and provided them with information in accordance with the obligations established in the international treaties of the Republic of Lithuania (19² (2) (3))
 - On 18 May 2018, the Seimas Ombudsmen's Office hosted a meeting with the delegation from the Office for Democratic Institutions and Human Rights (ODIHR) of the Organization for Security and Cooperation in Europe (OSCE). Representatives of the delegation informed the Seimas Ombudsmen that they are planning to monitor the public events related to the festival Rainbow Days 2018 in Vilnius, assessing Lithuania's readiness to comply with international obligations to ensure the right to freedom of assembly. The head of delegation was interested in the legal acts regulating the implementation of the freedom of assembly, and paid special attention to the discussion on the implementation of Parts (1) and (2) of Article 6 of the Law on Meetings, showed interest in Article 3 of the Law which defines the organizers of the meetings, inquired how these provisions are implemented, how the procedures for the alignment of meeting places and time with the representatives of the municipality are implemented.

The Seimas Ombudsmen's Office also drafted and on 11 June 2018 submitted an alternative (shadow) report to the UN Human Rights Committee on the implementation of the International Covenant on Civil and Political Rights in Lithuania.

- On 7 September 2018, the Seimas Ombudsmen's Office held a meeting with João Pereira, Policy Advisor to the Council of Europe on Sexual Orientation and Gender Identity (SOGI). Seimas Ombudsman Augustinas Normantas discussed with the guest the legal protection of transgender persons in Lithuania. At the meeting the participants also discussed the progress of the case L. v. Lithuania, SOGI's comments on the draft Law on the Recognition of Gender Identity and measures that the country should take to properly execute the ECHR's ruling in the case L. v. Lithuania.
- On 13 December 2018, representatives of the Seimas Ombudsmen's Office participated in the meeting at the Ministry of Justice on the execution of the ECHR ruling in the case of L. v. Lithuania. During the meeting, the work carried out and planned by the authorities responsible for implementing the ruling were discussed, and attention was paid to areas where transgender persons who have been granted by the court legal recognition of gender identity face practical problems.
- Provided suggestions to state and municipal institutions and institutions on human rights issues (Article 19² (2) (4))
 - On 8 June 2018, the Seimas Ombudsmen's Office held a meeting with representatives of the Ministry of Justice in the area of criminal justice, where possible amendments to the Code of Criminal Procedure of the Republic of Lithuania (hereinafter referred to as the "Code of Criminal Procedure") were discussed as well as the situation in prisons and in



the Prison Department under the Ministry of Justice of the Republic of Lithuania (hereinafter referred to as the "Prison Department").

- On 2 July 2018, a meeting was held with Health Minister Aurelijus Veryga and Justice Minister Elvinas Jankevičius to discuss the implementation of the ECHR ruling in the case L. v. Lithuania. The meeting was also attended by the Government's representative to the ECHR Karolina Bubnyte, who presented the actualities of the ECHR ruling in the case L. v. Lithuania and the key aspects of the implementation of this decision. At the meeting, the participants discussed the ECHR ruling on a partially admissible statement by Mr. L., a citizen of the Republic of Lithuania, addressed to the ECHR regarding insufficient legal regulation of transsexual issues in Lithuania. During the meeting, the Seimas Ombudsmen pointed out that not only medical but also legal issues had to be resolved in order to implement the ECHR ruling. Ministers and Ombudsmen agreed that this is a sensitive topic that needs to be analysed from various angles, including the safety of such service, value aspects and comparisons with foreign practices.
- On 26 September 2018, the Seimas Ombudsmen's Office hosted a meeting with representatives of the Prison Department to discuss aspects of the implementation of dynamic care in detention institutions.
- On 25 October 2018, representatives of the Seimas Ombudsmen's participated in a meeting with representatives of the Department for the Execution of Judgements of the European Court of Human Rights of the Council of Europe's Committee of Ministers, discussing problems of implementation of ECHR rulings in Lithuania and possibilities for cooperation.

- The Seimas Ombudsmen's Office also drafted and on 30 November 2018 expressed its position on "Freedom of expression by ensuring the independence of the public broadcaster". Without considering the particular proposals of the Ad-Hoc Investigation Commission of the Seimas, the Seimas Ombudsman spoke of the need to protect freedom of speech and expression guaranteed by the Constitution and the European Convention for the Protection of Human Rights and Fundamental Freedoms by ensuring the independence of the national broadcaster. In his position, the Seimas Ombudsman noted that Article 10 of the European Convention on Human Rights, which guarantees freedom of expression, includes, inter alia, freedom of the press, radio and television, as there is no democratic society without free and abundant press. The Seimas Ombudsman also noted that the ECHR case Manole and Others v. Moldova stressed the importance of the independence of the statutory public service broadcasters from political and economic impact.
- The Seimas Ombudsmen's Office drafted and submitted to the Ministry of Justice its position "On the replacement of the personal clothes of (some of) the convicted (or the arrested) by clothes issued by the correctional institution (detention centre)". Assessing the initiative of the Ministry of Justice, the Seimas Ombudsman pointed out the need to take into account the objectives of this initiative, what the afore-mentioned measure aims to achieve, and whether all possible measures have been used (involvement of convicts in various social rehabilitation programs, increasing their employment, working with prisoners, increasing their self-confidence and shaping (by altering) the negative behaviour that has developed by socially



acceptable standards of behaviour, etc.) that would contribute to the destruction of subcultures rooted in prisons. According to the opinion of the Seimas Ombudsman, although some foreign states have practices where prisoners (detainees) wear uniforms issued to them, the European Committee for the Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (hereafter referred to as "the CPT") has noted in its report that prisoners' (detainees') self-esteem is an important part of social rehabilitation, and therefore the CPT questions whether the ban on prisoners (detainees) wearing their own clothes would contribute to fostering the self-esteem of prisoners (detainees ([CPT/Inf(2009) 34] p.74). In addition, the European Prison Rules provide that prisoners who do not have their own suitable clothing must be provided with clothing suitable for the climate (paragraph 20.1). Such clothes cannot in any way damage the self-esteem of prisoners (paragraph 20.2). All clothing must be in good condition and replaced if necessary (paragraph 20.3). When prisoners receive permission to leave the institution, they must not be required to wear clothing that would distinguish them as prisoners (paragraph 20.4). Detainees must be allowed to wear their personal clothes if they are fit for the prison (paragraph 97.1). The Seimas Ombudsman noted that there is no objective evidence that the Ministry of Justice's initiative to replace the personal clothes of (some of) the prisoners (detainees) would allow to attain the presumed aim of reducing the rooted subcultures in prisons, for most likely not all possible and recommended measures to reduce subcultures in prisons proposed by international human rights protection have been exhausted. Moreover, in his opinion,

the Seimas Ombudsman noted that prisoners' uniforms cannot degrade the dignity of prisoners and stigmatize those in prison, the measures taken must be in line with legitimate and socially important objectives, must be necessary to attain the above objectives and must not restrict the rights and freedoms of the individual significantly more than necessary to achieve these goals (Constitutional Court ruling of 11 December 2009)

- Sought to bring national legislation in line with the international obligations of the Republic of Lithuania in the area of human rights (Article 19² (2) (5))
 - On 3 April 2018, a meeting with human rights and mental health experts was organized at the Seimas Ombudsmen's Office.
 - On 4 April 2018, the Seimas Ombudsmen's Office hosted the presentation of the draft report on monitoring of the Convention on the Rights of Persons with Disabilities by the Department for the Affairs of the Disabled, which included representatives of the Department for the Affairs of Disabled and non-governmental organizations. At the meeting organized on the initiative of the Seimas Ombudsman, representatives of state institutions and non-governmental organizations were introduced to the results of the implementation of the Social Integration of the Disabled and the Monitoring Report 2017 for the UN Convention on the Rights of Persons with Disabilities, in which the Department for the Affairs of the Disabled and non-governmental organizations highlighted the main shortcomings in the implementation of the Convention on the Rights of Persons with Disabilities in the country. The report notes that the country does not adequately ensure the participation of people with disabilities in political and social life, and



that access to health care facilities for people with disabilities is difficult, and some of facilities (in rural areas) are generally inaccessible. The evaluation of the implementation of the Convention on the Rights of Persons with Disabilities in the country, notes that residents in adult care institutions are not provided with food on time and are not employed. Residents of care institutions are dependent on the services provided by staff of the care institution.

- On 4 June 2018, the Seimas Ombudsmen's Office has submitted to the Seimas Committee on Human Rights and the Seimas Commission for Suicide and Violence Prevention its position on the draft Law on Amendments to the Law on Mental Health Care, in which it noted that not all proposed amendments to the Law on Mental Health Care are in line with the international human rights protection standards, and accordingly have made their recommendations and suggestions on the compatibility of the draft law with international obligations of the Republic of Lithuania.
- On 26 September 2018, representatives of the Seimas Ombudsmen's Office participated in the hearings of the Seimas Committee on Health Affairs on the Amendments to the Law on Mental Health Care, where they presented the position of the institution on the adoption and implementation of the new draft law.
- On 24 October 2018, representatives of the Seimas Ombudsmen's Office participated in the meeting of the Seimas Committee on Social Affairs and Labour discussing the Amendments to the Law on Mental Health Care.
- On 30 November 2018, the Seimas Ombudsmen's Office hosted a meeting with the Head of the Seimas Committee on Health Affairs and the Minister of Health regarding Amendments to the Law on Mental Health Care.

At the meeting with the representatives of the Ministry of Health of the Republic of Lithuania (hereafter referred to as "the Ministry of Health"), the Ministry of Justice and non-governmental organizations there was a discussion on the implementation of the recommendations issued to Lithuania by the UN Committee on the Rights of Persons with Disabilities and related to the implementation of the Article 14 and other provisions of the Convention on the Rights of Persons with Disabilities (CRPD).

Initiated an investigation concerning fundamental human rights issues (Article 19² (2) (6))

On 22 June 2018, the Seimas Ombudsman (Head of the National Human Rights Institution) made a decision On the initiation of an investigation into fundamental human rights issues and initiated an investigation concerning decisions following which persons, until 1 January 2016, were declared to be legally incapacitated. The investigation was launched in order to review the decisions and possibly unjustified restriction of such persons' rights. The aim of this investigation was to determine whether the implementation of provisions of Article 72 of Law No. XII-1566 on the amendment of the Civil Code of the Republic of Lithuania stipulating that court rulings passed before the entry into force of this Law and declaring persons to be legally incapacitated have to be reviewed within two years from the date of entry into force of the Law, as well as to clarify the possible reasons of the misapplication of the afore-mentioned provisions of the Civil Code of the Republic of Lithuania (hereinafter referred to as "the Civil Code"). In the course of the investigation, requests for information were prepared and sent to all municipalities in the country, the State Enterprise Centre of Registers and the National Courts Administration.



On 21 September 2018, the Seimas Ombudsman (Head of the National Human Rights Institution) made a decision On the initiation of an investigation regarding fundamental human rights issues and launched an investigation into the proportionality of the regulation of the social insurance of convicted persons and the rights of such persons that may be unreasonably restricted. The aim of this investigation is to determine whether current legal framework, which provides that prisoners serving a sentence of imprisonment are not insured by state social insurance, except for the social insurance of accidents at work and occupational diseases established by the laws of the Republic of Lithuania (Article 129 (1) of the Code of Criminal Procedure) is proportionate. In the course of the investigation, requests for information were made and sent to all detention institutions of the country, State Enterprise "Mūsų Amatai", the Prison Department, the Ministry of Justice, and the Lithuanian Institute of Law were asked to provide their competent opinion. The investigation is scheduled to be completed in the first quarter of 2019.

MAIN ISSUES RAISED IN COMPLAINTS AND INVESTIGATIONS CARRIED OUT BY THE SEIMAS OMBUDSMEN

In the opinion of the Seimas Ombudsmen, the following are the most important problems to be investigated:

- The transfer of internal roads within the areas of gardeners' communities to municipalities (the provisions of the law are not enforced, there is no procedure for the transfer of roads);
- Insufficient efficiency of the National Land Service in the area of public administration (failure to comply with applicants' requests,

deadlines for handling complaints, inadequate control of territorial units);

- Waste management (fees charged to applicants for the collection and management of municipal waste, legal gaps in waste management);
- Renovation (modernization) of apartment buildings (state supervision of construction, supervision and control of activities of communities and administrators);
- Supervision and control of the administrators of general-purpose objects (inadequate supervision and control of communities and administrators by municipal officials, delay or failure to take decisions, not taking adequate measures to enforce removal of violations, not exercising sufficient control over the execution of the instructions given to communities and administrators);
- Traffic safety (insufficient attention is paid to requests from communities and individuals for street maintenance and repair, parking, traffic control issues);
- Rental of social housing (problems with the creation of a social housing fund, failure to provide social housing, violation of the procedure of allocation, delay, refusal to improve the conditions of social housing or delay in improving conditions, termination of social housing rent);
- Social assistance, social support (social and lump-sum benefits, award and payment of benefits, allocation of social housing, payment of contributions to and receiving benefits from social insurance and health insurance funds, delays in making decisions on incapacity for work, failure to provide information, inadequate provision of long-term care);
- Noise reduction problems (vehicle noise reduction, noise control and prevention);
- Violations of the right to information (unreasonably refusing to provide the requested)

information or the information provided is not accurate, does not correspond to the content of the request);

- Problems of legal regulation, improper application of legislation (absence (nondesignation) of the authority responsible for the implementation of the relevant national policy area, institutional functions, powers must not be duplicated, the functions of institutions are determined by law or other legal act rather by the cooperation agreement, unclear activity (service) control procedure, residence declaration procedure, postponement of repayment terms of state supported loans, procedure for paying interest, not ensuring participation of public organizations in the legislative process; from the previous year - unclear procedure for the provision of trade and services, granting of permits, control of activities);
- Violations of complaint investigation procedure (omission of legal deadlines for investigation of applications, complaints; applicants not being informed of extension of time limits for handling complaints and requests; requests and complaints not examined exhaustively, without justifying the statements by legal provisions; appeal procedure not indicated);
- Violations of the rights of persons with disabilities (delays in making decisions on incapacity for work; failure to provide information, legal aid; failure to grant short-term or long-term care; failure to award health care and social services; termination of service; inadequate quality of service);
- Violations of social service provision (accessibility of social services, termination or improper provision of social services, noncompliance with the procedure for housing and living conditions);
- Violations of other social rights (noncompliance with the requirements of an

individual administrative decision established in the Law on Public Administration, delays in making a decision, violations of admission procedures);

- Violations in the area of health care (access to health care services, continuity, failure to provide information, inadequate quality of service, forced treatment of patients in medical institutions, failure to ensure choice of further (continued) treatment, legal aid, concerning forced medical measures);
- The right of imprisoned persons to see their close ones (failure to grant conditions to visit severely ill close ones, due to bureaucratic obstacles making it harder for them to take part in the funeral of their close ones);
- Infringement of the principle of proportionality in the application of restrictions on imprisoned persons (performed searches at night, unreasonable use of public security service officials, creating bureaucratic obstacles to getting warmer clothes in the cold season).

REPORT ON THE PERFORMANCE OF THE NATIONAL PREVENTION OF TORTURE

This part of the Annual Report of the Seimas Ombudsmen presents the National Prevention of Torture for activities carried out in 2018: inspections at places of detention; systemic, main issues identified during inspections; issued recommendations on improving the human rights situation and achieved positive developments⁴.



⁴ Adult care institutions are marked in yellow, child care institutions in blue, police detention facilities in black, prisons in grey, places of detention of foreigners in green, mental health institutions in red.



THE NATIONAL PREVENTION OF TORTURE AND THE MANDATE OF THE SEIMAS OMBUDSMEN

On 3 December 2013, after the Seimas ratified 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 national prevention of torture at 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.

2018 is the fifth year when the Seimas Ombudsmen have been performing national prevention of torture, regularly visiting various places of detention and observing how human rights are enforced in them.

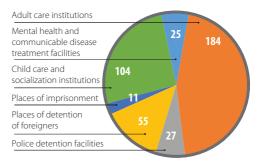
The performance of the national prevention of torture requires a comprehensive approach, where instead of solving individual situations, the aim is to identify possible causes of misconduct through systematic analysis of situations of restriction of liberty. These activities are aimed at positive change, 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 that have been made in the performance of the national prevention of torture activities.

ACTIVITIES OF THE NATIONAL PREVENTION OF TORTURE

Visits to places of restriction of liberty

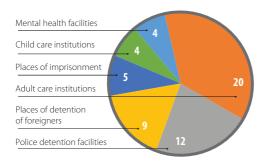
In the performance of the national prevention of torture, visits were made to various places of restriction of liberty: social care, mental health, imprisonment, police and other institutions. The number of visits to institutions in a particular area is planned in proportion to their number. For example, the largest number of visits made visits to adult social care homes as their number is the largest (over 184 units).

In 2018, a total of 54 visits were made. Taking into account the proportion of places of restriction of liberty, the distribution of visits is as follows: 20 inspections were carried out in adult care institutions, 12 in police detention facilities and/or temporary detention facilities (of which 5 were follow-up visits), 9 in places of detention (housing) of foreigners, 5 in prisons, 4 in child care institutions and 4 in mental health care institutions.



Number of places of restriction of liberty in Lithuania





Number of visits in 2018

Informational Activities

In the context of national prevention of torture and other activities of the national human rights institution, it is also important to ensure proper dissemination of information on human rights implementation and inter-institutional cooperation, therefore, there is an annual presentation of the performance of national prevention of torture in counties. These meetings are used to present the national prvention of torture performed by the Seimas Ombudsmen in various institutions of detention, identify the most urgent issues of ensuring human rights, and analyse their potential solutions. Discussions are carried out on how municipal and child care is organized in municipalities, and what problems are encountered.

In 2018, municipalities of Taurage and Marijampole Districts made presentations to representatives of municipalities of Taurage and Marijampole districts who work in municipal social service management units and care institutions responsible for long-term social care services for children and adults.

Cooperation

In 2018, the Seimas Ombudsmen met with representatives of the Ministry of Justice and Prison

Department regarding the situation in prisons to ensure inter-institutional cooperation. The Seimas Ombudsmen discussed the shortcomings of the penal enforcement system at the meeting of the Seimas Human Rights Committee.

At a meeting with experts on human rights and mental health, a discussion was held on the possible incompatibilities of the new Law on Mental Health Care with the international standards. Various human rights issues have been addressed at meetings with non-governmental organizations that belong to the Coalition of Human Rights Organizations (HROC), representatives of the Human Rights Monitoring Institute.

Internationally, meetings were held with representatives of the CPT who were visiting Lithuania, experts from the Advisory Committee of the Council of Europe, an expert from the United States of America on long-term social care institutions for persons with disabilities, de-institutionalisation and community-based services. The Seimas Ombudsmen participated in an international round table discussion of experts on the prevention of torture organized by the Human Rights Monitoring Institute, presented the performance of the national prevention of torture in Lithuania. There was also a meeting with Mari Amos, a member of the UN Subcommittee on Prevention of Torture to share the good practice examples in the performance of national prevention of torture.

Staff of the Human Rights Division of the Seimas Ombudsmen's Office participate in various international cooperation events designated for mechanisms of the national prevention of torture: in Ljubljana (Slovenia), organized by the Human Rights Ombudsman of the Republic of Slovenia together with the Council of Europe, as well as in Copenhagen (Denmark), organized by the International Institute of Ombudsmen and the Office of the Danish Ombudsman.



Training

Within the framework of the Seimas Ombudsmen's Office as the National Human Rights Institution, the Seimas Ombudsmen organize training and contribute to the dissemination of educational activities and information on human rights and freedoms, and solve the problems related to their enforcement.



On 6 July 2018, training on human rights monitoring and the performance of the national prevention of torture was organized for specialists from the office of the Ukrainian Parliament Commissioner for Human Rights. The training was organized by the Seimas Ombudsmen's Office within the framework of the European Union's twinning project "Implementation of the Best European Practices with the Aim of Strengthening the Institutional Capacity of the Apparatus of the Ukrainian Parliament Commissioner for Human Rights to Protect Human Rights and Freedoms (Apparatus)".

On 18 December 2018, the Seimas Ombudsmen's Office hosted training for officials of detention institutions. During the training, officials of detention institutions were introduced to key human rights aspects, the prevention of human rights violations, an auxiliary model of response to provocation to facilitate positive communication with convicts, and analysed practical situations that officials of detention institutions are often exposed to in their work.

KEY COMMENTS, RECOMMENDATIONS AND ACHIEVED DEVELOPMENTS

LONG-TERM SOCIAL CARE INSTITUTIONS

Adult care institutions

In 2018, inspections were carried out in 20 (twenty) social care institutions (for adults with disabilities and elderly people):

- In 10 (ten) care institutions in Marijampolė county: public institution Všl "Marijampolės pirminės sveikatos priežiūros centras, Public institution Holy Mary's Care Home, Marijampolė Special Social Care Home, Public institution VŠJ "Marijampolės Šv. Arkangelo Mykolo globos namai", budgetary institution Suvalkija Social Care Home, Kalvarija Care and Employment Centre Care Home, Public institution VŠI "Kazlu Rūdaos socialinės paramos centras", Kudirkos Naumiestis Parish Social Assistance Centre. Kukarske Care Home and Vilkaviškis District Municipality Gudkaimis Village Care Home;
- In 10 (ten) care institutions in Taurage county: Kvedarna Parish Retirement Home, Care Centre of Public institution VšJ "Skaudvilės palaikomojo gydymo ir slaugos ligoninė", Kaltinėnai Parish Retirement Home, Care Centre of Public institution VŠI "Kaltinėnų pirminės sveikatos priežiūros centras", Seredžius Retirement Home, Care Home for Disabled People of VŠI "Jurbarko socialinės paslaugos", Pagėgiai Care Treatment, Nursing and Elderly Care Home, Public institution VŠJ "Smalininkų senjorų namai", Adakavas Social Care Home and Taurage District Municipality's budgetary institution Lauksargiai Care Home. Experts in social and pedagogical work were involved in the inspections.

After completing the inspections in Marijampole and Taurage counties, a total of 378 (three hundred and

EVERYONE COUNTS



seventy-eight) recommendations were submitted: 375 (three hundred and seventy-five) to the heads of inspected care institutions and 3 (three) (one of them on the improvement of legal acts) to the Minister of Social Security and Labour of the Republic of Lithuania.

Most of the recommendations – 347 (three hundred forty-seven) – were implemented/partially implemented, 13 (thirteen) – not implemented, and for 18 (eighteen) recommendations the information on implementation results has not been provided.

The Ministry of Social Security and Labour, in providing information on the implementation of 3 (three) recommendations, indicated that they had taken them into account. Social care institutions in Marijampolė and Tauragė counties have not implemented only 13 (thirteen) recommendations from the total of 375 (three hundred and seventy-five) recommendations and have not provided information on the investigation of 18 (eighteen) recommendations.

The main weaknesses identified during the inspections were the following: in some institutions long-term care provision is organized on the basis of the principles of nursing and supportive treatment; not all institutions have ensured they have the number of employees (social workers, assistants and other specialists) in compliance with legal requirements and the needs of the population; employee meetings and their results (decisions) are not recorded in the institution's internal operational documents; employees lack knowledge of the application of the requirement of the Convention on the Rights of Persons with Disabilities and the management of aggressive behaviour and the recognition of signs of violence experienced by persons under their care; there is no investigation into the reasons for the lack of confidence in the employees, dissatisfaction with the services provided; psychological support is not ensured; personal hygiene facilities are not suitable for persons with reduced mobility; not all residential care facilities are equipped with the necessary technical support tools for their employees; not all residents

have access to call for aid system at any time, in the case of need; there is no adequate organization of personal hygiene services for the residents; there is no possibility for individuals to safely store their personal belongings; there are no (proper) conditions for individuals to cook food, do their laundry and/or housekeeping independently; the provisions of the internal rules, which do not define the cases when residents are obliged to allow employees to enter their room at any time of the day and to allow inspection of personal belongings and their place and premises, create preconditions for abuse and limit the rights of the residents more than necessary; there is no possibility for people to lock themselves up in the personal hygiene premises; in resident's rooms, the folding screen is never or almost never used when performing personal hygiene procedures; during an inspection by health care specialists, a community nurse participates during the check conducted by a health care professional despite the absence of a resident's request; residents who have awareness of their environment are restricted in their ability to move freely within and outside the institution's territory; the internal rules are not adapted (form, font size) to the residents according to their health condition, also things are placed (hung) without considering their accessibility to the disabled residents; the internal rules of the care institutions are placed in places that are hard to reach (hardly visible) to the residents; the individuals are not granted conditions to make anonymous requests, institutions also have no established internal procedures that set out the procedures for submitting, processing and responding to requests, including anonymous.

CHILD CARE INSTITUTIONS

In 2018, 4 (four) inspections were carried out in child care institutions in Marijampolė county: at Public institutions VŠĮ "Marijampolės vaiko tėviškės namai", VŠĮ "Alvito Šv. Kazimiero namai", VŠĮ "Šakių globos namai" and "Kazlų Rūdos socialinės paramos centras".



Experts in areas of the rights of the child and social work were involved in the inspections.

The main shortcomings identified during the inspections are: there are no specialized bodies in the community and there are no specialized services that are necessary for children who have difficult behaviour, many different disorders and addictions: proper work with children in risk groups needs a more varied working methodology; children do not know how to behave in case of fire in institutions: living rooms do not resemble the home environment; children's rooms lack furniture; the rooms do not have the proper conditions for doing homework; pocket money payment procedure must be improved by introducing disciplinary measures and rules of application, determining the periods of disciplinary action and the proportionality of the measures; suspension or reduction of the payment of pocket money is provided as a disciplinary measure; there is not enough human resources to provide psychologist services qualitatively according to the current needs; inadequate measures to ensure the prevention of smoking, its detection and assistance; conditions for placing anonymous requests are not met.

MENTAL HEALTH INSTITUTIONS

In 2018, inspections were carried out in 2 (two) mental institutions: Marių unit of the Psychiatric Hospital of the Public institution "Republican Kaunas Hospital" and Public institution "Republican Vilnius Psychiatric Hospital" (Vilnius Psychiatric Hospital) (Report no. PRJ-2018/1-1). In the course of the inspections, mental health experts were involved, two doctors-psychiatrists and a representative of Public institution "Mental Health Perspectives".

The main shortcomings identified during the inspections are the following: heavy workload for doctors and nursing staff, use of restraining measures in the presence of other patients, not all patients are allowed to take a daily outdoor walk, multi-bed

wards (more than 4 beds) do not provide patients with a positive therapeutic environment, most of the patients on a daily basis wear hospital pyjamas of a uniform colour and pattern that do not guarantee the individuality of their clothes, the sense of selfesteem, the absence of upper clothing and footwear in store for patients who have no relatives, not all wardrobes and corridors have cabinets for patients' clothes, the privacy of patients when their close ones visit is not guaranteed, the privacy of patients is not guaranteed in personal hygiene facilities, and there is often no hygiene measures in these rooms, information required by the patients in the treatment facility is not properly presented or made available to them, patients are allowed to smoke in premises and territories of the treatment units.

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There were patients in the Marių unit who did not want to continue their treatment, but were not given the opportunity to leave and their hospitalization was treated as voluntary; there were no patients' written consent to change their treatment and/or carry out invasive procedures; most patients were unaware of the expected duration of treatment, medication and side effects, alternative treatments; too few psychosocial rehabilitation activities, no rooms for relaxation (employment) and inadequate number of psychologists, hygiene facilities are not suitable for the disabled people (narrow doors, no handrails).

The premises of the Reception-Emergency Department of Vilnius Psychiatric Hospital are too small to provide quality health care to patients, to ensure proper working conditions for doctors and nursing staff, and there are no conditions to submit written anonymous requests.

Attention should also be paid to the changes in the mental health care system in 2018. One of the most important **positive changes** in the field of mental health care is a new version of the Law on Mental Health Care of the Republic of Lithuania, which will come into force on 1 May 2019. The law currently in force was adopted more than two decades ago (June 1995) and was only modestly amended, leaving a



number of obsolete, abstract provisions that are also discriminatory towards individuals with mental and behavioural disorders.

The new version of the Law on Mental Health Care clarifies the concepts and principles of mental health care, sets out in detail the rights and limitations of mental and behavioural disorders in order to enable high-quality mental and behavioural disorder prevention, ensure equal access to quality and accessible mental health care services for all.

- The principle of minimum intervention was established by giving priority to non-medical treatment, the provision of comprehensive health care services, inclusion of the individual in society and the promotion of autonomy and other principles.
- The protection of the rights of the incapacitated in the area concerned has been established, namely, the signature of the guardian of such a person alone is not a sufficient basis for hospitalization and treatment of the incapacitated person; hospitalization will have to be extended with court permission.
- Enhanced protection in the field of representation, namely, at the request of a hospitalized patient, the hospital will have to assist him/her in contacting his/her representative, relatives or decision-making advisor.
- Clarified the scope and procedure for informing hospitalized patients, namely, the patient will be informed orally and in writing about his/her rights while in the hospital, reasons for hospitalization, objectives and the right to leave the hospital by terminating the provision of personal health care services; a hospitalized patient will be informed about the basis, reasons, objectives, duration, patient rights, treatment applied, informed about the request to be sent to the court and court decision.
- The provisions of this law have been harmonized with the terms and grounds for involuntary

hospitalization without court judgement provided for in the Civil Code. Involuntary hospitalization and/or involuntary treatment without a court judgement will be possible for up to 3 business days, and there will be the need to refer to the court within 48 hours from the onset of involuntary hospitalization and/or involuntary treatment. The intended basis for an involuntary hospitalization of a person is not only a real threat in action, but also an inaction to cause substantial damage not only to his/her health, life, but also to the property.

- When a person is involuntarily hospitalized, the doctor-psychiatrist shall be required to obtain the patient's consent to treatment (unless the patient cannot be deemed to be able to reasonably assess his or her interests), however, given the affirmative court judgement to extend the involuntary hospitalization, there is no possibility for the patient to express her/his free and informed consent to treatment.
- The patient shall have an opportunity to be heard by a court in a hospital or with the help of a remote interview within the framework of dealing with her/his involuntary hospitalization and treatment.
- A patient who has been involuntarily hospitalized and treated will be entitled to an additional independent assessment of his or her mental health condition if he/she agrees to pay for it.
- There is a ban on dangerous items in the possession of patients hospitalized in institutions providing special psychiatric services (according to a court order for patients who have had a mental disorder after the commission of a criminal offence or punishment, and involuntary medical measures for patients declared by the court irresponsible or partially irresponsible). The list of prohibited items will be approved by the Minister of Health.
- Provided grounds and basic conditions for use of measures of physical restraint (for hands,



isolating the patient in a separate room). The measures of physical restraint shall be applied according to the procedure established by the Minister of Health (no such procedure has been defined yet and every health care institution had its own rules). Monitoring of physical restraint measures in case of involuntary hospitalization and involuntary treatment was also established, and they will be carried out according to the procedure established by the Minister of Health.

Drafted regulation of video surveillance in mental health care facilities. There is also a limitation imposed on the use of devices with video and audio recording. The health care facility shall have to allow patients to use these devices for personal use in premises in the absence of other persons.

POLICE CUSTODY AND TEMPORARY DETENTION FACILITIES

During the reporting period, the assessment of the human rights situation at custody facilities of county police headquarters and temporary detention facilities of police stations included a total of 7 (seven) inspections of county police headquarters and police stations premises: custody facilities and temporary detention facilities of Telšiai and Marijampolė County Police Headquarters, premises of Kelmė, Druskininkai, Mažeikiai and Šakiai police stations as well as temporary detention facilities of Panemunė police station of Kaunas County Police Headquarters.

Following the inspections, the responsible person – the Police Commissioner General of the Republic of Lithuania – was provided with 7 (seven) recommendations (2 (two) of which are on the improvement of the legal regulation of police activity), while the heads of Telšiai, Marijampolė and Alytus County Police Headquarters were provided with one (1) to fourteen (14) recommendations. In total, 36 (thirty-six) recommendations were made to the afore-mentioned entities. Thirty-five (35) recommendations have been implemented and one (1) has not been implemented.

The response from the Police Department on the content of the recommendations made indicates that one recommendation (to ensure the privacy of the meeting between the suspect and his defender) was not implemented. According to the head of the Police Department, video surveillance (without audio) of the meeting between the suspect and his defender does not violate the confidentiality of the individuals' communication, but ensures that unauthorized items are not handed and other relevant issues are solved. Telšiai, Marijampolė and Alytus County Police Headquarters informed that they have implemented all the recommendations issued by the Seimas Ombudsman.

The following main shortcomings have been identified during the inspections: lack of cleanliness and order in the premises of the detained and arrested persons; medical examination is performed not of every person arrested and brought to the police detention facility or it is performed not within 24 hours from the moment the person is brought to the facility; health care professionals working in custody facilities lack the knowledge on how to recognize possible misconduct of police officers on arrested persons; persons brought to the custody facility are deprived of continued methadone treatment due to the lack of staff knowledge about the ongoing programme of pharmacotherapy using opioid drugs; medical examinations are carried out by violating the individuals' privacy; potentially complicated possibilities for the suspect and his defender to plan the actions effectively, the privacy of the meeting between the suspect and his defender is not guaranteed; during the festive period, in the absence of convoys, detainees were held in custody suite for 6 days; because of the peculiarities of logistics, detainees can be often transferred from one place of detention to another.



IMPRISONMENT INSTITUTIONS

In 2018, inspections concerning human rights were carried out in 2 (two) imprisonment institutions: in Lukiškės Remand Prison-Closed Prison (hereinafter referred to as "Lukiškės RPCP") and Central Prison Hospital (hereinafter referred to as the "CPH").

During the visit in one of the institutions, an expert on procedures of detention, arrest, escort and execution, namely, a representative of non-governmental human rights monitoring organization Human Rights Monitoring Institute was involved.

Following the inspections, systemic deficiencies were identified similar to the ones identified in 2017 inspection. For example: detention conditions, use of special equipment, provision of health care services, etc.

Responsible authorities were provided with 49 (fortynine) recommendations: the Minister of Justice of the Republic of Lithuania (5 (five), 3 (three) of which was on improvement of legal regulation), the Director of Prison Department (11 (eleven), 1 (one) of which was on improvement of legal regulation), the Director of Lukiškės RPCP – 19 (nineteen) and the Director of the CPH – 14 (fourteen).

Majority of the recommendations, that is, 36 (thirtysix) were implemented in full or in part, for example, concerning issues related to the salaries of officials, vacancies, proper detainment conditions, etc.

Also noteworthy are the intensive changes in the penal enforcement system that started in 2018. The following are the main **positive changes** within the framework of the implementation of the Seimas Ombudsmen's recommendations submitted to the institutions of imprisonment system:

• The salaries of officials are increasing

According to the data provided by the Prison Department and the Ministry of Justice, in 2017, compared to 2016, the amount of funds allocated to the salaries of officials increased by $\leq 2,265,000$ (8.7%) and in 2018, compared to 2017, by $\leq 1,583,000$ (5.6%).

In 2018, the salary coefficient of junior correctional officials with more than 10 years of experience was increased; there is a reduction of the number of units and positions performing general functions, and the resulting savings will be used to increase the salaries of penitentiary officials and to create additional positions for staff working with prisoners. On 1 January 2019, a new version of the Statute of the Internal Service came into force, according to which all statutory civil servants are subject to the same pay system, and salaries will increase by about 6–8% (an additional \in 5,000,000 is planned to be allocated to increase salaries). When increasing the salaries within the penal enforcement system, the priority shall be given to junior and middle correctional officials.

All measures are taken to fill vacant posts

The 2018 plan for attracting candidates, prepared by Lukiškės RPCP, information on the opportunity to study the vocational training programmes of the correctional officials and become employed in the institution was made available on the institution's website, on information stands, on Facebook, on free job search portals such as www.alio.lt, www.rinka.lt, www.cv.lt, in regionally published newspapers, on the website of the respective district municipality, during officials' visits to educational institutions, training centres, libraries and cultural centres, as well as in municipal administrations and elderships, participation in career days organized in Litexpo exhibitions. Despite the publicity measures, the number of security and surveillance officials (hereinafter referred to as "SSO") set in the norms was not achieved and the vacancies at Lukiškes RPCP were not filled; according to the data of August 2018, the number of SSO junior specialist posts was 38. The main reasons for this were insufficient number of candidates, requirements for education and health condition, increased staff turnover, emigration of young people. The CPH managed to fill almost all of the vacancies of SSO; on 1 December 2018, there was only one vacancy left from 143 SSO posts approved.

According to the data provided by the Prison Department, in 2018, the dynamics of the change in



the number of vacancies showed a positive trend, the total number of vacancies in penitentiary institutions decreased from 346 (1 January 2018) to 271 (1 August 2018). In addition, the modernization of penitentiary institutions is expected to reduce the number of physical protection posts on the perimeter of imprisonment areas from 43 (in 2017) to 7 (in 2022).

Increased qualification of officials in the field of suicide prevention

Specialists of the Psychological Service at Lukiškės RPCP provide training to officers on suicide, selfharm and prevention of the detained persons, take part in briefing on duty shifts. According to the plan for 2019, officials will attend SafeTALK and ASIST trainings organized by the Training Centre of the Prison Department, where officials will learn to recognize when a person may attempt to commit a suicide and work with people in danger.

• Improving prison conditions

To ensure that prisoners held in imprisonment institutions have proper conditions, legal preconditions have been created for keeping detainees not only in remand prisons, which do not always manage to comply with the standards of living space, but also in correctional institutions (according to Order No. 1R-148 of the Minister of Justice of 8 August 2018). Part of the individuals from Lukiškės RPCP will be transferred to other institutions already before the end of this year. Lukiškės RPCP has confirmed that a minimum living space is ensured for each person in the institution.

In Vilnius, the construction of an open-type penitentiary/halfway house will be completed, up to 80 convicts could be transferred there from other institutions. Ongoing modernization works of places of deprivation of liberty are carried out: a new celltype detention facility is being built in Šiauliai, the 3-storey building of Alytus Correctional House is being reconstructed, by transforming its premises into celltype premises, there is an ongoing reconstruction of Pravieniškės Correction House/open correction colony buildings of the 3rd sector, by transforming its premises into cell-type premises (currently 360 places for prisoners are already equipped); in 2019, reconstruction works will be started in Vilnius Correctional House, where by 2022 there will be created 696 cell-type places for prisoners. It is planned that, once the proposed projects are implemented, the living space per person will increase from 3.51 sq.m (in 2017) to 5 sq.m (in 2022), the number of people accommodated in cells of places of detention will increase from 27% (in 2017) to 51% (in 2022).

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PLACES OF DETENTION OF FOREIGNERS

In 2018, the Seimas Ombudsmen assessed the human rights situation in 9 (nine) facilities of the State Border Guard Service under the Ministry of the Interior of the Republic of Lithuania (hereinafter referred to as "the SBGS"): Pagégiai Frontier Station at Vištytis Border Inspection Post, Kudirkos Naumiestis Border Inspection Post, Šilgaliai Border Inspection Post, Viešvilé Border Inspection Post, Kybartai Border Inspection Post, Kybartai Border Inspection Post road border control post and railway border control post, Rociškiai Border Inspection Post and Ramoniškės Border Control Point of Rociškiai Border Inspection Post.

Following the inspections carried out at the Border Inspection Posts and Border Control Points, 9 (nine) recommendations were issued by the SBGS. All of them were implemented.

The SBGS informed that a decision was taken not to use temporary detention facilities that do not comply with human rights standards; officials were instructed in addition to the necessary registration in all cases whether the person delivered to the border inspection post [or border control post (hereinafter referred to as "BCP")] was locked in the detention facility and how long he/she was held there, as well as on the location of the first aid kit, maintenance of the first aid kit and its replacement; temporary detention facilities are provided with appropriate accommodation conditions, and solution of other issues.



The main shortcomings identified during the inspections were as following: temporary detention facilities and sanitary facilities installed there not adapted for the disabled; inadequate lighting and cleaning of premises; some border inspection posts and border control posts have expired first aid kits.

RAISING QUALIFICATION OF THE EMPLOYEES

The staff of the Human Rights Division assisting the Seimas Ombudsmen in the implementation of the national prevention of torture regularly raise their qualifications by participating in various trainings and conferences on key human rights issues, including meetings and trainings of National Preventive Mechanisms (NPMs), training on legal and ethical aspects of mental health care, suicide, rights of the disabled persons, refugees, migrant and other vulnerable persons, criminal procedure, penal enforcement system and other issues.

COOPERATION WITH SOCIAL PARTNERS

On 30 January 2018, the Seimas Ombudsman, Head of the Institution Augustinas Normantas met with Lithuanian representative at the United



Nations Committee on the Rights of Persons with Disabilities, Jonas Ruškus and Dainius Pūras, a UN Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health and Prof. Arūnas Germanavičius and Dovilė Juodkaitė. Head of Lithuanian Disability Forum. Human rights issues in the areas of disability, mental health were discussed at the meeting. Human rights experts drew the attention of the Seimas Ombudsman to the problems of implementation of the Convention on the Rights of Persons with Disabilities in the country. Meeting with Augustinas Normantas, mental health experts spoke about the shortcomings of the Law on Mental Health Care, discussed the recommendations made to Lithuania by the UN Committee on the Rights of Persons with Disabilities.

On 31 January 2018, the Seimas Ombudsman, Head of the institution Augustinas Normantas, met with



the Speaker of the Seimas Viktoras Pranckietis and discussed the most relevant human rights issues in the country, including issues of mental health, deinstitutionalisation of care institutions and problems of the penal enforcement system.

On 13 February 2018, at the Prosecutor General's Office the Seimas Ombudsmen discussed the most relevant human rights issues relating to pre-trial investigations. At the meeting, the participants discussed the strengthening of the control of pre-trial investigations carried out in detention





institutions and shortcomings in the procedure of processing individual requests by the prosecutor's office.

On 12-13 March 2018, the representative of the Seimas Ombudsmen's Office took part in the international conference "Monitoring of Elderly Care Homes" organized in Trier by the German National Agency for the Prevention of Torture, together with the Austrian Ombudsman's Board (Austrian NPM) and the Council of Europe. During the conference, the participants discussed the international standards and guarantees applied by the CPT to ensure the rights of the elderly, the problems and challenges of social institutions, etc. In addition, the participants had the opportunity to take part in the interviews of care homes' residents based on the method of simulation (using professional actors) and to discuss methods of conducting surveys as well as to share good practice.

On 17 April 2018, a meeting with the Director General of the Genocide and Resistance Research Centre of Lithuania, Terese Birute Burauskaite, was organized at the Seimas Ombudsmen's Office, during which the results of the investigation of the applicants' complaints and peculiarities of implementation of the Seimas Ombudsman's recommendations were discussed. In the activity of the Genocide and Resistance Research Centre of Lithuania, when examining applicant's requests, the Seimas Ombudsman saw signs of systematic failure to comply with legal requirements. During the meeting the attention of the Head of the Genocide and Resistance Research Centre of Lithuania was also drawn to the non-fulfilment of the requirements of the laws and other legal acts regarding the disclosure of information about violations of law.

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On 29 June 2018, the Seimas Ombudsmen's Office hosted an event organized by Public institution "Mental Health Perspectives", which was used to discuss the procedural rights of persons with mental and/or psychosocial disability in criminal law. The event focused on ensuring the right to information and on the stereotypes that exist in society and affect people with disabilities more strongly than the consequences of disability itself. According to the attendants of the event, it is difficult to identify people with mental and/or psychosocial disabilities, so there is a risk that they will not be provided with proper conditions and their right to a fair trial will not be protected. Likewise, detention facilities are not adequately tailored to the needs of such individuals, which increases the risk of inadequate protection.

On 4 July 2018, Foreign Minister Linas Linkevičius, Deputy Minister Darius Skusevičius and Head of Seimas Ombudsmen's Office Augustinas Normantas met in Vilnius with the Ukrainian Parliament Commissioner for Human Rights Ludmila Denisova to discuss human rights violations of the Ukrainian citizens illegally detained in Russia and the opportunity to give this issue more exposure in international



organizations. Later this issue was discussed at the Seimas of the Republic of Lithuania during the meeting with the Speaker of the Seimas Viktoras



Pranckietis. It was agreed with the Ukrainian Parliament Commissioner for Human Rights that Lithuania, together with other countries, will seek to ensure that the violations of human rights committed by Russia would be decisively addressed by international organizations.

On 3 August 2018, the Minister of Justice Elvinas Jankevičius presented to Head of the Seimas Ombudsmen's Office Augustinas Normantas the guidelines for the reform of penitentiary institutions and at the same time discussed the long-standing problems of prisons. The



Minister ensured the Seimas Ombudsman that the problems will be solved systematically, by reforming the Prison Department, correctional institutions, strengthening criminal intelligence structures and probation service. In addition, the Seimas Ombudsman Augustinas Normantas and the Minister of Justice discussed the problems of the prevalence of subcultures (castes) in prisons and issues relating to the accommodation of problematic prisoners in cell-type premises. Pointing out the problems in prisons, the Seimas Ombudsman noted that the Prison Department should work more effectively in dealing with complaints from convicts.

On 6 September 2018, the Seimas Ombudsman, Head of the Office Augustinas Normantas, participated in an international conference-round table discussion "Ensuring the rights of transgender persons: seeking a fair balance", where he emphasised that Lithuania has committed to respect human rights by assuming international obligations and establishing the principles of respect for human beings, respect for their dignity and prohibition of discrimination in the Constitution of the Republic of Lithuania; therefore, failure to implement the ECHR ruling complicates the exercise of the rights of such persons.

The discussion also focused on the very high standards of transnational protection for transgender people and the fact that in 2018 the World Health Organization changed the international classification of disorders, i. e. it removed transsexuality from the list of mental illnesses and assigned it to the states related to a person's sexual health. The right to gender identity is increasingly recognized in foreign countries.

On 19-20 September 2018, representatives of the Seimas Ombudsmen's Office participated in the annual meeting of the Baltic-Nordic ombudsman institutions, which took place in Riga. The meeting was organized to discuss stricter requirements for the protection of personal data after the entry into force of the EU General Data Protection Regulation on 25 May 2018, and the fundamental human rights such as freedom of speech, freedom of expression, access to and dissemination of information, etc. During the event, representatives of all countries presented the news on legal regulation and activities of their ombudsman institutions. The representatives of the Seimas Ombudsmen, for their part, spoke about the situation in Lithuania, introduced the legal regulation of the activities of the Seimas Ombudsmen's Office and described three main mandates of the institution: investigation of the applicants' complaints, implementation of the National Prevention of Torture and performance of functions of National Human Rights Institution. A representative of the Seimas Ombudsmen's Office also gave a lecture on "The link between the right to information and protection of personal data".

On 27-28 September 2018, at the International Conference on the "Development and Role of the National Human Rights Institution in Modern





Society" held in Moldova, representatives of the Seimas Ombudsmen's Office reported on the importance of interacting with existing mandates, shared experiences on the work of the Seimas Ombudsmen in addressing human rights issues, and participated in a debate organized by the European Network of National Human Rights Institutions and the International Ombudsman Institute on cooperation and challenges for the Ombudsman and National Human Rights Institutions in the exercise of their functions, when the ombudsman's institutions is also a national human rights institution. The participants of the discussion also shared their experiences on the development of the ombudsman's institution. In the course of the business trip, multilateral meetings were also held with the Secretary General of the International Ombudsman Institute. Günter Krauter, the Ukrainian Ombudsman Ludmila Denisova, and the Moldovan Ombudsman Mikhail Cotorob with whom the most relevant human rights issues in developing countries (Moldova and the Ukraine) as well as possible forms of cooperation in the implementation of joint projects were discussed.

On 14 November 2018, the Seimas Ombudsman Milda Vainiutė met with representatives of Vilnius City Administration. During the meeting the main functions of the Seimas Ombudsmen were presented and the main problems faced when dealing with complaints against Vilnius City Municipality administration were discussed: the submission of incomplete and non-motivated responses to the applicants or responding to the applicants only partly (providing answers only to a part of their questions). Issues related to supervision

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of the activity of residential block of communities, problems related to renovation of buildings, accessibility to buildings that are recognized as cultural heritage objects protected by the state were also discussed.

On 30 November 2018, the Head of the Seimas Ombudsmen's Office Augustinas Normantas initiated a meeting with the Minister of Health Aurelijus Veryga and the Chairman of the Seimas Committee on Health Affairs Asta Kubiliene. The aim of the meeting was to discuss the amendments to the Law on Mental Health Care proposed to the Seimas by the Ministry of Health. According



to the representatives of the Ministry of Health, the amendments aim to take into account the recommendations of the UN Committee on the Rights of Persons with Disabilities and to improve

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the regulation of involuntary hospitalization by enacting provisions on the hearing of the patient at the court and attempting to regulate involuntary hospitalization. In the opinion of the Seimas Ombudsman, the principles of involuntary hospitalization must be regulated by law, since any possible restriction of the rights of a person must be regulated by law and not by implementing legislation. In the opinion of Augustinas Normantas, it is necessary to ensure that a child's doctorpsychiatrist is involved in resolving the issues of involuntary hospitalization of children.

On 4 December 2018, in response to statements of the representatives of the Ministry of Justice and the Prison Department that appeared in the media, as well as taking into account the appeals from the convicts, the complaints of the organizations representing them, and with an aim to ascertain whether the measures taken by the Ministry of Justice and the Prison Department in the institutions of detention are lawful, proportionate and consistent with international human rights standards, in accordance with the principles of respect for human rights and freedoms, the Seimas Ombudsmen organized a meeting. The Seimas Ombudsmen emphasised that the principles of respect for human rights had to be taken into account when conducting the reforms, and noted that some of the measures taken by the Prison Department require a more detailed analysis. The meeting also focused on problems of application of legislation. In the opinion of the Seimas Ombudsmen, from the point of view of legislation, all legal acts including ministerial orders, must be clear and their application should not raise doubts.

On 7 December 2018, at the final conference of the EU twinning project "Implementation of the Best European Practices with the Aim of Strengthening the Institutional Capacity of the Apparatus of the Ukrainian Parliament Commissioner for Human Rights to Protect Human Rights and Freedoms (Apparatus)" held in Kiev, project leader Augustinas Normantas drew attention to the special role of

ombudsmen in fostering democratic values and the rule of law in the country. During the twoyear project, numerous bilateral and multilateral meetings were organized in both Lithuania and the Ukraine such as a humanitarian monitoring mission in the regions of Donetsk and Luhansk, where the human rights situation was monitored and evaluated, a visit of representatives of the Ukrainian Parliament Commissioner for Human Rights to the Croatian Ombudsman to exchange experience on the application of human rights restoration measures in the areas of protection of personal data, access to public information and the prevention of all forms of discrimination. Under the leadership of the Seimas Ombudsman Augustinas Normantas, the project was



implemented by the representatives of the Seimas Ombudsmen's Office, the Lithuanian Institute of Law, the Equal Opportunities Ombudsman, the State Data Protection Inspectorate as well as scientists and practitioners of the Faculty of Law of Vilnius University. Austria was represented by the Ludwig Bolzmann Institute for Human Rights.

COOPERATION WITH INTERNATIONAL ORGANIZATIONS AND NETWORKS

International Ombudsman Institute

The International Ombudsman Institute (IOI), to which the Seimas Ombudsmen has been affiliated



since 1996, is a non-profit organization that initiates various studies and research on ombudsman activities, prepares and organizes training programs for ombudsmen, staff and other stakeholders, as well as various seminars and conferences.

In 2018, the Seimas Ombudsmen's Office also took an active part in the work of the International Ombudsman Institute by providing information on the work of the institution in response to questionnaires sent to it and attending the organized events:

- On 23-24 January 2008, a conference in Tallinn, Estonia, presented the implementation of the e-government program in Estonia and the emerging challenges, and the opportunities created by new technologies to improve the implementation of the functions of state institutions. There was also a discussion of recent ECHR judgements related to hate speech, the notion of freedom of expression, the right to be forgotten, and other aspects of human rights law that are relatively new and/or newly interpreted due to emerging technologies.
- On 22-23 October 2018, in Belfast, Northern Ireland, an international conference was held to exchange experiences concerning the investigations started upon the initiative of the ombudsman and their execution. The conference presented the research conducted by the International Ombudsman Institute and law school scientists from various parts of the world concerning the right of ombudsmen to initiate investigations on their own initiative. Particular attention was paid to the possibility for the ombudsman to carry out more extensive investigations, raising the public's concerns, initiating a dialogue between the responsible authorities to find a solution to the problem, as well as to the analysis of the ombudsman's status, the scope of the mandate and the importance of the recommendations.

European Ombudsman Institute

The European Ombudsman Institute (EOI) is an organization that unites over 100 European ombudsman institutions conducting research in the field of protection of human and citizen's rights both on national and international levels. The Institute, in cooperation with local, foreign and international institutions, promotes and supports the idea of the ombudsman institution.

The Seimas Ombudsman, Head of the Office Augustinas Normantas, who is also a Board Member of the European Ombudsman Institute, on 20 April 2018, attended the Board meeting in Zurich (Switzerland) and on 14 September in Vienna (Austria).

European Network of Ombudsmen

The European Network of Ombudsmen was established in 1996 and is currently uniting over 100 human rights institutions in different European countries. The network brings together national and regional ombudsmen bodies. The aim of this network is to improve the possibilities for cooperation between ombudsmen institutions and to help them deal with complaints.

The Seimas Ombudsmen's Office, as a member of the network, provides answers to inquiries from ombudsmen in other countries, sends the latest news about the institution and its activities to the network, and participates in conferences and seminars organized by the European Ombudsman:

- On 8-9 March 2018, a meeting of ombudsmen from different countries took place in Brussels, discussing three key topics: the future of the EU, current and future challenges for ombudsmen and cross-border solutions for the EU citizens. The meeting also touched upon such issues as social media, minority rights and the migration crisis.
- On 5-6 September 2018, representatives of ombudsman institutions shared good practices and knowledge in the field of communication. The



seminar focused on open governance, ideas on how to improve co-operation between members of the European Network of Ombudsmen, and on sharing experiences on how to involve the public in the Ombudsman's activities.

European Network of National Human Rights Institutions

The Seimas Ombudsmen's Office has been a member of the European Network of National Human Rights Institutions (hereinafter referred to as "the ENNHRI", "the Network") since 30 September 2014, and while at the time it was not yet accredited as a National Human Rights Institution, it actively contributed annually to the activities of the ENNHRI, providing responses to various inquiries and participating in the Network's research, seminars and trainings. The Seimas Ombudsmen's Office became an official member of the Network on 23 March 2017, when it was accredited as the National Human Rights Institution, recognizing its compliance with the Paris Principles and awarding it the highest A status.

On 24-25 October 2018, a representative of the Seimas Ombudsmen's Office participated in the European Conference of National Human Rights Institutions and General Assembly organized in Athens. The event focused on the role of the National Human Rights Institution (the NHRI) to better support the democratic space and human rights defenders. Emphasis was placed on the role of national citizens' initiatives in protecting human rights, supervising their implementation, advising the state and promoting a culture of human rights. The conference also focused on the importance of cooperation with various international organizations in safeguarding democratic values in Europe.

United Nations

It is an association of states based on the principles approved by the United Nations Charter. The United

Nations was officially established on 24 October 1945. The UN's main objectives are to maintain peace and security in the world, to protect human rights, to reduce poverty, to achieve social unity and to advance the world. The UN members are 193 countries in the world. Lithuania became a member of the United Nations on 17 September 1991.

On 20-23 February 2018, at the United Nations, Geneva at the General Assembly of the Global Alliance of the National Human Rights Institutions the Seimas Ombudsmen's Office was awarded a certificate of the National Human Rights Institution.

During the visit, representatives of the Seimas Ombudsmen's Office also participated in the activities of the working groups on the accreditation mechanism of national human rights institutions organized by the European National Human Rights Institutions and in the discussions on the role of national human rights institutions in promoting states to implement the provisions of the Convention on the Rights of Persons with Disabilities. At the meeting with the head of the UN Committee on the Rights of Persons with Disabilities, Theresia Degener, representatives of national human rights institutions discussed the implementation of the Convention on the Rights of Persons with Disabilities and adopted a resolution drawing the attention of Member States to the need to establish an independent mechanism for monitoring the implementation of the Convention on the Rights of Persons with Disabilities.

EDUCATION AND DISSEMINATION OF INFORMATION ON HUMAN RIGHTS

The Seimas Ombudsmen drew attention to the fundamental human rights problems in the country

During the presentation of 2017 report, the Seimas Ombudsmen stressed that, as the National Human



Rights Institution, the Seimas Ombudsmen's Office pays particular attention to the monitoring of systemic and rooted problems.

During the meeting, the Seimas Ombudsmen enumerated the fundamental human rights issues in the country, including enforcement systems, regulation of mental health care, access to information and institutional care. During the presentation and discussion of the report, the Seimas Ombudsmen also drew attention to the fact that unsolved human rights problems in the country could become a major obstacle to Lithuania's aspiration to become a member of the Human Rights Council for the term of 2022–2024.

Among the EU Member States, Lithuania is one of the "leaders" in the number of prisoners. Dignitydepriving prison conditions remain a challenge for the country. The Seimas Ombudsmen and the European Committee for the Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment have repeatedly drawn the state's attention to poor prison conditions in the country. The cases concerning damage caused by unlawful actions of the authorities failing to ensure proper detention and imprisonment conditions constituted the main part of the case law of the Supreme Administrative Court of Lithuania, states the 2017 report of the Seimas Ombudsmen.

The Seimas Ombudsman also drew attention to the fact that in 2020 Lithuania will have to report to the United Nations on the implementation of the Convention on the Rights of Persons with Disabilities, but not a lot of work has been done: "The issues of deinstitutionalisation are stagnating, social exclusion of people living in care institutions is increasing, social care institutions lack specialists as well as special health care and employment programs for residents. Moreover, the issues relating to the meaningful participation of people with disabilities, the accessibility of public places to such persons, the provision of social services to these persons are being solved very slowly." Students attended a lecture on the role of ombudsmen in modern societies



First-year students of Mykolas Romeris University were reminded of the place of the Seimas Ombudsmen's Office in the legal system, and of the origin and development of the Ombudsman's institution.

Head of the Seimas Ombudsmen's Office prof. Augustinas Normantas emphasized the importance of the authority of the Seimas Ombudsmen in solving problems related to violations of human rights in state and municipal institutions. He also drew students' attention to the fact that the role of the Seimas Ombudsmen is not to punish, but to promote respect for human rights and to raise public awareness of the principles of good public administration and the importance of respecting them.

Later the students listened to the lecture on the activities of the Seimas Ombudsmen, their functions, were acquainted with the mandates of the national prevention of torture and national human rights institution, the system of protection of human rights in the country, and the diversity of ombudsmen.

The lecture highlighted the role of ombudsmen in modern societies, as well as the importance of the national human rights institution in protecting human rights and its relation to international and European human rights protection mechanisms. The lecture was followed by a discussion.



ANNEX

Statistics of complaints

In 2018, the Seimas Ombudsmen's Office received in total 2,939 applications from natural and legal persons, of which 1,755 became new complaints. The average number of complaints in 2014–2018 remains similar – 1,750 complaints (Fig. 1).



Fig 1. No of complaints received in 2014–2018

Complaints received / Complaint cases opened	1 755
Closed cases of complaints:	1 805
Investigated on the merits	410
Investigation by mediation	716
Investigation refused	679
Problems investigated and decisions made (in the cases investigated on the merits):	612
Complaint recognised to be justified	280
Complaint dismissed	194
Investigation discontinued	138
Investigations carried out on the initiative of the Seimas Ombudsmen	15
Problems investigated and decisions made	19
Fact of violation confirmed	11
Fact of violation not confirmed	4
Investigation discontinued	4
Recommendations provided by Seimas Ombudsmen	2 301
Responses to the citizens applications	281
Complaints reffered by members of the Seimas	50

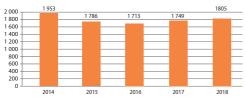


Fig 2. Dynamics of the number of completed cases of complaints in 2014–2018

A case of complaint is closed once the complaint has been investigated on the merits, investigated by mediation and if the investigation has been refused. In 2018, the Seimas Ombudsmen investigated 410 complaints on the merits, investigated 716 complaints by mediation, and refused to investigate 679 complaints (Fig. 3).

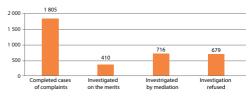


Fig 3. Completed cases of complaints

1,328 complaints were related to the activities of the officials of state institutions and 464 complaints – to the activities of the officials of municipal institutions (38 out of them were related to the activities of both the officials of the state and municipal institutions).

In 2018, compared to 2017, the number of cases of complaints initiated against actions of the state institutions' officials decreased by 61 and in respect of actions of the municipal institutions' officials – decreased by 104 (Fig. 4).



Fig 4. No of complaints against officials of state and municipal institutions in 2014–2018

After the investigation of a complaint on the merits, the Seimas Ombudsmen, acting in observance of Article 22 of the Law on the Seimas Ombudsmen, make one of the following three decisions: 1) to declare a complaint (or its part) justified; 2) to dismiss



2018

(recognize as unjustified) a complaint (or its part); 3) to discontinue the investigation of a complaint (or its part) (Fig. 5). Ombudsmen's Office decreased by 1% in 2018 (Fig. 5).

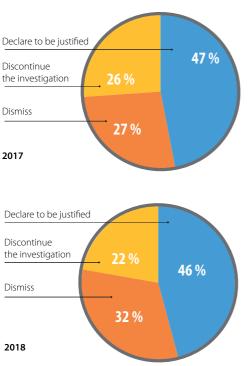


Fig 5. Distribution of all decisions made; a comparison of the data for 2017–2018

In accordance with Article 22 of the Law on the Seimas Ombudsmen, the Seimas Ombudsmen declared 46% of all complaints to be justified and dismissed 32% of complaints, while the investigation of 22% complaints was discontinued. The investigation is also discontinued in cases where the issues raised in a complaint are resolved in good will through the mediation of the Seimas Ombudsman. Compared to 2017, the number of complaints declared as justified by the Seimas

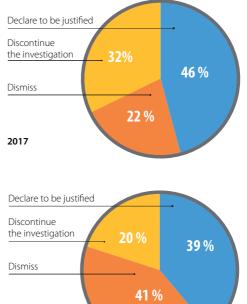
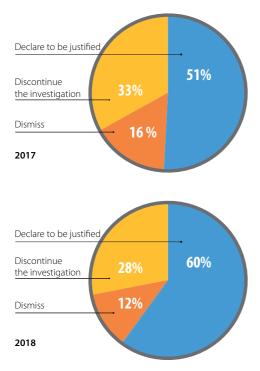


Fig 6. Distribution of decisions made in the cases related to state institutions and agencies; a comparison of the data for 2017–2018

The investigation of complaints against activities of state institutions and agencies as well as their officials resulted in the declaration of 39% of the complaints to be justified and dismissal of 41% of the complaints, while in 20% of cases the investigation was discontinued. In comparison with 2017, complaints against state institutions that were declared to be justified decreased by 7%; the number of dismissed complaints respectively increased by 9% (Fig. 6).







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Fig 7. Distribution of decisions made in the cases related to municipal institutions and agencies; a comparison of the data for 2017–2018

As many as 60% of complaints against the activities of municipal institutions and agencies as well as their officials were declared to be justified, 12% of them were dismissed, while in 28% of cases the investigation was discontinued. In comparison with 2017, the number of justified complaints against municipal institutions increased by 9%; the number of dismissed complaints respectively decreased by 4% (Fig. 7).

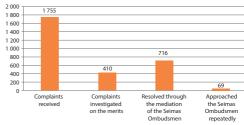


Fig 8. Investigated complaints

The Seimas Ombudsmen act as mediators in cases where there exist the grounds for refusal to investigate a complaint provided for in paragraph 1 of the Article 17 of the Law on the Seimas Ombudsmen. The Seimas Ombudsmen investigated 716 complaints acting as mediators between the general public and the authorities. In the majority of cases, the authorities resolved the issues identified in the complaints. Out of all (716) cases of mediation regarding the resolution of a problem indicated in the complaint, the Seimas Ombudsmen's Office was approached repeatedly only by one tenth of the applicants (in 69 cases) (Fig. 8).

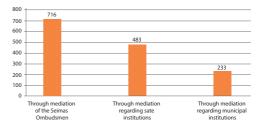


Fig 9. Investigation of complaints regarding the activities of state and municipal institutions through mediation

While resolving problems raised in complaints through mediation, the Seimas Ombudsmen 483 times addressed state institutions and 233 times addressed municipal institutions (Fig. 9).



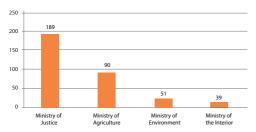


Fig 10. The majority of cases of mediation were related to these state institutions and institutions subordinate to them

The Seimas Ombudsman mostly acted as a mediator in resolving applicants' problems related to the Ministries of Justice (189 complaints), Agriculture (90 complaints), Environment (51 complaints), the Interior (39 complaints) as well as institutions subordinate to them (Fig. 10).

Out of the institutions subordinate to the Ministry of Justice, the Prison Department and imprisonment institutions attributed to its management sphere should be mentioned (176 cases of mediation), out of the institutions subordinate to the Ministry of Agriculture, the National Land Service with its territorial units stands out (83 cases of mediation), out of the institutions subordinate to the Ministry of Environment, State Territorial Planning and Construction Inspectorate with its units should be mentioned (23 cases of mediation) as well as Regional Environmental Protection Departments (9 cases of mediation), while out of institutions subordinate to the Ministry of the Interior, the Police Department and police stations subordinate to it stands out (29 cases of mediation).

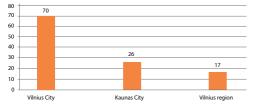


Fig 11. The majority of cases of mediation were related to these municipalities and institutions subordinate to them

In 2018, the Seimas Ombudsmen mostly acted as mediators with regard to the municipalities of Vilnius City (70), Kaunas City (26) and Vilnius Region (17) as well as institutions subordinate to them (Fig. 11).

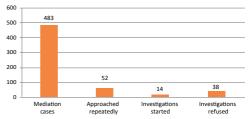


Fig 12. Cases when the Seimas Ombudsmen's Office was approached repeatedly regarding state institutions

Out of 483 mediation cases regarding state institutions, in 52 cases complainants approached the Seimas Ombudsmen's Office repeatedly; following the receipt of a follow-up complaint, 14 investigations were conducted/started, while in 38 cases investigations were refused (Fig. 12).

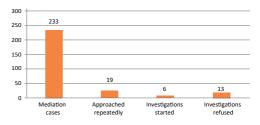


Fig 13. Cases when the Seimas Ombudsmen's Office was approached repeatedly regarding municipal institutions

Taking into account the complaints received with regard to municipal institutions, 233 mediation letters were prepared; in 19 cases complainants approached the Seimas Ombudsmen's Office repeatedly; following the receipt of a follow-up complaint, 6 investigations were conducted/started, while in 13 cases investigations were refused (Fig. 13).



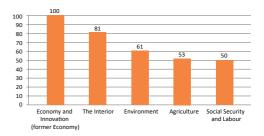


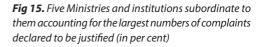
Fig 14. The main reasons for refusal to investigate complaints (in per cent)

Considering the reasons for refusal to investigate complaints it is important to mention that the investigation of the majority of complaints (60%) was refused because they were supposed to be investigated by other institutions. Thus in such cases the Seimas Ombudsman addressed an appropriate institution by a mediation letter asking it to investigate, without delay, the circumstances identified in the complaint and submit a reply to the complainant and the Seimas Ombudsman. In the majority of cases, following such an intervention by the Seimas Ombudsman, the issues raised in the complaints are resolved in good will. Certainly, in certain cases this method does not help and a detailed investigation of the complaint is required. This makes it possible to protect the violated rights of individuals more efficiently and more rapidly by focusing on systemic human rights problems which are relevant for the major part of society.

All reasons for refusal to investigate complaints are listed in Fig 14.

The majority of complaints were received by the Seimas Ombudsmen regarding the Ministries of Justice (716), Agriculture (189), the Interior (116) and Environment (95) as well as institutions subordinate to them.





The largest numbers of justified complaints were received with regard to the Ministry of Economy and Innovations (in 2018 called the Ministry of Economy) and institutions subordinate to it (100%), the Ministry of the Interior and institutions subordinate to it (81%), the Ministry of Environment and institutions subordinate to it (61%), the Ministry of Agriculture and institutions subordinate to it (53%), the Ministry of Social Security and Labour and institutions subordinate to it (50%) (Fig. 15).

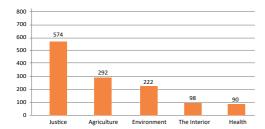


Review of received and investigated complaints by ministry and institutions subordinate to them in 2018

Ministry and institutions and agencies attributed to its management sphere	Com- plaints received	Investi- gation refused	Media- tion used	Investi- gated on the merits	Deci- sions made	Justified com- plaints	Dismis- sed com- plaints	Investi- gation dis- continued	Recom- mendations provided
Environment	95	28	51	15	18	11	5	2	222
Economy and Innovation (In 2018 it was called the Ministry of Economy)	8	3	3	2	2	2			10
Energy	3	1	1	1	1		1		1
Finance	22	3	13	9	11	1	3	7	34
National Defence	1		1						1
Culture	15	5	8	2	2			2	40
Social Security and Labour	40	10	24	6	8	4	2	2	61
Transport and Communi- cations	22	6	6	7	7	3	2	2	27
Health	37	13	11	25	27	11	8	8	90
Education, Science and Sport (In 2018 it was called the Ministry of Education and Science)	12	3	6	5	5	1	1	3	21
Justice	716	375	189	180	222	67	123	32	574
Foreign Affairs	1		1						4
The Interior	116	57	39	18	21	17	3	1	98
Agriculture	189	82	90	29	36	19	6	11	292







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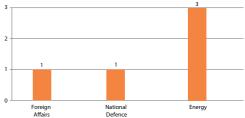


Fig 16. Five Ministries and institutions subordinate to them accounting for the largest numbers of issued recommendations

The Seimas Ombudsmen provided the largest numbers of recommendations regarding the Ministry of Justice (574), the Ministry of Agriculture (292), the Ministry of Environment (222), the Ministry of the Interior (98) the Ministry of the Health (90) and institutions subordinate to them (Fig. 16). **Fig 17.** Three Ministries and institutions subordinate to them accounting for the smallest numbers of received complaints

It should be noted that only one complaint was received regarding the Ministry of National Defence and one regarding the Ministry of Foreign Affairs as well as institutions subordinate to them and only three - regarding the Ministry of Energy and institutions subordinate to it (Fig. 17).

Review of investigated complaints by municipalities and institutions or agencies subordinate to them

The table shows municipalities and institutions subordinate to them accounting for the largest (ten or more) numbers of received complaints in 2018.

Municipality	Com- plaints received	Investi- gation refused	Mediation used	Investigat- ed on the merits	Deci- sions made	Justified com- plaints	Dismissed com- plaints	Investiga- tion discon- tinued	Issued recomm endations
Vilnius City	158	46	70	41	56	37	3	16	352
Kaunas City	44	5	26	16	22	14		8	120
Vilnius District	24	3	17	7	9	7	1	1	65
Klaipėda City	16	4	10	3	3	2		1	31
Panevėžys City	17	5	7	5	6	5		1	20
Šiauliai City	15	2	6	7	9	1	6	2	26
Kaunas District	10	4	6	1	1			1	11
Trakai District	10	5	4	3	5	2	2	1	12
Palanga Town	10	2	3	8	10	6	1	3	20

LIETUVOS SEIMO KONTROLIERIAI The majority of complaints were received with regard to municipalities of Vilnius City and Kaunas City as well as institutions subordinate to them. The major part of justified complaints was received in relation to Vilnius District (78%), Panevėžys City (83%), Vilnius City (66%), Kaunas City (63%) and Palanga Town (60%) as well as institutions subordinate to them (Fig. 18)



Fig 18. Five municipalities or institutions subordinate to them accounting for the largest share of complaints declared to be justified (in per cent)

Having investigated the complaints the Seimas Ombudsmen issue recommendations to heads of appropriate municipalities or institutions subordinate to them drawing the attention of officials to such issues as negligence at work, non-compliance with laws or other legal acts, infringement of official work ethics, abuse, bureaucracy or violations of human rights and freedoms as well as suggesting taking measures to eliminate violations of laws or other legal acts, their causes and conditions.

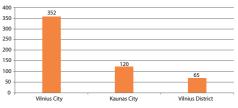
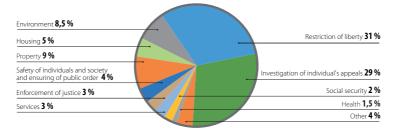


Fig 19. The municipalities accounting for the largest numbers of issued recommendations

The majority of recommendations were provided with regard to municipalities of Vilnius City (352), Kaunas City (120) and Vilnius District (65) as well as institutions subordinate to them (Fig. 19).

It should be noted that in 2018 the Seimas Ombudsmen did not receive (and investigate) a single complaint with regard to actions of officials of municipalities of Kupiškis, Skuodas and Šalčininkai and institutions subordinate to them.



COMPLETED COMPLAINTS BY AREA IN 2018

Fig 20. Completed complaints of natural persons by area



The breakdown of investigated complaints demonstrates that around one third of all complaints investigated by the Seimas Ombudsmen in 2018 were complaints related to restriction of liberty (31%), a bit less than one third of all investigated complaints were complaints on investigation of individual's appeals (29%). Nine percent of all complaints investigated by the Seimas Ombudsmen were related to environmental issues (8.5%) and property (9%).

In 2018, in comparison with the previous years, the number of complaints from detained and convicted persons increased: in 2016 such complaints made 21%, in 2017 – 26%, and in 2018 – 31%.

Complaints by Legal Persons

In accordance with Article 2 of the Law on the Seimas Ombudsmen, "the complainant" is defined as a natural or legal person addressing the Seimas Ombudsmen's Office with a complaint regarding officials' abuse of office or bureaucracy. Natural persons still constitute the majority of complainants approaching the Office.

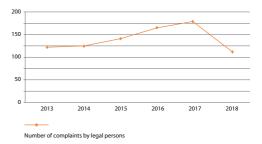


Fig 21. Number of complaints by legal persons; the data for 2013–2018

Every year, the Seimas Ombudsmen used to receive increasingly more complaints from legal persons; however, in 2018 the number of complaints received from legal persons decreased: 178 in 2017 and 114 in 2018 (Fig. 21).

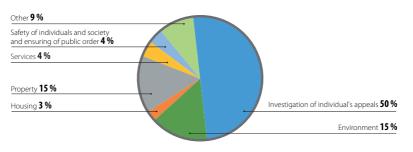


Fig 22. Complaints from legal persons by area



The breakdown of investigated complaints demonstrates that half of all complaints from legal persons investigated by the Seimas Ombudsmen in 2018 were complaints related to investigation of individuals' appeals (50%), Fifteen per cent related to Environment (15%) and Property (15%) (Fig. 22).

Investigations Initiated by the Seimas Ombudsmen

The Law on the Seimas Ombudsmen entitles the Seimas Ombudsmen to open investigations on their own initiative when the signs of the abuse of office, bureaucracy or other violations of human rights and freedoms by the officials are established from reports of mass media or other sources.

Investigations initiated by the Seimas Ombudsmen are of a special preventive type, because the Seimas Ombudsman may initiate the investigation even without having received a complaint about a particular problem if he believes that human rights might have been violated in a certain case. These investigations enable to promptly and effectively respond to potential violations of human rights and, furthermore, they are usually related not to a single individual, but to a large group of individuals, or even to a big part of the society.

As a rule, such investigations are particularly detailed and involve thorough analysis of a given problem. This enables the Seimas Ombudsmen to reveal gaps or imperfections in the regulatory framework and to propose the respective regulatory improvements.

In 2018, the Seimas Ombudsmen started 14 investigations on their own initiative and completed 15 investigations, dealing with several problems in every case and adopting decisions with respect to each of them (19). In 11 cases, the facts of officials' abuse of office, bureaucracy or other public maladministration were confirmed, in 4 cases the facts of maladministration have proved unfounded and in 4 cases the investigation was discontinued due to the fact that the circumstances complained against disappeared in the course of investigation or the problems under investigation were resolved in good will through the mediation of the Seimas Ombudsman.

Recommendations Issued in 2018

The provisions of the Law on the Seimas Ombudsmen entitle the Seimas Ombudsmen to issue proposals (recommendations), which must be examined by the institution or agency, or the official – the addressee of such a proposal (recommendation); the results of such examination must be communicated to the Seimas Ombudsman.

In 2018, the Seimas Ombudsmen issued 2301 recommendations. The majority of them (1467) were addressed to institutions and agencies regarding improvement of public administration in order to ensure that human rights and freedoms are not violated.

The Seimas Ombudsmen, by their recommendations (340), drew the attention of officials to negligence at work, non-compliance with laws or other legal acts, violations of official work ethics, abuse, bureaucracy or violations of human rights and freedoms. They also suggested taking measures to eliminate violations of laws or other legal acts as well as their causes and conditions.

A large part of the recommendations (255) consisted of proposals to a collegial institution or officials to revoke, suspend or amend, in accordance with the procedure provided for by laws, decisions not in compliance with laws or other legal acts, or to adopt decisions which had not been adopted due to abuse of office and/or bureaucracy.

When preparing this report it was already known that 93% of recommendations provided by the Seimas Ombudsmen were taken into consideration. We are still looking forward to receiving replies from institutions regarding 7,5% of the issued



Recommendation	Number of Recommen- dations	To state institutions	To munici- pal institu- tions
Without investigating on the merits the complaint to Provide to the respective institutions and agencies the proposals or comments on the improvement of public administration to prevent the violations of human rights and freedoms.	1467	982	485
To draw attention of the officials to negligence at work, noncompliance with laws or other legal acts, violation of professional ethics, abuse, bureaucracy or violations of human rights and freedoms, and propose to take measures to eliminate the violations of laws or other legal acts, their causes and conditions.	340	196	144
To propose to a collegial institution or official to repeal, suspend or amend, in accordance with the procedure set by laws, the decisions incompatible with laws or other legal acts, or propose to adopt decisions that had not been adopted due to abuse or bureaucracy.	255	105	150
To propose to the Seimas, the Government, other state or municipal institutions and agencies to amend laws or other regulatory enactments, which have limiting effect on human rights and freedoms.	90	50	40
To request the immediate provision of information, material and documents necessary for the performance of the Seimas Ombudsman's functions.	74	32	42
To involve the officials and experts from the government bodies, ministries, municipalities, municipal institutions and agencies.	31	13	18
To propose to a collegial body, the head of an institution and/ or a body or institution of a higher level of subordination to impose official (disciplinary) penalties on the officials who commit offences.	17	6	11
To propose to the Chief Official Ethics Commission to assess whether an official violated the Law on the Adjustment of Public and Private Interests in the Public Service or not.	16	10	6
To notify the Seimas, the President of the Republic or the Prime Minister of the violations committed by the ministers or other officials accountable to the Seimas, the President of the Republic or the Government	6	1	5
To inform the Seimas, the Government and other state institutions and agencies or the appropriate municipal council of the gross violations of law or deficiencies, contradictions or gaps in laws or other legal acts	2	2	
To propose the prosecutor to apply to the court in accordance with the procedure established by law for the protection of public interest	1		1
To request written or oral explanations from the officials whose activities are under investigation	1		1
To secure human right to a good public administration, to properly serve the people	1	1	

recommendations. It should be noted that usually, once the recommendations provided by the Seimas Ombudsmen are implemented, not only the problems of a particular complainant, but also the problems of a certain group of the society (members of gardeners' associations, members of apartmentblock owners' associations, etc.) are resolved since amendments of human-rights related legal regulation are effective forward and with respect to everyone.

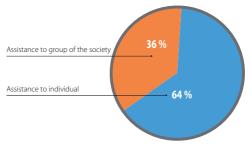


Fig 23. Comparison of the nature of the recommendations



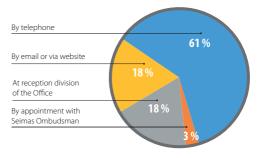
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In 2018, as many as 64% of all recommendations issued by the Seimas Ombudsmen provided assistance to individuals; 36% of the recommendations of the Seimas Ombudsmen addressed the problems of groups of the society.

Consultation of residents

The reception division of the Seimas Ombudsmen's Office every day receives people who cannot get answers about issues of their concern at other institutions. The main function of the reception team is the prompt supply of applicants with the necessary information and assistance in solving questions relevant for them. In spite of the fact that the sate provides free of charge legal services, there are individuals who are not eligible for such support and are not able/short of money to pay the attorney for a legal consultation. In such cases the reception division of the Seimas Ombudsmen's Office remains the only place that the majority of people with low income can address. In 2018, the Seimas Ombudsmen's Office provided legal consultations to 932 persons.

Applicants also approach the Seimas Ombudsman after receiving answers not satisfactory to them from an appropriate institution. Visitors often receive information also on the procedure of appealing decisions taken by institutions. Applicants who are not capable of describing the circumstances they are to complain about always get assistance from the reception team in drawing up a complaint.



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Fig 24. Most common ways used by individuals to apply to the Seimas Ombudsmen's Office

In 2018, the most popular way used by individuals to contact the Seimas Ombudsmen's Office still was that by telephone (61%). Applications to the Seimas Ombudsmen's Office by electronic means accounted for 18% of all applications.

Visits of Seimas Ombudsmen to the regions

In 2018 the Seimas Ombudsman and Head of the Office Augustinas Normantas visited the towns of Taurage and Marijampole, where he showed interest in social care of children and elderly, how such care is organised by the counties of Taurage and Marijampole, what problems are faced. Moreover, discussed human rights problems in the social care institutions.

In 2018 the Seimas ombudsman Milda Vainiutė met with the heads of administration of Vilnius city, discussed the goals of the Seimas Ombudsmen's Office, complaints investigated by the Seimas Ombudsmen regarding potentially violated human rights to good public administration and issues related to the activities of municipal officials. They also discussed the possibilities and problems of quality assurance of provision of public administration services to the population.



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