

## SECRETARIAT GENERAL

SECRETARIAT OF THE COMMITTEE OF MINISTERS  
SECRETARIAT DU COMITE DES MINISTRES



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Date: 25/05/2016

**DH-DD(2016)669**

Documents distributed at the request of a Representative shall be under the sole responsibility of the said Representative, without prejudice to the legal or political position of the Committee of Ministers.

Meeting: 1259 meeting (7-9 June 2016) (DH)

Item reference: Updated action report (24/05/2016)

Communication from Lithuania concerning the case of Venskutė against Lithuania (Application No. 10645/08)

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Réunion : 1259 réunion (7-9 juin 2016) (DH)

Référence du point : Bilan d'action mis à jour

Communication de la Lituanie concernant l'affaire Venskutė contre Lituanie (Requête n° 10645/08)  
(**anglais uniquement**)

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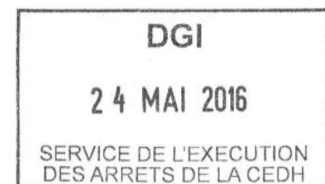
**AGENT OF THE GOVERNMENT OF THE REPUBLIC OF LITHUANIA  
TO THE EUROPEAN COURT OF HUMAN RIGHTS**

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Vilnius, 24 May 2016

Cc: Ms Laima Jurevičienė  
Ambassador Extraordinary and Plenipotentiary of Lithuania  
to the Council of Europe



**BY MAIL AND EMAIL TRANSMISSION**

**REVISED ACTION REPORT ON THE EXECUTION OF THE ECHR JUDGMENT  
IN THE CASE VENSKUTĖ v. LITHUANIA**

*Case description*

The Agent of the Government of the Republic of Lithuania to the European Court of Human Rights (hereafter – the Agent of the Government) hereby submits information concerning the execution of the judgment of the European Court of Human Rights (hereafter – the Court) of 11 December 2012 in the case **Venskutė v. Lithuania** (no. 10645/08) (hereafter – the Case), where the violation of the applicant's right to liberty and security under Article 5 § 1 of the Convention for the Protection of Human Rights and Fundamental Freedoms (hereafter – the Convention) due to her arbitrary detention by the State Border Guard Service under the Ministry of the Interior of the Republic of Lithuania from 10.30 a.m. to 3 p.m. on 25 May 2005, without a proper record of her arrest or her questioning as a suspect being drawn up, has been found. The judgment became final on 11 March 2013 in accordance with Article 44 § 2 of the Convention.

*Regarding the individual measures*

*Payment of just satisfaction*

All the sums awarded as just satisfaction have been paid to the applicant in due time and the Just Satisfaction Form has been emailed to [dgl.execution\\_just\\_satisfaction@coe.int](mailto:dgl.execution_just_satisfaction@coe.int) (see a copy of the request for payment of the applicant of 10 April 2013 and a copy of the bank transfer made by the Ministry of Justice of 2 May 2013 enclosed to the Action report of 30 May 2013).

It appears that no other individual measures are necessary in the Case, since the applicant M. Venskutė was released on 26 May 2005 (see § 15 of the judgment).

***Regarding the general measures***

***Dissemination as a general measure***

It should be observed that under the Constitution of the Republic of Lithuania the Convention upon its ratification became a constituent part of the Lithuanian legal system and pursuant to the well-established case-law of the Constitutional Court, the Supreme Court of Lithuania and the Supreme Administrative Court of Lithuania, the Convention and the Court's case-law have direct effect in Lithuania. Thus, the dissemination of the judgment is to be considered as a general measure. Accordingly, an explanatory note regarding the above judgment in *Venskutė* case and its contents together with its translation into Lithuanian were placed on the official internet website of the Government Agent at the following address <<http://lr-v-atstovas-eztt.lt/>>, thus, it is freely accessible to all the relevant institutions, domestic courts and other interested persons. The Government Agent separately informed the relevant institutions (including the State Border Guard Service under the Ministry of the Interior of the Republic of Lithuania and other pre-trial investigation authorities) about the judgment by sending detailed explanatory notes.

Therefore, in the view of the Government, in the Case at issue no further general measures are necessary, since the domestic legal regulation is in compliance with the requirements of the Convention.

Having regard to the above circumstances the Agent of the Government concludes that the judgment in the above mentioned Case is executed.

Respectfully,



Karolina Bubnytė  
Agent of the Government of the Republic of Lithuania  
to the European Court of Human Rights