



Last update: 31/12/2018

Lithuania

Membership to the Council of Europe	14 May 1993
Entry into force of the European Convention on Human Rights	20 June 1995
First case under supervision of execution	<i>Raišelis</i> (37195/97) Judgment final on 29 February 2000
Total number of cases transmitted for supervision since the entry into force of the Convention	139
Total number of cases closed by final resolution	103

MAIN ISSUES BEFORE THE COMMITTEE OF MINISTERS - ONGOING SUPERVISION*

> Lawfulness of detention and related issues

Impossibility to obtain a reduction of the life sentence due to a statutory inability of the applicant.

Matiosaitis and Others (22662/13+)
Judgment final on 23/08/2017

Status of execution
Enhanced supervision

> Functioning of justice

Inability for legally incapacitated persons to request the reopening of guardianship proceedings in case of conflicts of interest or to be adequately represented in guardianship proceedings.

D.D. (13469/06)
Judgment final on 09/07/2012

Status of execution
Standard supervision

> Gender identity

Lack of implementing legislation regulating the conditions and the procedure for gender reassignment and the change of entries in the official documents.

L. (27527/03)
Judgment final on 31/03/2008

Status of execution
Enhanced supervision

> Electoral rights

Disproportionate, permanent and irreversible disqualification of the former President from standing for elections to Parliament as a result of impeachment proceedings brought against Lithuania's former president.

Paksas (34932/04)
Judgment final on 06/01/2011

Status of execution
Enhanced supervision

* Detailed information concerning the Committee of Ministers' supervision of the execution of judgments and decisions of the European Court of Human Rights, notably the distinction between enhanced and standard supervision, are available on [the website of the Department for the Execution of Judgments](#).



SUPERVISION CLOSED - MAIN REFORMS ADOPTED**

> Detention and related issues

Introduction of an exhaustive list of grounds justifying the ordering of detention on remand in the new Code of Criminal Procedure of 2003; such a measure is ordered if there is a reasonable cause to believe that a suspect could abscond or hide, obstruct the course of proceedings or commit new offences. The new Code also provides information regarding the length of the detention on remand and the procedure to challenge it.

Jėčius (34578/97)
Judgment final on 31/07/2000

Final Resolution
CM/ResDH(2004)56

Correspondence of prisoners can no longer be monitored without the authorisation of the prosecutor, the governor of the detention centre, or on basis of a judicial decision, following the entry into force of the new Code on the Execution of Criminal Sentences 2003. In certain cases, the correspondence cannot be monitored at all, notably correspondence with the institutions of the European Convention of Human Rights.

Valašinas (44558/98)
Judgment final 24/10/2001

Final Resolution
CM/ResDH(2004)44

> Fairness of judicial proceedings

Improved safeguards when taking evidence from anonymous witnesses; the anonymous witness may thus be questioned at a non-public hearing after appropriate acoustic and visual obstacles have been created to prevent the parties from establishing the identity of the secret witness.

Birutis and Others (47698/99)
Judgment final on 28/06/2002

Final Resolution
CM/ResDH(2004)45

Repealing of the possibility given by law to certain judges to submit “cassation petitions” to quash or amend judgments of lower courts.

Daktaras (42095/98)
Judgment final on 17/01/2001

Final Resolution
CM/ResDH(2004)43

> Length of proceedings

Introduction of stricter time-limits for the completion of criminal cases in 2003, notably a six month time-limit for pre-trial investigation, and a twenty-day time-limit to refer the case to a court for a first hearing.

Girdaukas group (70661/01+)
Judgment final on 11/03/2004

Final Resolution
CM/ResDH(2007)127

New domestic remedies were also introduced, notably the possibility for the investigating judge to order the acceleration of the investigations or their completion.

Legislative amendments aimed at reducing the length of civil, criminal and administrative proceedings:

Šulcas group (35624/04+)
Judgment final on 05/04/2010

Final Resolution
CM/ResDH(2004)291

- amendments of the Criminal Procedure Code aimed at accelerating pre-trial investigations and trial proceedings, notably by setting up the maximum length of adjournment of trial proceedings, and the right of parties to lodge complaints if the court fails to conduct certain procedural actions within prescribed time limits;
- reduction of the working load of the administrative courts following the transfer of cases concerning administrative offences to courts of

** This section may also include certain major reforms already implemented in the context of cases still pending.

For a thorough overview of reforms adopted since the entry into force of Protocol No. 11 in 1998 see the [Annual Report 2015](#), Part IV “Main achievements”. As regards the period 1959-1998, see the overview provided by the European Court in its special publication “[Survey : 40 years of activity](#)”, section IV “Effects of judgments and decisions” – both documents, together with a number of additional ones, are available also on the website of the Department for the Execution of Judgments of the European Court of Human Rights.

**SUPERVISION CLOSED - MAIN REFORMS ADOPTED****

general jurisdictions;

- modernisation of the civil proceedings to enhance prompt examination of a case, notably with the use of modern technologies;
- parties have been provided with the right to lodge a complaint before the higher court requesting to impose a time limit if the court of first instance fails to conduct certain procedural actions.

> Domestic violence

Improvements of the legal framework as regards the speediness and efficiency of criminal justice mechanisms in response to similar allegations of domestic violence together with relevant training of the investigative bodies.

Valiuliené (33234/07)
Judgment final on 26/06/2013

Final Resolution
CM/ResDH(2017)313

> Lawfulness of surveillance measures

The Law on Criminal Intelligence 2013 provides for judicial examination of the legality and implementation of surveillance measures. In 2015 the Supreme Court published a survey of the domestic case-law as concerns the monitoring, recording and storage of the information transmitted through the electronic communications networks explaining criteria for secret surveillance measures to comply with.

Draksas (36662/04)
Judgment final on 17/01/2001

Final Resolution
CM/ResDH(2016)124

> No punishment without law

Retroactive application of criminal law provisions on genocide is no longer possible according to the Constitutional Court decision in 2014, which held, *inter alia*, the compatibility with the Constitution of the broad notion of genocide as provided for in the Criminal Code of 2003 including partisans (as a political group) in the range of protected groups.

Vasiliauskas (35343/05)
Judgment final on 20/10/2015

Final Resolution
CM/ResDH(2017)430

> Protection of private life

Removal of the ceiling on compensation awards regarding non-pecuniary damages for flagrant abuses of press freedom (leading at the time to derisory awards) in the new Civil Code of 2001.

Armoniené and Biriuk (36919/02+)
Judgment final on 25/02/2009

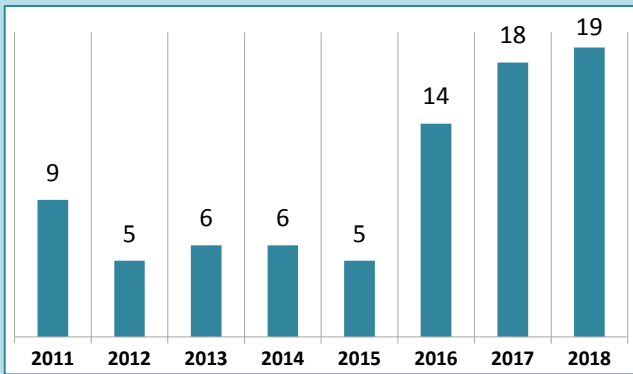
Final Resolution
CM/ResDH(2010)174



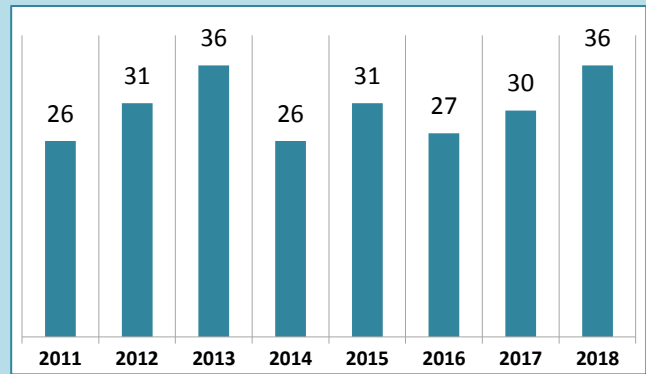
STATISTICS***

New cases

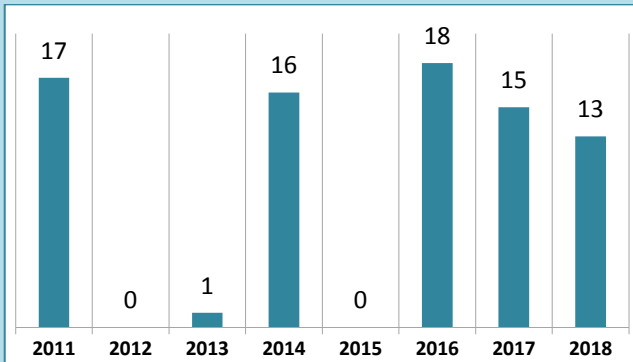
(judgments transmitted for supervision of their execution during the year)



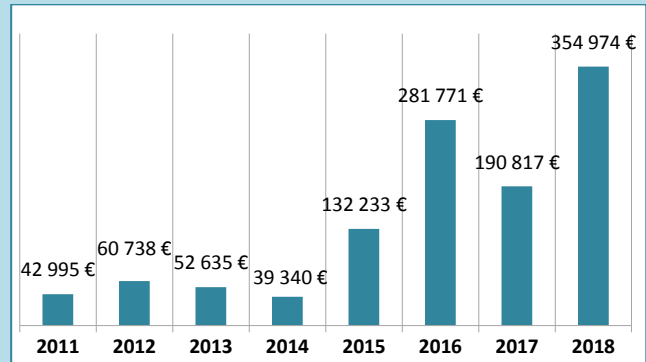
Total of pending cases



Cases closed by final resolution



Just satisfaction awarded



*** Detailed statistics are available in the [annual reports](#) of the Committee of Ministers. Figures are reported as they appear in the annual report for each year.