

## **Report**

**to the Lithuanian Government  
on the visit to Lithuania  
carried out by the European Committee  
for the Prevention of Torture and Inhuman  
or Degrading Treatment or Punishment (CPT)**

**from 12 to 22 February 2024**

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## I. INTRODUCTION

### A. The visit, the report and follow-up

1. In pursuance of Article 7 of the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (hereinafter referred to as “the Convention”), a delegation of the CPT carried out a visit to Lithuania from 12 to 22 February 2024.

The visit was considered by the Committee “to be required in the circumstances” (cf. Article 7, paragraph 1, of the Convention) and its objective was to examine the implementation of the recommendations of the Committee formulated in the report on the periodic visit carried out in 2021, in particular as regards widespread inter-prisoner violence as well as the abundance of illegal drugs combined with a lack of targeted strategies to help the large numbers of prisoners using drugs. It was the Committee’s ninth visit to Lithuania.<sup>1</sup>

2. The visit was carried out by the following members of the CPT:

- Vânia Costa Ramos (Head of delegation)
- Dmytro Yagunov
- Victor Zaharia.

3. They were supported by Dalia Žukauskienė of the CPT Secretariat, and assisted by an expert, Marzena Ksel, medical doctor, former Head of the Medical Department of the Polish Prison Service.

4. In the course of the visit, the delegation visited the prison establishments of Alytus, Marijampolė, Pravieniškės 2nd Prison and Vilnius.

5. The report on the visit was adopted by the CPT at its 114th meeting, held from 1 to 5 July 2024, and transmitted to the authorities of Lithuania on 8 July 2024. The various recommendations, comments and requests for information made by the CPT are set out in bold type in the present report. The CPT requests that the authorities of Lithuania provide within three months a response containing a full account of action taken by them to implement the Committee’s recommendations along with replies to the comments and requests for information formulated in this report.

### B. Consultations held by the delegation and co-operation encountered

6. During the visit, the delegation met Ewelina Dobrowolska, Minister of Justice, Rokas Uscila, Deputy Minister of Justice and Virginijus Kulikauskas, Director of the Prison Service, as well as other senior officials from the Ministry of Justice and the Prison Service.

7. Overall, the delegation received excellent cooperation during the visit from the Lithuanian authorities at all levels. The delegation had rapid access to all places of detention it wished to visit, was able to meet in private with those persons with whom it wanted to speak and was provided with access to the information required to carry out its task.

The Committee wishes to express its appreciation for the assistance provided to its delegation during the visit by the management and staff in the establishments visited, as well as for the support offered by its liaison officer Marius Rakštelis from the Ministry of Justice.

8. Nevertheless, the CPT must once again recall that the principle of cooperation between Parties to the Convention and the Committee is not limited to steps taken to facilitate the task of a visiting delegation. It also requires that decisive action be taken to improve the situation in light of the CPT’s recommendations.

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1. The visit reports and the responses of the Lithuanian authorities on all previous visits are available on the CPT’s website: [The CPT and Lithuania - CPT \(coe.int\)](https://www.coe.int/en/web/cpt-lithuania)

In its report on the 2021 ad hoc visit adopted during its 108th plenary meeting in July 2022, the CPT concluded that the efforts of the Lithuanian authorities to address a number of deeply rooted problems repeatedly raised by the Committee – inter-prisoner violence and the informal prisoner hierarchy, the omnipresence of illegal drugs, and a lack of adequate custodial staff presence in prisoner accommodation areas – had been ineffective and the situation remained unacceptable. The Committee therefore decided to set in motion the procedure provided for in Article 10, paragraph 2, of the Convention.<sup>2</sup>

On 27 February 2023, the CPT held high level talks in Vilnius with the Lithuanian Minister of Justice to learn about the action taken by the Government to tackle the above-mentioned systemic problems. The authorities presented the measures, both taken and envisaged, to tackle the phenomenon of the informal prisoner hierarchy, to further strengthen the fight against the smuggling of illegal drugs into prisons, and to assist those prisoners with drug-related problems.

9. The findings of the 2024 visit set out in this report indicate that the Lithuanian authorities have taken a number of steps to address the above-mentioned problems. However, the situation observed in the four prisons visited demonstrates that with legal and organisational changes alone only partial progress can be made. It is clear that substantial financial resources must now be committed in order to finally and fully address these problems. With a view to achieve a genuine reform of the Lithuanian prison system, far greater resources are needed to accelerate the reconstruction of prisons from dormitory-type to cellular-type accommodation and, most importantly, to significantly increase staffing levels. A substantially larger custodial staff presence in detention areas is required to significantly reduce inter-prisoner violence and to prevent illegal drugs from being smuggled into prison, traded and consumed. The Lithuanian authorities must demonstrate concrete and sustained efforts to tackle these challenging issues if they are to persuade the Committee not to resort to a public statement under the procedure enshrined in Article 10, paragraph 2 of the Convention establishing the CPT.

### **C. Immediate observation under Article 8, paragraph 5, of the Convention**

10. During the end-of-visit talks with the Lithuanian authorities, on 22 February 2024, the CPT delegation made an immediate observation under Article 8, paragraph 5, of the Convention. The Lithuanian authorities were requested to urgently reassess the mental health condition of an inmate from Vilnius Prison, with a view to transferring him to an appropriate mental healthcare facility where his mental healthcare needs could be properly and safely met. The Lithuanian authorities were requested to inform the CPT of the steps taken within three weeks.

This observation was confirmed by letter of 26 February 2024 when transmitting the delegation's preliminary observations to the Lithuanian authorities.

On 13 March 2024, the Lithuanian authorities informed the CPT of the actions taken in response to the immediate observation. This response has been taken into account in the relevant section of the present report (see paragraph 80 below).

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2. "If the Party fails to co-operate or refuses to improve the situation in the light of the Committee's recommendations, the Committee may decide, after the Party has had an opportunity to make known its views, by a majority of two-thirds of its members to make a public statement on the matter."

## II. FACTS FOUND DURING THE VISIT AND ACTION PROPOSED

### A. Prison establishments

#### 1. Preliminary remarks

- a. update on the action taken by the Lithuanian authorities

11. During the meeting with the senior officials from the Ministry of Justice and the Prison Service at the beginning of the visit, the CPT delegation was informed about the latest developments concerning the prison system and the measures taken to implement the CPT's recommendations.

12. On 1 January 2023, a new version of the Penitentiary Code came into force. According to the Lithuanian authorities, the new Code includes measures to improve the instruments of resocialisation for prisoners, so as to better help motivate their positive change. Wider opportunities for prisoners to receive the necessary treatments for addictive disorders and greater psychological support services are also provided, and the availability of social services has been increased. Additionally, employment opportunities for prisoners are also expanded through the introduction of self-employment and encouragement of volunteering. To strengthen the social skills of prisoners, visits with their children are no longer restricted, more frequent calls to relatives are allowed, and there are more favourable conditions to transfer prisoners to open prisons.

13. The delegation learned that, since the last CPT visit in 2021, the prison population has decreased by a further 10.5%. As of 1 February 2024, the total prison capacity in Lithuania was 6 406 places and the total prison population stood at 4 566 persons, that is, 71.3% of the occupancy rate. Furthermore, according to Council of Europe Annual Penal Statistics – SPACE I 2023, Lithuania's incarceration rate went down from 323.7 per 100 000 people in 2013 to 174 in 2023. This is a notably positive development.

These developments were reportedly brought about by the decriminalisation of certain offenses and the reduction in the duration of imprisonment for certain crimes (the relevant legal amendments came into force in the summer of 2023).

14. The delegation was further informed about the draft amendments to the Criminal Code (which were being discussed in the Parliament at the time of the visit) concerning sentencing guidelines. Currently, the starting point for the imposition of a custodial sentence is the mathematical average of the sanction, and only in the presence of mitigating or aggravating circumstances may the length of the sentence be adjusted accordingly. If the changes proposed by the Ministry of Justice are accepted, the minimum sentence specified in the sanction would be the starting point for a custodial sentence, and only in the presence of aggravating circumstances would the length of the sentence be increased above this minimum. The Ministry of Justice was hopeful that such changes would contribute to significantly shorter custodial sentences and that it would allow the imprisonment rate in Lithuania to reach the European average by 2030. **The CPT would like to receive information on the adoption of these draft amendments and their implementation.**

15. The Justice System Development Programme, adopted by the Lithuanian Government in October 2021,<sup>3</sup> emphasises that the prison system in Lithuania is not encouraging prisoners to change their criminal habits, and that the main causes for this failure are:

- lack of qualified staff (unattractive working conditions, lack of necessary training, poor motivation);
- fragmented resocialisation of prisoners (inconsistent process of dynamic supervision, limited availability of addiction treatment, limited opportunities to get education, much lower employment than in other EU countries, lack of inter-institutional cooperation in the process of resocialisation);

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3. Resolution No.861 of 20 October 2021.

- unsuitability for long-term detention of most of the infrastructure (unsafe and undignified living conditions, outdated and expensive security systems, non-digitalised management processes).

To address these concerns, the Government has proposed optimising the number of prison staff and raising their qualifications, optimising the system of resocialisation of prisoners, and modernising the prison infrastructure.

16. In February 2022, the Director of the Prison Department<sup>4</sup> approved the Strategic Activity Guidelines of the Prison Department for 2022-2030.<sup>5</sup> The preamble of the document acknowledges that, since 2000 (when the management of the prison system was transferred from the Ministry of the Interior to the Ministry of Justice), there were several strategic documents adopted by the Lithuanian Government aimed at modernising the prison system. The Guidelines list a number of goals approved by these strategic documents which have, unfortunately, not been achieved. These include the complete reconstruction of Pravieniškės Prison, Alytus Prison, and the main site of Kaunas Prison, closing Marijampolė Prison, opening prisons in Klaipėda (with up to 800 places), near Vilnius (with up to 1 620 places), in Šiauliai (with up to 1 180 places), in Panevėžys (with up to 400 places), and opening a new Training Centre.

The CPT would like to stress that it has serious misgivings about the construction of very large prison complexes, which have historically proven difficult to manage and unable to deliver the targeted services required of the various population groups within them. The design of the various components of the complex and the management structure will be essential to avoid possible negative implications for day-to-day contact between prisoners and staff, opportunities for the delivery of a purposeful regime and prisoners' contact with the outside world.

17. During the 2024 visit, the delegation was informed that since 2020, 661 places were converted from dormitory-type<sup>6</sup> into cellular-type accommodation<sup>7</sup> and that by the end of 2027 1 041 more places would be similarly converted (see more in paragraphs 24 to 27 below).

Moreover, a public-private partnership contract for the construction of a new Šiauliai Prison which will replace the existing one is expected to be signed in 2024, with the prison to be built by 2027.

18. The CPT has repeatedly expressed its view that the risk of intimidation and violence is higher in large-capacity prison dormitories and that such accommodation arrangements are prone to foster the evolution of prison subculture and to facilitate the maintenance and cohesion of criminal organisational structures. Further, apart from also rendering proper staff control extremely difficult, if not impossible, such accommodation also inevitably results in a lack of privacy for prisoners in their everyday lives. **The Committee once again calls upon the Lithuanian authorities to take all possible measures to significantly speed up the process of modernising their prison estate and especially its conversion to cellular-type accommodation.**

19. The Lithuanian authorities informed the delegation that the Prison Department and its subordinate institutions<sup>8</sup> had been reorganised and, from 1 January 2023, they had become one legal entity – the Prison Service. According to the authorities, the organisational reform allowed for the decrease of technical/administrative staff and an increase in the number of resocialisation staff working directly with prisoners (for example, the number of social workers has reportedly been increased by 194% – from 18 to 53 social workers (at the end of October 2023)).<sup>9</sup>

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4. Following the 2023 reorganisation, the Prison Department had become a Prison Service, see paragraph 19 below for more information.

5. Order No.V-28 of 7 February 2022.

6. Multiple-occupancy dormitories with up to 25 beds, open throughout the day.

7. Cells with mostly two to six beds, locked for the majority of the day.

8. Seven prisons, the Prison Hospital, and the Prison Department Training Centre.

9. The authorities expect that the reorganisation will ensure more efficient administration, security and prevention of reoffending, and the application of uniform practices. Furthermore, that it will not only allow financial savings and an increase in staff salaries, but also ensure an efficient redistribution of human resources and thereby increased focus on their direct work with prisoners. Reportedly, the aim is to allocate no more than one-fifth of the staff to performing administrative functions as opposed to one-third prior to reorganisation.

At each prison, the responsibilities of staff in charge of the resocialisation of prisoners have been differentiated. A shift towards a team-based approach has been initiated, with teams such as the Social Work and Psychological Intervention Team, the Evaluation and Analysis Team, the Contact Correctional Officers Team, and the Employment Team being established.

20. The Prison Service provided the delegation with information regarding the number of informal prisoner leaders in each prison and measures taken to stop their dominance, including rotation between cells and prisons, periodic searches and preventive checks, regular preventive interviews, monitoring and risk assessment activity, separation from other inmates (to the extent possible) by accommodating them on separate floors and/or in separate locked cells, and further staff training (see paragraphs 63 to 73 below for more information on informal prisoner hierarchy).

21. The CPT positively notes a significant reduction in the number of prisoners placed in disciplinary cellular confinement for refusing to live in assigned units. According to the Lithuanian authorities, every effort was being made to find alternative solutions for those prisoners and only in a very small number of cases, where the prison administration reportedly was not able to confirm any risk for them to live in the general prisoner population, were inmates being disciplinarily punished for such a refusal (see more in paragraph 48 below).

22. Information on the latest developments concerning assistance to prisoners with addictions is provided in paragraphs 53 to 59 below.

b. prison establishments visited

23. The CPT delegation carried out follow-up visits to Alytus, Marijampolė, Pravieniškės, and Vilnius Prisons.<sup>10</sup>

24. At the time of the visit, Alytus Prison (capacity 965)<sup>11</sup> was accommodating 788 adult male sentenced prisoners, including 13 life sentenced prisoners. Prisoners were accommodated in 13 units (allocated in one of seven sectors)<sup>12</sup>; only five units provided some cellular-type accommodation, with the remaining ones having dormitories equipped with up to 16 beds.

25. Marijampolė Prison (capacity 900)<sup>13</sup> was accommodating 592 adult male sentenced prisoners, including eight life sentenced prisoners. Prisoners were accommodated in 27 units (allocated in one of four sectors); only seven units provided cellular-type accommodation, with the vast majority of units composed of dormitories equipped with up to 25 beds.<sup>14</sup>

26. Pravieniškės 2nd Prison was established following the reorganisation of the prison system described in paragraph 19 above by merging Sector 2 of the former Pravieniškės Prison and the former Prison Hospital located approximately one km away (after the reorganisation, the Prison Hospital became the Personal Health Care Unit for in-patient and out-patient treatment within the structure of Pravieniškės 2nd Prison).

At the time of the visit, Pravieniškės 2nd Prison main site (capacity 1 100) was accommodating 761 adult male prisoners (one of them a remand prisoner), including 63 life sentenced prisoners. The Personal Health Care Unit (capacity 348) was accommodating 177 adult male prisoners (six of them on remand), including two life sentenced prisoners.

On the main site, prisoners were accommodated in 20 units (allocated in one of five sectors); only four units provided cellular-type accommodation, with most units having dormitories equipped with up to 21 beds.

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10. The first three were last visited during the CPT's 2021 periodic visit and Vilnius Prison was last visited by the CPT in 2018.

11. The official capacity has been increased from the 835 places at the time of the 2021 CPT visit.

12. Three more sectors were closed at the time of the visit due to their ongoing reconstruction into cellular-type accommodation (199 beds), which was envisaged to be completed by June 2024.

13. The official capacity had been reduced from the 1 050 places at the time of the 2021 CPT visit.

14. According to the Lithuanian authorities, by 2027 some of the buildings with dormitories should be converted into cell-type accommodation (260 beds).

27. Vilnius Prison (capacity 632)<sup>15</sup>, consisting of two sites, was accommodating 368 adult male prisoners (99 of them on remand and eight life sentenced prisoners) on the main site, and 57 adult sentenced prisoners (ten female prisoners in open regime, eight male prisoners in semi-open regime, and 39 male prisoners in open regime) on the satellite site about one km away. The delegation visited the main prison site only.

On the main site, the prisoners were accommodated in three blocks – Block No.1, a 5-storey building with dormitories on the middle three floors (up to ten beds), with up to 70-80 inmates per floor,<sup>16</sup> Block No.2, a 3-storey building with cellular-type accommodation, and Block No.3, a one-storey building housing a rehabilitation and a post-rehabilitation centre.

c. ill-treatment by staff

28. The delegation received no allegations of deliberate physical ill-treatment of prisoners by custodial staff in the prisons visited. Overall, inmates interviewed by the delegation stated that they were being treated correctly by prison staff. The delegation did observe though that, due to the lack of staff (which in some prisons has reached catastrophically low levels)<sup>17</sup>, there was very little meaningful communication between prisoners and custodial staff.

29. However, as was the case during the 2021 CPT visit, in Alytus Prison, a few prisoners complained about an excessive use of force during cell searches. Furthermore, in this prison, the delegation received complaints of staff using rude and offensive language towards Romani prisoners; there were also complaints about derogatory language being used in Alytus and Marijampolė Prison.

The delegation also heard complaints in all prisons visited that staff had been threatening inmates with transfer to cells or units accommodating inmates from a higher caste in the informal prisoner hierarchy. Such a transfer would mean that the prisoner concerned would have to refuse to comply (since informal hierarchy rules did not allow prisoners from different castes to mix) and would then risk receiving a disciplinary sanction.

**The CPT once again calls upon the Lithuanian authorities to take effective action, via prison management, to ensure that custodial staff receive the clear message that excessive use of force, verbal abuse, and threats, as well as other forms of disrespectful or provocative behaviour vis-à-vis prisoners, are not acceptable and will be dealt with commensurate to the gravity of the crime.**

**Furthermore, prison staff be clearly and regularly instructed that any staff tolerating, relying on, encouraging, or colluding in punitive action taken against prisoners by other prisoners will be the subject of criminal or disciplinary proceedings.**

**Prison management should demonstrate increased vigilance by ensuring a regular presence of prison managers in detention areas, their direct contact with prisoners, effective investigation of complaints made by prisoners, and improved prison staff training.**

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15. The official capacity has been increased from the 610 places at the time of the 2018 CPT visit.

16. According to the Lithuanian authorities, by 2027 the building should be converted into cellular-type accommodation (170 beds).

17. See paragraphs 75 and 76 below.



## 2. Inter-prisoner violence

### a. recording of injuries and investigation

30. As during previous visits, the CPT delegation received many credible allegations of inter-prisoner violence, including stabbings with sharp objects, beatings, scaldings, bullying and other forms of psychological pressure, extortion, and coercion to commit new crimes and disciplinary offenses. Such allegations were received from prisoners accommodated across different units within all the prisons visited.

31. The Committee notes that in December 2022 the Director of the Prison Service approved the “Procedure for the prevention of violent behaviour and investigation of physical injuries of arrested and sentenced persons, the preparation, processing, and accounting of these documents in places of execution of punishment (execution of arrest)” (hereafter – the Procedure).<sup>18</sup>

According to the Procedure, an injured prisoner shall be taken to a healthcare unit, examined by a healthcare professional, a certificate of medical examination of the injured person shall be drawn up, and the injuries shall be noted on a personal body contour form. The healthcare professional shall prepare a medical examination certificate, specifying the date and time of the examination, describing in detail the signs of visible bodily injuries and their measurements, as well as the circumstances in which they occurred, as indicated by the injured person. The medical examination certificate and the personal body contour form shall be recorded in a dedicated register.

32. During the visit, the medical member of the delegation checked the registers of injuries and related medical records, focusing on the entries made during the six weeks prior to the CPT visit (specifically, the first six weeks of 2024). In all prisons visited, except Marijampolė, examinations were mostly carried out by a nurse, and body charts were used for marking traumatic injuries.

Regrettably, based on the findings, the Committee must conclude yet again that recording of injuries continues to be of poor quality, except in Marijampolė Prison (when done by a doctor). No photographs of injuries were taken during medical examinations, the description of injuries was generally rather succinct and vague (despite the Procedure requiring a detailed description) and the records usually did not contain observations by a healthcare professional as to the possible origin of the injuries or the consistency of the injuries with the statements made by the examined person (when such a statement was taken, which often was not the case, despite the requirements of the Procedure). It was the understanding of the delegation that the medical staff in the prisons visited had, unfortunately, not received proper training on the recording of injuries (nor even on healthcare provision in prison more generally).

**33. The CPT once again calls upon the Lithuanian authorities to ensure that injuries displayed by prisoners (on admission or following a violent incident) are recorded in a detailed and comprehensive manner, as required by the national legislation.**

**Further, all injuries should be photographed in detail and the photographs kept, together with body charts for marking traumatic injuries, in the prisoner’s individual medical file. Where necessary, additional examinations should be carried out (imaging, gynaecological examination).**

**Steps should also be taken to ensure that the record drawn up after a comprehensive medical examination contains the doctor’s observations indicating, where possible, the consistency between any statements made by the examined prisoner and the objective medical findings; if necessary, relevant legislative changes should be adopted.**

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18. Order No. V-534 of 30 December 2022.

In addition, a procedure should be established to ensure that whenever a doctor records injuries consistent with allegations of ill-treatment, the recorded information is systematically brought to the attention of the competent prosecuting bodies, namely the public prosecutor and the director of the establishment. The results of every examination, including the above-mentioned statements and the healthcare professional's observations, are to be made available to the prisoner and their lawyer.

Moreover, the CPT recommends that the Lithuanian authorities ensure that special training be provided to healthcare professionals working in prisons. In addition to developing the necessary competence in the documentation and interpretation of injuries, as well as ensuring full knowledge of reporting obligations and procedures, the training should cover the technique of interviewing persons who may have been ill-treated (including by fellow inmates). Reference should also be made to the revised Istanbul Protocol on the effective investigation and documentation of torture and other cruel, inhuman, or degrading treatment or punishment.<sup>19</sup>

34. In every prison the delegation found medical records of injuries indicative of inter-prisoner violence majority of which were, however, explained away by the prisoners concerned as "an accident".

In Alytus Prison, the records of the first six weeks of 2024 mentioned three prisoners with injuries around their eyes (a cut or a haematoma), and three prisoners with a swelling on the side of the head (one of them alleged having been attacked by another inmate, no explanation was provided in the medical records regarding the other five cases). One prisoner was brought to the medical unit for an examination after having allegedly been stabbed in the abdomen with scissors by another inmate and was transferred to hospital by ambulance.

In Marijampolė Prison, the records of the first six weeks of 2024 mentioned a prisoner with a swelling and a bruise around the eye (the prisoner alleged he had fallen while playing basketball), a further three prisoners had minor injuries on their face after having allegedly fallen. Three other prisoners, who sustained different minor injuries (cuts or bruises on the face, bleeding from the nose, pain in the chest), told medical staff that they had been attacked by other inmates.

One prisoner with multiple haematomas (on the right side of the face, on both sides of the back (some of them parallel subcutaneous haematomas measuring 20x3cm), and a haematoma on the right elbow) alleged he had fallen down the stairs in his unit. Another inmate from the same unit, brought in for a medical examination a month after the first, had sustained similar injuries (a haematoma under both eyes, many haematomas on the chest, arms, and legs) and gave the same explanation of having "fallen down the stairs".

It is noteworthy that the second inmate's attendance at the medical unit was his third in the last six months (each time alleging that his injuries were caused by an accident), and it was only after the CPT delegation voiced concerns regarding his safety that the prisoner was transferred to another unit.

In Pravieniškės 2nd Prison, the records of the first six weeks of 2024 mentioned seven prisoners with haematomas around their eyes (in one case, a prisoner also had a swollen ear, a swelling of the left side of the back, and significant red marks on the right hand and both legs; his statement regarding the origin of injuries was not recorded), plus four prisoners with multiple lesions of the face and scalp. Apart from one entry, which indicated that the prisoner concerned alleged having been beaten by another inmate, there were no recorded explanations from the prisoners regarding the circumstances of their injuries.

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19. See here [Istanbul Protocol](#).

In Vilnius Prison, the records of the first six weeks of 2024 mentioned a prisoner who suffered a fracture of the cheek bone and the upper jaw (requiring surgery) after allegedly slipping and falling in a shower. Another was taken to a hospital with a 5 cm wound in the parietal part of the head, sustained, allegedly, after falling in his cell and hitting his head on a radiator after consuming five pills of an anticonvulsant medication which belonged to his cellmate. Two more prisoners had haematomas around their eyes which they had allegedly sustained while playing sports in the exercise yard.

35. The Committee notes that according to the Procedure, any member of staff who observes an injured prisoner shall report the injury to the chief security officer on duty, injuries shall be recorded by a video recorder or a device with a photographic function, and the injured prisoner shall be taken to a healthcare unit (see paragraph...above for the requirements for a medical examination). Although the prisoners interviewed confirmed that, upon observing injuries, the custodial staff acted according to the Procedure, none of the photographs were available in medical files. The Procedure also states that an official report on observed injuries shall be drawn up and, together with other relevant documents, recorded in the document management system, and the chief security officer shall immediately inform the Director or their deputy (and in the case of self-harm, the coordinator of the Crisis Management Team).

In case of suspicion of the use of violence, the chief security officer also informs the chief investigators of the Prison Service Criminal Intelligence Board's Criminal Intelligence or Pre-Trial Investigation Unit.<sup>20</sup> The head of the Prison Service Criminal Intelligence Board initiates the clarification of the received information and the adoption of a procedural decision in accordance with the procedure established by the Code of Criminal Procedure as described in paragraph 45 below.

36. The Procedure requires that the statistics regarding personal injuries be submitted to the prison director every quarter. The delegation analysed such reports for 2023 in all four prisons visited.

In Alytus Prison, out of 226 injuries registered, almost half – 112 – were deemed to be accidents, and only 43 were registered as an outcome of inter-prisoner violence.<sup>21</sup>

In Marijampolė Prison, out of 389 injuries registered, more than half – 192 – were deemed to be accidents, and only 51 were registered as an outcome of inter-prisoner violence.<sup>22</sup>

In Pravieniškės 2nd Prison, out of 237 injuries registered, more than half – 152 – were deemed to be accidents, and only 30 were registered as an outcome of inter-prisoner violence.<sup>23</sup>

In Vilnius Prison, out of 92 injuries registered, more than half – 59 – were deemed to be accidents, and only four were registered as an outcome of inter-prisoner violence.<sup>24</sup>

It is noteworthy that the delegation also heard claims (both from the victims of inter-prisoner violence and the perpetrators) that, in many cases, efforts were made to “punish/teach someone” without leaving easily visible marks, such as, for example, on the face.

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20. Investigations into suspected accidents, self-inflicted or industrial injuries are assigned to prison staff (the Security Management Unit – for accidents and self-injuries, the employee responsible for work safety in the prison – for industrial injuries).

21. There were also 63 cases of self-injury, and eight cases of injuries sustained during the use of special means.

22. There were also 110 cases of self-injury, 27 cases of injuries sustained during the use of special means, and nine industrial traumas.

23. There were also 46 cases of self-injury, and nine cases of injuries sustained during the use of special means.

24. There were also 21 cases of self-injury, eight cases of injuries sustained during the use of special means, and one case of industrial trauma.

37. By letter of 10 June 2024, the Lithuanian authorities informed the Committee that they had begun reviewing the practices and procedures for investigating prisoners' injuries. Reportedly, the first step is developing a unified prisoners' injury register for all prisons, set to launch on 1 July 2024. The authorities expect that this register will enhance the monitoring and analysis of recording and investigation of injuries and will support the work of violence prevention commissions in each prison.

38. According to Article 3, paragraph 1, point 1, and Article 168 of the Criminal Procedure Code, criminal proceedings may not be initiated if no act has been committed that has the characteristics of a crime or misdemeanour.

Based on the information provided by the Lithuanian Prison Service regarding the four prisons visited, during 2023, there were 106 cases (19 in Alytus, 25 in Marijampolė, 49 in Pravieniškės 2nd, and 13 in Vilnius Prison), when a decision was taken not to initiate a pre-trial investigation into a sustained injury because no act had been committed that had the characteristics of a crime or misdemeanour.

39. According to Article 140, paragraph 4, of the Criminal Code, a person is liable for causing physical pain or slight health impairment only if there is a complaint from the victim or a statement from their legal representative, or a demand by the prosecutor, or when a pre-trial investigation has been initiated after identifying signs of domestic violence.

According to Article 3, paragraph 1, point 4, and Article 168 of the Criminal Procedure Code, upon receiving a complaint, statement, or report, and, where necessary, further clarification, the prosecutor or pre-trial investigation officer,<sup>25</sup> will not start a pre-trial investigation if there is no complaint by the victim, or statement by their legal representative, or the prosecutor's demand to start the process.<sup>26</sup>

Based on the information provided by the Lithuanian Prison Service regarding the four prisons visited, during 2023, there were 95 cases (31 in Alytus, 27 in Marijampolė, 32 in Pravieniškės 2nd, and six in Vilnius Prison) when a decision was taken not to initiate a pre-trial investigation in the absence of a complaint from the victim.<sup>27</sup>

40. By letter of 10 June 2024, the Lithuanian authorities informed the Committee that in April 2024 the Prison Service had begun discussions with prosecutors from Alytus, Kaunas, Marijampolė, and Vilnius District Prosecutor's Offices to encourage the initiation of pre-trial investigations into inter-prisoner violence incidents under Article 140 of the Criminal Code given the fact that victims rarely complain due to fear of reprisal and adherence to informal prisoner hierarchy. The Prison Service had reportedly stressed that pre-trial investigations could be initiated by a prosecutor in limited circumstances when the offense was considered to be of public significance or if the victim was unable to defend their interests. The Lithuanian authorities informed the Committee that following these discussions, on 27 May 2024, the first pre-trial investigation into a violent incident under Article 140 of the Criminal Code in Marijampolė Prison was initiated at the prosecutor's request.

The Committee welcomes this development, it is a significant step towards decreasing inter-prisoner violence. Indeed, considering the situation described in this report, all injuries suspected to have occurred as a result of inter-prisoner violence should be considered to be of public significance and should thus lead to a pre-trial investigation initiated by a prosecutor, even in the absence of a complaint from a victim.

**The Committee would like to know the results of this pre-trial investigation and to be regularly updated on similar pre-trial investigations initiated at the prosecutor's demand.**

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25. According to Article 165, paragraph 2, of the Criminal Procedure Code, the pre-trial investigation of criminal acts committed in prisons is conducted by the Director of the Prison Service or authorised officers of the prison system.

26. To clarify the details of a complaint, statement or report received, actions may be carried out which do not involve procedural coercive measures: inspection of the scene of the incident, interviews with witnesses, and the requesting of data or documents from the state or municipal bodies, or from the applicant, or from the person whose interests are served by the complaint, statement, or report.

27. See paragraph 42 below for statistics on pre-trial investigations which have been started.

41. When refusing to start a pre-trial investigation, a pre-trial investigation officer writes a reasoned decision and sends a copy of it to a prosecutor within twenty-four hours to check its legality and validity. In the event of a refusal to initiate a pre-trial investigation in the absence of a complaint, and in the event that there is evidence of an administrative offence or of an offence provided for in other legal acts, the pre-trial investigation officer shall, by the decision to refuse to initiate a pre-trial investigation, refer the complaint, petition or report for resolution according to the procedure laid down in the Code of Administrative Offences or other legal acts.

In cases of inter-prisoner violence, this referral entails a disciplinary investigation into a violation of Article 50, paragraph 2, point 8 of the Penitentiary Code, which prohibits prisoners from demanding any service from other inmates or from using physical or psychological violence. According to the information provided by the Lithuanian Prison Service regarding the four prisons visited, during 2023, there were 98 cases (34 in Alytus, 37 in Marijampolė, 15 in Pravieniškės 2nd, and 12 in Vilnius Prison) when a prisoner was disciplinarily punished for such a violation.

42. Based on the information provided by the Lithuanian Prison Service, during 2023, 31 pre-trial investigations into a crime had been started under Article 140 of the Criminal Code (Causing physical pain or slight health impairment). Of those, only 13 had been started in the four prisons visited (these being the largest prisons in Lithuania, accommodating approximately 2 500 prisoners between them) – four each in Alytus, Marijampolė, and Pravieniškės 2nd Prison, and one in Vilnius Prison.<sup>28</sup>

Interestingly, almost the same amount – 11 pre-trial investigations into the same crime – were initiated in 2023 in Panevėžys Prison (which has some 200 female prisoners). **The Committee recommends that the Lithuanian authorities encourage the Lithuanian Prison Service to look assiduously into what factors (other than a considerably weaker manifestation of the informal prisoner hierarchy, with its unwritten rules forbidding complaints) are causing such a significant difference in numbers between Panevėžys Prison and the male prisons, and identify what good practices there, if any, should be adopted in male prisons.**

43. The delegation interviewed the majority of the prisoners whose injuries were recorded during the first six weeks of 2024 (in some cases, injuries were still visible). Only a small number of them admitted having been attacked by another inmate. Many more were not willing to talk openly about the circumstances surrounding the injury. They explained to the delegation that according to the unwritten rules amongst inmates, a prisoner was not allowed to complain about physical violence and that it was not only forbidden to name a perpetrator(s) but even to suggest that there was any physical violence to begin with. After explaining this, the prisoners interviewed continued to state that the injuries they had sustained had been caused by “an accident” – falling down the stairs, walking into a door, slipping in the shower, falling off a bed – all the while smiling ambiguously.

44. The Committee notes the information provided by letter of 10 June 2024 from the Lithuanian authorities that a newly renovated section in Marijampolė Prison has been designated as a safe area for victims of inter-prisoner violence. Reportedly, this area, free from informal prisoner hierarchy and drugs, can accommodate up to 20 prisoners who have been subjected to or are at high risk of assault. Designated contact and security officers, along with a social worker and an activity specialist, will provide meaningful activities to counter the effects of relative isolation. According to the Lithuanian authorities, if this pilot project proves successful, similar safe areas will be established in other prisons as well. **The Committee would like to be updated on the progress of this pilot project and recommends establishing similar units in other prisons as well.**

45. The delegation also analysed several decisions taken by the Pre-Trial Investigation Unit of the Prison Service Criminal Intelligence Board not to initiate a pre-trial investigation into injuries sustained by a prisoner.

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28. In the four prisons visited, during 2023, there were 21 pre-trial investigations into a crime under Article 138 of the Criminal Code (Minor health impairment) - five in Alytus, two in Marijampolė, four in Pravieniškės 2nd Prison, and two in Vilnius Prison, and four into a crime under Article 135 of the Criminal Code (Severe health impairment) - one each in Alytus and Marijampolė, and two in Pravieniškės 2nd Prison.

The Committee notes that, to clarify the circumstances of an incident, the witnesses are interviewed (usually inmates from the same cell, dormitory or unit who, in most cases, allege not to have seen anything), as are prison officers working in the unit, and the CCTV recordings are checked when available. It further notes that in more straightforward cases – when staff have intervened to stop the attack, but the victim does not wish to file a criminal complaint – the perpetrator is disciplinarily punished according to the Penitentiary Code. However, when there is no criminal complaint and, after attempts at clarification, there is no information on the identity of the perpetrator, or a conclusion is reached that it was an accident, the only possible remaining decision is not to initiate a pre-trial investigation.

46. The Committee also notes that, sometimes, efforts to clarify circumstances are unsatisfactorily inconclusive. For example, an inmate from Alytus Prison came to the control post and said that he was refusing to stay in his assigned unit, Unit No.2.<sup>29</sup> The officer noted multiple injuries on the prisoner's head, and he was taken to the healthcare unit and from there transferred to a hospital for examination. The medical certificate issued by the hospital noted "superficial injuries to the head (no evidence of brain trauma), contusion of the eyelid and the preocular area, abrasions and contusion marks on the back and the chest, contusion of the wrist and parts of the hand, no clear fracture lines in the bones".

The prisoner claimed that he had fallen and had no complaints against anyone; he refused to provide any more details. The report from the Criminal Intelligence Unit stated that its officers had criminal intelligence that the prisoner had been beaten in his dormitory by fellow inmates from the same unit. The report on the examination of the video recordings stated that the prisoner concerned had entered his dormitory and had then left it half an hour later with a visible mark on his head which had not been there before. The investigation did not manage to identify the perpetrator(s) and, in the absence of a criminal complaint, a decision was taken not to initiate a pre-trial investigation into a crime under Article 140 of the Criminal Code (Causing physical pain or slight health impairment). According to the Prison Service, the only outcomes had been that the prisoner concerned had been transferred to another unit and his cellmates had only been disciplinarily sanctioned for a violation of internal rules, specifically for not wearing badges.

47. The Committee has repeatedly stressed that the duty of care which is owed by the prison authorities to prisoners in their charge includes the responsibility to protect them from other prisoners who might wish to cause them harm.<sup>30</sup> Furthermore, there is a procedural obligation of the state authorities to institute and conduct an effective investigation into all arguable allegations of ill-treatment, including when inflicted by private individuals. Such an investigation should be capable of leading to the establishment of the facts and of identifying and – if appropriate – punishing those responsible.<sup>31</sup>

The findings of the 2024 visit show that, due to the persistence of the root causes of inter-prisoner violence which are described in detail in the chapters below (illicit drug use, informal prisoner hierarchy, and catastrophically low staff presence inside detention areas, in the broader context of a largely prevailing dormitory-type accommodation<sup>32</sup>), as well as a lamentable lack of trust by the prisoners in the staff's ability to guarantee their safety,<sup>33</sup> the Lithuanian authorities are still far from fully implementing their above-mentioned duties.

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29. It is noteworthy that this is the infamous unit named 'Oz' (in honour of the popular TV series on prison life) which, for the last few decades, has been accommodating only the highest caste prisoners.

30. See also the relevant case law of the European Court of Human Rights, especially in *Premininy v. Russia* (application No. 44973/04, judgment of 10 February 2011, paragraphs 87 – 90) and in *Gjini v. Serbia* (application No. 1128/16, judgment of 15 January 2019, paragraph 77).

31. See also the judgment of the European Court of Human Rights in the case of *X and Others v. Bulgaria* (application No. 22457/16, judgment of 2 February 2021, paragraph 184).

32. See paragraphs 24 to 27 above.

33. The refusal to reveal the origin of injuries sustained is only one manifestation of such distrust.

b. multi-faceted causes of inter-prisoner violence

i. *illicit drug use*

48. The findings of the 2024 visit show that the problem of inter-prisoner intimidation and violence remains, as in the past, largely linked to a high prevalence of illicit drug use. As stated by many prisoners interviewed by the delegation, in most cases, victims had been subjected to violence and intimidation by fellow prisoners due to having accumulated debts or gotten into trouble related to the use or sale of drugs.<sup>34</sup> At the same time, the Committee positively notes that there had finally been a significant decrease in the number of prisoners who were punished with placement in disciplinary cellular confinement for refusing to live in an assigned unit for safety reasons.<sup>35</sup>

Prisoners who were using drugs were stuck in a vicious circle, as they needed a lot of money, either to be able to buy drugs or to pay administrative fines for drug use in prison.<sup>36</sup> Further, participating in the sale of drugs in prisons, where opportunities for employment were scarce, was often the only way to earn money.<sup>37</sup> The delegation also notably received complaints about poor food quality, allegedly mostly due to the fact that prisoners working in the kitchen were stealing foodstuffs to exchange for drugs.

49. Again, as in the past, the whole range of illicit drugs seemed to be easily obtainable in all the prisons visited, including the synthetic drugs referred to by the prisoners as “Khimka” (New Psychoactive Substances (NPS)), as well as fentanyl and amphetamine. In some accommodation areas, inmates showed the CPT delegation the drugs they were using (NPS and fentanyl), the syringes, and the self-made equipment for smoking illegal substances; further, several inmates appeared to be intoxicated during interviews with the delegation.

The “division of labour” amongst castes was seemingly that prisoners from the lowest caste, the “untouchables”, were usually the ones using drugs<sup>38</sup> and transferring them inside the prison,<sup>39</sup> and the highest caste prisoners were the ones organising the ingress of illicit drugs into a prison and controlling their sale inside (see more about the characteristics of different castes in the chapter below). Prisoners told the delegation that the price of one centimetre of a checkered piece of paper sprayed or pre-soaked with NPS was approximately between €1 and €5, one pack of fentanyl approximately €10 to €50, and one bottle cap with sprayed tobacco approximately €10.<sup>40</sup>

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34. For example, one prisoner told the delegation that, in the summer of 2023, he had been beaten with a wooden chair (on the head and body) after being wrongfully accused by fellow inmates of stealing the drugs he was supposed to bring from another unit. The drugs then arrived a few hours later, there having allegedly been a delay in their throw-in. When asked about the origins of his injuries, the prisoner told staff that he had fallen off the stairs.

35. During the 2024 visit, there were no such prisoners in Alytus, Pravieniškės 2nd, and Vilnius Prisons, and seven in Marijampolė Prison. For comparison, at the time of the 2021 visit, in Alytus, out of 87 prisoners in the KTP disciplinary block, 64 were there because they had refused to live among the general prisoner population; in Marijampolė, out of 34 persons in the KTP disciplinary block, there were 30 such prisoners (see more in paragraph 46 of the report on the 2021 periodic visit (document CPT/Inf (2023) 01).

36. From €30 to €150, or from €150 to €230, if this was a repeated offence.

37. Some prisoners told the delegation that, on some days, they could earn up to €200 from drug sale. Another, but less popular, option for income generation was mobile phone fraud.

38. Reportedly, it was not “cool” for the highest caste prisoners to use hard drugs, they were mostly interested in a healthy lifestyle and sports (and therefore sometimes reportedly attempted to smuggle in steroids).

39. Such inmates were called “the taxi drivers”. They usually worked in the prison’s general services with access to different units, using this to transfer different goods (drugs, mobile phones, etc.) around.

40. Alcohol was less popular among prisoners; the price for half a litre of ‘moonshine’ was €25.

50. The management of the prisons visited confirmed that the most popular drugs were synthetic cannabinoids, cannabis, and methadone.<sup>41</sup> Illicit drugs were reportedly getting into prisons mostly via throw ins,<sup>42</sup> drones, visits, inmates coming back from home leave, and through being hidden inside the lorries bringing in construction material. The delegation also heard about recent cases of staff members being caught with forbidden items.

As in the past, prisoners were also reportedly receiving, by post, paper items pre-soaked in NPS or sprayed with them. The delegation was informed that, in October 2023, a pilot project (“Safe letter”) had started in Vilnius Prison, according to which prisoners who had been accused of committing, or sentenced for, crimes specified in Chapter XXXVII of the Criminal Code,<sup>43</sup> as well as those who had used narcotic or psychotropic substances while in prison, were put on a list of prisoners under enhanced supervision. Only photocopies of letters received were handed to such prisoners.<sup>44</sup>

51. At the end of the visit, the delegation welcomed this initiative to stop one of the most popular routes of illicit drugs getting into prisons. However, it had expressed doubts whether copying the letters of only such a limited group of prisoners (especially when most prisoners are sharing dormitories) would be truly effective. Interviews carried out by the delegation in Vilnius Prison only strengthened such misgivings – the inmates there were positive that, if needed, the pre-soaked letters would still reach the prisoners under enhanced supervision via prisoners who were not on the list.

By letter of 10 June 2024, the Lithuanian authorities informed the Committee that following the discussion with the CPT delegation at the end of the visit, the scope of the “Safe Letter” project had been modified and that now all incoming letters in closed and semi-open prisons were scanned (except for letters received from lawyers, international, governmental, or municipal institutions). Reportedly, several prisons which required additional time for technical preparations, such as purchasing the necessary IT equipment, had been allowed to postpone the implementation of this mechanism but no later than 31 December 2024. **The Committee would like to receive information on the results of the updated pilot project.**

52. According to the data provided by the Chief Physician of the Prison Service, the number of prisoners diagnosed with an addiction has increased:

- alcohol in 2022 – 124, in 2023 – 279;
- opioids in 2022 – 165, in 2023 – 424;
- other drugs in 2022 – 297, in 2023 – 363.

The Committee is especially concerned to see such a significant increase in the number of prisoners addicted to opioids, especially considering that harm reduction measures were mostly solely limited to methadone (see paragraph 62 below for more information).

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41. According to prison management, LSD was not popular because LSD intoxication was easily noticeable, and cocaine was too expensive, and therefore affordable only to the wealthiest members of the highest caste, and then only for special occasions (reportedly, the last such occasion being in Vilnius Prison on New Year’s Eve 2024).

42. The management acknowledged, with a degree of resignation that, with such meagre staff resources, it was almost impossible to expect that a prison officer would get to a throw-in faster than an inmate who had been informed about its time and place in advance.

43. Crimes and criminal offenses related to the possession of narcotic drugs or psychotropic, poisonous, or strong-acting substances.

44. The envelope containing the letter was opened in the presence of the prisoner concerned and was copied without reading it. Photographs, postcards, stamps, envelopes, and documents sent with the letter were shown to the prisoner but were not handed over.



53. The Committee notes that in December 2022 the Director of the Prison Service has approved the Algorithm for the provision of assistance to prisoners using psychoactive substances (hereafter – the Algorithm),<sup>45</sup> which establishes the principles of identification of, and appropriate response to, the use of psychoactive substances (PS) in prisons and defines the provision and coordination of assistance to prisoners during imprisonment and after their release.

The Algorithm includes identification of PS consumption and transmission of information, provision of primary care, detoxification,<sup>46</sup> psychosocial rehabilitation, assistance in a day centre,<sup>47</sup> assistance in a rehabilitation centre, post-rehabilitation support, preparation for release, provision of substitution treatment, provision of a Naloxone kit, training of specialists, and application of other support measures.

54. According to the Algorithm, prisoners who can be admitted to a rehabilitation centre (RC) include:

- those who have been diagnosed with an addiction to PS and who have expressed a wish to recover in the RC;<sup>48</sup>
- those who have completed the introductory phase of the PS rehabilitation programme, where available (including a two-week psychosocial rehabilitation or an introductory group programme) and who have expressed in writing their willingness to participate in a rehabilitation programme;
- newly arrived prisoners who have participated in rehabilitation programmes in the community and who have expressed a wish to continue their recovery in the RC.

55. However, the delegation noted that different prisons had adopted their own procedures on the functioning of the rehabilitation centres. For example, in Alytus Prison, prisoners who can be admitted to the RC are those who:

- admit that they have an addiction to PS, have a diagnosed addiction syndrome, are not using PS at the time of the application, have completed detoxification if they have been using methadone while in prison, have completed the first stage of the programme (introductory group) and have expressed their desire to participate in other stages of the programme, and have agreed to comply with the internal rules of the RC;
- do not support the informal prisoner hierarchy;
- can speak, read and write in Lithuanian;
- are serving their sentence on lenient or ordinary regime;
- have not been diagnosed with a mental health disorder which could hinder the rehabilitation process;
- have more than nine months of their sentence left at the moment of the application.

The Committee is concerned that such an extensive list of criteria, some of which do not seem to be fully justified (like language skills or a vague exception for persons with mental health disorders), might be unduly restricting prisoners' access to rehabilitation. **The CPT would like to receive the comments of the Lithuanian authorities on this issue, as well as information as to whether similarly elaborate admission criteria exist in other prisons.**

Furthermore, the Committee notes that the rules of the informal prisoner hierarchy forbid any "cooperation" with the authorities which, *inter alia* means that prisoners who wish to get treatment for their addiction in the rehabilitation centre automatically fall within the lowest caste, the "untouchables", having signed a statement that they don't support informal prisoner hierarchy. It is therefore unsurprising that, as during the 2021 visit, a number of interviewed prisoners said that they were reluctant to take part in rehabilitation programmes.

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45. Order No. V-513 of 28 December 2022.

46. Detoxification was provided in the psychiatric ward of the Personal Healthcare Unit in Pravieniškės 2nd Prison.

47. None of the prisons visited in 2024 had day centres.

48. Priority shall be given to inmates who have one to two years remaining before the end of their sentence or the possible application of parole and who are diagnosed with a medical condition coded as F10-F19 (mental and behavioural disorders due to the use of NPS).

56. According to the Algorithm, the staffing complement of an RC should be:

- one addiction consultant<sup>49</sup> for six persons;
- one psychologist for 20 persons;
- one psychiatrist for 20 persons;
- one social worker for 20 persons;
- one contact officer for 10 persons;
- other specialists according to individual needs.

The Committee notes, however, that none of the RCs in the four prisons visited had employed the necessary numbers of staff; indeed, the lack of staff was clearly a very serious challenge to the success of rehabilitation programmes.

57. In Alytus Prison, the RC, with a capacity of 15 beds, was accommodating only six prisoners at the time of the visit, allegedly due to lack of staff (the only staff were two addiction consultants, one full-time and one half-time). The delegation also noted that the rehabilitation was mostly based on Bible studies rather than on the 12-step Minnesota Model; some prisoners who were not religious complained about this.

In Marijampolė Prison, the RC, with a capacity of 10 beds,<sup>50</sup> was accommodating only seven prisoners at the time of the visit. The only staff were three addiction consultants (two full-time equivalent posts), plus a part-time visiting prison psychologist. The prisoners were not dissatisfied with the treatment provided, although expressed a wish to see the psychologist more often.

In Pravieniškės 2nd Prison, the RC, with a capacity of 25 beds, was only accommodating 13 prisoners at the time of the visit, allegedly due to the lack of staff (there were only two addiction consultants occupying one and a half posts). The prisoners interviewed there were seemingly satisfied with the treatment and activities provided by the staff and volunteers from NGOs.

In Vilnius Prison, the RC with a capacity of 12 beds was accommodating 11 prisoners at the time of the visit (including two inmates who were accommodated there for protection upon their request). The majority of prisoners there were not satisfied with the treatment and activities on offer; due to the lack of staff, prisoners there allegedly spent most of their time watching TV. The only staff member was a single full-time addiction consultant.

58. The Committee notes that in May 2023, the Lithuanian Parliament has approved the National Agenda for Drug, Tobacco, and Alcohol Control, Prevention of Consumption, and Harm Reduction until 2035 and that in May 2024 the Implementation Plan for 2024-2026 has been approved by the Government, which includes the following measures within the prison system – increasing the accessibility of addiction treatment services (ensuring that day centres, long-term rehabilitation centres, and post-rehabilitation groups are available in every prison), creating motivational initiatives to encourage prisoners to seek treatment for their addictions, and continuously improving the competencies of prison staff working with addiction issues in collaboration with the Republican Centre for Addictive Disorders.

59. The Lithuanian authorities also informed the Committee about other measures taken to provide assistance to prisoners with addiction problems:

- methodological recommendations for buprenorphine substitution therapy had been prepared and training for 40 healthcare specialists on such substitution therapy (including the prescription and use of buprenorphine) had taken place, with buprenorphine substitution therapy, for some eight prisoners using opioids, having reportedly commenced in November 2023.

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49. Persons with a necessary certified training.

50. The official capacity of the RC was 20 places but at the time of the visit half the RC was closed due to renovation.

- a pilot project in 2024 will make condoms freely available in prisons (previously, free condoms were only issued for family visits; other prisoners only being able to purchase condoms at their own expense).
- in order to expedite information exchange between specialists and focus more on the health outcomes of prisoners using drugs, addiction consultants and case managers have been integrated into the prison healthcare units.
- starting from January 2024, all prisoners upon admission (and later, once a year) are screened for hepatitis C.
- all prisoners now have access to nicotine substitution therapy, which could be started upon a prisoner's request or upon the recommendation of a doctor.

60. The Committee welcomes the legislative, strategic and organisational steps taken by the Lithuanian authorities to support prisoners with addiction problems. **The CPT recommends reinforcing their efforts by further strengthening cooperation with the Drug, Tobacco and Alcohol Control Department under the Government of the Republic of Lithuania and the Republican Centre for Addictive Disorders, particularly by standardising the rehabilitation programmes, further diversifying Opioid Agonist Therapy (OAT) treatments and, most importantly, by employing the necessary numbers of multi-disciplinary staff.**

**The Committee also calls upon the Lithuanian authorities to do more to protect prisoners who do not (yet) use drugs from exposure to pressure to become drug users in environments filled with illicit drug use and through the encouragement of fellow inmates, specifically by providing them with drug-free units with clear criteria for residence.**

61. The Committee is concerned to note that due to the absence of a supervised intake procedure performed by healthcare staff,<sup>51</sup> some “valuable” prescribed medication (like cyclodol, carbamazepine, and even methadone) was sometimes allegedly sold/exchanged on the prisons’ black market.

**The CPT recommends that the Lithuanian authorities introduce a supervised intake procedure for medications prone to abuse in all prisons, to be performed solely by healthcare staff. The supervised intake procedure should be introduced as one of the key components of OAT programmes, to minimise the possibility of doses being sold onto the black market. In addition, it also helps to ensure that adequate blood and tissue levels of OAT are maintained (therefore reducing the need for additional opioids) and to provide an opportunity for healthcare staff to make a daily assessment of compliance with the programme and of the general health and well-being of the prisoner.** For example, in respect of methadone, medical staff should check that the medication has actually been swallowed by an inmate; as to buprenorphine, medical staff should supervise that the tablet has been placed under the inmate’s tongue and left to dissolve for three to five minutes.

62. Prisoners using drugs intravenously told the delegation that they shared the needles with other inmates and that they sterilised them by washing them with water and washing up liquid (some inmates thought that was enough, others knew it did not disinfect the needles properly but said they did not have anything else to use). Prisoners said they were obtaining the needles and syringes by stealing them from the healthcare units and hospitals or they were making them themselves out of ballpoint pens. In the Committee’s view, such a situation presents a high risk of transmission of infectious diseases such as hepatitis C and HIV. This was particularly concerning in Alytus Prison which was accommodating 134 out of the 197 prisoners in Lithuania with HIV at the time of the visit (and which had already experienced an outbreak of HIV infection in 2005 when 308 new cases were identified in one year). This is threatening the health and, indeed, even the lives of prisoners and, potentially, also prison staff, with possible spillover into the community later.

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51. Supervision, in the best of cases, was carried out by a prison officer who accompanied a prisoner to the healthcare unit. The officer, reportedly, would shake the prisoner, or ask them to say something to make sure they had swallowed their medication.

Regarding the control of the spread of infectious diseases, the Committee welcomes the plans of the Lithuanian authorities to introduce condom distribution in prisons. However, it is concerned to note that, despite the CPT's repeated recommendations, no other harm reduction measures (for example, needle-exchange programmes,<sup>52</sup> health promotion interventions focused on safer injecting behaviour and reduced sexual risk behaviour, etc.) have been introduced so far.

**The CPT recommends that the Lithuanian authorities introduce such above-mentioned harm reduction measures in all prisons. Information, education, and counselling on harm reduction should be widely implemented, including awareness on the risks of overdosing. Full information on the existence of such harm reduction measures should be given to prisoners by healthcare staff immediately after admission, using relevantly comprehensible formats as necessary.**

ii. *informal prisoner hierarchy*<sup>53</sup>

63. As was the case during all the previous CPT visits to Lithuania, the delegation found that belonging to a certain caste in the informal prisoner hierarchy was still virtually unavoidable.

While interviewing the prisoners, the CPT delegation noted the castes to be as follows:

- *bachūrai/vierchai/liūtai* (guys/leaders/lions) – the highest caste, and *dūchai* (ghosts) who were personal chefs of the highest caste prisoners;
- *baranai/paprasti* (rams/ordinary) – the middle level caste, ordinary prisoners;
- *nuskriaustieji* (humiliated) – the lowest caste, the “untouchables”, which had its own sub-hierarchy: *gaidžiai* (roosters) – the “cool” “untouchables”, *ožiai/kazlabanditai* (goats/goat-bandits) – the informers, *šliapos* (Russian criminal jargon word for male genitals) – the lowest group of the “untouchables”, invariably including prisoners convicted of a sex offence);
- *drambliai* (elephants) – prisoners refusing to live according to the subculture rules, mostly perceived by other inmates as having an even lower status than the “untouchables”.

64. Upon admission to a prison, newly arrived prisoners were reportedly asked by staff to which caste they belonged and in which unit they assumed they could be safely accommodated.<sup>54</sup> First-time prisoners were “assigned” to a particular caste by other inmates based on their committed crime, connections to organised crime (if any), financial situation, or even based upon unknowingly breaking one of the many unwritten rules of the prison subculture, such as, for example, shaking hands with, sharing a cigarette with or drinking from the same mug as an “untouchable” (such prisoners would then immediately, and for ever, become “untouchables” themselves).

65. During interviews with prisoners from the lowest and rather numerous caste (the “untouchables”), the delegation inquired about the impact of their status on their daily lives. Such prisoners explained that they were not allowed “to have an opinion, to raise our voice, to hit an inmate from a higher caste, or to physically resist when being hit by an inmate from a higher caste”. Further, they said that they had to stand guard outside the unit for hours every day and inform other inmates when they saw prison staff approaching the (unstaffed) unit<sup>55</sup> (the delegation witnessed this numerous times in all prisons visited). Additionally, some prisoners said that they had to give up their place in the queue at the doctor’s office to highest caste prisoners, others that they had to take the blame for disciplinary violations committed by the highest caste prisoners (so that the latter did not lose their status, and the benefits, of being ‘well-behaved’ prisoners).

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52. According to the Ministry of Justice, trade unions for custodial staff are fiercely resisting the initiative to introduce needle-exchange programmes.

53. For more information regarding the situation found during the 2021 visit, see paragraphs 38 to 41 of the report on the 2021 periodic visit (document CPT/Inf (2023) 01).

54. In each of the prisons visited, there was an informal division of units, and of cells/dormitories within the units, according to castes (the sanitary facilities and the kitchens (or the stoves) were also separate). Some prisoners told the delegation that, before a transfer to a unit, they called their contacts outside to find out whether they would be accepted therein.

55. In some cases, they would be “paid” for standing guard with a packet of cigarettes per month but mostly they did not receive anything and complained of being very tired.

All the maintenance work in prisons was done by the “untouchables”, and of those, only the lowest category, *šliapos*, were cleaning the toilets. Officially, all the prisoners were supposed to clean their dormitory rooms/cells themselves (rotating the tasks among themselves) but in reality the prisoners employed as cleaners were cleaning not only the corridors and other common spaces but also the rooms/cells of the higher caste prisoners (the latter sometimes “thanked” them by giving cigarettes, tea, or leaving some food, but the delegation also heard complaints about verbal and even physical abuse).

66. In Alytus Prison, the delegation interviewed a prisoner-cleaner who, in addition to cleaning corridors and showers, was made to clean the dormitories of the higher caste prisoners, do their laundry, and stand guard; when he tried to argue, he had allegedly been beaten, and was threatened that he would be beaten again if he tried to leave the unit. The prisoner also complained that he was not allowed to use the kitchen in the unit.

Many “untouchables”, and especially those working in maintenance, were also reportedly instructed by the highest caste prisoners to pick up throw-ins of drugs, mobile phones, and other forbidden items, and to transfer them between the units (as a reward, some prisoners said they could keep some amount of drugs or a mobile phone, or there would be some money put on their account); although many prisoners said they could refuse such instructions, some said they did not feel they could, for fear of reprisal.

67. In the CPT’s view, the situation of the prisoners belonging to the lowest caste in Lithuania, which in some cases could amount to modern slavery (in the form of forced labour), could be considered to constitute a continuing violation of Article 3 of the European Convention on Human Rights, which prohibits, *inter alia* all forms of degrading treatment and obliges state authorities to take appropriate measures to prevent such treatment, including that carried out by private individuals, including fellow prisoners.

68. In this regard, a reference should be made to two recent judgments of the European Court of Human Rights – in the case of *S.P. and Others v. Russia* (applications nos. 36463/11 and 10 others) of 2 August 2023 and in the case of *D. v. Latvia* (application no. 76680/17) of 11 January 2024.

In *S.P. and Others v. Russia* the Court has found that the stigmatisation and physical and social segregation of the inmates belonging to the lowest caste, “coupled with their assignment to menial labour and denial of basic needs such as bedding, hygiene and medical care, enforced by threats of violence and also occasional physical and sexual violence, had led them to endure mental anxiety and physical suffering that must have exceeded the unavoidable level of suffering inherent in detention, even if not all applicants had been subjected to physical or sexual violence. That situation, which the applicants endured for years on account of their placement in the group of “outcast” prisoners, had amounted to inhuman and degrading treatment within the meaning of Article 3 of the Convention.”

In *D. v. Latvia*, the Court has also found that “life in such a hostile environment often resulted in a continuous accumulation of stress, particularly for individuals subjected to inequity, and not solely from immediate or chronic threats. The mere anticipation of such threats could also cause enduring mental harm and anxiety of an intensity exceeding the level of stress caused by detention under normal conditions. The absence of any direct State involvement in acts of ill-treatment that met the condition of severity such as to engage Article 3 did not absolve the State from its obligations under this provision. In particular, the national authorities had an obligation to take measures to ensure that individuals within their jurisdiction were not subjected to torture or to inhuman or degrading treatment or punishment, including such ill-treatment administered by private individuals.”

69. The management of the prisons visited acknowledged that the existence of the informal prisoner hierarchy made prisoners' resocialisation extremely difficult, prevented many inmates from seeking drug rehabilitation, impeded the daily work of staff, and that prisoners from the lowest caste were pressured into committing new crimes in prison.

The Committee noted that there was still no dedicated strategy adopted, or guidelines issued, by the Ministry of Justice on how to fight the phenomenon of the informal prisoner hierarchy and thus every prison had been left to try and formulate a solution on their own. For example, in Vilnius Prison, following the quality-of-life study carried out in 2022,<sup>56</sup> management there had drawn up an action plan for 2023-2024 to address the main problems identified by the study.<sup>57</sup>

Proposed measures to fight subculture included training for staff and prisoners on harmful aspects of subculture, preparing a schedule for cleaning the kitchens on every floor, promoting the inmates and staff members who resisted subculture, supervising the food distribution in the canteen, involving prisoners from all informal groups in sporting or cultural events, etc.<sup>58</sup>

The Committee welcomes the efforts of the Vilnius Prison management to understand and address the key problems of daily prison life. However, as the findings of the 2024 visit show, almost two years since the study, there has not been a noticeable change as regards informal prisoner hierarchy in Vilnius Prison. In the canteen, prisoners from different castes were served food from different hatches (while being supervised by the prison staff),<sup>59</sup> there were no cultural events or sports competitions which included all inmates (allegedly because the highest caste prisoners always refused to participate), and the prison management still did not seem ready to instruct the highest caste prisoners<sup>60</sup> to clean their own kitchens (instead, it was still done by the lowest caste prisoner-cleaners from the floor below<sup>61</sup>).

70. The Committee has repeatedly recommended that the Lithuanian authorities adopt a targeted strategy to fight informal prisoner hierarchy;<sup>62</sup> such an octopoid phenomenon which has permeated all areas of prison life for decades can only be overcome through joint effort and centralised leadership.

In light of the findings of the 2024 visit, **the CPT once again calls upon the Lithuanian authorities to adopt a dedicated strategy to counter the informal prisoner hierarchy, which should be based on the latest research.**<sup>63</sup>

71. The Committee also notes that, from January 2022, sentenced prisoners have an opportunity to engage in self-employment and earn extra income by selling their products online.<sup>64</sup>

According to Article 56, paragraph 5, of the Penitentiary Code, one of the conditions for self-employment to be recognised as an employment activity is whether the prisoner concerned can prove that they receive income from their self-employment activity, the average of which over the last three months is not less than the minimum monthly amount of the allowance paid to working prisoners.<sup>65</sup>

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56. The Measuring the Quality of Prison Life (MQPL) methodology used in the study was developed by researchers from the University of Cambridge Prison Research Centre and tested in various countries.

57. These were prison subculture, lack of communication, activities for inmates, staff stress levels, and excessive bureaucracy.

58. In the other three prisons visited, measures being taken were more *ad hoc*.

59. This practice still existed in all the prisons visited, together with different crockery, marked mugs, and eating at separate tables.

60. Some 140 highest caste prisoners, transferred to Vilnius Prison from all prisons in Lithuania during the last few years, were accommodated on the third and fourth floor of Block No.1, a 5-storey building with dormitories. The second floor was accommodating all the other castes, although there was no mixing of inmates from different castes in the same room.

61. As one such prisoner rhetorically asked the delegation – "Is this how the management is allegedly fighting the subculture?"

62. See, for example, paragraph 51 of the report on the 2021 CPT periodic visit (document CPT/Inf (2023) 01).

63. See, for example, [a Council of Europe baseline study into criminal subculture in the prisons in the Republic of Moldova](#).

64. [A dedicated website](#) was created for this purpose.

65. Approximately €140.

Such recognition is extremely important because it creates a domino effect of positive consequences. According to Article 36 of the Penitentiary Code, one of the conditions for a prisoner to be transferred from ordinary to lenient regime is being engaged in employment for at least the last three months (or for at least one-quarter of the sentence if less than one year). As the delegation learned during the interviews with prisoners, one of the most coveted benefits of being on lenient regime is home leave from three to ten days once every two to four months.

Furthermore, according to Article 37 of the Penitentiary Code, prisoners on lenient regime in semi-open type prisons<sup>66</sup> are transferred to an open-type prison (with even more benefits, such as having a mobile phone, access to the internet, being allowed to leave the place of detention up to 14 hours per day, etc.), after fulfilling certain conditions set by the law.

72. The Committee appreciates the efforts of the Lithuanian authorities to create more work opportunities for prisoners, especially considering the significant lack of possibilities offered by the state. If executed properly, the prospect of lenient regime (with opportunities for home leave, transfer to open prison, and an earlier release) could be one of the key factors in motivating prisoners to renounce subculture. However, based on the interviews with prisoners and staff during the 2024 visit, the Committee is concerned that this initiative is being abused.

The delegation noted that the majority of self-employed prisoners were inmates from the highest caste (this was especially visible in Vilnius Prison). Their self-employment included making costume jewellery from beads, candle casting, knitting, designing business cards, developing individual exercise plans, providing personal trainer services, etc.

The delegation learned that these prisoners had no problem earning the necessary monthly amount from selling their creations (which, in some cases, most probably had not even been produced by them, judging by the very dusty and neglected work surfaces in their cells/rooms) because, as explained by the staff and other prisoners, the items were bought by their wealthy contacts in the community.<sup>67</sup> Prisoners from the lowest caste, usually from much poorer backgrounds, on the other hand, very often did not manage to sell enough to reach the required monthly amount, despite producing items whose creation required considerably more time and dedication (for example, checker or chess boards, model ships, etc.).

73. The prisons' management acknowledged that there were opportunities for abuse of the system and told the delegation that they were trying to react accordingly. The delegation was informed that, in cases where the management had information that a prisoner was faking self-employment, decisions had been taken not to recognise it as an employment activity. However, as the delegation was told, such decisions were often appealed by the highest caste prisoners and there were reportedly already cases which the prison management had lost in court.

As the delegation noted from its interviews with the lowest caste prisoners, this situation created a bitter conviction among them that "freedom can be bought for €140 per month". The Committee finds it very concerning that the current system *de facto* helps to perpetuate the power of the informal prisoner hierarchy (by further reinforcing inequality and inviting abuse).

**The CPT recommends that the Lithuanian authorities review the application of this well-meaning measure and inform the Committee of the steps taken to limit the opportunities for potential abuse of the self-employment system.**

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66. Which included all the prisons visited.

67. Who reportedly sometimes paid disproportionately large amounts for items of very low value such as, for example, €50 for a simple plastic bead bracelet.

*iii. lack of staff presence in accommodation areas*

74. The Committee sees a very clear link between the findings regarding inter-prisoner violence and the widespread presence of illicit drugs with the numbers of the custodial staff present in accommodation areas. The numbers are totally inadequate to ensure the duty of prison staff to protect prisoners from other inmates who might wish to cause them harm, or to prevent the influx of illicit drugs into the prisons and their sale, once inside. Furthermore, such staffing numbers do not allow the establishment of any meaningful contact between custodial staff and prisoners, to which the Lithuanian authorities allege to aspire, and which would lead to a better staff understanding of prisoners, assisting them with daily issues, motivating them to engage in positive activities, and, most importantly, earning their trust, which is so visibly absent at present. Sufficient staffing levels is a foundation for establishing genuine dynamic security, which is still woefully lacking in Lithuanian prisons.

75. In Alytus Prison (holding 788 prisoners during the visit), there were approximately 35 members of custodial staff present in the detention area during the day;<sup>68</sup> 43 out of 160 posts (27%) of junior security specialists were vacant.

In Marijampolė Prison (holding 592 prisoners during the visit), there were approximately 36 members of custodial staff present in the detention area during the day; 31 out of 175 posts (18%) of junior security specialists were vacant.

In Pravieniškės 2nd Prison (holding 761 prisoners on the main site during the visit), there were approximately 26 members of custodial staff present in the detention area during the day; 39 out of 299 posts (13%) of junior security specialists were vacant.

In Vilnius Prison, in the accommodation block with dormitories, there were approximately five members of custodial staff present on the floor (with some 70-80 prisoners) during the day; 46 out of 210 posts (22%) of junior security specialists were vacant.

76. The delegation was told that, ideally, contact officers (former heads of the units) were supposed to be present in the unit (with some 30 inmates) for about half a day each day but, in reality, one contact officer was often responsible for four or five units, which basically meant just visiting each of the units briefly every day; this is clearly an entirely unacceptable situation.

Prisoners told the delegation that, at most, they would see a staff member coming for rounds once an hour, but that it also happened that staff only came in the morning to unlock the unit and in the evening to lock it for the night.<sup>69</sup> The delegation observed the clear lack of staff in all prisons visited (with some slight exception in Vilnius Prison); delegation members spent hours inside the units interviewing prisoners and there were usually no staff in sight.

Indeed, the numbers of custodial staff present in prisoner accommodation areas in the prisons visited were so disastrously low (the ratio mostly fluctuating from 15 inmates to one member of staff, to as much as 30 to one), that the CPT could not avoid the impression that staff (and the management) of the prisons visited had been left to struggle, from day to day, with totally insufficient human resources, without adequate funding, and without the necessary support from the Lithuanian authorities.

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68. In all prisons, a certain number of such staff were manning the checkpoints and control posts in units with cellular-type accommodation.

69. As one prisoner from the lowest caste in Alytus Prison told the delegation, "it would be nice if the head of the unit would constantly be present, instead of being present for three days and then absent for the next three".



77. The CPT reiterates that the problem of inter-prisoner violence cannot be solved without the management and staff regaining control over the situation in prisons via far greater dynamic security. To achieve that, custodial staff must be able to exercise their authority in an appropriate manner. This implies, *inter alia* that the level of staffing must be sufficient to enable prison officers to adequately supervise the inmates, support each other effectively in the performance of their tasks and communicate with prisoners in meaningful ways, building trust and faith in their ability to protect them. Low numbers of custodial staff in prisoner accommodation areas increase the risk of violence and intimidation between prisoners, and of tension between staff and prisoners, and preclude the development of the necessary positive relationships between them.

The Committee notes that all statutory institutions in Lithuania (police, customs, border service, etc.) are reportedly facing challenges recruiting the required numbers of staff and it appreciates the fact that the prison service might be seen as comparatively less attractive. It therefore welcomes the information from the Lithuanian authorities that, from March 2024, the entry-level salary in the prison service will be the same as in the police service.

78. While recognising all the challenges, **the CPT once again calls upon the Lithuanian authorities to find an urgent solution to significantly increase the numbers of custodial staff working in direct contact with prisoners. If this is not achieved, decreasing the influx of illegal drugs and eradicating the influence of the informal prisoner hierarchy, and thereby substantially reducing inter-prisoner violence, will be virtually impossible.**

### 3. Other issues regarding healthcare in prison

79. Access to primary healthcare was generally ensured, except in Alytus Prison, where the scant six days per month presence of a general practitioner led to unacceptable delays in the provision of medical assessment and treatment. The total absence of a psychiatrist at this prison was also very concerning, given the number of prisoners with mental health issues. **The CPT recommends that urgent steps be taken to increase the presence of a general practitioner and to fill the vacant post of the psychiatrist at Alytus Prison.**

80. The Committee was concerned to hear about lack of access to psychiatric care for an inmate in Vilnius Prison, who was diagnosed with a mental disorder but who, for the ten weeks prior to the CPT visit, had been reportedly refusing to take prescribed antipsychotic medication and had thus become increasingly aggressive and dangerous to himself and others.

The Committee noted that the psychiatrist working in Vilnius Prison was not aware of this situation and no action had been taken to assist the prisoner to comply with his treatment. Therefore, the delegation made an immediate observation under Article 8, paragraph 5, of the Convention and requested that the Lithuanian authorities urgently reassess the mental health condition of this prisoner with a view to transferring him to an appropriate mental healthcare facility, where his mental healthcare needs could be properly and safely met. The Lithuanian authorities were requested to inform the CPT of the steps taken within three weeks.

By letter of 13 March 2024, the Lithuanian authorities informed the CPT that the prisoner concerned had agreed to voluntary hospitalisation and that, on 1 March 2024, he had been transferred to the psychiatric ward of the Personal Health Care Unit (in Pravieniškės 2nd Prison), where his mental health status had reportedly noticeably improved following treatment. **The CPT welcomes this information and trusts that the Lithuanian authorities will take steps to ensure that all prisoners have timely access to psychiatric care in the future.**

81. Furthermore, the Committee was concerned to learn that despite a high number of suicides in prison,<sup>70</sup> none of the prisons visited had a suicide prevention programme in place.

**The CPT recommends that the Lithuanian authorities develop, as matter of urgency, a comprehensive and robust suicide prevention policy and ongoing suicide prevention programme. The policy on suicide prevention should ensure, *inter alia* that all persons identified as presenting a risk of suicide benefit from mental health assessment and treatment, counselling and support, and appropriate monitoring and association with other inmates.**

**Furthermore, the CPT reiterates its recommendation above regarding the development of a strategy to combat the informal prisoner hierarchy since its massively detrimental effects may very much contribute to the risk of suicide among prisoners.**

#### **4. Concluding remarks**

82. To conclude, the Committee notes the positive actions taken by the Lithuanian authorities since the last CPT visit in 2021 as well as following the 2024 visit. This includes a further decrease in the prison population, the adoption of a new Penitentiary Code (which has introduced a range of measures to motivate prisoners to be more actively involved in their reintegration into the community), a sharp decrease in the number of prisoners receiving the disciplinary sanction of confinement for refusal to live in their assigned unit, together with increased efforts to provide prisoners with alternative solutions to their difficulties. It also welcomes steps to enhance the assistance offered to prisoners with addictions and to improve the effectiveness of investigations into inter-prisoner violence.

83. The Committee further notes that interviews with prisoners have indicated that the rules dictated by the informal prisoner hierarchy are changing and potentially even slowly weakening (albeit mainly due to general societal and generational changes). However, the informal prisoner hierarchy remains the key element in the persistence of the illegal trade in drugs (and mobile phones) in prisons, and in their use to facilitate new crimes. In many cases, these activities are closely linked to organised crime in the community and, as such, need to be tackled much more vigorously by the Lithuanian authorities.

Therefore, the Committee remains concerned that there is no targeted action plan from the Ministry of Justice dedicated to combating the informal prisoner hierarchy and its malignant activities and effects, and thereby providing prison management teams with clear and concrete practical guidance and support in terms of human and further resources.

84. There clearly remains much more to be done to significantly reduce the influx of illicit drugs into prisons and to eradicate the influence of the informal prisoner hierarchy, these being the key causes of the endurance of widespread, endemic inter-prisoner violence (facilitated by the dormitory-type accommodation), under the shadow of which many prisoners live in fear. Without a carefully thought-out strategic approach and a radical and urgent increase in the numbers of custodial staff (who must be adequately remunerated, appropriately trained, and motivated), the dire situation found in Lithuanian prisons will persist, with very harmful consequences for so many individuals and for Lithuanian society more generally.

The Committee trusts that the Lithuanian authorities will invest greater resources in addressing the challenging issues raised in this report and implementing the recommendations set out above.

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70. According to the Chief Physician of the Prison Service, there had been 34 suicides in 2021, 29 in 2022, and 23 in 2023, high pro-rata rates for the prison population.