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I. MAIN ACHIEVEMENTS

This chapter presents short summaries of a selection of the main reforms and achievements reported in final resolutions since the Convention system was amended in 1998 by Protocol No. 11, with a clear focus on recent reforms, referring however also to important earlier developments.

In view of the wealth of cases closed, the selection concentrates on those which have led to changes of legislation, government regulations, the adoption of new policies or general guidance from superior courts. As a rule, the overview does not cover information on measures providing individual redress to applicants.

The reforms are in principle presented in the order corresponding to the thematic domains used in the specialised database HUDOC-EXEC of the Department for the Execution of Judgments of the European Court of Human Rights.

Many reforms address issues which appear to be on-going challenges in member states. The effects of reforms adopted at one point in time may thus need to be monitored and possibly revisited as conditions change.[1]

Definitions of the terms used in the context of the supervision of the execution of the European Court's judgments are available in the dedicated Glossary.

[1] The presentation is limited to the information provided at the time of the adoption of the final resolution. It is recalled in this context that the Committee of Ministers has issued Recommendation (2004)5 on the verification of the compatibility of draft laws, existing laws and administrative practice with standards laid down in the European Convention on Human Rights.

Actions of security forces and effective investigations

In 2017, the Law on Police was revised to better define physical and mental restraint and set the conditions for the use of restraint or special measures, firearms and explosives. Operational guidelines issued by the Government on the necessity of prior approval of special coercive measures were adopted. Excessive use of force may now be subject to disciplinary proceedings and victims of ill-treatment have access to compensatory remedies.

***Gedrimas* group** (21048/12)

Final Resolution CM/ResDH(2018)291

Protection against domestic violence

The law on Protection against Domestic Violence of 2011 provided for measures of protection for the victims of domestic violence. In 2015, the Prosecutor General's Office confirmed, in a statement, that protection measures for victims available during pre-trial investigations were underused. Recent recommendations issued by the General Prosecutor's Office aimed at ensuring speediness and efficiency of criminal investigations in cases of domestic violence. Training activities to improve prosecutors' investigative skills were organised. In 2017, the Police General Commissioner adopted guidelines to improve police diligence and the gathering of evidence in domestic violence cases.

Valiuliene (33234/07)

Final Resolution CM/ResDH(2017)313

Conditions of detention

According to the Code on the Execution of Criminal Sentences of 2003, it is no longer possible to monitor the correspondence of prisoners without authorisation. In 2009, a multiannual programme was adopted to improve the conditions of detention in police detention facilities, notably regarding overcrowding and lack of access to hygienic facilities. The Law on Execution of Detention and the Code on the Execution of Sentences were both amended with effect from 2017, so as to provide equal treatment between remand detainees and convicted prisoners as regards family visits.

Valasinas (44558/98)

Final Resolution CM/ResDH(2004)44

Kasperovičius (54872/08)

Final Resolution CM/ResDH(2017)34

Varnas (42615/06)

Final Resolution CM/ResDH(2017)140

Review of life sentences

A mechanism for the effective review of a life imprisonment sentence was introduced in April 2019 enabling such prisoners to request conversion of their sentence into a fixed-term custodial sentence after having served a minimum of twenty years. This mechanism is supplemented by individual social rehabilitation plans that are drawn up taking into consideration the degree of risk of a convict's criminal behaviour, criminological factors, his occupation, the maintenance of social relations as well as factors contributing to the convict's social rehabilitation.

Matiošaitis and Others (22662/13+)

Final Resolution CM/ResDH(2019)142

An exhaustive list of the grounds on which detention on remand may be imposed was set out in a new Code of Criminal Procedure, which entered into force in May 2003.

Jecius (34578/97)

Final Resolution CM/ResDH(2004)56

Functioning of justice

Fairness of proceedings

Legal safeguards with regard to the procedure for taking evidence from an anonymous witness were strengthened: an anonymous witness may thus be questioned at a non-public hearing once appropriate acoustic and visual devices have been set up to ensure that identification is impossible.

Birutis and Others (47698/99+)

Final Resolution CM/ResDH(2004)45

Impartiality of courts

The legal provision entitling certain judges, including the Presidents of Divisions of the Supreme Court, to submit a cassation petition instructing the Court of Cassation to reinstate first-instance judgments, thus raising impartiality issues, was repealed in 2003.

Daktaras (42095/98)

Final Resolution CM/ResDH(2004)43

Changes in the internal regulations and organisation of the Supreme Court's work also took place, aimed at ensuring the respect of the impartiality principle in case assignment and panel composition. The assignment of cases to appellate judges and the composition of panels are now automatically generated by a computer programme, on the basis of a series of criteria set out in the Rules of the Judicial Council of 2015. The assignment of Supreme Court judges is decided by the Chair of the Supreme Court Division or the President. The panels' composition is announced/made public on the Supreme Court's website and the Rules governing them were published in the Register of Legal Acts in 2019.

Daineliene (23532/14)

Final Resolution CM/ResDH(2019)132

Remedies against excessive length of proceedings

In order to accelerate judicial proceedings, stricter time-limits for the completion of criminal cases were established in 2003 and new domestic remedies were introduced, notably the possibility for the investigating judge to order the speeding-up of investigations or their closure. Several amendments of the Criminal Procedure Code were adopted between 2010 and 2014 aimed at accelerating pre-trial investigations: introducing a maximum length of adjournment of trial proceedings and the right to lodge complaints to be examined within seven days. The Civil Code provides for liability for damage caused by unlawful actions of preliminary investigation officials, prosecutors, judges and the court and thus constitutes a legal basis for compensation requests in the context of excessively lengthy proceedings.

Girdauskas (70661/01+)

Final Resolution CM/ResDH(2007)127

Sulcas (35624/04+)

Final Resolution CM/ResDH(2014)291

Legal aid in civil proceedings

The Law on State Legal Aid was amended in 2018, granting the right to have one's individual situation assessed by taking into consideration one's standard of living and financial status, one's capacity to represent oneself effectively, the cost of legal assistance, the complexity and scope of pecuniary requests (interests), and the procedural status of the applicant.

Urbsiene and Urbsys (16580/09)

Final Resolution CM/ResDH(2019)4

Protection of private life

Defamation

The ceiling on compensation for non-pecuniary damages caused by flagrant abuse of press freedom (resulting in too low awards) was removed from the Civil Code of 2001.

Armoniene and Biriuk (36919/02+)

Final Resolution CM/ResDH(2010)174

➢ Secret surveillance

The 2013 Law on Criminal Intelligence provides safeguards and remedies to ensure the legality of secret surveillance measures. It provides for effective domestic remedies for the protection of human rights, enabling *inter alia* judicial examination of the legality and the implementation of surveillance measures. In 2015, the Supreme Court published a survey of relevant domestic case-law concerning the monitoring, recording and storage of information transmitted through electronic communications networks, explaining the criteria for secret surveillance measures.

Drakšas (36662/04)

Final Resolution CM/ResDH(2016)124

➢ Incapacitation proceedings

Proceedings to deprive a person with mental disabilities of their legal capacity were reformed in 2016 allowing courts to declare a person legally incapacitated only in a certain area of their life and obliging the courts to restore legal capacity should the person's health improve.

A.N. (17280/08)

Final Resolution CM/ResDH(2017)268

➢ Spousal privilege in criminal proceedings

In 2020, the Code of Criminal Procedure was amended to grant all persons the possibility to refuse to testify against spouses or family members, irrespective of their status in the criminal proceedings concerned.

Kryževičius (67816/14)

Final Resolution CM/ResDH(2021)12

Electoral rights

In 2022, a new Electoral Code came into force, according to which any person removed from office or whose mandate as a member of the Parliament has been revoked by the Parliament through impeachment proceedings will not be subjected to a "permanent and irreversible" ban from standing for parliamentary elections but will be able to stand for elections to the Parliament after a period of "at least ten years".

Paksas (34932/04)

Final Resolution CM/ResDH(2022)253

Non discrimination

In December 2024, the Lithuanian Constitutional Court declared unconstitutional the provision of the Law on the Protection of Minors against the Detrimental Effect of Public Information, prohibiting inter alia the dissemination of public information that portrays same-sex relationships as essentially equivalent to opposite-sex relationships.

The Constitutional Court recalled that under the Constitution the concept of family is neutral in terms of gender. It thus ruled that a legal regulation imposing limitations on the freedom to receive and impart information, including a legal regulation limiting information about the diversity of family models and relationships, hinders the development of minor children as mature and well-rounded personalities. Moreover, it is incompatible with the constitutional duty of the state to ensure the harmonious and comprehensive development of the child, based on respect for human rights and dignity, as well as on the values of equality, pluralism, and tolerance, which are inherent in a democratic society.

Macatė (61435/19)

Final Resolution CM/ResDH(2025)134

Following the Court's judgment, the Lithuanian authorities reported wide-ranging and multi-faceted measures taken to improve investigations into hate crimes and hate speech, including the adoption of new methodological recommendations, the specialisation of prosecutors and the review of previous decisions to examine whether bias-motivation was an element of a crime or there were any causal links

Beizaras and Levickas (41288/15)

Final Resolution CM/ResDH(2025)432

with discrimination; the evolution of the domestic case-law, and capacity-building measures for investigative authorities leading to an increase of hate crime investigations in recent years.



II. MAIN ISSUES PENDING BEFORE THE COMMITTEE OF MINISTERS

This chapter presents the main issues pending in cases/groups of cases currently under the Committee of Ministers' supervision. The relevant supervision procedure is indicated for each case/group of cases.

Detailed information on the status of execution of these cases as well as on the Committee of Ministers' supervision process is available on the specialised database HUDOC-EXEC of the website of the Department for the Execution of Judgments of the European Court of Human Rights.

Definitions of the terms used in the context of the supervision of the execution of the European Court's judgments are available in the dedicated Glossary.

Conditions of detention **Poor conditions of detention** between 2008 and the date of the judgments.	***Mironovas and Others* group** (40828/12) Judgment final on 02/05/2016 Standard supervision **Status of execution**
Migration and asylum - Risk of torture **Refusal** of the State Border Guard Service **to allow the applicants to submit asylum applications** at border check points, and their return to Belarus, without any examination of their claims and **lack of an effective remedy**.	***M.A. and Others*** (41288/15) Judgment final on 11/03/2019 Standard supervision **Status of execution**
Gender identity **Lack of implementing legislation** regulating the conditions and the procedure for gender reassignment and the change of entries in the official documents.	***L.*** (27527/03) Judgment final on 31/03/2008 Enhanced supervision **Status of execution**



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