**Annex no. 2: Statistical information in the Fourth report of the Republic of Lithuania under the International covenant on civil and political rights.**

**Replies to Committee’s question No. 5**

*Reports, pre-trial investigations, cases and persons found guilty of domestic violence*

1. Table No. 1 presents data on domestic violence cases registered by the police, and the initiated pre-trial investigations in 2012-2016. Data on the initiated pre-trial investigations related to domestic violence targeted at minors is not being collected.

**Table No. 1. Reports on cases of domestic violence in 2012-2016**

*Source: Ministry of the Interior*

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | **2012** | **2013** | **2014** | **2015** | **2016** |
| **Registered reports** | 18 268 | 21 615 | 29 339 | 38 510 | 50 285 |
| **Initiated pre-trial investigations** | 7 586 | 10 015 | 10 374 | 10 703 | 10 890 |

1. Table No. 2 presents the data of the National Courts Administration related to criminal cases in relation to domestic violence heard in courts of first instance in 2012-2016

**Table No. 2. Cases in relation to domestic violence heard in courts of first instance in 2012-2016**

*Source: National Courts Administration*

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | **2012** | **2013** | **2014** | **2015** | **2016** |
| **Domestic violence cases** | 1070 | 2169 | 2504 | 3063 | 1076[[1]](#footnote-1) |

1. Table No. 3 presents data from the information system of the prosecutor’s office administered by the Prosecutor General’s Office (IPS) on the persons found guilty in accordance with Article 140(2) of the CC (“Domestic violence”) during the period from 01-07-2013 till 31-12-2016. Criminal liability for domestic violence provided for in Article 140(2) of the CC emerged on 2 July 2013, thus the Prosecutor General’s Office cannot provide data on the number of persons convicted of domestic violence up until then.

**Table No. 3. Persons found guilty in accordance with Article 140(2) of the CC during the period from 01-07- 2013 till 31-12-2016.**

*Source: Information system of the prosecutor’s office*

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | **2012** | **2013** | **2014** | **2015** | **2016** |
| **Persons found guilty under Article 140(2) of the CC (“Domestic violence”)** | No data | 827 | 2985 | 3168 | 3177 |

**Replies to Committee’s question No. 6**

*Sexual harassment-related complaints, investigations and convictions*

1. According to the data of the Prosecutor General’s Office, 28 pre-trial investigations were instituted for sexual harassment in 2010-2016 (Article 152 of the CC) (7 - in 2010, 5 - in 2011, 6 - in 2012, 4 - in 2013, 0 - in 2014, 4 - in 2015 and 2 - in 2016), 13 of which were completed having transferred a criminal case to court. Having examined criminal cases for sexual harassment in court, 12 persons have been convicted since 2010. However, it should be noted that only 4 persons were convicted for sexual harassment alone (Article 152 of the CC); other persons were also convicted of other criminal acts of sexual nature, including rape (Article 149 of the CC), sexual assault (Article 150 of the CC), sexual abuse (Article 151 of the CC), satisfaction of sexual desire by violating a minor’s freedom of sexual self-determination and/or inviolability (Article 1511 of the CC), grooming of a person under the age of sixteen years (Article 153 of the CC), exploitation of a child for pornography (Article 162 of the CC), gaining profit from another person’s prostitution (Article 309 of the CC), etc.
2. Table No. 5 presents data of the National Courts Administration related to statistics of sexual harassment-related criminal cases heard in courts of first instance in 2010-2016.

**Table No. 5. Statistics of sexual harassment-related criminal cases heard in courts of first instance in 2010-2016.**

*Source: National Court Administration*

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
|  | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 |
| **Sexual harassment (Article 152 of the CC) - number of examined cases** | 4 | 5 | 5 | 2 | 1 | 2 | 2 |
| **Sexual harassment (Article 152 of the CC) - number of convicted persons** | 3 | 3 | 2 | 0 | 1 | 0 | 0 |

1. In 2010-2016, the EOOO received 6 complaints for potential sexual harassment.

**Replies to Committee’s question No. 9**

*Registered cases of incitement against any national, racial, ethnic, religious or other group of persons*

1. Table No. 6 provides statistics from the Register of Criminal Offenses in accordance with Article 170 of the CC.

**Table No. 6. Crimes in accordance with** **Article 170 of the CC in 2010-2016**

*Source: Register of Criminal Offenses*

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
|  | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 |
| **Registered crimes** | 158 | 328 | 266 | 152 | 102 | 138 | 47 |
| **Crimes transferred to courts** | 22 | 123 | 71 | 45 | 42 | 43 | 32 |

1. According to the data of the Register of Criminal Offenses, there were no crimes registered in accordance with Article 1701 of the CC in 2011-2015. 1 such crime was registered in 2016.
2. Table No. 7 presents data from the Register of Criminal Offenses and the Register of Suspects, Accused and Convicted Persons[[2]](#footnote-2) about the crimes registered in accordance with Articles 138, 140, 145, 284 and 312 of the CC[[3]](#footnote-3), which may have been committed in order to express hatred to a group or people or its member for sexual orientation, race or nationality.

**Table No. 7. Crimes in accordance with Articles 138, 140, 145, 284 and 312 of the CC possibly committed with the aim to express hatred in 2011-2016**

*Source: Register of Criminal Offenses and Register of Suspects, Accused and Convicted persons*

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 |
| **Registered crimes** | 5 | 5 | 2 | 0 | 1 | 4 |
| **Crimes transferred to court** | 2 | 2 | 2 | 0 | 1 | 1 |
| **Adopted convictions** | No data | 2 | 2 | 1 | 1 | 1 |

1. In 2011-2017, JEIO conducted a total of 581 investigations of the content of public information at the request of pre-trial investigation authorities. Incitement of discord (hatred, discrimination) on the grounds provided for in the law was found in 532 investigations, bullying (contempt, insult) on the bases provided for in the law was observed in 1 367 investigations and incitement of violence (physical abuse) on the grounds provided for in the law was determined in 600 investigations.

**Replies to Committee’s question No. 10**

*Ensuring equal opportunities for women and men*

1. Table No. 8 illustrates the total number of initiated complaints and investigations on discrimination on the basis of gender at the initiative of the Equal Opportunities Ombudsperson in 2010-2016.

**Table No. 8. Number of initiated complaints and investigations on discrimination on the basis of gender at the initiative of the Equal Opportunities Ombudsperson in 2010-2016.**

*Source: Office of the Equal Opportunities Ombudsperson*

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
|  | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 |
| **Number of investigations** | 40 | 42 | 63 | 34 | 87 | 85 | 89 |

**Replies to Committee’s question No. 14**

*Complaints regarding unjustified use of force by prison and detention centre officers*

1. Table No. 9 presents 400 complaints, requests, statements and other requests “For inappropriate conduct of employees with prisoners (physical violence, verbal abuse)” filed in the Prison Department in 2010–2017 (Q 1).

**Table No. 9. Complaints for inappropriate conduct of employees with prisoners (physical violence, verbal abuse) in 2010-2017 (Q 1)**

*Source: Prison Department under the Ministry of Justice of the Republic of Lithuania*

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | ***2010*** | ***2011*** | ***2012*** | ***2013*** | ***2014*** | ***2015*** | ***2016*** | ***2017*** | **Total:** |
| **Unreasonable complaint** | 7 | 26 | 14 | 31 | 41 | 28 | 23 | 5 | **175** |
| **Complaint forwarded to other institutions** | 6 | 2 | 7 | 18 | 37 | 19 | 38 | 19 | **146** |
| **Examination procedures were terminated** |  | 7 | 7 | 16 | 17 | 4 | 4 |  | **55** |
| **Similar complaint of the applicant was already responded** | 1 |  |  | 1 |  |  | 4 |  | **6** |
| **Special measures were used lawfully** |  | 5 |  |  |  | 1 |  |  | **6** |
| **Conducted official investigation** | 1 | 3 |  |  |  | 1 |  |  | **5** |
| **Procedures still in progress** |  |  |  |  |  |  |  | 4 | **4** |
| **Complaint was rejected** | 1 |  |  |  |  |  |  |  | **1** |
| **Reasonable complaint** |  |  |  |  | 1 |  |  |  | **1** |
| **Procedure was suspended, because the complaint was already heard in court** |  |  |  |  |  |  | 1 |  | **1** |
| **Total:** | **16** | **43** | **28** | **66** | **96** | **53** | **70** | **28** | **400** |

1. The number of these complaints accounts for a small share of total complaints, as according to the data of the Prison Department, 2 452 complaints were received in 2010, 2 856 - in 2011, 3 848 - in 2012, 4 330 - in 2013, 4 566 - in 2014, 4 100 - in 2015, 4 312 - in 2016 and 1 403 - in 2017 (Q I).
2. Table No. 10 illustrates complaints of the detained (convicted) persons to Directors of institutions subordinate to the Prison Department for possible inappropriate conduct of staff of these institutions in 2015-2016.

**Table No. 10. Complaints of the detained (convicted) persons to Directors of institutions subordinate to the Prison Department for possibly inappropriate conduct of staff of these institutions in 2015-2016.**

*Source: Prison Department under the Ministry of Justice of the Republic of Lithuania.*

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | **Year** | **Received complaints** | **Started pre-trial investigations** | **Applied disciplinary sanctions** | **Applied criminal sanctions** |
| **Total:** | 2015 | 452 | 0 | 5 | 0 |
| 2016 | 365 | 1 | 5 | 0 |

1. Since 2014, data on the conducted official visits on actions of police officers have been stored in the police information system, nevertheless, distinguishing data on official visits for unjustified use of force by officers working in police detention facilities is not available. In 2010-2016, 1 905 pre-trial investigations were started in accordance with Article 228 of the CC. This number includes all pre-trial investigations for abuse on the part of state officers or persons equivalent thereto, not only those started for actions of officers of prisons and detention centres. Separate statistical data on abuse by officers of prisons and detention centres are not stored in the General Prosecutor’s Office.

**Replies to Committee’s question No. 16**

*Registered cases of human trafficking*

1. Table No. 11 presents statistics of crimes of trafficking in human beings and their exploitation for forced labour or services disclosedby law enforcement authorities in 2012-2016

**Table No. 11. Statistics of crimes of trafficking in human beings and their exploitation for forced labour or services disclosed by law enforcement authorities in 2012-2016.**

*Source: Ministry of the Interior and General Prosecutor’s Office*

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  | **2012** | **2013** | **2014** | **2015** | **2016** | **Total:** |
| **Pre-trial investigations** | 11 | 23 | 24 | 27 | 29 | **114** |
| **Recognized victims** | 14 | 78 | 47 | 62 | 52 | **253** |
| **Number of suspects** | 25 | 68 | 40 | 53 | 67 | **253** |

1. Table No. 12 presents statistics of criminal cases examined in courts of first instance in 2013-2016.

**Table No. 12. Statistics of human trafficking-related criminal cases examined in courts of first instance in 2013-2016.**

*Source: National Courts Administration*

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **CC Article** | **Received cases** | **Examined cases** | **Convicted persons** |
| **2013** | **Human trafficking (Article 147),**  **Exploitation for forced labour or services (Article 1471),**  **Purchase or sale of a child (Article 157)** | 7 | 7 | 13 |
| **Gaining profit from another person’s prostitution (Article 307),**  **Involvement in prostitution (Article 308)** | 20 | 23 | 40 |
| **2014** | **Articles 147, 1471, 157** | 16 | 16 | 18 |
| **Articles 307, 308** | 9 | 25 | 28 |
| **2015** | **Articles 147, 1471, 157** | 13 | 10 | 18 |
| **Articles 307, 308** | 13 | 22 | 49 |
| **2016** | **Articles 147, 1471, 157** | 15 | 11 | 23 |
| **Articles 307, 308** | 10 | 9 | 16 |

1. The OCRI conducts investigations into possible violations of rights and legitimate interests of minors, arranging and providing assistance to them and making other decisions when circumstances for crimes potentially committed against them (human (children) trafficking) come to light. According to the competence assigned by legal acts, representatives of OCRI took part in activities of the working group formed by the order of the Minister of the Interior for the improvement of the system for organizing and coordinating human trafficking prevention and control in 2012. The Ombudsperson for Children's Rights presented opinion on the national human trafficking rapporteur model in Lithuania (took part in a research).

### Right to liberty and security of persons (Article 9)

**Replies to Committee’s question No. 17**

*Alternatives to detention*

1. Table No. 13 presents information on alternatives to detention in 2010-2016.

**Table No. 13. Information on alternatives to detention in 2010-2016.**

*Source: Prison Department under the Ministry of Justice of the Republic of Lithuania*

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **People sentenced to** | **2010** | **2011** | **2012** | **2013** | **2014** | **2015** | **2016** |
| **Community service (Article 46 of the CC)[[4]](#footnote-4)** | 302 | 300 | 644 | 696 | 677 | 569 | 546 |
| **Restriction of liberty (Article 48 of the CC)[[5]](#footnote-5)** | 1870 | 2110 | 2950 | 3379 | 3232 | 2939 | 2643 |
| **Punitive measures (Articles 68, 68-1, 68-2, 69, 70, 72-1, 72-2 of the CC)[[6]](#footnote-6)** | 280 | 289 | 548 | 533 | 586 | 495 | 550 |
| **Reformative sanctions (Article 82 of the CC)[[7]](#footnote-7)** | 367 | 372 | 369 | 288 | 312 | 218 | 182 |
| **Suspension of the execution of a sentence (Article 75 of the CC)[[8]](#footnote-8)** | 3357 | 3328 | 2843 | 2612 | 2416 | 2845 | 3062 |
| **Suspension of the execution of a sentence in respect of a minor (Article 92 of the CC)[[9]](#footnote-9)** | 666 | 592 | 417 | 373 | 372 | 357 | 339 |
| **Release on bail from a correctional institution (Article of the CCP)[[10]](#footnote-10)** | 1376 | 1028 | 1005 | 1077 | 1016 | 1113 | 1029 |
| **Total:** | **8218** | **8019** | **8776** | **8958** | **8611** | **8356** | **8351** |

1. Table No. 14 illustrates the change in the number of convicted persons released on bail in 2011-2016 m. (percentage share of all convicted persons release on bail that year).

**Table No. 14. Change in the number of convicted persons released on bail in 2011-2016 m. (percentage share of all convicted persons release on bail that year)**

*Source: Prison Department under the Ministry of Justice of the Republic of Lithuania.*

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **2011** | **2012** | **2013** | **2014** | **2015** | **2016** |
| 40% | 37 % | 34 % | 31 % | 33 % | 30 % |

**Replies to Committee’s question No. 18**

*Release on bail and pre-trial detention*

1. Table No. 15 illustrates the ratio between the number of convicted persons and persons in pre-trial detention:[[11]](#footnote-11)

**Table No. 15. Ratio between the number of convicted persons and persons in pre-trial detention in 2010-2017** Source: Prison Department under the Ministry of Justice of the Republic of Lithuania

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | **2010** | **2011** | **2012** | **2013** | **2014** | **2015** | **2016** | **March 2017** |
| **Share of detainees compared to the total number of prisoners (%)** | 13,1 | 13,6 | 12,1 | 12,1 | 10,1 | 9,7 | 8,8 | 9,2 |
| **Number of detainees** | 1196 | 1347 | 1179 | 1118 | 868 | 712 | 602 | 630 |
| **Number of convicted persons** | 7943 | 8573 | 8550 | 8143 | 7768 | 6643 | 6213 | 6190 |

1. Table No. 16 illustrates data from the register of suspected, accused and convicted persons on the applied supervision measures in 2010-2016.

**Table No. 16. Data from the register of suspected, accused and convicted persons on the applied supervision measures in 2010-2016.**

*Source: Ministry of the Interior*

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
|  | **2010** | **2011** | **2012** | **2013** | **2014** | **2015** | **2016** |
| **Detention** | 7221 | 7519 | 6801 | 6429 | 5721 | 4006 | 3258 |
| **Bail** | 139 | 146 | 172 | 233 | 279 | 295 | 233 |
| **Seizure of documents** | 960 | 1033 | 981 | 1391 | 1304 | 1087 | 2000 |
| **Obligation to reside separately from the victim** | 24 | 193 | 1241 | 846 | 589 | 772 | 805 |
| **House arrest** | 135 | 175 | 137 | 144 | 181 | 169 | 195 |
| **Obligation to periodically register with a police institution** | 1669 | 1745 | 1826 | 2536 | 2283 | 1864 | 3557 |
| **Written obligation to stay in a certain place** | 5727 | 6929 | 8309 | 12195 | 11707 | 9458 | 21827 |
| **Intensive supervision (*legitimized in 2015*)** |  |  |  |  |  | 1 | 37 |

1. Table No. 17 illustrates the average duration of pre-trial detention of persons till their conviction in 2010-2016.

**Table No. 17. Duration of pre-trial detention of persons till their conviction in 2010-2016.**

*Source: Prison Department under the Ministry of Justice of the Republic of Lithuania*

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **2010** | **2011** | **2012** | **2013** | **2014** | **2015** | **2016** |
| 7 months 9 days | 7 months 18 days | 7 months 22days | 8 months | 8 months 24 days | 9 months 29 days | 1 month 9 days |

**Replies to Committee’s question No. 19**

*Asylum seekers and detained foreigners*

1. Table No. 18 presents data on asylum seekers accommodated in the FRC and foreigners detained in the FRC in 2010-2016. Statistical data about the detained asylum seekers is not collected, thus detained asylum seekers are not distinguished from the total number of migrants detained in the FRC.

**Table No. 18. Asylum seekers accommodated in FRC and foreigners detained in FRC in 2010-2016.**

*Source: Ministry of the Interior*

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
|  | **2010** | **2011** | **2012** | **2013** | **2014** | **2015** | **2016** |
| **Asylum seekers** | 308 | 262 | 295 | 120 | 329 | 199 | 171 |
| **Detained foreigners** | 135 | 246 | 285 | 366 | 347 | 432 | 269 |

1. Data on domestic violence are received when conducting a search in the courts’ information system (hereinafter – LITEKO) manually, according to keywords in the text. [↑](#footnote-ref-1)
2. Data are received conducting a manual search in registers. [↑](#footnote-ref-2)
3. Article 138 “Non-Severe Health Impairment”, Article 140 “Causing Physical Pain or a Negligible Health Impairment”, Article 145 “Threatening to Murder or Cause a Severe Health Impairment to a Person or Terrorisation of a Person”, Article 284 “Violation of Public Order”, Article 312 “Desecration of a Grave or Another Place of Public Respect”. [↑](#footnote-ref-3)
4. Article 46 of the CC - Community Service [↑](#footnote-ref-4)
5. Article 48 of the CC - Restriction of Liberty [↑](#footnote-ref-5)
6. Article 68 of the CC - Prohibition to Exercise a Special Right, Article 68-1 - Deprivation of Public Rights, Article 68-2 - Deprivation of the Right to be Employed in a Certain Position or to Engage in a Certain Type of Activities, Article 69 - Compensation for or Elimination of Property Damage, Article 70 - Unpaid Work, Article 72-1 - Obligation to Reside Separately from the Victim and/or Prohibition to Approach the Victim Closer that a Prescribed Distance, Article 72-2 - Participation in the Programmes Addressing Violent Behaviour [↑](#footnote-ref-6)
7. Article 82 of the CC - Reformative Sanctions against Minors [↑](#footnote-ref-7)
8. Article 75 of the CC - Suspension of the Execution of a Sentence [↑](#footnote-ref-8)
9. Article 92 of the CC - Suspension of a Sentence in Respect of a Minor [↑](#footnote-ref-9)
10. Article 157 of the CC - Release on Bail from a Correctional Institution [↑](#footnote-ref-10)
11. Data presented as at the end of the year [↑](#footnote-ref-11)