

**Resolution ResDH(2001)157**  
**concerning the judgment of the European Court of Human Rights**  
**of 29 February 2000 (final on 29 May 2000)**  
**in the case of Raišelis against Lithuania**

*(Adopted by the Committee of Ministers on 17 December 2001  
at the 775<sup>th</sup> meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 46, paragraph 2, of the Convention for the Protection of Human Rights and Fundamental Freedoms as amended by Protocol No. 11 (hereinafter referred to as “the Convention”),  
Having regard to the judgment of the European Court of Human Rights in the Raišelis case delivered on 29 February 2000 and transmitted to the Committee of Ministers once it had become final under Articles 44 and 46 of the Convention;  
Recalling that the case originated in an application (No. 37195/97) against Lithuania, lodged with the European Commission of Human Rights on 17 July 1997 under former Article 25 of the Convention by Mr Sigitas Raišelis, a Lithuanian national, and that the Court, seized of the case under Article 5, paragraph 2, of Protocol No. 11, declared admissible the complaint relating to unlawfulness of the applicant’s preventive detention on the ground of suspicion that he might “commit a dangerous act”;  
Whereas in its judgment of 29 February 2000 the Court, after having taken formal note of a friendly settlement reached by the government of the respondent state and the applicant, and having been satisfied that the settlement was based on respect for human rights as defined in the Convention or its Protocols, decided, unanimously to strike the case out of its list;  
Whereas under the above-mentioned friendly settlement it was agreed that the Government of Lithuania was to pay 12 000 Lithuanian litai including all damages;  
Recalling that Rule 44, paragraph 2, of the Rules of the Court provides that the striking out of a case shall be effected by means of a judgment which the President shall forward to the Committee of Ministers once it has become final in order to allow it to supervise, in accordance with Article 46, paragraph 2, of the Convention, the execution of any undertakings which may have been attached to the discontinuance or solution of the matter;  
Having regard to the Rules adopted by the Committee of Ministers concerning the application of Article 46, paragraph 2, of the Convention;  
Having satisfied itself that on 23 March 2000 the government of the respondent state had paid the applicant the sum provided for in the friendly settlement;  
Considering that the government of the respondent state gave the Committee of Ministers information about the measures taken to prevent violations of the Convention in situations similar to that at issue in the present case; this information appears in the appendix to this resolution,  
Declares, after having taken note of the information supplied by the Government of Lithuania, that it has exercised its functions under Article 46, paragraph 2, of the Convention in this case.

**Appendix to Resolution ResDH(2001)157**  
*Information provided by the Government of Lithuania  
during the examination of the Raišelis case  
by the Committee of Ministers*

The Preventive Detention Act which was in force at the time of the facts of the present case was abolished by the Parliament on 30 June 1997, i.e. well before the friendly settlement concluded with the applicant. This legislative amendment clearly prevents new situations similar to that at the basis of the complaints here at issue, i.e. that persons are detained merely on the ground of suspicions that they could commit dangerous acts. The Court judgment in the Raišelis case was furthermore disseminated to the competent Lithuanian authorities and published (in Lithuanian translation) by the Ministry of Justice in a Collection of the European Court's decisions and judgments concerning Lithuania (edition *Teisinės informacijos centras*, 2001).

The Government accordingly considers that no further measures are required by Article 46, paragraph 1, of the Convention in the present case.