

INSTITUTE FOR THE ADVANCEMENT OF JUSTICE & HUMAN RIGHTS

United States Universal Periodic Review — Fourth Cycle, 53rd Session

2 October 2026

Mr. Edvard Vickun

First Secretary (Human Rights)

Permanent Mission of the Republic of Lithuania

Chemin Camille-Vidart 15

1202 Geneva, Switzerland

mission.ch@urm.lt

Copy: H.E. Mr. Rytis Paulauskas, Permanent Representative

Dear Mr. Vickun:

Re: Renewal of Lithuania's recommendation to the United States on an independent national human rights institution

Please consider renewing and sharpening Lithuania's 2020 recommendation in the United States review on 10 November 2026. The Institute asks only that the Mission examine the enclosed analysis and use any proposition it independently finds substantiated.

The Institute for the Advancement of Justice & Human Rights is an independent truth-finding organization. It asks for critical examination, not endorsement. The enclosed Civil-Society Advocacy Brief was not filed as a stakeholder submission and is not part of the official UPR record; it is advocacy material structured for use by delegations and civil society.

The brief identifies a specific institutional question: when alleged torture, cruel, inhuman or degrading treatment, discriminatory denial of access to justice, or related severe harm arises through judicial or court-connected conduct, which sufficiently independent United States institution has the comprehensive mandate and effective powers to investigate, determine institutional responsibility, secure accountability and facilitate reparation?

Under presently administered domestic doctrine, judicial-conduct systems, judicial immunity, other immunities, jurisdictional rules and procedural barriers perform different lawful functions. Under the Institute's separate international-law analysis, however, their combined operation must also be tested against the United States' international obligations. The Institute concludes that the combined structure can foreclose every effective avenue required by those obligations. That is the Institute's independent determination, not a description of settled United States doctrine.

The proposed recommendations below preserve the distinction between torture and other ill-treatment, require proof of the applicable elements, and focus on independent investigation and effective institutional design. They do not ask the Mission to adjudicate any individual allegation.

Respectfully,

Cyrus Hazari

Director

Institute for the Advancement of Justice & Human Rights

info@iaj.institute · iaj.institute

Mission briefing note — Lithuania

Decision requested

Decide whether to use one or more of the proposed recommendations below, in the Mission’s own words or substantially as drafted, during the fourth-cycle review of the United States on 10 November 2026.

1. Prior recommendation and United States response

Recommendation 26.99	Lithuania recommended that the United States “Establish an independent national human rights institution at the federal level.”
United States response	The United States did not support recommendation 26.99. It referred to its explanation for recommendation 26.95: although it would continue strengthening existing domestic institutions, it had no current plan to establish a single national human rights institution.
Why renewal matters	The fourth-cycle review creates a direct opportunity to test whether fragmented mechanisms can deliver independent investigation, accountability and redress when alleged rights-violating conduct arises within a branch whose own bodies control or substantially influence the complaint process.

2. Mission-specific basis

Lithuania’s 2020 recommendation was the clearest federal-level formulation among the third-cycle recommendations on a national human rights institution. Renewal can now define the missing functional requirements: jurisdiction across every branch, independence from the institution under examination, authority to investigate individual and systemic allegations, referral powers, public reporting and access to effective redress.

3. The institutional gap identified by the Institute

The Institute’s investigation does not claim that no United States law can reach any judicially connected wrong. Individual civil and criminal provisions may reach particular predicate acts. The narrower finding is that no institution identified by the United States has a comprehensive, treaty-specific and sufficiently independent mandate to receive these allegations across federal and State systems, coordinate potentially applicable law, investigate institutional responsibility and secure the accountability and redress required by the Convention against Torture.

The Convention itself is not directly enforceable domestically through articles 1–16 because the United States declared those provisions non-self-executing. Judicial immunity forecloses personal damages liability within its doctrinal scope; complaint systems remain judiciary-controlled or judiciary-linked; and other bars can further narrow relief. The Institute therefore asks whether an effective alternative forum actually functions. If none does, the combined structure is not merely forum allocation; it becomes institutionalized impunity under the Institute’s analysis.

The Institute remains corrigible on facts, citations, legal mechanics, scope and attribution. It does not weaken a substantiated determination merely because domestic doctrine labels each component legitimate when considered separately.

4. Proposed recommendations

1. Establish, through federal law and in accordance with the Paris Principles, an independent national human rights institution with a mandate extending to every branch and level of government, including the federal and State judiciaries, and with powers to receive complaints, investigate individual and systemic violations, compel or obtain evidence, refer matters for appropriate civil or criminal action, publish findings and facilitate effective redress.
2. Ensure that allegations of torture or other cruel, inhuman or degrading treatment arising from judicial or court-connected conduct are examined promptly, impartially and independently of the institution and officials implicated, and that no immunity or procedural bar eliminates every effective avenue of investigation, accountability and reparation.
3. Publish a time-bound federal implementation plan for the national institution, developed with States, territories, Tribes, civil society and affected persons, including safeguards for institutional independence, disability access, disaggregated public data and follow-up to findings and recommendations.

5. Interpretive safeguard

Lithuania need not accept the Institute's legal conclusions to renew its institutional recommendation. The immediate question is functional: whether the United States can identify an independent mechanism with the mandate and powers described above when the alleged violation arises from judicial conduct.

Disability-accommodation denial, procedural unfairness, harmful judicial action, family separation, the treatment of migrants and human experimentation without consent are not automatically torture or other ill-treatment.

6. Requested next step

If the Mission is willing to consider the proposal, the Institute would welcome one short discussion with the responsible human-rights officer before the review. It can provide pinpoint sources and narrowly framed answers to any challenge. The Institute will not represent silence, receipt or a meeting as agreement or endorsement.

Primary-source record and enclosure

1. [Working Group report — United States, A/HRC/46/15 \(15 December 2020\)](#)
2. [United States addendum and responses, A/HRC/46/15/Add.1 \(4 March 2021\)](#)
3. [OHCHR United States UPR page — fourth-cycle review information](#)
4. [UN Geneva Blue Book — current Lithuania mission entry](#)
5. [Paris Principles — General Assembly resolution 48/134](#)
6. [Convention against Torture — official OHCHR text](#)

Enclosure

Institute for the Advancement of Justice & Human Rights, Universal Periodic Review—United States of America, Fourth Cycle—Fifty-third Session of the Working Group: Civil-Society Advocacy Brief (7 August 2026; enclosed PDF SHA-256: 1a1b9f1d6871ea4a8a7966e577e7b24eeeb49ecc3c1ce53f11fccd4f3d141b2).

Attribution control: the Working Group report records State recommendations, not Human Rights Council findings; the addendum records United States positions; the remaining analysis and proposals are IAJ determinations that the Mission must test independently.