

Study to support the preparation of an EU instrument on to help improve the resilience of our democracies and address the threats of interference in elections through greater transparency in political advertising, and other measures to promote resilient democracy in the EU

Mapping of national legislation – Lithuania

Research question	Legal source (Article and full name of the source, including hyperlink) <u>May include legal acts, practices, self-/co-regulatory codes or guidelines</u>	Summary of the rules
I. General information about the national legal framework		
National legal act(s) governing political advertising	<p>The Law on Financing and Controlling the Political Campaigns https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.240788/asr</p> <p>The Law on Elections to the Seimas (Parliament) https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.1536?jfwid=-ij476yu8h#part_ea38a2826d27429a9b8a51a3975c4cde</p> <p>The Law on Elections to the European Parliament https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.222922?jfwid=-ij476yueo</p> <p>The Law on Municipal Elections https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.5883/GBMzhzoHEJ</p> <p>The Law on Political Parties https://bit.ly/3svS37e</p> <p>Rules for dissemination of outdoor political advertising, adopted by the Central Electoral Commission of Lithuania, of 2014.02.12. http://bitly.ws/bWsq</p>	<p>The core consolidated act on political advertising (including online political advertising) is the Law on Financing and Controlling the Political Campaigns. Additional provisions can be found in the laws regulating the elections, the Law on Political Parties and the rules on placing outdoor advertising.</p> <p>They are interlinked via common definitions of ‘political campaigns’, ‘elections’ etc.</p>

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Legal and/or statutory definition of the notion of “ political advertising ” and “ online political advertising ” (if applicable)	The Law on Financing and Controlling the Political Campaigns https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.240788/asr .	According to Art. 2.8 of the Law on Financing and Controlling the Political Campaigns, political advertising means ‘information disseminated by a state politician, a political party, a member of a political party, a political campaign participant, on their behalf and / or interests in any form and by any means, paid or unpaid, during or between political campaigns, aimed at influencing voter motivation to vote in elections, or in a referendum or the dissemination of which promotes a state politician, a political party, a political a party member or participant in a political campaign, as well as their ideas, goals, or program’. There is no separate definition for online political advertising
If not applicable, provide other definitions/terms used in the legislation close to the notion of “political advertising”	No other definitions exist	No other definitions exist
Evaluation of the current legislative framework and draft legislations on political advertising and/or online political advertising	No relevant draft legislation found	In 2020, ODIHR has performed the regular monitoring of the elections to the parliament in Lithuania and has evaluated inter alia the legislation on financing political advertising, no significant drawbacks have been found. https://www.osce.org/files/f/documents/e/a/477730_0.pdf There is no relevant draft legislation on the stage of discussion to the best of our knowledge.
II. Political advertising rules during pre-election campaigns		

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Definitions of pre-election campaigns in the Member State (if applicable)	The Law on Financing and Controlling the Political Campaigns https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.240788/asr	The Law on Financing and Controlling the Political Campaigns defines a ' <i>political campaign period</i> ' as a 'period beginning when an election date is announced in accordance with the procedure laid down by law or a citizens' initiative group for a referendum is registered with the Central Electoral Commission, or a proposal is submitted to the Seimas by a group of Members of the Seimas to call a referendum, and ending 100 days after the proclamation of the final results of the election (rerun election) or the referendum or when the Central Electoral Commission takes a decision in accordance with the procedure laid down by law to declare the initiative to call a referendum terminated and/or to declare the collecting of signatures terminated'.
National rules on paid political advertising during pre-election campaigns	The Law on Financing and Controlling the Political Campaigns https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.240788/asr	Paid political advertising is allowed in Lithuania. In brief, the Law on Financing and Controlling the Political Campaigns prohibits to: <ol style="list-style-type: none"> 1) Fund political campaigning through third parties, at the expense of anonymous donations or from any sources other than listed in the Law on Financing and Controlling the Political Campaigns 2) Conclude secret commitments with regards to donations to political candidate 3) Disseminate non-marked political advertising 4) Disseminate political advertising during pre-election campaign on television (except discussion

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		<p>programmes and campaigning/related videos of informative character, up to 30 sec of duration)</p> <p>These rules are also enforceable online due to the broad definition of political advertising and campaigning.</p>
National rules on financing of political parties/candidates in relation to political adverts	<p>The Law on Financing and Controlling the Political Campaigns https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.240788/asr </p>	<p>Pursuant to Art. 7 of the Law on Financing and Controlling the Political Campaigns, the exclusive list of sources for funding the political campaigns for political parties are:</p> <ul style="list-style-type: none"> ‘1) funds of the political party received from the sources of funding of the political party and used to finance political campaigns of the political party, candidates and lists of candidates; 2) donations for the political campaign to the political party during the political campaign period, made by natural persons ...; 3) during the political campaign, loans received by the political party from the banks registered in the Republic of Lithuania or a branch of a bank registered in another Member State of the European Union or a state of the European Economic Area and operating in the Republic of Lithuania; 4) interest on the funds kept in the political campaign account’. <p>The donations are subject to strict financial control. Doing donations is available for the citizens of the Republic of</p>

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		<p>Lithuania and permanent residence permit holders. Political parties registered in Lithuania can make donations as well.</p> <p>Upon reaching the end of the election campaign, the political candidates have to submit the records of their expenditures to the Central Electoral Commission for control.</p>
National rules on free political advertising (or free airtime) during pre-election campaigns	<p>The Law on Financing and Controlling the Political Campaigns https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.240788/asr</p>	Free political advertising during pre-election campaigning stage is prohibited (Art. 16.2.1. of the Law on Financing and Controlling the Political Campaigns) except discussion programmes.
National rules on political advertising on broadcast media during pre-election campaigns (incl. public service and private broadcasters)	<p>The Law on Elections to the Seimas (Parliament) https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.1536?jfwid=-ij476yu8h#part_ea38a2826d27429a9b8a51a3975c4cde</p> <p>The Law on Elections to the European Parliament https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.222922?jfwid=-ij476yueo</p> <p>The Law on Municipal Elections https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.5883/GBMzhzoHEJ</p> <p>.</p>	<p>According to Art. 52 of the Law on Elections to the European Parliament (Art. 51 of the Law on Elections to Seimas), the Central Electoral Commission is in charge of organizing and funding the debates of the political candidates. Anyhow, all broadcasters can organize the debates.</p> <p>Telecommunications companies have to provide their services to all participants on equal terms (Art. 11.9), and not for free.</p>
National rules on political advertising in print media during pre-election campaigns	<p>The Law on Elections to the Seimas (Parliament) https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.1536?jfwid=-ij476yu8h#part_ea38a2826d27429a9b8a51a3975c4cde</p> <p>The Law on Elections to the European Parliament</p>	It is allowed to disseminate free printed materials (leaflets, calendars etc.) during the pre-election campaign and it's not considered as bribery of voters (see e.g. Art. 5.2 of the Law on Elections to the European Parliament).

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	https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.222922?jfwid=-ij476yueo The Law on Municipal Elections https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.5883/GBMzhzoHEJ	<p>However, it is forbidden to place outdoor advertising:</p> <ol style="list-style-type: none"> 1) on the buildings occupied by state administration, law-enforcement and other state and municipal institutions and agencies; 2) inside or outside the public transport vehicles used by the enterprises managed by the State or municipalities, with the exception of cases where advertising areas or video broadcast equipment belong or have been transferred for use to third persons who may not be directly or indirectly influenced by the enterprises managed by the State or municipalities; 3) on motorways and their sanitary protection areas, as well as in streets and along the side thereof, if it might block technical traffic regulation means and road signs, decrease visibility thereof, blind traffic participants, detract attention thereof, thus increasing the danger to traffic participants, and also it is prohibited to use advertising that imitates road signs; 4) on sculptures and monuments; ... 6) without permission of the owner of the land, construction works or other structures on or in which it is installed;
National rules on political advertising on online media	No particular rules for online platforms.	No particular rules for online platforms.

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applicable to political parties , during pre-election campaigns		
Particular rules applicable to online platforms and intermediaries , such as social media, for political advertising during pre-election campaigns	No particular rules for online platforms.	No particular rules for online platforms.
Specific rules relating to “ false information ”, fake news ” or “ disinformation campaigns ” during pre-election campaigns	No specific rules on countering fake news identified so far.	No specific rules on countering fake news identified so far.
III. Political advertising rules during elections period		
Definitions of elections period in the Member State (if applicable)	The Law on Financing and Controlling the Political Campaigns https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.240788/asr	There is no definition of the elections period, but the Law on Financing and Controlling the Political Campaigns defines ‘final (reporting) stage’ of political campaign ‘between the day of the proclamation of the final results of an election (rerun election) or a referendum and the end of 100 days after the proclamation of the final results of the election (run-off election) or the referendum’.
National rules on paid political advertising during elections period	The Law on Elections to the Seimas (Parliament) https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.1536?jfwid=-ij476yu8h#part_ea38a2826d27429a9b8a51a3975c4cde The Law on Elections to the European Parliament	According to Art. 56.1 of the Law on the Elections to the European Parliament, ‘Election campaigning shall, despite its ways, forms and measures, be <i>prohibited with 30 hours left before the</i>

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	https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.222922?jfwid=-ij476yueo The Law on Municipal Elections https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.5883/GBMzhzoHEJ	<i>commencement of an election and on polling day until the close of poll</i> , with the exception of permanent visual campaigning material which was displayed prior to the commencement of this election campaign prohibition and the removal of which requires complex actions. ... no visual campaigning material (with the exception of that issued by the Central Electoral Commission) may be displayed in a polling station or within 50 meters of the building which houses the polling station or in which only voting at special polling places is carried out. If campaigning for an election to the Seimas, or a presidential election, or an election to municipal councils, or campaigning regarding a referendum is conducted concurrently, such election campaigning shall be prohibited 30 hours before the commencement of the election and on polling day until the close of poll under the same conditions and in accordance with the same procedure as specified in this paragraph'.
National rules on financing of political parties/candidates in relation to political adverts	The Law on Financing and Controlling the Political Campaigns https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.240788/asr	Pursuant to Art. 10.10 of Law on Funding of Political Campaigns and Control of Funding thereof, 'at the end of the election (referendum) campaigning stage it shall be prohibited to accept donations for a political campaign'. Otherwise, general rules apply.
National rules on free political advertising (or free airtime) during elections period	The Law on Elections to the Seimas (Parliament) https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.1536?jfwid=-ij476yu8h#part_ea38a2826d27429a9b8a51a3975c4cde The Law on Elections to the European Parliament	According to Art. 52 of the Law on the Elections to the European Parliament, 'after the announcement by the Central Electoral Commission of candidates as well as lists of candidates to participate in an election, the

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	https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.222922?jfwid=-ij476yueo The Law on Municipal Elections https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.5883/GBMzhzoHEJ	representatives delegated from the lists of candidates shall be granted the right to use the <i>national media free of charge</i> ’.
National rules on political advertising on broadcast media during elections period (incl. public service and private broadcasters)	No specific rules apply	No specific rules apply
National rules on political advertising in print media during elections period	The Law on Elections to the Seimas (Parliament) https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.1536?jfwid=-ij476yu8h#part_ea38a2826d27429a9b8a51a3975c4cde The Law on Elections to the European Parliament https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.222922?jfwid=-ij476yueo The Law on Municipal Elections https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.5883/GBMzhzoHEJ	It is forbidden to place outdoor campaigning materials within 50 meters proximity to the polling station.
National rules on political advertising on online media applicable to political parties , during elections period	No specific rules apply	No specific rules apply
Particular rules applicable to online platforms and intermediaries , such as social	No specific rules apply	No specific rules apply

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media, for political advertising during elections period		
Specific rules relating to “ false information ,” “ fake news ” or “ disinformation campaigns ” during elections period	No specific rules apply	No specific rules apply
IV. Political advertising rules outside of elections period		
National rules on paid political advertising outside of elections period	The Law on Financing and Controlling the Political Campaigns https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.240788/asr	Outside political campaigning period, pursuant to Art. 16.1 of the Law on Financing and Controlling the Political Campaigns, it is forbidden to: <ol style="list-style-type: none"> 1) Put political adverts on the front pages of printed media; 2) Disseminate materials that violate the Constitution and other laws of Lithuania. .
National rules on financing of political parties in relation to political adverts	No specific rules for this period	No specific rules for this period
National rules on free political advertising (or free airtime) outside of elections period	No specific rules for this period	No specific rules for this period
National rules on political advertising on broadcast media outside of elections	No specific rules for this period	No specific rules for this period

Research question	Legal source (Article and full name of the source, including hyperlink) <u>May include legal acts, practices, self-/co-regulatory codes or guidelines</u>	Summary of the rules
period (incl. public service and private broadcasters)		
National rules on political advertising in print media outside of elections period	No specific rules for this period	No specific rules for this period
National rules on political advertising on online media applicable to political parties , outside of elections period	No specific rules for this period	No specific rules for this period
V. Rules and obligations applicable to online platform operators and intermediaries of political advertising		
Particular rules applicable to online platforms and intermediaries such as social media for political advertising	Lithuanian legislation does not contain any particular rules on online platforms for political advertising.	No specific rules for this period
VI. Transparency rules for political parties/candidates funding		
Rules on direct public funding¹ to political parties and/or candidates	The Law on Political Parties https://bit.ly/3svS37e	According to Art. 21 of the Law on Political Parties, political parties that have collected over 2% of voters at the elections to the Parliament, European Parliament or municipal council. Pursuant to Art. 20 of the mentioned law, the state budget subventions can be used for political campaigning.

¹ Public funding refers to funds or resources provided by the State/Government to political parties and/or candidates . Depending on the form in which public resources are made available, public funding is divided into direct public funding or indirect public funding. Direct public funding corresponds to the allocation of direct public funds to political parties and/or candidates in the form of money, usually as bank transfers but at times in cash or cheque. See more information at: <https://aceproject.org/ace-en/topics/pc/pca/pca02/pca02a/default>

Research question	Legal source (Article and full name of the source, including hyperlink) <u>May include legal acts, practices, self-/co-regulatory codes or guidelines</u>	Summary of the rules
Rules on indirect public funding² to political parties and/or candidates	No indirect public funding measures identified.	<i>No measures identified.</i>
Rules on free or subsidised access to media for political parties and/or candidates	The Law on Political Parties https://bit.ly/3svS37e	Pursuant to Art. 13 of the Law on Political Parties, all of the candidates during the elections period have right to use the time of national radio and television broadcasting for free.
Rules on foreign contributions to political parties and political campaigns	The Law on Financing and Controlling the Political Campaigns https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.240788/asr	According to Art. 23.1.10 of the Law on Financing and Controlling the Political Campaigns, ‘dissemination of political campaign through foreign broadcasters’ is deemed to be a gross violation of legislation. Also, foreign citizens cannot make donations to political parties.
VII. Monitoring and enforcement of national rules on political advertising by national authorities		
National (or regional/local if applicable) authority or body responsible for monitoring national rules on political advertising	The Law on Financing and Controlling the Political Campaigns https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.240788/asr	The responsibility for monitoring the political advertising compliance is split between the Constituency Election Commissions and the Central Election Commission.

² Indirect public funding is when resources with a monetary value are provided by the Government to political parties and/or candidates. Such resources may be, for instance, granting of media access (free advertising slots in publicly owned media), interest-free loans for paying registration fees or mounting a basic election campaign, free printing and distribution of ballot papers, use of Government buildings for meetings and rallies, tax-free donations etc. . See the list of indirect public funding of parties and candidates at: <https://aceproject.org/ace-en/topics/pc/pca/pca02/pca02a/pca02a4>

Research question	Legal source (Article and full name of the source, including hyperlink) <u>May include legal acts, practices, self-/co-regulatory codes or guidelines</u>	Summary of the rules
Particular measures for supervising online political advertising within and outside elections periods	The Law on Financing and Controlling the Political Campaigns https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.240788/asr	According to the recent ODIHR monitoring report, the monitoring of online political advertising has been performed by the Central Electoral Commission, mostly in the reactive mode (taking actions after complaints on non-labeled political ad online).
Sanctions, penalties and remedy measures applicable in violation of the law	The Law on Financing and Controlling the Political Campaigns https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.240788/asr	<p>The most severe sanction is cancelling the registration of a political party by the Central Electoral Commission, which can be applied in case of gross violations of the Law on Funding of Political Complaints (art. 6.1.5).</p> <p>If a political party has violated the rules of financial transparency, pursuant to Art. 29.4 of the Law on Political Parties, the court is competent:</p> <p>‘1) to temporarily terminate the powers of members of the governing bodies of the political party; 2) to obligate the political party, its governing bodies or their members to carry out specific actions or not to carry out them; 3) to liquidate the political party;’</p>

Annex – List of relevant legislation

- In this Annex, please list all the sources provided in the second column of the table

Name of the sources	Link to the sources	Sources translated into EN
Law on Political Parties	https://bit.ly/2NRJRj0	https://bit.ly/3kBCaJN
Rules for dissemination of outdoor political advertising, adopted by the Central Electoral Commission of Lithuania	https://bit.ly/3kvWvAl	n/a
Law on Municipal Council Elections	https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.5883/GBMzhzoHEJ	n/a
Law on Elections to the Seimas	https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.1536?jfwid=-ij476yu8h	https://bit.ly/3dW82aP
Law on the Elections to the European Parliament	https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/bbbede23a63f11eaa51db668f0092944?jfwid=-ij476yueo	https://bit.ly/2NHtlwO
Law on Funding of Political Campaigns and Control of Funding thereof	https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.240788/asr	https://bit.ly/30daXUF