

## **LITHUANIAN CONTRIBUTION TO THE 2025 RULE OF LAW REPORT**

**29 JANUARY 2025**

Lithuanian contribution to the Rule of Law Mechanism is compiled by the Ministry of Foreign affairs of Lithuania from the inputs made by:

- Ministry of Justice of the Republic of Lithuania;
- Ministry of Culture of the Republic of Lithuania;
- Ministry of Economy and Innovation;
- Constitutional Court of the Republic of Lithuania;
- Prosecutor General's Office of the Republic of Lithuania;
- Special Investigation Service of the Republic of Lithuania;
- National Courts Administration;
- The Seimas Ombudspersons' Office;
- Public Procurement Office;
- Chief Official Ethics Commission;
- State Data Protection Inspectorate.

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## General feedback on Commission's recommendations

### Ministry of Justice

- a) **Regarding recommendation “Finalise the reform of the legal aid system, in particular by reducing the administrative burden and ensuring adequate conditions for the participation of legal aid providers, taking into account European standards on legal aid.”**

To ensure an even workload distribution for secondary legal aid providers, a draft order of the Minister of Justice of the Republic of Lithuania was prepared in 2024. After consulting the Lithuanian Bar, the draft will be clarified and amended in 2025.

To reduce the administrative burden for secondary legal aid providers, a decision on the developments of the Legal Aid Information System (TEISIS) in 2025 has been taken.

- b) **Regarding recommendation “Continue efforts to improve the transparency of the system of appointments to judicial positions, notably to the Supreme Court, taking into account European standards on judicial appointments.”**

The amendments of the Law on Courts and related laws aiming to optimize and speed up the procedure for the selection of judges came into force on 1 January 2023 (information regarding these amendments was provided in the input for the 2023 Rule of Law report). During two years of application of the revised law, there were no indications that the changes were not effective. In 2024 judges of the Supreme Court of Lithuania were appointed successfully and effectively.

New legislative measures to further improve the clarity and smoothness of the procedures for the selection of judges are also envisaged in the Programme of the 19th Government of the Republic of Lithuania<sup>1</sup> (hereinafter – the Programme), in particular to introduce innovations in the field of selection and career of judges by determining that in the selection procedures, an essential criterion for assessing the competence of a judge seeking a career would be the verification of his/her knowledge.

- c) **Regarding recommendation “Continue efforts to provide adequate human and financial resources for the justice system, taking into account European standards on resources for the justice system.”**

As indicated in the explanatory note to the Law on the approval of the budget of the Republic of Lithuania for 2025-2027, the Ministry of Finance has allocated an additional 1 million EUR to the Lithuanian courts to increase the salaries of judicial assistants, compared to allocations year before.

On 20 November 2024, the Government approved a project to renovate the building of the Supreme Court of Lithuania, originally constructed in 1965. The building is physically and technologically outdated and does not meet the Court's needs to perform the functions assigned by the State. The renovated building will incorporate modern and sustainable solutions. The renovation of the building is expected to be completed by 2028, with 14.9 million euros allocated for the project.

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<sup>1</sup> [XV-54 Dėl Devynioliktosios Lietuvos Respublikos Vyriausybės programos](#)

It is important to note that the budgetary allocations for the courts' have increased annually. For example, in 2021, 80.7 million EUR was allocated to the courts in the state budget. In 2022, allocations of 85.1 million EUR were approved, followed by 90.7 million EUR in 2023. In 2024 120,4 million EUR was allocated, and in 2025, the funding increased further to 122,5 million EUR. Thus, the financing of the judiciary increased by 41.8 million EUR or 34.7% over four years.

It should also be noted that the judicial map reform (which was detailed in last year's report) fully came into force on 1 January 2025. It is estimated that by 2026, around 4 351 thousand EUR will be saved, which could be used for the promotion of judicial staff and the development of innovations in the courts.

### **National Courts Administration**

#### **Regarding the implementation of the recommendation to continue efforts to improve the transparency of the system of appointments to judicial positions, notably to the Supreme Court, taking into account European standards on judicial appointments.**

The change in the system of appointments of candidates to the judicial office that came into effect in 2023 contributed to a more efficient appointment of judges. In 2024, no fundamental changes occurred related to the discretion of the President of the Republic to provide detailed reasons for their selection when nominating candidates. However, the situation regarding the transparency of the system of appointments of judges is improving. Greater cooperation between the Office of the President of the Republic and the Judicial Council is visible in order to clarify priorities when appointing candidates to the judicial office in specific courts, assessing the number of vacancies in separate courts and the needs of those courts. The newly elected Judicial Council met with the President of the Republic and the Selection Commission of Candidates to Judicial Office (hereinafter – Selection Commission), discussed the objectivity of the criteria for evaluating candidates to the judicial office, situations when a candidate who is considered to be less suitable by the members of the Selection Commission receives a formally higher score. During the discussions with both the President of the Republic and Selection Commission, it has been concluded that there was a need to review the criteria for evaluating candidates to the judicial office, as well as the procedure for compiling the general order lists of candidates to the judicial office in district and regional courts.

#### **Regarding the implementation of the recommendation to continue efforts to provide adequate human and financial resources for the justice system, taking into account European standards on resources for the justice system.**

The situation regarding court funding is assessed negatively by the judicial community not only due to the insufficient level of court funding, but also due to the subjective procedure for allocating funding. Insufficient funding of court personnel is a long-term and sluggishly resolved problem. The judicial community not only does not have a clear explanation from its constitutional partners why only 89 percent of the required salary requirements for court personnel (excluding judges) are financed, but also the needs to ensure the necessary procedural guarantees of court activities (translations, postage) are rejected without any clear motives. No funds are allocated to ensure the security of courts. Police officers are on duty only in three courts of the highest level, but the Government of the Republic does not allocate funds so that other courts have at least the opportunity to hire private security companies that would help ensure the safety of not only court employees, but also participants in the process. Insufficient funding and defective financing model of the courts do not ensure judicial independence.

The provisions regarding the Civil Services Reform, as well as civil servants', including non-judicial court staff's, salaries, entered into force from 1 January 2024. In addition, salary changes came into force for other employees (non-civil servants) with the Law on Remuneration of Employees of Budgetary Institutions and Remuneration of Commission Members for Work. With these changes the new base amount of salary was established, the maximum limits for official salary coefficients and division of institutions into groups were removed. Moreover, after the amendments to the Budget Structure Law

came into force from 1 January 2024, it became possible for institutions, including courts, to transfer cost savings to the institution's wage fund and thus apply financial promotion means for personnel. Although such changes provide more financial flexibility, insufficient court funding prevents courts from applying these provisions. Despite the fact that the additional funding for judicial system to increase the salaries of court staff was given in 2024, but it was not enough to increase the salaries significantly. For example, the average salary of assistant to judge is still below the average salary of the public sector. On March 2024, there were vacancies for up to 69 of 779 assistants to judges and up to 58 of 685 hearing clerks, and this problem still remains relevant as there are almost no candidates for these positions as well as court staff leaves for other institutions due to the low salary.

In 2024, the problem of insufficient funding of salaries over the last 3 years has also affected the National Courts Administration – the body insuring the efficiency of the court system, its government and organisation of work as well as the independence of judges and autonomy of courts. Long-term highly qualified employees started to leave the institution, and it is becoming more and more difficult to attract new qualified employees because of the uncompetitive salary.

On 13 December 2024, the Judicial Council met with the President of the Republic. The Chairperson of the Judicial Council presented the current situation in the judicial community, its needs, planned directions of activity, and expectations from constitutional partners. Issues important to the entire judicial system, methods of their resolution, and changes in legal acts were also discussed. During the meeting, the Judicial Council emphasized the need for regular and continuous cooperation with constitutional partners, because only then the needs of the judicial community will be promptly heard and resolved. It is expected that by cooperating with constitutional partners, without violating the principle of judicial independence, it will be possible to resolve issues related to the implementation of the Government's program provisions in the field of effective justice. Only by respecting independent courts and judicial self-government and ensuring financial security and stability can the administration of justice be effectively implemented. As priority issues to be resolved with constitutional partners in the near future, the Judicial Council identified the approval of a court financing model defined by objective criteria, an increase in the salaries of assistants to judges and other court personnel, and the creation of a long-term program focused on investments in the renovation and modernization of court buildings.

The procedure for allocating funds is considered to be defective, therefore, one of the initiatives at the General Meeting of Judges, which is the highest institution of the self-governance of courts, was to initiate the creation of a formal cooperation format, which would help the judicial community to be more heard and would provide an opportunity to participate in the development of the creation of a court financing model based on objective criteria.

### **Constitutional Court**

Recommendations addressed to Lithuania concerned such spheres as the continuation of reforming the legal aid system, improving the transparency of the system of appointments to judicial positions, notably, to the Supreme Court, providing adequate resources for the justice system and providing human and financial resources for the functioning of the Office of the Parliamentary Ombudspersons.

Although there were no recommendations regarding specifically the Constitutional Court of the Republic of Lithuania, two legislative initiatives related to its activities could be mentioned.

Firstly, on 18 July 2024, the Government of the Republic of Lithuania registered in the Parliament of the Republic of Lithuania (Seimas) the draft law amending Article 32 of the Law on the Constitutional Court.<sup>2</sup> This draft was submitted due to the reason of implementing the provisions of Article 12 of the United Nations Convention on the Rights of Persons with Disabilities, seeking to move away from the institute of total incapacity and to adopt measures to help persons with disabilities to effectively exercise

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<sup>2</sup> <https://e-seimas.lrs.lt/portal/legalAct/lt/TAP/09beb0a0451011efb121d2fe3a0eff27?jfwid=13hi2ql4c6>

their rights. The draft introduced additional provisions on representation before the Constitutional Court, i.e. the possibility to be accompanied in the Constitutional Court by a person providing assistance in decision-making. On 18 September 2024 the Government decided to cancel the submission of this draft to the Parliament.<sup>3</sup>

Secondly, on 18 of October 2024 the General Meeting of Judges adopted a decision<sup>4</sup> addressed to the Parliament concerning the right to apply to the Constitutional Court for the Judicial Council on matters falling within its competence. In this decision it was suggested that the members of Parliament adopt the amendments to Article 106 of the Constitution in order to enlarge the circle of subjects who have the right to apply to the Constitutional Court on issues of the constitutionality of legal acts. There were no drafts on amendment of the Constitution registered in the Parliament.

## I. Justice System

*Please provide information on measures taken to follow-up on the recommendations received in the 2024 Report regarding the justice system (if applicable):*

### A. Independence

☐ No developments

☒ If there have been developments related to the independence of justice, please specify which, in particular regarding topics listed below: ...

*Relevant topics to be covered in your contribution include:*

- *Appointment and selection of judges<sup>5</sup>, prosecutors and court presidents (incl. judicial review)*

### **National Courts Administration**

The judicial community has doubts about whether the new procedure for compiling lists of candidates to the judicial office in district and regional courts is working as expected, as well as about the objectivity of the criteria for selecting candidates to the judicial office, which may determine the choices of the President of the Republic of Lithuania (to choose a candidate other than the first one on the list). There is an initiative from all parties involved in this process to review the criteria for evaluating candidates to the judicial office, as well as the procedure for compiling the general order lists of candidates to the judicial office in district and regional courts.

In 2024, the Selection Commission of Candidates to Judicial Office carried out 16 selections (19 selection sessions): 3 selections were made to judicial office in higher courts, and 13 selections were made to leadership positions of courts.

According to the Article 55<sup>1</sup>, Part 3 of the Law on Courts, the selection of candidates to the judicial office in district courts as well as to the vacant or vacating judicial positions in district, regional and regional administrative courts is organized continuously, after legally important procedures have been completed beforehand: the candidates to the judicial office are evaluated by the Selection Commission of Candidates to Judicial Office and entered in the General Ranking Lists of courts of the relevant jurisdiction. In 2024, the following candidates were evaluated and included in the General Ranking Lists: 27 candidates to the judicial office in district courts, 35 candidates to the judicial office in regional courts, and 11 candidates to the judicial office in administrative courts.

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<sup>3</sup> <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/2fb7c0e1772d11ef84ff9693ecd03ff5?positionInSearchResults=0&searchModelUUID=0f264494-2d63-41d0-b614-bc920b12205e>

<sup>4</sup> <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/7ab9a6708fe311ef9e04e1fd1af11576?jfwid=19mtoho011>

<sup>5</sup> The reference to 'judges' concerns judges at all level and types of courts as well as judges at constitutional courts.



It should be noted, that according to the Article 55<sup>6</sup>, Part 5 of the Law on Courts, when determining personal character and cognitive characteristics, experts are used to assess a person's competencies, revealing his or her readiness to become a judge, to fill vacant or vacating judicial positions or to hold the positions of court president, deputy president or president of a court division. Experts are engaged and the assessment of a person's competencies is carried out in accordance with the procedure established by the Judicial Council. In 2024, 44 judges and candidates for the judicial office as well as 22 candidates for managerial positions were evaluated by the experts.

The system of selection of judges is operating fairly stably. In 2024, the President of the Republic appointed 28 judges to the positions of district court judges (18 judges were transferred to courts of the same level), 14 judges to the positions of judges of higher-level courts, 3 judges to the positions of court presidents, 8 judges to the positions of deputy presidents and 4 judges to the positions of presidents of a court division. In retrospect, the President of the Republic appointed 50 judges to the relevant positions in 2022, 60 judges in 2023, and 57 judges in 2024. However, the number of vacant judicial positions remains quite high (on 31 December 2024, there were 62 vacancies), and this is determined not only by the organisation of appointment procedures of candidates to the judicial office, but also by other factors, such as an insufficient number of candidates and poor pass rates for the judicial exam. All parties involved in this process agree that there is a need to find ways to solve this problem.

### **Ministry of Justice**

Please see the information above on measures taken to follow-up on the recommendations received in the 2024 Report regarding the justice system.

- *Irremovability of judges; including transfers (incl. as part of judicial map reform), dismissal and retirement regime of judges, court presidents and prosecutors (incl. judicial review)*

### **National Courts Administration**

**The reform processes.** According to the 29 June 2023 amendments to the Law<sup>6</sup> on Establishment of District Courts of the Republic of Lithuania and the Determination of the Territories of their Activities (hereafter – the Law on Establishment of District Courts), the reform is divided into two stages. At the first stage, as of 1 January 2024, five court chambers (in 5 district courts), which had inefficient court buildings and too low workload have been abolished. The redundant court buildings have been transferred to the state-owned company “Turto bankas” that centrally manages state real property for administrative purposes. After the court chambers were closed, the availability of court services has been ensured for residents. According to the need, the outgoing court hearings are being organized, if needed, the contracts are being made with the local self-government institutions for the provision of premises to ensure certain court functions, etc.

In accordance with the principle of irremovability of judges, the Article 3 of the Law on Establishment of District Courts foresees that any changes to the structure of the court (the abolishment of the court chambers as territorial divisions) do not affect the exercise of the powers of the judges appointed to that court until 31 December 2023.

The judges, appointed until 31 December 2023 to the district courts which structure have been changed, after the entry into force of this law continued to work in the relevant district court, and are considered to be appointed to that district court or those court chambers in the territory of which the court chambers to which they were appointed operated. Therefore, the decrees of the President of the Republic, by which judges are appointed, regarding the place of work of judges must not be drawn up in accordance with the new regulation, and judges are considered to be appointed to the court in the territory of which the appointed judge operated. The personnel of the court chambers have been offered to move to another

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<sup>6</sup> <https://www.e-tar.lt/portal/lt/legalAct/53b4b4701fb411eeb233e8b04dc9bb3d>

court chambers in accordance with the procedure established by the legal acts.

On 25 June 2024, in order to implement the second stage of district courts reform by consolidating the chambers of certain district courts and reducing their number (after reform there will be 11 district courts and 27 court chambers instead of the current 12 district courts and 43 court chambers), as well as changing the activity territories of some district courts, Seimas of the Republic of Lithuania adopted the Law on District Court Reorganization and amendments to the Law on Establishment of District Courts, which changed the date of district courts reform from 1 July 2024 to 1 January 2025<sup>7</sup>. The adopted laws also establish that, unlike what was envisaged before the adoption of the laws, the District Court of Plungė will not be reorganized by dividing the rights and duties of this court to the District Court of Klaipėda and the District Court of Telšiai, but by the method of annexation will be reorganized by transferring the rights and duties of this court to the District Court of Klaipėda. All the rights and duties of the District Court of Plungė, which will end after the reorganization, will be transferred to the District Court of Klaipėda operating after the reorganization in 2025. Since 1 January 2025, the District Court of Klaipėda will consist of two chambers (Chamber of Klaipėda City and Chamber of Plungė). This change was not coordinated with the courts and disrupted the courts' preparations for the implementation of the reform from 1 July 2024, since the postponement of the reform on the eve of it to 1 January 2025 affected the courts' property (e.g. transfer of buildings), financial (building maintenance, salaries), and ICT issues (planned changes to ICT systems had to be urgently canceled).

Taking into account the workload, operational efficiency and other evaluated criteria of the existing district courts and their chambers, from 1 January 2025 it is planned to enlarge the chambers of district courts, by abandoning part of the chambers, as well as by changing the areas of activity of some district courts. It should be noted that according to the amendments to the Law of Establishment of District Courts, the areas of operation of the district court chambers will be combined, but in most cases the buildings of the former court chambers will remain, court hearings will be held in them, and the availability of court services to the residents will be ensured. This process will be carried out in accordance with the principle that the distance from the central court chambers to the other court chambers of the same court should be about 60 kilometres. Such a distance is emphasized in the international recommendations on the mapping of the judicial system, as ensuring the right to a court in the territorial aspect of accessibility for people. At the same time, an additional possibility has been established if one of the parties to the case demands to use court video conferencing in the premises of the district court or the court chambers where the party would have to come if the case were to be heard live according to the procedure of oral proceedings.

After combining the territories of the district court chambers, maintaining the infrastructure of the former court chambers (court buildings), there may be a need for the judges of the same district court chambers to go to hear cases from one court chambers premises to the other premises in the territory of that district court. So, the Seimas of the Republic of Lithuania adopted the amendments to the Law on Courts<sup>8</sup>, establishing that if there are several premises of the court or court chambers to which the judge or judges hearing the case are appointed, the travel expenses of the judge are reimbursed in accordance with the procedure established by the Government of the Republic of Lithuania, when the case is heard in the premises of the same court or the same court chambers located in another residential area.

In addition, in order for judges to clearly know in which specific premises their workplace can be located, the Law on Courts was supplemented with the provision that if there are several premises of a court or court chambers, the President of the Republic, when appointing a judge of a district court, indicates the residential areas where the court or court chambers premises are located and where the judge will work. In order to make court proceedings more efficient, along with the changes to the court map, the amendments to the Code of Civil Procedure of the Republic of Lithuania were made. The amendments and adaptation of the Lithuanian Courts Information System (hereinafter – LITEKO) for such an

<sup>7</sup> <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/88e3a4e0346b11efb121d2fe3a0eff27?jfwid=r96skxllw>

<sup>8</sup> <https://www.e-tar.lt/portal/lt/legalAct/d42b0eb01fb411eeb233e8b04dc9bb3d>



automated allocation of cases among all district courts allow to automatically distribute the majority of cases heard in district courts according to the written procedure (additionally about 30,000 civil cases, which would make up about 21 percent of all received civil cases number) to all district courts after assessing the workload of the courts.

The amendments also established that if a case heard in district court according to the written procedure is decided to be heard according to oral procedure, such a case shall be heard by using electronic communication technologies.

If at least one party makes a motivated request to directly participate in the court hearing without the use of electronic communication technologies, and the court recognizes this request as reasonable, or the court on its own initiative recognizes that it is necessary to hear the case with the direct participation of the parties in the court hearing, the court hearing takes place in the district court or in the court chambers that have a jurisdiction over the case.

After the reform it is expected that people will be guaranteed justice of the same quality and speed both in big cities and regions. The existing infrastructure of the courts will not fundamentally change (except for the above-mentioned 5 district courthouse buildings, which were abandoned during the first stage of district court reform, other changes in the second stage of the reform are related to the consolidation and reallocation of district court chambers territories), while the quality of the administration of justice will improve, as judges will be able to specialize, and the allocation of cases heard according to the written procedure throughout Lithuania will ensure that the cases will be heard more quickly. After optimizing court resources, the saved funds will be used to promote court staff and develop innovations on courts. The reform processes are being implemented gradually, starting from 2024 and ending in 2026. During the reform 11 judges' vacancies have been abolished. Further reductions will be discussed within the judicial community, taking into account the workload of courts after the implementation of the reform. The Judicial Council, implementing the measure "2.3 Creation of an optimal model for calculating the workload of judges" which is provided in the priority direction "Improving services and processes, ensuring quality, openness to innovations, and human-oriented services" of the Vision for the Development of Lithuanian Courts for 2023-2033, as well as the measure "2.10 to determine the optimal workload of a court / judge and to create a strategy for the formation of the judicial corps" which is provided in the strategic directions of the Judicial Council for 2021-2024, approved by the Resolution No. 13P-27-(7.1.2) of the Judicial Council of 26 February 2021, by its Resolution No. 13P-173-(7.1.2.) of 1 December 2023 approved the Methodology<sup>9</sup> for determining the optimal workload of a district court (judge) (hereinafter – the Methodology) and recommended the Methodology to be applied from 1 December 2023 in Vilnius City, Klaipėda and Marijampolė District Courts, and in other district courts – from 1 July 2024. It is planned to start applying the Methodology in all district courts in the near future. The reform of district courts will also affect the activities of regional courts, including their workloads. There is a trend that has persisted for several years regarding unequal workloads among regional courts. The President of the Court of Appeal of Lithuania periodically decides on the possibility of transferring cases from one regional court to another. On one hand, the aim of doing this is to reduce the differences in the workload of judges in certain regional courts, to equalize the indicators of the number of cases being heard, and to ensure a more operative hearing of cases. On the other hand, the aim of doing this is to allow judges working in courts of different regions have the same opportunity to hear diverse and complex cases. These circumstances led to the start of the discussions on the revision of the number of judges in the regional courts, and at the same time to assess whether the decision to reduce the number of judges in the regional courts would keep the work in all regional courts efficient, or whether the administrative costs would be justified. Thus, on 27 October 2023 the Judicial Council adopted the resolution setting up the working group, tasked with drawing up proposals on the possibilities of reforming the network of courts of appeal (Lithuanian Court of Appeal and Regional Courts). The working group has analysed statistical data, collected foreign case law on the network of courts of appeal, and discussed possible criteria for optimizing the network of courts of appeal. The activity of the working group is not finished yet. However, following the reform of district courts, as well as the amendments to

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<sup>9</sup> <https://www.e-tar.lt/portal/lt/legalAct/ebb4c530950211eea5a28c81c82193a8>

the Code of Civil Procedure of the Republic of Lithuania regarding the jurisdiction of cases between district and regional courts, and considering the fact that amendments to the Code of Criminal Procedure of the Republic of Lithuania have been submitted to the Seimas, which (if adopted) will affect both the number of cases transferred to courts and the allocation of cases between district and regional courts, it would be possible to return to the issue of the reorganization of courts of appeal only after assessing the above-mentioned changes.

During 2023, preparations for the reform of district administrative courts took place. The plan for the reorganization of the regional administrative courts was prepared and implemented, according to which the procedures for reorganization of the Regional Administrative Court were carried out by merging it with the Vilnius Regional Administrative Court. After the reorganization, as of 1 January 2024, administrative cases are being heard at first instance by a single court – the Regional Administrative Court, consisting of five court chambers, which operate throughout the territory of the Republic of Lithuania. Based on the provisions of the Law on Reorganization of Administrative Courts, the reorganization has not affected the exercise of the powers of judges appointed until 31 December 2023, due to the reorganization, the workplace of the judges has not changed.

- *Promotion of judges and prosecutors (incl. judicial review)*
- *Allocation of cases in courts*

### **National Courts Administration**

The allocation of cases is being assessed positively. It creates conditions for ensuring the workload balance in district and regional courts and distribution of more complex cases across all courts of the Republic of Lithuania.

On 1 July 2024, in order to solve the issues of ensuring the workload balance in district and regional courts effectively, changes to the allocation of civil cases in district and regional courts came into force regarding the allocation of civil cases to be heard in written proceedings.

It was established that cases, which under the grounds of the Code of Civil Procedure can be heard in the district courts by written procedure and which are not subject to the rules of exclusive jurisdiction, are allocated to district courts or court chambers by using a computer program taking into account their workload and following the rules for the allocation of cases approved by the Judicial Council (Article 62<sup>2</sup> of the Code of Civil Procedure). In addition, it was established that cases based on appeals (separate appeals) regarding decision or ruling of the district court are allocated among the regional courts by using a computer program, taking into account their workload and following the rules for the allocation of cases approved by the Judicial Council (Article 62<sup>3</sup> of the Code of Civil Procedure).

On 1 July 2024, the amendments to the Description<sup>10</sup> of the Rules for the Allocation of Cases to Judges and the Formation of a Judicial Panel, approved by Resolution No. 13P-123-(7.1.2) of the Judicial Council of 25 September 2015, entered into force.

According to the established legal regulation, from 1 July 2024, the following categories of civil cases are allocated among the judges of all district courts (their chambers): requests to issue court order for payment, claims for the award of sums of money not exceeding 5000 euros, cases considered in the order of documentary proceedings.

On 1 July 2024, amendments to the Case Allocation Module (hereinafter referred to as the Module) of the LITEKO were introduced, implementing the provisions of Articles 62<sup>2</sup> and 62<sup>3</sup> of the Code of Civil Procedure and the Description of the Rules for the Allocation of Cases to Judges and the Formation of a Judicial Panel.

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<sup>10</sup> <https://www.e-tar.lt/portal/lt/legalAct/34c996a02fb411efbdaea558de59136c>

In order to ensure uniformity in the allocation of civil cases allocated to judges of all district courts (their chambers), the Judicial Council, by its Resolution No. 13P-96-(7.1.2.) of 28 August 2024, established provisions on the determination of limits and their size for cases to be allocated in accordance with the procedure established by Article 62<sup>2</sup> of the Code of Civil Procedure. According to the established legal regulation, the limits on the number of incoming cases are set separately for both groups of cases to be allocated in accordance with the procedure established by Article 62<sup>2</sup> of the Code of Civil Procedure: Group I (contentious proceedings, small claims) and Group II (court orders and documentary proceedings). The provisions on the determination of the size of the limits have been implemented in LITEKO and are applied when allocating cases.

According to the amendments that have come into force, the Module, when determining the assignment of a case to be allocated in accordance with the procedure established by Articles 62<sup>2</sup> and 62<sup>3</sup> of the Code of Civil Procedure, forms the queue of judges working in all district courts (their chambers) / regional courts who can hear this case, according to the criteria established in the Description of the Rules for the Allocation of Cases to Judges and the Formation of a Judicial Panel. It should be noted that the same rules and principles of case allocation that have been in force when distributing cases until now apply to the allocation of cases to be allocated in accordance with the procedure established by Articles 62<sup>2</sup> and 62<sup>3</sup> of the Code of Civil Procedure. The Module performs calculations during automatic allocation according to the same formula for calculating the judge (reporter) selection coefficient and its components (number of cases received during the reporting period, specializations, vacation / disability periods, busyness in other activities, etc.).

### **Ministry of Justice**

On 1 July 2024, amendments to the Code of Civil Procedure of the Republic of Lithuania entered into force<sup>11</sup>. They provide that cases which may be heard by written procedure in district courts and which are not subject to the rules of exclusive jurisdiction shall be allocated by means of a computer programme to district courts or their chambers, taking into account the workload of such courts and in accordance with the rules on allocation of cases approved by the Judicial Council. The amendments also provide for an analogous allocation of appeal cases. The amendments mentioned above also provide that such proceedings shall be conducted by means of information and electronic communications technology. If at least one of the parties makes a reasoned request for the proceedings to be conducted in person, without the use of information and electronic communications technology, and the court finds that the request justified, or if the court, on its own initiative, finds it necessary to conduct the proceedings in person, without the use of information and electronic communications technology, the proceedings shall take place at the district court or the chamber of the court which has jurisdiction over the case. In such cases, a party may also request that they and/or their representative be given access to the court's information and electronic communications technology (videoconference, teleconference, etc.) on the premises of the district court or the chamber of the court assigned to the case.

The amendments to the Code of Civil Procedure are implemented by a resolution of the Council of Judges<sup>12</sup>, which, among other things, provides for the following categories of cases to be assigned to all district courts: documentary proceedings, proceedings for the issuance of a court order, and small claim procedures. It is expected that these changes will help to address the problem of uneven workload in district courts, create conditions for balancing the workload of the courts, speed up civil proceedings, and ensure equal access and speed of justice for people in regions and cities.

As mentioned above, the judicial map reform (which was in detail reported in last year's report) fully

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<sup>11</sup> <https://www.e-tar.lt/portal/lt/legalAct/09cd5fa01fb511eeb233e8b04dc9bb3d>

<sup>12</sup> <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/40daafc0300811efb121d2fe3a0eff27?jfwid=119a495cly>

came into force on 1 January 2025. After merging the chambers of district courts and their territories of activities, 27 chambers continue to operate in district courts instead of the former 43 chambers, ensuring a smoother distribution of cases among them, considering the workload of judges. Moreover, the changes also contributed to the possibility for judges to specialize in certain categories of cases.

Following the European Court of Human Rights judgment in *Sacharuk v. Lithuania* (No. 39300/18) of 23 April 2024, the Council of Judges supplemented the training programs for the judiciary with the topics such as Judges' Ethics and Balancing Private and Public Interests. The Division of Criminal Cases of the Supreme Court of Lithuania holds the position that a judge, who has already participated in the examination of the case in cassation proceedings, cannot participate in its re-examination. The fact that a judge has already taken part in the proceedings of a criminal case, *inter alia* in the examination of the case in cassation proceedings, is identified by an employee of the Office of the Court and is entered into the system by the Secretary of the Administration of the Supreme Court of Lithuania to prevent the allocation of the same case to the same judge<sup>13</sup>.

- *Independence (including composition and nomination and dismissal of its members), and powers of the body tasked with safeguarding the independence of the judiciary (e.g. Council for the Judiciary)*

#### **National Court Administration**

In order to strengthen the independence of the courts, the judicial community implemented two initiatives in 2024, aimed at strengthening the role of the Judicial Council in ensuring the independence of the courts and ensuring closer cooperation between the judicial system and the executive and legislative authorities.

On 18 October 2024, the General Meeting of Judges, which is the highest institution of the self-governance of courts, took place, a new composition of the Judicial Council was elected and the Decision<sup>14</sup> on the Right of the Judicial Council to Apply to the Constitutional Court was adopted. Moreover, the General Meeting of Judges adopted the Resolution<sup>15</sup> on Closer Cooperation Between State Authority Institutions in Matters of Activities of Courts.

On 28 October 2024, elections for the leadership of the Judicial Council took place. These members were elected:

- Chairperson of the Judicial Council: Chairperson of the Supreme Court of Lithuania Ms. Danguolė Bublienė,
- Vice-Chairperson of the Judicial Council: Chairperson of the Court of Appeal of Lithuania Mr. Nerijus Meilutis,
- Secretary of the Judicial Council: Chairperson of the District Court of Vilnius City Ms. Viktorija Šelmienė.

- *Accountability of judges and prosecutors, including disciplinary regime and bodies and ethical rules, judicial immunity and criminal/civil (where applicable) liability of judges (incl. judicial review)*

#### **National Courts Administration**

The Judicial Ethics and Discipline Commission has the right to institute a disciplinary action against a judge. The instituted disciplinary action shall be transferred to the Judicial Court of Honour. Such a

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<sup>13</sup> Action Report 13 November 2024 – Communication from Lithuania concerning the case *Sacharuk v. Lithuania* (no. 39300/18).

<sup>14</sup> <https://www.teismai.lt/lt/teismu-savivalda/visuotinis-teiseju-susirinkimas/sprendimai/168/2024-10>

<sup>15</sup> <https://www.teismai.lt/lt/teismu-savivalda/visuotinis-teiseju-susirinkimas/sprendimai/168/2024-10>

system of filtering motions for instituting a disciplinary action is being assessed positively, as it ensures that disciplinary liability will be applied to a judge in response to the judge's inappropriate behaviour. At the same time, it is one of the measures to ensure the independence of courts and judges. In 2024, the Judicial Ethics and Discipline Commission has received 210 motions for instituting a disciplinary action. However, only 2 disciplinary actions were instituted by the Judicial Ethics and Discipline Commission and transferred to the Judicial Court of Honour.

In 2024, the Judicial Court of Honour examined 3 disciplinary actions instituted against judges and made the following decisions:

1) one disciplinary action was dismissed, having established that there have been no grounds for disciplinary liability of the judge. The Judicial Court of Honour stated that it has no right to assess the judge's decision not to recuse himself from the hearing of the case, as this may be considered as interference in the activities of courts (administration of justice) and would violate the independence of judges. Procedural decisions made by the court may be assessed in terms of legality and reasonableness in the only way by implementing the instance review of decisions. No other form of control of court procedural decisions is permissible by law. Therefore, the statement of the Judicial Court of Honour on the assessment of adopted court decisions is in principle prohibited;

2) two disciplinary actions were dismissed, having established that judges against whom disciplinary actions were instituted were already dismissed from their judicial duties by decree of the President of the Republic during the hearing of disciplinary action in the Judicial Court of Honour.

### **Prosecutor General's Office**

Attention must be drawn to the court's decision establishing the practice that a person who has committed a criminal offence may work as a prosecutor.

A prosecutor was dismissed from the public prosecutor's office on the grounds that, while he was obliged to observe the high standards of conduct (ethics) laid down in the Code of Ethics for Public Prosecutors, and to preserve the reputation of the public prosecutor, has failed to observe those standards and committed a criminal offence (violence against a family member), i.e. a serious misconduct. It was established that by such actions the prosecutor broke the oath to the State of Lithuania, disgraced the reputation of the prosecutor and undermined the authority of the public prosecution service.

The prosecutor appealed against the sanction to the administrative court. In 2024, by a final decision of the court, the dismissal of the prosecutor was replaced by a lighter sanction of reprimand and the prosecutor had to be returned to the post. The Court also awarded the average remuneration for compulsory absence for each working day from the date of dismissal.

- *Independence/autonomy of the prosecution service*
- *Independence of the Bar (chamber/association of lawyers) and of lawyers*
- *Significant developments capable of affecting the perception that the general public has of the independence of the judiciary*

### **National Courts Administration**

When assessing the results of public trust in courts, the judicial system raises doubts about the clarity of the methodologies applied by the entities conducting the survey and the reliability of the survey data, as the results of research conducted by different entities differ substantially. For example, according to Vilmarus<sup>16</sup> 2024 survey data, only 24.4 percent of the population trusts Lithuanian courts. Meanwhile,

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<sup>16</sup> <http://www.vilmarus.lt/index.php?mact=News,cntnt01,detail,0&cntnt01articleid=2&cntnt01returnid=20>



Eurobarometer<sup>17</sup> data shows that trust in Lithuanian courts among companies reaches 62 percent. The judicial community is constantly implementing measures to increase public trust in the courts.

In April 2024, the National Courts Administration together with the Norwegian Courts Administration and University of Oslo organized an international conference “Judges under Stress”. A discussion involving over 120 judges and experts from six countries was convened to address the pressure and influence judges experience. In their professional activities, European judges often encounter attempts to exert influence, apply pressure, or even direct attacks, whether overt or subtle. These issues were the focus of discussion at the international conference. During the conference, the primary theme – judicial influence – was examined from several perspectives. The concept of judicial independence in contemporary European court jurisprudence was presented by top-level experts, including a former judge of the European Court of Human Rights and a former judge of the Court of Justice of the European Union. A particularly emotional part of the conference was the expert discussion on the impact of the media and attacks directed at judges.

In 2024, Lithuanian courts continued the activities established in the Communication Strategy of Lithuanian Courts for 2021-2024 aimed at increasing the public’s trust in the Lithuanian courts as an institution that administers justice, developed consistent coordinated external communication in the court system and carried out joint communication measures that strengthen internal communication and organizational culture in the courts.

On 25 October 2024, the Day of the Constitution of the Republic of Lithuania and the European Day of Law, Lithuanian courts held a free legal advice day “You ask – we answer!” for the seventh time. Everyone had the opportunity to consult with professional lawyers – assistants to judges. During this event, Lithuanian courts provided consultations to more than 100 persons. The issues concerning inheritance, divorce, consumer rights, and labour law were the most popular.

In 2024, during the project “Day with a Judge” 85 students from various Lithuanian higher education schools visited the district, regional and administrative courts, as well as the Lithuanian Court of Appeal and the Supreme Court of Lithuania, and met with the judges working there. After meetings with judges, project participants had to prepare a short reflection on their impressions in court, the work of a judge and his activities. On 12 December 2024, the authors of five best works were awarded at the final event of the project.

It has become a beautiful tradition when Lithuanian courts continue their close partnership and join the National Law Knowledge Olympiad organized by Mykolas Romeris University. In 2024, 2,584 participants from 100 Lithuanian schools and gymnasiums participated in this Olympiad. Representatives of Lithuanian courts presented tasks to the Olympiad participants about the activities of courts and the administration of justice.

In 2024, topics relevant to the judicial system were proposed for the radio program “Radio Case”. Also, in 2024, Lithuanian courts participated in the Open House and Culture Night events. These events at the courts attracted great public interest, pre-registration was completed in a very short time, and the events themselves were attended by about 1,000 people over the course of several days.

In 2024, the courts’ initiative to increase availability of data on courts to the society was continued: OPEN COURTS were supplemented with 7 new scoreboards and comments<sup>18</sup>. The scoreboards include information about court-appointed forensic psychiatry and psychological expertise, collection of stamp duty in the courts, providing courts with computers, court hearings, court mediation, court psychologists and number of electronic cases.

In 2024, the courts prepared and published 650 press releases about cases.

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<sup>17</sup> <https://europa.eu/eurobarometer/surveys/detail/3192>

<sup>18</sup> <https://statistika-ntalt.hub.arcgis.com>



## B. Quality of justice<sup>19</sup>

☐ No developments

☒ If there have been developments related to the quality of justice, please specify which, regarding in particular topics listed below: ...

Relevant topics to be covered in your contribution include:

- *Accessibility of courts (e.g. court/legal fees, legal aid, language)*

### **National Courts Administration**

In order to ensure that the accessibility of courts would be as great as possible various measures are being implemented.

Since 1 January 2024, in order to implement the Disability Reform launched in Lithuania, regarding changes in the daily and public life of persons with disabilities and their relatives, and ensuring the rights and equal opportunities in various areas of life (hereinafter – Disability Reform), measures ensuring the accessibility of court services for persons with disabilities (which are also relevant for elder people) have been taken in the judicial system.

The National Courts Administration, in accordance with the Basic Law on Protection of the Rights of Persons with Disabilities of the Republic of Lithuania<sup>20</sup> and the Recommendations for the Provision of Information to Persons with Disabilities in the Accessible Means of Communication of Their Choice adopted by the 29 November 2023 order No. A1-784 of Minister of Social Security and Labor of the Republic of Lithuania<sup>21</sup>, prepared writing and e-mail templates adapted to the needs of the visually impaired and the blind, a template for writing in easy-to-understand language, as well as the principles of providing information to persons with disabilities in the accessible means of communication of their choice for employees, a memo for preparing texts in an easy-to-understand language and instructions for setting up an e-mail. These documents were shared with the judicial community by the Judicial Council on 2 April 2024, also drawing attention to certain aspects of the implementation of the Disability Reform that are relevant in the work of the courts, regarding the employment of persons with disabilities, the provision of information to persons with disabilities, adaptation of websites for persons with disabilities, ensuring an accessible environment for persons with disabilities, among other things, drawing attention to examples of good practice in other institutions so that certain measures could be adapted to serve persons with disabilities in courts as well. In addition, taking into account the relevance of the issue, when the courts expressed a need, in cooperation with the Lithuanian Audio sensory Library, the printing of witness, party and third-party oaths (in civil and criminal cases) in Braille was organized.

In order to properly implement the changes of the Disability Reform in the field of providing information to persons with disabilities, it is planned to review and update the standard of service of persons in courts in the near future, which could include cases and guidelines of service of persons with disabilities, thus ensuring a common standard of service of persons with disabilities throughout the court system. The possibility of updating the visual identity guide of Lithuanian courts by implementing progress measures is also being evaluated, if funds from the State budget are allocated for them.

During the implementation of the Disability Reform, measures were taken to adapt internet pages for

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<sup>19</sup> Under this topic, Member States are not required to give statistical information but should provide input on the type of information outlined under section 2.

<sup>20</sup> <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.2319/asr>

<sup>21</sup> <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/668427a18ef611eea791d94269904d9b>

persons with disabilities: teismai.lt and court websites installed accessibility menu (“UserWay”) plugins, which allow persons with visual impairments to adjust settings for adaptation to persons with disabilities, such as text contrast, size, saturation, as well as possible settings for individuals with dyslexic disorders and more. Moreover, additional plugins have been created on teismai.lt and court websites – links to versions for the disabled, where the Constitution of the Republic of Lithuania is placed in sign language in the plugin, and information about the court, individual rights in criminal proceedings, as well as information for victims, etc. is placed in easy-to-understand language. Currently, the unchanging information in Lithuanian gestures and easily understandable languages about the functions performed by the courts and judicial self-government institutions, services provided, assistance, contacts for public consultations, working hours, website content, structure, important messages and other essential information (expected deadline – early 2025) is being prepared, which will also be placed in the aforementioned plugins.

Additionally, it should be noted that an evaluation of the adaptation of the website teismai.lt and the Lithuanian courts electronic services portal e.teismas.lt (hereinafter – the portal e.teismas.lt) to persons with disabilities was carried out using a publicly available text reading program (for example, the possibility for blind and partially sighted people to perform a public LITEKO search for court decisions or schedules, to connect to the portal e.teismas.lt and submit documents to the court etc.). During the evaluation, it was established that the portal e.teismas.lt is adapted to screen reading programs used by the blind and visually impaired, so visually impaired people have the opportunity to use the portal e.teismas.lt.

The system of video technologies used in courts is also accessible to a large number of persons with disabilities, especially relevant for those with physical disabilities, it is also applicable to persons with visual, hearing or speech disabilities (with the additional mediation of a sign language interpreter). It should be noted that the needs of persons with disabilities are expected to be taken into account in the future when centrally purchasing video technology equipment.

In order to ensure procedural conditions adapted to persons with disabilities in court proceedings, the physical accessibility of court buildings is taken care of according to competence – when preparing projects for renovation (modernization), reconstruction or repair of parts of court buildings, construction technical regulation STR 2.03.01:2019 “Accessibility of buildings” is followed and buildings are observed adaptation requirements for persons with disabilities, including the requirements of the international standard ISO 21542, as well as the possible accessibility of persons with disabilities needs, including necessary solutions. However, it should be noted that there is no unified program for the modernization of court buildings in the country, and the issues related to the needs of the judicial system for the renovation of court buildings (including adaptation to the needs of people with disabilities) are not being adequately solved.

In 2024, the project “Improving Quality, Services and Infrastructure in Lithuanian Courts”, included into the Justice and Home Affairs programme, has been completed. The conditions for serving court visitors have been improved: public areas spaces and sanitary facilities have been adapted for persons with mobility disabilities. Moreover, in 16 courts entrance control systems have been updated, public and private spaces have been separated, thus increasing the safety of court visitors and court staff.

### **Constitutional Court**

As in 2023, the individual constitutional complaint continued to show its potential. Although the number of applications received in 2024 is lower than in 2023, they remain more accurate. The reduction in the number of individual constitutional complaints might be explained by rather quite strict interpretation given by the Constitutional Court of the admissibility criteria (the statistics on admissibility is provided in the annual rapport that is being prepared).

In the context of accessibility issues, two Constitutional Court’s rulings should be mentioned: 1) ruling of 7 November 2024 on the reopening of the proceedings in an administrative case following a

fundamental error in the application of the norms of procedural law and 2) ruling of 27 June 2024 on the reimbursement of the fees of an advocate to a person who has not committed an administrative offence.

In its ruling of 7 November 2024 <sup>22</sup>, the Constitutional Court, when investigating a case at the request of the Supreme Administrative Court of Lithuania, declared that paragraph 2 of Article 156 of the Law on Administrative Proceedings, insofar as it does not provide for the possibility of reopening a case completed by an effective court decision or order in the absence of at least one of the participants to the proceedings who has not been notified of the court hearing and who has no possibility of appealing against such a decision (order), was in conflict with paragraph 1 of Article 30 and paragraph 1 of Article 109 of the Constitution, as well as the constitutional principles of a state under the rule of law and justice.

According to the impugned legal regulation, it was impossible to reopen a case completed by an effective court decision or order when the case had been heard in the court in violation of the requirements of procedural law, i.e. in the absence of at least one of the participants to the proceedings who had not been notified in the prescribed manner of the time and venue of the court hearing and such a participant had no possibility of appealing against the court decision (order).

The Constitutional Court held that the legislature, by exercising its discretion to establish certain exceptional cases when a case (its proceedings) completed by an effective court decision could be reopened, by such a legal regulation, laid down in paragraph 2 of Article 156 of the Law on Administrative Proceedings, disregarded the requirement, arising from paragraph 1 of Article 30 and paragraph 1 of Article 109 of the Constitution, as well as the constitutional principles of a state under the rule of law and justice, not to establish such a legal regulation governing the review of effective court decisions that would make it impossible to rectify fundamental errors in the application of procedural law made by the courts, when such errors deny a person's right to apply to a court, where the said right presupposes the right of every person to have an independent and impartial arbiter in a dispute, and also when such errors deny a person's right to appeal against the final act of a court of first instance before a court of at least one higher instance.

In its ruling of 27 June 2024 <sup>23</sup>, the Constitutional Court, when investigating a case at the request of the Supreme Court of Lithuania, recognised that Article 666 of the Code of Administrative Offences, insofar as that article had not provided for the right of a court, taking into account the circumstances of the case, to order the applicant (victim) who has initiated the proceedings in the case of an administrative offence to pay all or part of the necessary and reasonable fees for the services of an advocate (or his or her assistant) to the person with respect to whom the administrative offence proceedings have been dismissed after establishing that the committed action has no characteristics of an administrative offence, had not been in conflict with the Constitution.

After the impugned legal regulation had consolidated the fact that, in the case referred to therein, the fees for the services of an advocate or his or her assistant who participated in the proceedings as an authorised representative of the person must be compensated from the funds of state funds, municipal funds, or the funds of a body not supported by the state or municipal budgets, an exhaustive list of the sources of compensation for such fees was clearly established.

The Constitutional Court noted that, if the impugned Article 666 of the Code of Administrative Offences had laid down such a legal regulation under which a court would have had the right to adjudge in the specified case the person that initiated the proceedings in the case of an administrative offence to pay the above-mentioned fees for the services of an advocate (or his or her assistant), the exercise of the right of persons that have data on allegedly committed administrative offences to apply to a court for the defence of their allegedly violated rights or where such administrative offences may cause harm to the public interest would have been unduly impeded, and the failure of such persons to apply to a court for judicial protection of the allegedly violated rights would have prevented the court from administering justice.

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<sup>22</sup> <https://lrkt.lt/lt/teismo-aktai/paieska/135/ta3068/content>

<sup>23</sup> <https://lrkt.lt/lt/teismo-aktai/paieska/135/ta3027/content>

- *Resources of the judiciary (human/financial/material<sup>24</sup>), remuneration/bonuses/rewards for judges and prosecutors, including observed changes (significant and targeted increase or decrease over the past year),*

### **National Courts Administration**

The resources available to the judicial system are being assessed as insufficient. On 31 August 2024, the amendments to the Description<sup>25</sup> of the Procedure for Reducing the Workload of Judges, approved by Resolution No. 13P-203-(7.1.2) of the Judicial Council of 13 December 2019, entered into force.

The amendments were adopted taking into account the fact that the Seimas of the Republic of Lithuania on 9 May 2024 adopted Law<sup>26</sup> No. XIV-2613 on Amending Articles 44<sup>1</sup>, 98, 101 of the Law on Courts of the Republic of Lithuania No. I-480 and Supplementing the Law by Article 44<sup>3</sup>, which aims to harmonize the provisions of the Law on Courts with the provisions of the Labour Code of the Republic of Lithuania and thus ensure additional social guarantees for judges.

Following changes in the legal regulation of social guarantees for judges, it was necessary to clarify the provisions of the Description of the Procedure for Reducing the Workload of Judges and supplement the Description in cases where a judge's workload is reduced at the judge's request, based on the need to care for (look after) a family member or a person living with the judge, as well as at the request of a pregnant, recently given birth or breastfeeding judge, a judge raising a child under the age of eight, a single judge raising a child under the age of fourteen or a child with a disability under the age of eighteen. By approving the amendments to the Description of the Procedure for Reducing the Workload of Judges, the provisions of Article 44<sup>3</sup> of the Law on Courts were implemented, additional social guarantees for judges were ensured, and new grounds and criteria for reducing the workload of judges were established. Meanwhile the salaries of civil servants working in the courts, such as assistants to judges and hearing clerks remains really very low, and this situation makes it difficult for the courts to find competent personnel. At present, the salaries of experienced and competent civil servants and contract staff working in the judiciary are well below the national average, as the judiciary is not provided with the necessary funding.

Furthermore, there are almost no candidates for these positions as well as competitions do not take place, because there are no candidates who would like to participate in them, or candidates who have registered do not come to the competition or do not collect the minimum number of points. Therefore, courts cannot find competent, and sometimes any staff, while offering the current salary, and such a situation has a direct negative impact on the quality and duration of the proceedings and the service of individuals in the courts. On March 2024, there were 11 percent vacancies of court staff (excluding judges).

In 2024, preparing the State budget for 2025, additional allocations have been allocated to the courts for 2025 in order to increase the official salary coefficients of assistants to judges. Also, additional allocations have been allocated in 2024 for salaries of assistants to judges, hearing clerks and psychologists. However, while having such low salaries, the added additional allocations in two past years are not sufficient and do not solve the problem of long-term salary backlog.

The problem of insufficient funding of salaries is relevant not only for the courts but also for the National Courts Administration, which salary fund has increased only by about 4 percent annually in the last two years and additional salary allocations have been allocated only for horizontal decisions in the public

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<sup>24</sup> Material resources refer e.g. to court buildings and other facilities. Financial resources include salaries of staff in courts and prosecution offices.

<sup>25</sup> <https://www.e-tar.lt/portal/legalAct.html?documentId=52e6bc4066bd11efafbb8694c098bac5>

<sup>26</sup> <https://www.e-tar.lt/portal/lt/legalAct/22b9de2012bd11efbcbfb318996800a8>

sector, such as the increase of the minimum monthly wage, changes of base amount of salary, etc. In 2024, during the communication campaign on social networks 10 new volunteers were recruited in the court system. Introductory volunteer training was organized for them. Currently, the Volunteer Service operates in the following courts of the country, where about 30 volunteers assist: District Court of Vilnius City, Regional Administrative Court (if there is a need), the Supreme Court of Lithuania (if there is a need), Vilnius Regional Court (if there is a need), Šiauliai Regional Court, District Court of Šiauliai, District Court of Klaipėda, Panevėžys Regional Court, District Court of Panevėžys, District Court of Kaunas, Kaunas Regional Court, District Court of Marijampolė, District Court of Telšiai. Also, volunteers provided the necessary assistance to court visitors and staff as needed.

In 2024, with the approval of the Government of the Republic of Lithuania, it was decided to renovate the building of the Supreme Court of Lithuania (the work is planned to be completed by 2028, the value of the work is almost 15 million euros). Moreover, in 2024, the renovation project of Klaipėda Regional Court and Regional Administrative Court, Chamber of Klaipėda has been continued (preliminary project value – EUR 10.3 million euros). However, this is not enough to meet the needs of the courts, given the fact that all court buildings are getting old, and funds are not allocated for their fundamental renovation. It should be noted that the state pension of a judge is an extremely important and significant social guarantee, increasing the attractiveness of the position of a judge. However, in 2024, the Government of the Republic planned to initiate a reform of the state pension of judges before the end of its mandate. This idea is a concern for the judicial community, as it may worsen the situation and further affect (by reducing) the number of those wishing to become judges and encourage the number of those who are leaving the judicial office. According to the initial draft submitted in 2024, in the consideration of which the Judicial Council was included only in the final stage, a threat to the independence of judges is visible.

### **Ministry of Justice**

Please see the information above on measures taken to follow-up on the recommendations received in the 2024 Report regarding the justice system.

### **Constitutional Court**

The regulation regarding the Civil Service Reform (including the level of remuneration for court staff), which came into force from 1 January 2024 and was mentioned in the 2024 Rule of Law report, was submitted to constitutional control. By its decision of 13 November 2024, the Constitutional Court decided to return the petition to the group of Seimas members to investigate the constitutionality of laws relating to changes in the regulation of civil service relation.<sup>27</sup> This decision was grounded on the fact that the petitioner had not put forward legal arguments to support its doubts. The return of a petition does not preclude the right to apply to the Constitutional Court according to the general procedure once the deficiencies of the petition have been removed.

### **Prosecutor General's Office**

In December 2024 the National Audit Office of the Republic of Lithuania has completed the performance audit "Managing the resources of the Public Prosecutor's Office in its function of organizing and directing pre-trial investigations" and published its final report. The audit did not establish flaws in the performance of the Prosecutor's Office and only provided recommendations for improvement in the areas of training, staff planning, asset management and performance monitoring.

On 1 January 2024 amendments to the Law on the Public Prosecution Service came into force which implemented the first phase of increase in the salaries of prosecutors. On 1 January 2025 – the second phase of salary increase came into force. The salary reform is considered completed and provides for the ratio between salaries of prosecutors and judges at on average 90 %. It should be noted that no additional budget was allocated by the government for the increase of salaries of the prosecutor's assistants and other staff of prosecutor's office thus creating a huge gap between wages resulting in the lower motivation of the employees and attractiveness of the work at the prosecution service for young lawyers.

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<sup>27</sup> <https://lrkt.lt/lt/teismo-aktai/paieska/135/ta3073/content>



- *Training of justice professionals (including judges, prosecutors, lawyers, court staff, clerks/trainees)*

### **Constitutional Court**

In 2024, the Constitutional Court justices shared experience through a few national and international conferences and meetings while cooperating with other national courts and other national institutions, as well as constitutional justice institutions of other states, and international courts.

In March 2024, justices of the Constitutional Court participated in a trilateral meeting of the constitutional justice institutions of the Baltic States (Estonia, Latvia and Lithuania). The justices chose two main topics for the discussion at this meeting: procedural guarantees deriving from the right to a fair trial and the constitutional protection of state language, and they presented the latest case law of their courts.

In April 2024, the justices of the Lithuanian and German Constitutional Courts discussed the contribution of the courts to dealing with topical issues related to national security interests and human rights in the face of threats to the democratic order, also those related to criminal prosecution and human rights, the assessment of the relationship between national fundamental rights on the one hand and the European Convention on Human Rights and the Charter of Fundamental Rights of the European Union on the other, as well as the ensuring of the existential minimum as a necessary condition for protecting the human dignity of vulnerable groups of persons.

In May 2024, the President of the Constitutional Court participated in the judicial forum and conference ‘20 years since the accession of 10 States to the European Union: A new constitutional moment for Europe’, dedicated to the 20th anniversary of the accession of 10 States to the European Union in Luxembourg.

In May 2024, the justices of the Constitutional Court participated in the XIX Congress of the Conference of European Constitutional Courts, held on the topic ‘The forms and limits of judicial deference: the case of constitutional courts’ in the Republic of Moldova.

In September 2024, the Constitutional Court was visited by a delegation from the European Court of Human Rights (ECtHR) and the discussion on the effective cooperation between the ECtHR and national courts was held.

In September 2024, the justices of the Constitutional Court participated in the annual international scientific-practical conference in the Seimas titled ‘Constitutional dialogue: who determines the tendencies of human rights?’ (the event is reflected in more detail in section ‘E. Initiatives to foster a rule of law culture’).

In December 2024, the staff of the Constitutional Court had trainings on possibilities of using artificial intelligence in the Court’s activities, as well as participated in the afore-mentioned national and international conferences and meetings dedicated for relevant constitutional jurisprudence and its development.

### **Ministry of Justice**

Every year the Ministry of Justice of the Republic of Lithuania suggests training topics reflecting the most relevant legal issues for the consideration of judicial self-governance bodies. For example, for 2025 the Ministry of Justice suggested training programs regarding the application of the United Nations Convention on the Rights of Persons with Disabilities and training programs regarding the features of safeguarding the interests of vulnerable participants in court proceedings, to name a few.

### **National Courts Administration**



The training system is considered to be effective and advanced and is becoming one of the main aspects of the attractiveness of the workplace in court.

Throughout 2024, the National Courts Administration successfully organized 64 seminars for judges and 55 seminars for court staff. A total of 119 training events were conducted, including 74 in-person sessions, 44 online seminars, and 1 hybrid session. Collectively, these initiatives trained 7388 court representatives, comprising 1537 judges and 5851 court staff, including personnel from the National Courts Administration.

Among the most well-received training programs were:

- “Improving Communication Between Judges, Assistants to Judges, and Hearing Clerks”;
- “Judicial Ethics”;
- “Increasing Psychological Resilience”.

In the realm of professional training, notable courses included:

- “Land Law”;
- “Protection from Violence Order”;
- “Contract Law: Recent Case Law and Topical Issues”.

Responding to global trends, specific attention was given to training on artificial intelligence and addressing the needs of persons with disabilities. Additionally, all court staff participated in essential programs, including:

- “Handling Personal Data in Courts”;
- “Improving the Quality of Face-to-Face Communication”.

This comprehensive approach reflects the Administration’s commitment to enhancing both the professional expertise and interpersonal skills of judges and court staff.

The judiciary of Lithuania sees all anti-corruption methods as one of the keystones for ensuring judicial independence. For this, in 2024 Lithuanian courts continued to emphasize transparency awareness among judges and court staff conducting specialized training. Firstly, a lecture of a topic “Creation of corrupt-free environment” has become a compulsory for introductory training of newly appointed judges. Secondly, other judges and court staff are being trained with the topics related to corruption prevention and corruption-related crimes, i.e. “International anti-corruption standards. Lithuania’s commitments”; “Creation of corrupt-free environment among judiciary”; “Integrity of the judiciary – a key prerequisite for the fight against corruption in the country”. Overall, 326 judges and other court staff were trained in 2024.

### **Special Investigation Service of the Republic of Lithuania**

The Special Investigation Service of the Republic of Lithuania (hereinafter – STT) in 2024 organized four training sessions for district and regional courts, attended by court staff, judges, and their assistants. The training topics focused on creating an anti-corruption environment, with special attention given to gift policies and the management of conflicts of interest. In total, 220 court representatives participated in these sessions.

In order to increase the competence of STT officers and partners in investigating and preventing the foreign bribery forms of corruption, STT from 2024 is implementing the project “Prevention and Detection of Corruption, Including Bribery, in International Business Transactions” (VSF/2023/331). The project consists of several components: adoption of good practices during international visits; organization of seminars for STT officers and partners in Lithuania; development of an educational training platform.

The first two seminars organized by STT took place in 12 November in Vilnius and 14 November in Klaipėda. During them, the essence of the prevention of bribery of foreign officials was presented to the Service’s partners, and special agent Ketrin Adam of the United States Federal Bureau of Investigation (FBI) shared expert insights. The training participants also had the opportunity to get acquainted with

practices in Europe. Andrejs Lisenko, a representative of the Anti-Corruption Bureau of the Republic of Latvia, shared practical insights, while the experience of the United Kingdom was shared by STT officers who gained knowledge during a visit to the United Kingdom<sup>28</sup>.

The following institutions participated in the seminars:

1. STT
2. Financial Crimes Investigation Service (FNTT)
3. State Security Service under the Ministry of Internal Affairs of the Republic of Lithuania
4. State Customs Service under the Ministry of Finance of the Republic of Lithuania
5. Police Department under the Ministry of Internal Affairs of the Republic of Lithuania
6. Public Procurement Office
7. Customs of the Republic of Lithuania
8. Customs Criminal Service
9. Prosecutor's Offices (General and District Prosecutors);
10. Lithuanian Courts
11. Ministry of Justice of the Republic of Lithuania
12. Mykolas Romeris University;
13. Institute of Law at the Lithuanian Centre for Social Sciences.

- *Digitalisation (e.g. use of digital technology, including electronic communication and AI tools, within the justice system and with court users, procedural rules, access to judgments online)*<sup>29</sup>

### **National Courts Administration**

Digitalization is one of the examples of progress in the Lithuanian judicial system. The judicial community has got ideas for further development, but the organizational aspects take time.

In 2024, the modernization of the LITEKO has continued. The development of LITEKO2 was carried out, i.e., the migration of LITEKO1 data and the integration of the portal e.teismas.lt. It is planned that the modernization of LITEKO2 will be completed and full operation of LITEKO2 will begin after completing all development stages by the beginning of 2026. It should be noted that such time limits do not meet the expectations of the judicial community and are determined by the capabilities of the service provider and not in all cases the proper fulfilment of its obligations.

In 2023, a new project “Effective E-access to Court Decisions” co-funded by the European Commission Justice Programme was started and concluded in October 2024. The aim of the project was to establish consistency in the application of EU law by integrating the European Case Law Identifier (ECLI) into Lithuania’s information system LITEKO. The project aimed to facilitate the search for national and EU court decisions. The objectives of the project were: 1) to analyze the best foreign practice and analyze the current situation of Lithuanian court practice related to the development of ECLI, 2) to install ECLI in LITEKO and create interfaces with ECLI search engine of the e.justice portal, 3) prepare a user manual and train the representatives of the courts. All project objectives were reached and planned results developed.

In November 2023, the National Courts Administration received a funding from the Council of Europe for introducing speech recognition software in courts of Lithuania and this initiative was implemented by March 2024. The speech recognition software was developed and introduced for usage for Lithuanian courts. This tool provides automated processing and transcription of audio recordings of court proceedings. However, this tool still needs to be improved.

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<sup>28</sup> <https://stt.lt/naujienos/7464/stt-ir-tarptautiniai-partneriai-kartu-pries-uzsienio-pareigunu-papirkima:3885>

<sup>29</sup> Factual information presented in Commission Staff Working Document of 2 December 2020, SWD(2020) 540 final, accompanying the Communication on Digitalization of justice in the European Union, COM(2020) 710 final and Figures 40 to 48 of the 2024 EU Justice Scoreboard, does not need to be repeated.

In 2024, during the implementation of the project “Improving Quality, Services, and Infrastructure in Lithuanian courts”, the final work on the development of Judges and Candidates to the Judicial Office Information System (hereinafter – TERIS) was completed. When developing TERIS, its functions were expanded: the processes of improving the qualifications of judges and court staff and organizing and managing training were additionally automated, making it possible to create and manage training, register participants, and automatically process training and training participant data and related information. TERIS is currently undergoing final validation processes. It is planned to begin using TERIS in full, creating conditions for using TERIS for both internal and external users in the first half of 2025.

### C. Efficiency of the justice system<sup>30</sup>:

☐ No developments

☒ If there have been developments related to efforts to improve the efficiency of the justice system (e.g. as regards length of proceedings), please specify: ...

- Length of proceedings

#### **Ministry of Justice**

On 13 June 2024 amendments to the Law on Mediation of the Republic of Lithuania were adopted<sup>31</sup> aiming to improve the legal regulation of mediation services based on the recommendations made after the ex-post evaluation on mandatory mediation in family disputes (which was carried out for the period from 1 January 2020 to 31 May 2022). The main objectives of the Law on Mediation of the Republic of Lithuania are:

- to determine that the self-governance of mediators is implemented by the Chamber of Mediators of Lithuania and to transfer part of the functions in the field of mediation to self-governance;
- to abandon the detailed regulation of the payment of mediation services financed from the state budget at the level of the law and to make it more flexible;
- to enhance the effective involvement of the parties in mandatory mediation;
- to establish the duty of the mediator to submit an annual report on the mediations completed in the previous calendar year;
- to establish the obligation for mediators to submit documents proving qualification improvement to the Chamber of Mediators of Lithuania every three years.

Some of these changes entered into force on 1 September 2024, while others took effect on 1 January 2025. To ensure the smooth implementation of the adopted law, the necessary implementing legal acts, such as amendments to the orders of the Minister of Justice of the Republic of Lithuania, have been also prepared and adopted in cooperation with the mediator’s community and other stakeholders<sup>32</sup>. Also, the necessary functionalities have been integrated into the Legal Aid Services Information System (TEISIS), which will allow the new subject of mediation organization – the Lithuanian Chamber of Mediators – to smoothly and efficiently organize mediation processes digitally.

<sup>30</sup> Under this topic, Member States are not required to give statistical information but should provide input on the type of information outlined under section 2.

<sup>31</sup> [XIV-2722 Lietuvos Respublikos mediacijos įstatymo Nr. X-1702 3, 4, 5, 6, 7, 8, 9, 10, 11, 15, 17, 20, 21, ...](#)

<sup>32</sup> [1R-229 Dėl teisingumo ministro 2018 m. gruodžio 31 d. įsakymo Nr. 1R-289 „Dėl Lietuvos Respublikos media... 1R-317 Dėl teisingumo ministro 2018 m. gruodžio 31 d. įsakymo Nr. 1R-289 „Dėl Lietuvos Respublikos media... 1R-347 Dėl teisingumo ministro 2018 m. liepos 16 d. įsakymo Nr. 1R-124 „Dėl Teisinės pagalbos paslaugų i...](#)

We hope that with the entry into force of all the specified changes, this method of dispute resolution will become more attractive, and this will lead to a decrease of the workload of courts.

### **National Courts Administration**

On 12 April 2024, the amendments of the Description of the Procedure for the Submission of Procedural Documents to the Court and Their Delivery to Persons by Electronic Means of Communication approved by the Minister of Justice of the Republic of Lithuania came into force<sup>33</sup>. The amendments are aimed at promoting the use of electronic means of communication in the jurisdictional activities of courts and the reduction of State budget funds allocated to court postal costs, as well as the efficiency of civil proceedings.

Changes in the legal regulation made it possible to submit procedural documents regarding the examination of a specific case to the court through the National Information System for the delivery of electronic parcels using the postal network (hereinafter – the E. delivery system). Persons who do not have an account on the portal e.teismas.lt, who have expressed their will to receive procedural documents from the court via the E. delivery system and who have got active electronic boxes of the E. delivery system, will be able to receive procedural documents via the E. delivery system. Moreover, provided the possibility to receive certain documents regarding the investigation of the filed case by the e-mail, and in such cases the need for the court to send procedural documents by regular mail will be reduced. It should be noted that the procedural documents initiating the case will continue to be submitted to the court by means of electronic communication only using the portal e.teismas.lt.

The Judicial Council aiming to solve one of the fundamental problems that determine the long duration of the process in the examination of the most important and complex criminal cases for the society, the employment of the participants in the process in other cases, by 29 September 2023 Resolution No. 13P-131-(7.1.2) approved The Description<sup>34</sup> of the Procedure for Recognizing Cases as Expedited and Coordinating Court Hearings in Them. One of the innovations of the legal regulation regarding the recognition of cases as expedited and the coordination of court hearings in them, established in the above-mentioned description, is a more effective mechanism for informing courts about expedited cases. Taking into account the provisions of the new legal regulation, a relevant tool was created for organizing court work and planning court hearings. The list of first and second-level cases recognized to be examined faster is published on the intranet website of the courts. In August 2024, the improvements of the mentioned tool started, which were carried out taking into account the expectations expressed by the courts and in order to ensure that it would become even more convenient and efficient when organizing the work of the courts. According to the improvements made, the list of cases recognized as expedited is presented in a table, which not only publishes all the information relevant to the courts related to expedited cases (both first and second level), but also provides an opportunity to search by sorting cases according to relevant information (the date and time of the hearing, level, case number, judicial panel composition, country, country type and position, event, court (chamber) or coordinator).

### **Constitutional Court**

In 2024, the length of the proceedings in the Constitutional Court is becoming shorter and the examination of the case takes approximately one year.

*Other – please specify*

### **National Courts Administration**

In May 2024, the Judicial Council applied to the Ministry of Justice of the Republic of Lithuania

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<sup>33</sup> <https://www.e-tar.lt/portal/lt/legalAct/f450c040f7b811eeb15a8086c0c045d4>

<sup>28</sup> <https://www.e-tar.lt/portal/lt/legalAct/01a6a090627f11eebc77e58877a83c4e>

initiating the amendments to the Law on Courts in order to regulate the activities of courts during mobilization and war.

## II. Anti-corruption framework<sup>35</sup>

*Please provide information on measures taken to follow-up on the recommendations received in the 2024 Report regarding the anti-corruption framework (if applicable):*

### A. The institutional framework capacity to fight against corruption (prevention and investigation / prosecution)

☐ No developments

☒ If there have been developments related to the institutional framework capacity to fight corruption, please specify which, in particular regarding topics listed below: ...

Relevant topics to be covered in your contribution include:

- *List any **changes** as regards relevant authorities (e.g. national agencies, bodies) in charge of prevention, detection, investigation and prosecution of corruption and the resources allocated to each of these authorities (the human, financial, legal, and technical resources as relevant), including the cooperation among domestic and with foreign authorities. Indicate any relevant measures taken to effectively and timely cooperate with OLAF and EPPO.*

### Special Investigation Service of the Republic of Lithuania

#### TECHNICAL RESOURCES

On 11 September 2024, the heads of the Lithuanian Police, the Financial Crimes Investigation Service under the Ministry of the Interior, the STT, the State Security Department, and the Second Department of Operational Services under the Ministry of National Defence signed a Memorandum on cooperation in implementing the concept for the development of the state analytical infrastructure for law enforcement, national security and defence. This cooperation aims to implement the concept of developing the state analytical infrastructure for law enforcement, national security, and defence, with the primary goal of creating an advanced analytical tool. The analytical tool being developed was codenamed "Falcon's Eye" due to its symbolic meaning - it helps to see the world from a bird's eye view, determines a proactive approach and perseverance, brings clarity to the events and processes taking place around us, and expands the horizons of thinking.

On April 3, 2024 the Lithuanian Police, Financial Crimes Investigation Service, the STT, the Public Institution "Money Laundering Prevention Competence Centre", the Lithuanian Banking Association and the Fintech Hub LT Association, signed a memorandum of cooperation<sup>36</sup>, which agreed to implement a modern software tool designed to facilitate the exchange of information and data. This tool will significantly contribute to the faster and more efficient investigation and prevention of various types of criminal acts. The new software will operate on the "one-stop shop" principle and will allow officers of the Lithuanian Police, the Financial Crimes Investigation Service and the STT to promptly submit requests electronically and receive data from credit, electronic money and payment institutions and banks

<sup>35</sup> Where previous specific reports, published in the framework of the review under the UN Convention against Corruption, of GRECO, and of the OECD address the issues below, please make a reference to the points you wish to bring to the Commission's attention in these documents, indicating any relevant updates, changes or measures introduced that have occurred since these documents were published.

<sup>36</sup> <https://www.stt.lt/naujienos/7464/policijos-ir-finansu-sektoriaus-partneriu-bendradarbiavimo-memorandumas-modernus-irankis-greitam-ir-kokybiskam-apsikeitimui-raktine-informacija:3768>



operating in Lithuania. One of the advantages of this tool is the reduction of the use of paper documents, thus saving not only time, but also financial resources.

## FINANCIAL RESOURCES

According to the STT statistical data of 31 December, 2024, 278 officers and employees work in the STT. In the year 2024, STT's new hires included nineteen officers and two additional employees, who were hired on a contractual basis, in total 21 new employees. A total of 25 employees have ended their employment contracts.

According to Article 14 part 1 of the Law on Special Investigations Service (hereinafter – the Law), the STT is financed from the state budget of Lithuania. For the year of 2024, the STT was allocated a total of EUR 17,903,000 from the state budget, of which EUR 373,000 were allocated to finance 11 additional positions. It is important to note that not all positions were filled due to various reasons. Also, out of these costs, EUR 822,900 were allocated for specialized technical equipment and other investigative necessities (excluding computers, staff salaries, transport, and communications; these are calculated separately and irrespective of investigation type). With regard to the budget, a significant allocation of €2,630,000 have been designated for organisation of the 21<sup>st</sup> International Anti-Corruption Conference (IACC).

## INTERNATIONAL COOPERATION

- On 18 June 2024, a memorandum of understanding<sup>37</sup> by the Basel Institute on Governance and the STT was signed in Vilnius. The purpose of this memorandum of understanding is to cooperate on the provision of support to the Government of Bulgaria to strengthen its ability to promote integrity, fight corruption and recover stolen assets in line with the objectives of the Anti-Corruption Programme.

- In September of 2024, the STT assumed complete responsibility for the functions of the **EPAC/EACN Secretariat**, previously handled together with the Austrian Federal Anti-Corruption Bureau.

- the 23rd Annual Conference and General Assembly of the European Partners against Corruption (EPAC) and the European Contact Point Network against Corruption (EACN) were held in Bucharest, Romania<sup>38</sup>. During the event, the Bucharest Declaration was adopted, aiming to strengthen the joint commitments of states to work together more effectively in combating corruption and building integrity, not only in the public sector but also by empowering society to act.

The event in Bucharest was attended by 170 participants representing nearly 100 institutions from over 30 European countries. Presentations were given by representatives of the United Nations, European Union, European Public Prosecutor's Office, Europol, the U.S. Department of Justice, and anti-corruption bodies from other countries. The Conference primarily focused on the challenges of investigating international corruption crimes, with significant attention given to innovative tools and methods for investigating financial crimes, high-level corruption cases, and international bribery investigations, as well as asset recovery procedures related to proceeds from corruption-related criminal activities. Breakout sessions explored the growing importance of big data analytics, its proactive use in uncovering corruption-related crimes, identifying potential corruption risks, contributing to the initiation of investigations, and successful case resolution.<sup>39</sup>

- Additional milestone worth mentioning is the 21<sup>st</sup> **International Anti-Corruption Conference (IACC)** which took place on the 18-21 of June 2024 in Vilnius **bringing together over 2,200 participants from more than 165 countries, including anti-corruption experts, policymakers, practitioners, and the academic community**. The theme of the 21st Conference in Vilnius was “Confronting Global Threats: Standing Up for Integrity”. Attendees included the President and Prime

<sup>37</sup> <https://www.stt.lt/data/public/uploads/2024/07/8-222-su-bazelio-institutu.pdf>

<sup>38</sup> <https://www.stt.lt/en/news/7481/the-23rd-epac-eacn-annual-conference-and-general-assembly-took-place-in-romania:3893>

<sup>39</sup> [https://www.epac-eacn.org/fileadmin/user\\_upload/EPAC\\_3rd\\_Newsletter\\_12-20\\_.pdf](https://www.epac-eacn.org/fileadmin/user_upload/EPAC_3rd_Newsletter_12-20_.pdf)



Minister of Lithuania, the Secretaries-General and Executive Secretaries of the OECD, Council of Europe, UN Economic Commission for Europe, as well as leaders from the World Bank, Europol, Interpol, Transparency International, the US Department of State's Global Anti-Corruption Coordinator, and the White House National Security Council's Anti-Corruption Head, among others. The final day of the conference saw the publishing of the Vilnius Declaration, which included various recommendations to state leaders, international organisations, anti-corruption authorities, etc.

## **PARTICIPATION IN THE EU-FUNDED ACTIVITIES**

The STT continues to be an active participant in the EU-funded projects both in terms of improving its own capacities and in terms of sharing its best practices with other counterparts within and outside the EU.

### **NEW PROJECTS:**

- On April 15, 2024, the European Union's Twinning project **"Strengthening capacities of the Agency for the Prevention of Corruption and Coordination of Fight against Corruption"** officially launched in Bosnia and Herzegovina. The STT is participating as a junior partner.

The main partner of the Project is the Italian National Anticorruption Authority (ANAC). Additionally, the project involves the Police Department of the Ministry of Internal Affairs of the Republic of Lithuania, anti-corruption experts from Austria and Germany.

The beneficiary of this project is the Agency for the Prevention of Corruption and Coordination of Fight against Corruption (APIK) of Bosnia and Herzegovina. The aim of this project is to consolidate the APIK's key technical and functional capacities so that it can lead Bosnia and Herzegovina toward more strategic anti-corruption (prevention) policies.

The project, which will last for 24 months, is funded with 1 million euros from the European Commission.

The STT will be responsible for the successful implementation of individual Project components and activities. The administrative and financial management of the project will be ensured by the ANAC. This is already the eighth EU Twinning project implemented by the STT.

- On May 2, 2024, the project **"Prevention and Investigation of Corruption, Including Bribery in International Business Transactions"** (VSF/2023/331) was launched.

The aim of the project is to adopt the best practices of EU Member States and other countries to strengthen the capabilities of STT officers to prevent bribery in international business transactions, identify and investigate such international criminal acts of corruption, while at the same time forming strong attitudes among young people, strengthening their resistance to corruption as future professionals and leaders in the public or private sectors and a responsible approach to creating an anti-corruption environment in the global economy, both within and outside the country.

During the implementation of the project, officers of the STT, having become acquainted with the experience of institutions of other countries during visits and seminars, will strengthen their competencies in identifying and investigating bribery, in international business transactions and in preventing these criminal acts. Total of 10 visits are planned to the institutions of the United States of America, the Federal Republic of Germany, the United Kingdom of Great Britain and Northern Ireland, Canada, the Kingdom of Norway, the Swiss Confederation, the Italian Republic, the Kingdom of the Netherlands, the French Republic and the Republic of Austria, 8 seminars, in which not only STT officials will participate, but also the representatives of other institutions whose activities may contribute to the identification of cases of international bribery of foreign officials will be invited to participate, will be organized in Lithuania. Additionally, an educational anti-corruption education tool will be created, creating conditions for teachers to teach anti-corruption awareness in a quality manner.

The project is co-financed by the Internal Security Fund 2021–2027 program. The end of the project is

2027. January 31, duration – 33 months.

- On 20th September the European Commission's Directorate-General for Structural Reform Support (DG REFORM) and the Organization for Economic Co-operation and Development (OECD) together with STT launched a project **"Introduction of digital innovations in law enforcement and development of a model for identification of corruption risks based on artificial intelligence in cases of use of public and European Union funds"**<sup>40</sup>. During the project, the OECD will advise on the improvement of STT data management and help develop a risk assessment tool based on artificial intelligence technology to identify the risks of corruption in the use of public funds. In order to more effectively identify corruption risks, using state budget and EU funds, a data-based fraud and corruption risk assessment methodology will be developed during the implementation of the project. This methodology will be the basis for creating a machine learning solution that will integrate and use various state data sources (registers and information systems) in order to automate and improve the risk assessment of state budget funds, EU funding, grants and subsidies from an anti-corruption point of view.

#### **STT CONTINUED ITS SUCCESSFUL IMPLEMENTATION OF THE FOLLOWING PROJECTS IN 2024:**

- **"Strengthening capacities of the STT to investigate digital evidence" (SCIDE).** Implementation period is 2 years (covers the years 2024–2025). The project is funded by the Union Anti-Fraud Programme. The objective of the project is to keep up to date and improve detection and investigation abilities of the STT involved in the protection of the Union's financial interests in Lithuania by obtaining the license of IT forensic tool "Graykey" which is used as the one of the key components of STT IT forensic toolset.

- The STT as member of the Secretariat of the **European Partners against Corruption (EPAC) and the European Union Anti-Corruption Contact Network (EACN) continued the implementation of the project „EPAC/EACN best anti-corruption practice exchange“ (No. 101101788)**, (hereinafter – BACPE), funded by Union Anti-fraud Programme. The BACPE project provides EPAC/EACN members an opportunity to visit other EPAC/EACN members, personally meet colleagues, learn from one another, and collaborate to prevent and combat corruption in Europe. The two-year project consists of two components: **study visits** and **conferences**. During the course of this project, experts of EPAC/EACN members share their expertise and practices on six key topics: Whistle-blower protection, Asset recovery, Corruption risk assessment and management, Anti-Corruption awareness raising, Criminal investigation of corruption and fraud, Big Data analysis. Moreover, two EPAC/EACN Annual Professional Conferences and General Assemblies (2023, 2024) were partially financed under the BACPE project.

#### **COMPLETED PROJECTS**

- 2022-2024 the STT and its national partners implemented a **twinning project in Azerbaijan – "Support to the reform of the criminal asset recovery and management system in Azerbaijan"**. The aim of the project was to improve the efficiency of criminal justice through modernization of the asset recovery and management system in line with EU and international best practices, with a special focus on the return of corrupt assets to the State. The project aimed to strengthen the institutional and operational capacity of the Department for the Coordination of Special Confiscation Issues of the Prosecutor General's Office (DCSCI) to ensure that it fully fulfils its mandate in the area of criminal property detection, tracking and recovery as well as asset management.

During the project implementation, national legislation reviewed and developed to provide the legal measures to facilitate the recovery of proceeds of corruption. In addition to the STT, which was a leading

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<sup>40</sup> <https://stt.lt/nauijenos/7464/bus-kuriamas-unikalus-dirbtiniu-intelektu-gristas-korupcijos-riziku-vertinimo-modelis:3856>

authority in implementing the project, the EU Twinning Project involved 6 other Lithuanian institutions: the Supreme Court of Lithuania, the Prosecutor General's Office, the Ministry of the Interior, the Financial Crime Investigation Service under the Ministry of the Interior, the Lithuanian Criminal Police Bureau, State Tax Inspectorate under the Ministry of Finance of the Republic of Lithuania.

- **The Internal Security Fund project No. VSF/2023/133 “Improvement of IS used by the STT” was implemented in 2024.** The aim of the project was to ensure reliable connectivity of STT information systems with the information systems of other institutions, increasing the reliability of STT information systems, ensuring uninterrupted communication between remote divisions using STT information systems, improving the ability to properly and securely manage data necessary for STT activities, the implementation of established tasks and inter-institutional cooperation, ensuring the continuity of STT information systems.

The installation of the planned equipment in STT information systems strengthened capacities in the fight against corruption, created opportunities for more accurate identification of corruption threats, which increased the effectiveness of corruption control carried out during criminal intelligence and prosecution activities.

- *Safeguards for the functional independence of the authorities tasked with the prevention and detection of corruption.*

### **Special Investigation Service of the Republic of Lithuania**

On 31 October 2023, the Lithuanian Parliament (Seimas) created a temporary investigative commission led by MP Vytautas Bakas, which worked from 31 October 2023 to 25 March 2024. The commission was tasked with investigating information provided by a whistle-blower from the State Security Department (VSD).

The commission's activities drew criticism from the Prosecutor General's Office, the Special Investigation Service (STT), and the State Security Department (VSD). These institutions claimed that the commission may have overstepped its mandate. The Prosecutor General's Office referred the matter to the Seimas Ethics and Procedures Commission, requesting an evaluation of the commission's actions.

Seimas Ethics and Procedures Commission concluded that the temporary investigative commission exceeded its authority.<sup>41</sup>

The Seimas opposition has appealed to the Constitutional Court to assess the legality of the temporary parliamentary commission. On 7 May 2024, the Constitutional Court decided to investigate this question.<sup>42</sup> The Constitutional Court has not yet adopted its ruling.

The temporary investigative commission continued its work and presented its findings to the Seimas. On 4 June 2024, the Parliament voted in favour of the findings of temporary investigative commission.<sup>43</sup>

- *Information on the implementation of measures foreseen in the strategic anti-corruption framework (if applicable). If available, please provide relevant objectives and indicators.*

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<sup>41</sup> [https://www.lrs.lt/sip/portal.show?p\\_r=40888&p\\_k=1&p\\_t=288444](https://www.lrs.lt/sip/portal.show?p_r=40888&p_k=1&p_t=288444)

<sup>42</sup> <https://lrkt.lt/lt/apie-teisma/naujienos/1331/priimtas-nagrineti-prasymas-ivertinti-seimo-laikinosios-tyrimo-komisijos-tyrusios-galima-neteiseta-poveiki-2019-m.-prezidento-rinkimams-sudarymo-konstitucinguma:660>

<sup>43</sup> Parliament's decision approving findings of the temporary investigative commission: <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/d9ae160024b511efb121d2fe3a0eff27?positionInSearchResults=0&searchModelUID=7e9f6704-7c5c-4000-a222-bfc03c16a769>

## B. Prevention

☐ No developments

☒ If there have been developments related to the prevention of corruption, please specify which, in particular regarding topics listed below: ...

### **Special Investigation Service of the Republic of Lithuania**

In 2024, the STT organized 113 training sessions for public sector representatives, with over 2,200 participants attending. The training topics included conflict of interest management, gift policies, creating an anti-corruption environment, and leadership in fostering transparency.

*Relevant topics to be covered in your contribution include:*

- *Measures to enhance integrity in the public sector (including as regards incompatibility rules, revolving doors, codes of conduct, ethics).*

### **Constitutional Court**

The Government's programme published at the end of 2024<sup>44</sup> includes ensuring that appointments to the Constitutional Court meet international standards and are depoliticised. The Government still has not specified measures on implementing its programme.

- *Measures to enhance general transparency of public decision-making (including rules on lobbying, asset and interest disclosure rules, gifts policy, transparency of political party financing).*

### **Constitutional Court**

The Constitutional Court of Lithuania adopted its ruling of 26 September 2024<sup>45</sup> related to the issue of financing political parties. The Court decided that the legal regulation on the financing of new political parties registered after the election to the Seimas was not in conflict with the Constitution. By this ruling, the Constitutional Court recognised that the provision 'State budget appropriations shall be allocated until the first election to the Seimas after the registration of a new political party' of paragraph 6 of Article 21 of the Law on Political Parties had not been in conflict with the Constitution.

Under the impugned legal regulation, state budget appropriations were allocated to a new parliamentary political party registered after an election to the Seimas until the next election to the Seimas and not until the end of the budgetary year during which the election to the Seimas takes place, as was the case with the parties that had participated in the previous Seimas elections.

The Constitutional Court noted that the Constitution does not give rise to the duty of the legislature to consolidate such a legal regulation under which state budget appropriations would be allocated to political parties that had not participated in the election. However, if the legislature consolidates such a possibility, in such a case it must take into account the requirements stemming from the Constitution, among others, paragraph 3 of Article 35 thereof and from the constitutional principles of a state under the rule of law, the protection of legitimate expectations, justice, and responsible governance, to establish such a legal regulation that would ensure the proper, transparent, and public distribution of state budget funds to political parties according to the procedure established by means of a law, among other things, the clear and objective criteria and/or conditions and other essential elements (*inter alia*, time limits) of

<sup>44</sup> <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/d4b57910b89711efbb3fe9794b4a33e2?jfwid=-wdjtcz3j>

<sup>45</sup> <https://lrkt.lt/lt/teismo-aktai/paieska/135/ta3056/content>

the distribution of state budget funds to political parties.

The Constitutional Court held that, having established in paragraph 6 of Article 21 of the Law on Political Parties the clear and objective criteria and conditions that were to be satisfied by a new political party registered after the election to the Seimas in order to receive state budget appropriations for funding its activity and other essential elements of the distribution of state budget funds, among others, having *expressis verbis* consolidated the time limit until which state budget appropriations were allocated to a new political party registered after an election to the Seimas, the legislature took into account the requirements arising from the Constitution.

The Constitutional Court also stated that, as of 1 January 2019, different models of funding political parties from state budget appropriations were applied to political parties that had participated in the election and to new parliamentary parties registered after the election to the Seimas. Therefore, contrary to what was maintained by the petitioner, under the impugned legal regulation, established in paragraph 6 of Article 21 of the Law on Political Parties, that state budget appropriations are allocated to new political parties registered after an election to the Seimas until the first election to the Seimas after the registration of a new political party, such political parties could not acquire legitimate expectations that they would be allocated state budget appropriations for funding their activities for a period different from that indicated *expressis verbis*, i.e. until the same time limit as the parties that participated in the elections.

In addition, on 12 December 2024, the Constitutional Court accepted for consideration<sup>46</sup> the application from the Supreme Administrative Court of Lithuania requesting an investigation into whether the provision of the Law on Lobbying Activities, insofar as it provides for an exception for a legal person which represents and/or unites legal persons pursuing business purposes or associations uniting such legal persons and considers as lobbying activity an opinion expressed by such a legal person in relation to a legislative act, contradicts Articles 25, 29, 35 of the Constitution (enshrining freedom to express convictions and freedom of information, equality of persons, and freedom of association respectively) and the constitutional principle of a state under the rule of law.

- *Measures to prevent conflicts of interest in the public sector. Please specify the features and scope of their application (e.g. categories of officials concerned, types of checks and corrective measures depending on the category of officials concerned).*

### **Chief Official Ethics Commission**

Chief official ethics commission has developed three new distance learning programs on the following topics: Post-service restrictions; Identification and management of conflicts of interest; Lobbying activities. Also prepared a questionnaire for institutions to assess their compliance with the Law on Adjustment of Public and Private Interests and Lobbying Activities. After answering the questions of the questionnaire, recommendations for improving the performance are immediately provided. These recommendations can help the institutions themselves to strengthen their abilities in carrying out the control of the declaration of private interests and the declaration of lobbying influence experienced, managing conflicts of interest. The Commission organized eight remote meetings (discussions) with compliance officers. During the meetings it was discussed about the existing legal regulation of the management of conflict-of-interest situations; the representatives of the Commission shared their insights and the latest Commission's and court practice; consequences of unmanaged conflict of interest were discussed and examples of proper conflict of interest management were presented and other topics were discussed to enable compliance officers in their institutions to properly perform their assigned functions.

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<sup>46</sup> <https://lrkt.lt/lt/teismo-aktai/paieska/135/ta3086/content>



→ For the three previous points, **please also provide information and figures on their application/enforcement**, such as number of detected breaches/irregularities of the various rules in place and the follow-up given (investigations, sanctions, etc.).

- Measures to ensure whistleblower protection and encourage reporting of corruption, including their application (i.e. number of reports received, and the follow-up given).

### **Ministry of Justice**

The Ministry of Justice, aiming to ensure legal clarity and certainty regarding the transposition of Directive (EU) 2019/1937<sup>47</sup> and to implement the recommendation provided in the Phase 3 evaluation report on Lithuania by the OECD Working Group on Bribery in International Business Transactions (WGB)<sup>48</sup>, has prepared a draft law amending Articles 7 and 10 of the Law on the Protection of Whistleblowers No. XIII-804<sup>49</sup>. This draft law was adopted on 7 November 2024 and entered into force on 12 November 2024<sup>50</sup>. The amendments introduced by this law include specific provisions that oblige entities processing information on infringements or reports not to collect personal data that are manifestly irrelevant to the processing of the specific information on the infringement or report, or, if such data have been collected accidentally, to delete them without delay. Furthermore, the amendments explicitly establish a prohibition against adverse effects on a broader range of persons, including facilitators who support the process of reporting information on infringements obtained in work-related circumstances, as well as legal entities owned by, employing or otherwise associated with the whistleblower in work-related circumstances.

- *Specific measures to enhance transparency, integrity and accountability in sectors with high risks of corruption, with a view to monitor and prevent corruption and conflict of interests, and where applicable measures to prevent and address corruption committed by organised crime groups.*
  - *Such high-risk sectors could include: public procurement, including construction, transport/infrastructure, defence, cohesion, agriculture, environment, healthcare, citizen/residence investor schemes, large-scale investments of national interest and the spending of EU funds, urban planning.*

### **Public Procurement Office**

One of the areas of concern is the persistently high indicator in Lithuania's public procurement reflecting the share of procurement processes with no competition among suppliers (referred to as the "single supplier" indicator). The Public Procurement Office places particular emphasis on monitoring and improving this indicator. This is reflected not only in the preventive inspections carried out by the Public Procurement Office but also in public education, close inter-institutional cooperation and specific projects.

In 2024, the Public Procurement Office continued the activities of the project "Increasing the Number of Suppliers in Public Procurement", launched in 2023. Training sessions for suppliers were organized to enhance their competencies. These training sessions not only improve suppliers' ability to recognize

<sup>47</sup> <https://eur-lex.europa.eu/eli/dir/2019/1937/oj/eng>

<sup>48</sup> [https://www.oecd.org/en/publications/implementing-the-oecd-anti-bribery-convention-phase-3-report-lithuania\\_640d636a-en.html](https://www.oecd.org/en/publications/implementing-the-oecd-anti-bribery-convention-phase-3-report-lithuania_640d636a-en.html); Recommendation No. 10 (b).

<sup>49</sup> <https://e-seimas.lrs.lt/portal/legalAct/lt/TAP/7b9c1760864411ef84ff9693ecd03ff5?jfwid=-38uu7i7jj>

<sup>50</sup> <https://www.e-tar.lt/portal/lt/legalAct/c9806672a03911efa605b9842742bf37>



corruption risks but also contribute to fostering competition, which is a key factor in reducing corruption risks. The Public Procurement Office plans to continue this activity by expanding the scope of training and focusing on promoting competition.

In 2024, the Public Procurement Office presented analytical findings revealing the reasons for the persistently high "single supplier" indicator in Lithuania. A targeted initiative was directed at 30 contracting authorities with the poorest performance regarding this indicator. The aim of this initiative was to encourage contracting authorities to independently identify the primary causes of single-supplier procurements within their organizations and to develop solutions for improving this indicator.

To ensure greater competition in procurement and to promote more active participation by small and medium-sized enterprises (SMEs), the Public Procurement Office approved the 2024–2026 Supplier Engagement Action Plan (hereinafter referred to as the Plan) in 2024 and outlined measures for its implementation. The purpose of the Plan is to ensure a consistent increase in the number of newly registered suppliers in the Central Public Procurement Information System during each reporting year of the 2024–2026 period and to enhance their interest in participating in public procurement processes, including those conducted by contracting entities in the water management, energy, transport, or postal services sectors. The Plan establishes an effective system of measures aimed at achieving these goals. The Public Procurement Office emphasizes that actively analysing the causes of single-supplier procurements and implementing solutions can not only increase competition but also ensure the transparency, efficiency, and competitiveness of public procurement procedures.

The Public Procurement Office periodically makes presentations on significant topics. For example, based on the analysis of the reasons for the single-bid, in November 2024 the topic "How to attract more suppliers" was presented in the networking event of central purchasing bodies of municipalities. The Public Procurement Office, together with the national Central Purchasing Body, also carried out training for educational institutions in the field of catering procurement. These workshops enhance the capacity to identify corruption risks while also promoting competition, a crucial element in mitigating such risks. The Public Procurement Office collaborates closely with the Special Investigation Service, the Competition Council of the Republic of Lithuania, the Chief Official Ethics Commission, and the national Central Purchasing Body to enhance public procurement practices and ensure transparency, efficiency, and ethical standards. Its cooperation with the Special Investigation Service includes sharing public procurement data under a formal agreement, implementing joint projects, providing expertise, and exchanging knowledge on procurement and corruption prevention. The Office works with the Chief Official Ethics Commission to promote ethical conduct in public institutions and ensure compliance with integrity standards. Additionally, it partners with the Central Purchasing Body to facilitate transparent and efficient procurement by supporting the centralized acquisition of goods, services, and works through electronic catalogues and expert assistance.

The Public Procurement Office has approved the standard terms and conditions for goods contracts, which are mandatory for contracting authorities from March 1, 2024, and the standard terms and conditions for service contracts, which will be mandatory from March 1, 2025. By standardizing and making these contract terms mandatory, both suppliers and contracting authorities are clearly required to adhere to the same rules. This helps ensure that all suppliers are evaluated under the same conditions, reducing the possibility of negotiating contract terms that could be beneficial only to a particular supplier. In 2024, the Public Procurement Office carried out procurement governance inspections of 14 central contracting authorities at municipal level. The period of the governance inspections was 2023, i.e. the first year of this type of activity in municipalities (it should be recalled that according to the legislation

of the Republic of Lithuania, the obligation for the municipalities to have at least one central contracting authority has been in force since 1 January 2023). Taking into account the fact that it was found that the maturity of the centralization of procurement at the level of municipalities was quite low, the Public Procurement Office focused on the formulation of recommendations for improvement of the centralization of the activities related to procurement.

As already reported in previous years, on January 5, 2024, the contract for developing the new e-procurement system SAULE was terminated due to a supplier's breach of contract. A procurement procedure for the development of a new Central Public Procurement Information System (CPPIS) is planned to be launched in the near future. In the meantime, the Public Procurement Office has now purchased a CVP IS system as an interim solution, which operates on a data-driven basis and ensures continuity of the process.

In 2024, the contracting authorities added 57 suppliers to the List of Unreliable Suppliers and 13 suppliers to the List of Suppliers who have provided False. In view of the recurring questions and mistakes made by procuring entities in adding suppliers to the above-mentioned Lists and in removing suppliers from the Lists, the Public Procurement Office regularly prepares and publishes Information Notices, highlighting the key points to be addressed by contracting authorities when applying these measures.

The Public Procurement Service has added new reports for monitoring centralisation to the Procurement Map – Lightboard, a publicly available analytical tool in 2024, which updates information in real time:

1. the overall values of procurement indicators achieved by municipal administrations and bodies under their control;
2. the extent of centralisation of public procurement at ministerial level. This report allows for an analysis of the evolution of the volume and extent of centralisation of procurement between 2021 and the present, both overall and by individual ministries and their subordinate organisations, for the ministries and their subordinate organisations for which the centralisation of procurement is monitored;
3. the level of centralisation by individual Common Procurement Vocabulary (CPV) code(s). This report allows for an analysis of the centralisation of individual or groups of CPV codes - what proportion of the purchases of the selected CPV codes, in terms of number and value, are centralised and through which central contracting authorities.

In conclusion, the Public Procurement Office highlights that managing systemic corruption risks requires the pursuit of effective technical solutions, public education and close inter-institutional cooperation. Acting within its competence, the Public Procurement Office ensures continuous education, monitoring and control of high-risk indicators to achieve transparency and efficiency in public procurement.

### **Special Investigation Service of the Republic of Lithuania**

#### **Implementation of the National Anti-corruption Agenda for the period of 2022-2033**

During implementation of the National Anti-corruption Agenda for the period of 2022-2033 (hereinafter – Agenda), STT issued the monitoring report<sup>51</sup> for the first year of the implementation of the new 2023-2025 Plan for the implementation of the Agenda (hereinafter – Plan). To ensure the systemic and clear monitoring and evaluation process for the whole period of the implementation of the Agenda STT has developed a Methodology for monitoring and evaluating progress<sup>52</sup>. The document explains the actions

<sup>51</sup> <https://stt.lt/data/public/uploads/2024/06/ndkpk-stebesenos-ataskaita-2024>; <https://stt.lt/nauijenos/7464/atlikta-nacionalines-darbotvarkes-korupcijos-prevencijos-klausimais-igyvendinimo-2023-m.-stebesena:3829>

<sup>52</sup> <https://e-tar.lt/portal/lt/legalAct/9be0e680346a11efbdae558de59136c>

of the STT in the processes of monitoring and evaluation, the information needed for these processes, explains how the measures of the Plans for the Agenda are evaluated etc., which makes the process clear for the implementors of the measures.

Positive efforts to achieve progress in the implementation of the Agenda were noted during the first monitoring stage, e. g.:

- to achieve coordinated implementation of the measures provided in the Plan and timely identification of possible implementation problems, a working group was established by Order No. 1R-327 of the Minister of Justice of the Republic of Lithuania of 16 October 2023 "On the Establishment of a Working Group". The working group discusses the progress made in implementing the measures assigned to the implementers of the Plan, issues that arose during the implementation and possible solutions, possible amendments to Plan, etc. 3 working group meetings were held in 2024;
- in 2023, 74 percent of the Plan measures provided for the entire period of 2023–2025 have been implemented or their implementation has started and is being monitored;
- some implementers started preparations and implementation of the measures in advance, although the implementation of these measures and achievement of the result indicator are scheduled for later years (not 2023).

The Plan includes measures for high-risk sectors, such as public procurement, healthcare, construction, environment, spending of EU funds, also measures for better management of conflicts of interest, lobbying, for transparency of election financing, strengthening of whistle-blower protection.

In 2024, STT Corruption Prevention Department also conducted more than 20 anti-corruption assessments of legislation and draft legislation, as well as 9 corruption risk analyses with a focus on high-risk areas (healthcare, construction, environment, etc.), where the STT provided recommendations to decision-makers to address identified corruption risks.

To enhance integrity in public sector STT has updated the Guidelines for Creating an Anti-corruption Environment in the Public Sector<sup>53</sup>, as well as Corruption Prevention Department carried out or participated in 18 methodological advice events, including 3 regional workshops for the corruption prevention specialists of all municipalities, to build their competence in applying the Law on Corruption Prevention and its measures, 4 meetings in different municipalities for the mayors, members of anti-corruption commissions and municipality councils, heads of municipality institutions to raise their anti-corruption awareness and leadership in promoting integrity.

The new Regulation for the Integrity Academy was adopted<sup>54</sup> with the view of establishing the capacity building program for the corruption prevention specialists of the public sector entities.

STT is also promoting new practice in corruption prevention – Strategic Anti-Corruption Recommendations for the ministers. The first one was discussed with one of the newly appointed ministers in 2024, and in 2025 all newly appointed ministers, including Prime Minister, each will receive the recommendations from STT. The main aims of this initiative – to manage corruption risks and ensure that anti-corruption file is in the agenda of the ministers, to promote leadership in public sector and minimize corruption risks not only in a particular public sector institution, but in the whole sector. These recommendations contain main corruption risks that were identified and not yet eliminated in the area of responsibility of the minister, and where appropriate recommendations on possible solutions have been provided. The STT plans to follow-up on how recommendations are being implemented by the ministries.

Fostering the engagement of the private sector in creation of anti-corruption environment, the meeting of the business associations and confederations took place in December 2024 at the STT to exchange mutual assistance in identifying possible corruption risks and building anti-corruption environment both

<sup>53</sup> <https://stt.lt/data/public/uploads/2024/10/stt-doc-final-en.pdf>

<sup>54</sup> <https://e-tar.lt/portal/lt/legalAct/f3f50c418f8511efa605b9842742bf37>

in private and public sectors.

### **Public procurement in public-private partnerships**

In Lithuania, the effective implementation of public procurement laws and regulations governing public-private partnerships remains incomplete, particularly in narrowly interpreting the connections between corporate groups and their constituent companies. This approach creates opportunities for abuse, where companies operating within a group can evade accountability or exploit legal loopholes to participate in public procurement processes.

A recent ruling by the Lithuanian Supreme Court<sup>55</sup> clarified that a corporate group should be treated as a unified organizational entity, with its legal and de facto leaders possessing managerial and controlling powers over the other companies within the group. This interpretation strengthens accountability and transparency by ensuring that group leaders cannot avoid responsibility for the actions of the companies within the group.

Based on this legal doctrine, it is necessary to revise practices that allow companies to participate in public procurement or critical state strategic projects if their parent companies or controlling entities have been convicted in corruption cases. Such restrictions would be a significant step in preventing corruption from influencing strategic state projects and ensuring the transparent use of public funds.

It is therefore essential not only to update relevant legislation but also to ensure its practical enforcement, aiming for more effective control of public procurement and stricter accountability for corruption at all levels within corporate groups. These measures would not only enhance public trust in state institutions but also foster a fair and transparent public procurement environment in Lithuania.

### **Prosecutor General's Office**

In 2024, Lithuania continued to strengthen the implementation of the Whistleblower Protection Law (WPL) to promote reporting and ensure whistleblower protection. The following measures were implemented:

#### **Receiving Reports as an External Channel**

The Office of the Prosecutor General remains the sole external reporting channel under the WPL. Reports are either examined directly or forwarded to competent institutions, with oversight maintained to ensure proper follow-up and investigation. Whistleblowers are kept informed of the status and outcomes of their reports in a very short terms, in 10 working days they are informed which authority will investigate the report.

Specific data on the number of reports received, persons recognized as whistleblowers, and investigation outcomes for 2024 will be compiled at the beginning of the year and made available by the end of January 2025.

#### **Organizing Tailored Training Sessions**

In 2024, extensive training sessions (online and in person) were conducted to enhance the capacity of institutions and professionals involved in whistleblowing. In 2024 – **8025** people attended trainings. These sessions introduced new guidelines and methodologies tailored to the specific roles and functions within the whistleblowing process.

Training was delivered to key institutions, including ministries, municipalities, healthcare providers, and other public organizations. Public outreach efforts included lectures at universities and a forum on whistleblower protection.

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<sup>55</sup> <https://www.lai.lt/naujienos/lietuvos-aukscausiojo-teismo-sprendimas-mg-baltic-byloje-apkaltinamasis-nuosprendis-paliekamas-galioti/1840>

### Launching Awareness-Raising Campaigns

A targeted public awareness campaign continued in 2024 to educate stakeholders about whistleblower protections and the importance of reporting wrongdoing. Key initiatives included:

- Video and audio materials explaining the reporting process and protections,
- Articles and interviews on national media platforms, and
- The website [www.pranesktiesia.lt](http://www.pranesktiesia.lt), which provides legal resources, reporting forms, and real-life examples of whistleblower protections in action.

*The campaign's impact will be assessed in early 2025, with a detailed evaluation provided thereafter.*

### Guidelines issued in 2024

In 2024, the Office of the Prosecutor General issued new recommendations to support whistleblowers and internal reporting channels:

- **Recommendations for Whistleblowers:** These include guidance on where and how to report, the steps to take during the reporting process, and concise advice to ensure whistleblowers understand their rights and protections.
- **Recommendations for Internal Channels:** A comprehensive step-by-step guide was developed for organizations on how to establish internal reporting channels. Additionally, a checklist was provided for organizations to evaluate whether all necessary steps have been taken to ensure effective and compliant reporting mechanisms.

These recommendations are available on the specialized website dedicated to whistleblower protection, run by the Prosecutor General's Office:

- [Guidelines for whistleblowers](#)
- [Guidelines for internal reporting channels](#)
- [Comprehensive whistleblower protection guidelines](#)

Public and private organizations are encouraged to publish these recommendations on their websites and utilize them for employee training purposes to promote awareness and effective implementation of whistleblower protection measures.

### Training for Auditors

In response to OECD recommendations<sup>56</sup> to provide specialized training for auditors, dedicated sessions were organized in 2024 for the **Lithuanian Chamber of Auditors**. These sessions focused on equipping auditors with the knowledge and tools needed to identify, report, and respond to whistleblower reports effectively.

The training aimed to ensure auditors could recognize risks related to corruption and fraud while maintaining compliance with whistleblower protection laws. These efforts strengthen the role of auditors as key partners in fostering transparency and accountability across organizations.

### Training for Public Procurement Specialists

Specialized lecture was also provided in 2024 for public procurement specialists. The training was tailored to enhance their ability to identify and mitigate risks of corruption and fraud within public procurement processes, ensuring compliance with whistleblower protection regulations.

It is considered that in 2025, these specialized training sessions will continue for public procurement specialists. This ongoing effort reflects a commitment to strengthening their expertise and supporting transparency and accountability in public procurement practices.

### Planned Campaign for 2025

In 2023 and 2024, the healthcare sector was identified as a high-risk area for corruption and targeted with specialized training on whistleblower protection. In 2024 more than 600 employees from healthcare sector were participating in specialized training.

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<sup>56</sup> [https://www.oecd.org/en/publications/implementing-the-oecd-anti-bribery-convention-phase-3-report-lithuania\\_640d636a-en.html](https://www.oecd.org/en/publications/implementing-the-oecd-anti-bribery-convention-phase-3-report-lithuania_640d636a-en.html)



In 2024 we started to organize a big campaign for this sector, which will be launched in 2025. It will include a sector-wide survey to assess awareness of whistleblower protection laws and reporting mechanisms. Based on the survey results, tailored measures will be implemented, including: additional training sessions, recommendations for improving reporting mechanisms, and methodological assistance, such as guidelines and best practices.

### **Recommendations for handling cases initiated by whistleblower reports. (new project)**

A significant project was initiated by the Office of the Prosecutor General to enhance recommendations for prosecutors handling cases initiated based on whistleblower reports.

Previously, recommendations focused only on initiating a pre-trial investigation after receiving whistleblower information. The new project expands these recommendations to cover all stages of a criminal case, ensuring comprehensive guidance for prosecutors.

The purpose of the recommendations is to:

- **Regulate the procedure for initiating pre-trial investigations** after receiving information under the Whistleblower Protection Law, and
- **Detail the organization of pre-trial investigations** in cases where offenses reported under the WPL are being investigated, with a specific focus on ensuring the confidentiality of whistleblowers.

These updated recommendations will provide a unified framework for prosecutors, reinforcing the effectiveness and consistency of criminal investigations arising from whistleblower reports.

### **C. Repression**

☐ No developments regarding the repression of corruption

☒ If there have been developments related to the repression of corruption, please specify which, in particular regarding topics listed below: ...

#### Relevant topics to be covered in your contribution include:

- *The legal framework on the criminalisation and sanctions for corruption and related offences, including foreign bribery.*
- *Official data on the number of investigations, prosecutions, final judgments, and the application of sanctions for corruption offences (differentiated by offence if possible)<sup>57</sup>. Please indicate whether the cases: involve legal persons; are related to the implementation of EU or national funds<sup>58</sup>; involve high level corruption. Please indicate which data is publicly available and how policy-making is informed by the data.*

### **Special Investigation Service of the Republic of Lithuania**

Statistics for 2024 in the criminal cases of corruption-related offences investigated by the STT:

- During the reporting period, 103 pre-trial investigation cases were started; out of them, 1 case related to misuse of EU funds has been initiated, it is being controlled by the European delegated

<sup>57</sup> Please include, if available the number of (data since 2022 or latest available data): indictments; first instance convictions, first instance acquittals; final convictions; final acquittals; other outcomes (final) (i.e. excluding convictions and acquittals); cases adjudicated (final); imprisonment / custodial sentences through final convictions; suspended custodial sentences through final convictions; pending cases at the end of the reference year.

<sup>58</sup> For MS participating in the EPPO, data on cases related to EU funds does not encompass investigations and prosecutions carried out by the EPPO.

prosecutor (EPPO);

- Currently 7 high level and complex corruption cases are being investigated.
- During the reporting period, 75 pre-trial investigation cases were transferred to the court;
- 126 persons (118 – natural persons, 8 – legal persons) were served with a notice of suspicion;
- 120 persons (116 – natural persons, 4 – legal person) were convicted by the first instance court and/or higher instance court if a decision contrary to that of the previous instance was made;
- 27 persons (26 – natural persons, 1 – legal person) were acquitted by the first instance court and/or higher instance if a decision contrary to that of the previous instance was made;
- 7 persons were convicted and sentenced to imprisonment in the first instance and/or higher instance if a decision contrary to that of the previous instance was made. One individual was sentenced to 7 years and 8 months of imprisonment, another to 4 years and 6 months, a third to 3 years and 4 months, a fourth to 2 years and 6 months with the sentence suspended for 2 years and 6 months, two others were sentenced to 2 years, and one more person was sentenced for 1 year and 6 months with the sentence suspended for 1 year;
- Seven individuals were sentenced to detention ranging from 20 to 60 days.

Court decisions (sanctions) expressed in percentage in the first instance and/or higher instance if a decision contrary to that of the previous instance was made:

- A fine was imposed on 87.5% of those convicted.
- Other – 0,83 %
- Fine and Prison Sentence or detention - 4,17 %. Prison sentence and detention (actual and suspended) - 7,5 %

The most common sanction for corruption related crimes is a fine (87,5 % of total sanctions imposed by courts.

- *Potential obstacles identified in law or in practice to the investigation and prosecution of high-level and complex corruption cases (e.g. political immunity regulation, procedural rules, statute of limitations, cross-border cooperation, pardoning).*
- *Information on effectiveness of criminal and non-criminal measures and of sanctions (e.g. recovery measures and administrative sanctions) on both public and private offenders.*

### **Prosecutor General's Office**

Between 1 January and 30 November 2024 (no data yet available for December), 220 offences of a corruption (bribery, influence trading, bribery, abuse of official authority) were registered, or 8% less than in the same period in 2023 (269 offences in 2023).

21% of defendants were acquitted of corruption-related offences (January-June 2024), thus the proportion of acquitted persons remains stable (18.8% in 2023 and 19% in 2022).

At the time of the response to the questionnaire, there is no data yet on the number of convictions for corruption-related offences and analysis of convicting court judgements in corruption-related criminal cases in 2024 (to be provided in February).

The Supreme Court of Lithuania has ruled in a political corruption case involving the “MG Grupė” concern. The ruling of the Supreme Court of Lithuania of 24 October 2024, which examined 12 cassation appeals, essentially found the conviction of the Court of Appeal to be justified. The Supreme Court of Lithuania noted that the case established the elements of political corruption, political corruption includes the abuse of public power by political actors in order to gain personal advantage or benefit the represented party or other political or private organisation. The offences committed by the convicted persons had an impact on the economy of the State, on fair competition and on the stability and governance of democratic institutions.

In early 2023, a journalist based in Lithuania launched an independent investigation to find out whether politicians at municipal level – members of Lithuanian municipal councils – are legally using the funds allocated to them to carry out the activities. The journalist informed the law enforcement authorities after identifying signs of possible criminal offences during the investigation. To date, pre-trial investigations have already been opened into 43 of the 60 criminal offences allegedly committed by members of municipal councils. The courts have already handed down 17 convictions for abuse of official authority, falsification of documents, fraud and misappropriation of property. The convicted politicians include mayors.

*Other – please specify*

### **Ministry of Justice**

To ensure the proper implementation of the recommendations provided in the Phase 3 evaluation report on Lithuania by the OECD WGB<sup>59</sup>, and based on inter-institutional cooperation and assigned competences, the Implementation Plan for the Recommendations was approved<sup>60</sup>.

To scientifically, objectively, and qualitatively assess the impact of the legal regulations introduced by the amendments to the Law on Prevention of Corruption (No. IX-904)<sup>61</sup>, representatives from the academic community have been engaged to carry out such evaluation. The evaluation of the aforementioned law is being conducted according to the ex-post impact assessment plan for the legal regulation introduced by the amendments to the Law on Prevention of Corruption No. IX-904<sup>62</sup>. The results of the evaluation, expected in the first half of 2025, are anticipated to guide further improvements in legislative processes and implementation mechanisms for corruption prevention.

## **III. Media pluralism and media freedom**

*Please provide information on measures taken to follow-up on the recommendations received in the 2024 Report regarding media pluralism and media freedom (if applicable):*

### **Constitutional Court**

In the context of freedom of expression and its restrictions for politicians, conclusion of 25 April 2024 of the Constitutional Court could be mentioned.<sup>63</sup> It was adopted after the examination of the constitutional justice case instituted in accordance with the inquiry set out in the resolution of the Seimas of 2023, in which the Constitutional Court was asked to give a conclusion on the compliance of the actions of a certain member of the Seimas with the Constitution. The Constitutional Court held that the actions of this member of the Seimas – his statements published on the social network Facebook and in the mass media in 2023, by which the information of contemptuous and ridiculing content, thus, the information whose content degraded human dignity, had been deliberately, purposefully, and

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<sup>59</sup> [https://www.oecd.org/en/publications/implementing-the-oecd-anti-bribery-convention-phase-3-report-lithuania\\_640d636a-en.html](https://www.oecd.org/en/publications/implementing-the-oecd-anti-bribery-convention-phase-3-report-lithuania_640d636a-en.html)

<sup>60</sup> Plan was approved by Order No. 1R-306 of the Minister of Justice of the Republic of Lithuania on 25 November 2024.

<sup>61</sup> <https://www.e-tar.lt/portal/lt/legalAct/453943b0e46611eb9f09e7df20500045>

<sup>62</sup> 1R-210 Lietuvos Respublikos teisingumo ministro įsakymas „Dėl Lietuvos Respublikos korupcijos prevencijos...; approved by Order No. 1R-210 of the Minister of Justice of the Republic of Lithuania on 12 July 2024. <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/2ecd1a60434611efb121d2fe3a0eff27?positionInSearchResults=21&searchModelUUID=91e2a632-4a0b-4fde-9926-4f5ed886ac01>

<sup>63</sup> <https://lrkt.lt/lt/teismo-aktai/paieska/135/ta2996/content>

systematically disseminated, thereby demonstrating hatred towards persons on the grounds of their nationality – were in conflict with the Constitution. By these actions, the Seimas member had breached the oath and grossly violated the Constitution.

In its conclusion the Constitutional Court held that the free and universal exchange of information and its unrestricted dissemination is a particularly important factor in democratic processes, ensuring the formation of not only individual opinions and subjective beliefs, but also group views, including political views, and the formation of the will of the Nation as a whole. According to the Constitution, a member of the Seimas, as a representative of the Nation, may also freely express views and convictions different from those of the majority of the members of society on certain processes taking place in Lithuania and in the world, on the situation in various spheres of the life of the State and society and the problems arising therein, *inter alia*, related to the relations between the national communities living in the territory of Lithuania and between people of different nationalities.

However, in view of the requirements arising from the oath and the constitutional status of a member of the Seimas, such a member of the Seimas, as a representative of the Nation, when expressing his/her views and convictions, must act in the interests of the Nation and the State of Lithuania and base his/her actions on respect for the Constitution and the values it protects and defends, *inter alia*, not to infringe the rights and freedoms of others, and not to foster social discord and intolerance.

The requirement of responsible exercise of the freedom of expression and information enshrined in Article 25 of the Constitution obliges a Member of the Seimas to be guided by the imperative of fostering national concord, the constitutional principles of non-discrimination, respect for the dignity of the human person and their rights and the obligation to refrain from the dissemination of any ideas, views, expressions of beliefs or any other information of the same nature that may be considered to be hateful to a group of persons or groups.

The Constitutional Court held that by the afore-mentioned statements published on the Facebook social network and in the mass media the Seimas member had disregarded the imperative of fostering national harmony, which is enshrined in the preamble to the Constitution, failed to comply with the duty of a member of the Seimas, arising from the oath of a member of the Seimas laid down in the Constitution and the constitutional status of a member of the Seimas, to implement the Constitution and laws and to pay regard to the prohibition, laid down in paragraph 3 of Article 21 of the Constitution, on degrading human dignity, failed to comply with the requirement, arising from paragraph 3 of Article 25 of the Constitution, not to undermine the values enshrined in paragraphs 3 and 4 of Article 25 of the Constitution or in other provisions of the Constitution, not to use freedom of information in a manner prohibited under paragraph 4 of Article 25 of the Constitution, and to pay regard to the prohibition, which arises from the principle of the equality of the rights of persons, enshrined in Article 29 of the Constitution, against discrimination on the grounds of nationality. By the described actions (as stated in the report of the Seimas Special Investigation Commission), this member of the Seimas had breached the oath and grossly violated the Constitution.

#### A. Media authorities and bodies<sup>64</sup>

☐ No developments

☒ If there have been developments related to media authorities and bodies, please specify which, in particular regarding topics listed below: ...

##### Relevant topics to be covered in your contribution:

- *Measures taken to ensure the independence, enforcement powers and adequacy of resources (financial, human and technical) of media regulatory authorities and bodies.*

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<sup>64</sup> Cf. Article 30 of Directive 2018/1808.

- *Conditions and procedures for the appointment and dismissal of the head / members of the collegiate body of media regulatory authorities and bodies.*
- *Existence and functions of media councils or other self-regulatory bodies.*

### **Ministry of Culture**

The 12 November 2024 Amendment XIV-3120 to the Law on Public Information (in LT - [XIV-3120 Lietuvos Respublikos visuomenės informavimo įstatymo Nr. I-1418 47 ir 49 straipsnių pakeitimo įst...](#)) granted the Inspector of Journalists' Ethics and the Chairperson and Deputy Chairperson of the Lithuanian Radio and Television Commission additional social guarantees already enjoyed by other public officials. These officials are now eligible for an enhanced severance pay upon the conclusion of their term or due to health reasons. Additionally, their families are entitled to a death benefit. The amendment also allows these officials to earn extra income from specific projects funded by the EU, international organizations, foreign countries, or Lithuanian development cooperation initiatives that align with human rights or institutional development.

#### **B. Safeguards against government or political interference and transparency and concentration of media ownership**

☐ No developments

☒ If there have been developments related government or political interference or transparency and concentration of media ownership, please specify which, in particular regarding topics listed below: ...

#### **Relevant topics to be covered in your contribution include:**

- *Measures taken to ensure the fair and transparent allocation of state advertising*
- *Safeguards against state / political interference, in particular:*
  - *safeguards to ensure editorial independence of media (private and public)*
  - *specific safeguards for the independence of heads of management and members of the governing boards of public service media (e.g. related to appointment, dismissal), safeguards for their financial and operational independence (e.g. related to reporting obligations and the allocation of resources) and safeguards for plurality of information and opinions*
  - *information on specific legal provisions and procedures applying to media service providers, including as regards granting/renewal/termination of licences, company operation, capital entry requirements, concentration, and corporate governance*
- *Transparency of media ownership and public availability of media ownership information, including on direct, indirect and beneficial owners*

### **Ministry of Culture**

On 11 October 2024, Minister of Culture Order No. IV-828 (in LT - [IV-828 Dėl Lietuvos Respublikos kultūros ministro 2024 m. vasario 29 d. įsakymo Nr. IV-176 „Dėl Medijų r...“](#)) amended the rules for submitting projects for funding by the Media Support Fund. The amendments expanded the possibilities for media funding: (a) the activities of minority media can be funded, (b) experience requirements have been reduced to support emerging/startup media."

The Lithuanian public broadcaster (LRT) relies on the state-owned transmission company (LRTC) to provide essential services for its operations, including the transmission of radio and television signals.



However, in recent years there has been increasing tension between the two entities due to disagreements over the cost of these services. To address these ongoing disputes, Amendment No. XV-40 of 5 December 2024 to the Law on Lithuanian National Radio and Television<sup>65</sup> introduced two provisions: a) the prices of the services must be based on the costs incurred by LRTC for providing the services, taking into account a reasonable return on investment; b) a legal obligation is established for the electronic communications regulator, the Communications Regulatory Authority of the Republic of Lithuania, to verify the reasonableness of the prices of these services.

On 24 September 2024, the Lithuanian Minister of Culture established a working group (in LT - [IV-761 Dėl darbo grupės sudarymo](#)) to adapt the European Media Freedom Act (EFMA) into national law. This group is currently examining necessary legislative changes, including measures to address media concentration, increase protection of journalist sources, etc.

### C. Framework for journalists' protection, transparency and access to documents

☐ No developments

☒ If there have been developments related to the framework for journalists' protection or transparency/access to documents, please specify which, in particular regarding topics listed below: ...

#### Relevant topics to be covered in your contribution include:

- *Rules and practices guaranteeing journalist's independence and safety, including as regards protection of journalistic sources and communications, referring also, if applicable, to follow-up given to alerts lodged with the Council of Europe's Platform to promote the protection of journalism and safety of journalists.*

#### **Ministry of Justice**

Following the European Court of Human Rights judgment in *Eigirdas and VI "Demokratijos plėtos fondas" v. Lithuania* (nos. 84048/17 and 84051/17) of 12 September 2023, the Council of Judges supplemented the training programs for the judiciary and included the training on the topics Freedom of Expression Online (following topics are included into this training: general principles of striking a fair balance between the right to respect for private life and their assessment criteria, the proportionality of the restriction of freedom of expression in the context of public debate, the protection of the person's honor and dignity)<sup>66</sup>. In 2024 several events were organized under the auspices of the Lithuanian Presidency of the Committee of Ministers of the Council of Europe to raise awareness among relevant stakeholders, including the judiciary, public officials, media regulators, law enforcement officials about judicial standards in Europe regarding the independence and restrictions on freedom of expression, the role of the national judiciaries in the protection of freedom of expression, defamation cases, the limits of permissible criticism of public officials, judicial protection against SLAPPs, as well as the role of the judiciary in ensuring access to information, countering disinformation and protecting freedom of expression in times of war and public emergency.

Moreover, the administrative courts continue to develop their case-law related to the role of mass media, focusing on the existence of public interest.

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<sup>65</sup> <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/5b7214d2b70411efbb3fe9794b4a33e2?positionInSearchResults=0&searchModelUUID=b3eb404f-cbd0-41b7-98a3-687abd846f62>

<sup>66</sup> Comments under Rule 9 regarding the execution of the ECtHR judgment in case *Eigirdas and VI "Demokratijos plėtos fondas" v. Lithuania* (84048/17)

- *Law enforcement capacity, including during protests and demonstrations, to ensure journalists' safety and to investigate attacks on journalists.*
- *Access to information and public documents by public at large and journalists (incl. transparency authorities where they exist, procedures, costs/fees, timeframes, administrative/judicial review of decisions, execution of decisions by public authorities, possible obstacles related to the classification of information).*
- *Lawsuits (incl. SLAPPs - strategic lawsuits against public participation) and convictions against journalists (incl. defamation cases) and measures taken to safeguard against manifestly unfounded and abusive lawsuits.*

### **Ministry of Justice**

General procedural rules against abuse of proceedings may be applicable under the provisions of the Code of Civil Procedure, such as the obligation to pay penalties or to compensate damages to the opposite party. As of 2022, an early dismissal procedure is also in place if a court determines that the claim may be categorized as SLAPP. The Ministry of Justice of the Republic of Lithuania is preparing the amendments to the Code of Civil Procedure to fully implement the Directive (EU) 2024/1069 of the European Parliament and of the Council of 11 April 2024 on protecting persons who engage in public participation from manifestly unfounded claims or abusive court proceedings ("Strategic lawsuits against public participation"). For example, in the case of the application of the procedure of early dismissal of the claim, we envisage to set the deadlines for the consideration of cases; to specify the examples of criteria to be considered by the court when assessing whether an action is not a SLAPP, etc. The amendments will be submitted to the stakeholders for consideration in 2025.

### ***Other – please specify***

### **Ministry of Culture**

State institutions are implementing activities in the 2023-2025 Action Plan for Protecting, Safeguarding and Empowering Journalists, such as:

- on 21 November 2024, a four-hour academic training session on "Investigation of criminal offences against journalists" was held, attended by prosecutors, police officers and contract staff.
- On 22 November, a four-hour academic training session for judges on protection of the rights of journalists and guarantees related to ensuring the right to freedom of information was held. 79 judges attended.
- The Media Support Fund awarded grants to investigative journalists (in LT - <https://www.medijufondas.lt/mrf-naujienos/fondas-skelbia-tiriamosios-zurnalistikos-stipendiju-finansavimo-rezultatus-2>)

The Lithuanian Government appealed to the Constitutional Court to declare unconstitutional the provision of the Law on the Protection of Minors from the Detrimental Impact of Public Information that allows for the restriction of information that undermines family values and promotes concepts of marriage and family formation that differ from those enshrined in the Constitution of the Republic of Lithuania and the Civil Code of the Republic of Lithuania. On 18 December 2024 the Constitutional Court ruled (in LT - [44](https://lrkt.lt/lt/apie-teisma/naujienos/1331/teisinis-reguliavimas-nustatantis-kuri-</a></p></div><div data-bbox=)

[viesoji-informacija-daro-neigiama-poveiki-nepilnameciams-priestarauja-konstitucijai:725](#)) that this provision is unconstitutional, meaning it is no longer valid. Although this provision has not been used de facto for a decade, the Lithuanian government appealed to the Constitutional Court because it wanted to comply with the judgment of the European Court of Human Rights (ECHR) of 23 January 2023, in the case of *Macatė v. Lithuania*.

#### IV. Other institutional issues related to checks and balances

*Please provide information on measures taken to follow-up on the recommendations received in the 2024 Report regarding the system of checks and balances (if applicable): ...*

##### A. The process for preparing and enacting laws

☐ No developments

☒ If there have been developments related to the process for preparing and enacting laws, please specify which, in particular regarding topics listed below: ...

Relevant topics to be covered in your contribution include:

- *Framework, policy and use of impact assessments and evidence based policy-making, stakeholders<sup>67</sup>/public consultations (including rules and practices on the transparent participation of civil society to policy development and decision-making processes, and transparency and quality of the legislative process both in the preparatory and the parliamentary phase.*

##### **Ministry of Justice**

To improve transparency and quality of the legislative process in Government institutions and other subjects of public administration which are accountable to the Government Rules for coordination of projects of normative legal acts of ministers, Government institutions, and other subjects of public administration subordinate to and accountable to the Government<sup>68</sup> were adopted and came into force on May 3<sup>rd</sup>, 2024. These rules uniform legislative and public consultation rules for all ministers, Government institutions, and other subjects of public administration.

Ministry of Justice prepared the *Recommendations for Draft resolutions of the Government of the Republic of Lithuania, which are submitted to the Parliament of the Republic of Lithuania Conclusions, regarding the drafting of legal acts which are under consideration in the Parliament of the Republic of Lithuania*<sup>69</sup>. These Recommendations aim to establish a uniform legislative practice for drafting Government resolutions that provide the Government's conclusions on draft legal acts of the Republic of Lithuania being considered by the Seimas.

Legislative methodological recommendations<sup>70</sup> and Recommendations for codification<sup>71</sup> were approved

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<sup>67</sup> This includes also the consultation of social partners.

<sup>68</sup> <https://www.e-tar.lt/portal/lt/legalAct/TAR.2D810041F3C0/kdHrrujEgW>

<sup>69</sup> [https://tm.lrv.lt/public/canonical/1731413454/5320/TM\\_LRV%20Rekomendacijos%20\(5\).pdf](https://tm.lrv.lt/public/canonical/1731413454/5320/TM_LRV%20Rekomendacijos%20(5).pdf)

<sup>70</sup> <https://tm.lrv.lt/uploads/tm/documents/files/dokumentai/Teis%C4%97k%C5%ABra/Teis%C4%97k%C5%ABros%20metodin%C4%97s%20rekomendacijos%202023%2009.pdf>

<sup>71</sup> <https://tm.lrv.lt/uploads/tm/documents/files/dokumentai/Teis%C4%97k%C5%ABra/Rekomendacijos%20d%C>

in 2023. On the basis of these recommendations, in November 2024 the Ministry of Justice organized trainings for employees of ministries, who prepare draft legal acts. The training helped to ensure higher quality and sustainability of legislation, uniform legislative practice and educate institutions to follow high legislative standards and improve Lithuanian legal regulation system. The need and quality of consultation with the public, coordination with institutions and publicity of draft legal acts was emphasized.

In 2024, a new Constitutional Law on the Citizens' Legislative Initiative of the Republic of Lithuania was adopted. This law not only elevated the legal regulation, previously established at the level of an ordinary law, to an appropriate (higher) level but also simplified the requirements for the right of legislative initiative.

### **The Seimas Ombudspersons' Office**

In the exercise of its functions as the National Human Rights Institution, the Seimas Ombudspersons promote respect for human rights and freedoms in cooperation with civil society, social partners and other actors on the issues of human rights and freedoms.

The Seimas Ombudspersons' Office initiated a rapid survey of non-governmental organizations regarding their participation in decision-making processes. The survey revealed that, in some cases, Lithuanian non-governmental organizations are insufficiently involved in decision-making processes, particularly at the local government level. Municipalities are not always inclined to consult with the public and non-governmental organizations when making important decisions, regarding, for instance, decisions related to the rights of people with disabilities and ethnic minorities. Moreover, there are cases where non-governmental organizations are only formally included in the decision-making processes at the government level, such as being given an extremely short deadline to submit comments on a draft legislation or where the comments are completely disregarded. As indicated by some survey participants, the reason for this could be that the law does not provide for an obligation to proactively consult with non-governmental organizations operating in the relevant field when considering legislation, nor does it require providing reasons when submitted comments are not taken into account.

### **Ministry of Economy and Innovation**

The assessment of regulatory burdens for business caused by legal regulation contributes to evidence-based decision making. Prior to 2023, Lithuanian institutions had been required to assess only administrative burden (everything related to the flow of information, such as submission of activity reports, declarations or other information to government institutions; publication of mandatory information on business' websites; etc.). Since 2023, institutions have been required to assess administrative burden and compliance costs for businesses – i.e., all real financial costs, such as adapting premises to comply with legal regulations, staff training, acquisition of materials, etc. Collectively these costs are referred to as regulatory burden. This change was implemented by the adoption of a Government Resolution No. 333 of the Government of the Republic of Lithuania of 6 April 2022, which approves the Methodology for Assessing the Administrative Burden and Compliance Costs for Business<sup>72</sup>. The Resolution also establishes a compliance cost reduction goal from 2023, which applies to every governmental institution – i.e., these institutions must constantly seek out measures to ensure that the overall level of compliance costs caused by the institution's regulations for each calendar year

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[4%971%20galiojan%C4%8Di%C5%B3%20normini%C5%B3%20teis%C4%97s%20akt%C5%B3%20kodifikavimo%20ir%20po%C4%AFstatymini%C5%B3%20teis%C4%97s%20akt%C5%B3%20konsolidavimo%202023%2009.pdf](https://www.e-tar.lt/portal/lt/legalAct/TAR.134272D720DF/asr)

<sup>72</sup> <https://www.e-tar.lt/portal/lt/legalAct/TAR.134272D720DF/asr>

diminish or remain unchanged relative to the beginning of the year (the One-In, One-Out Rule). Meanwhile, for municipalities and institutions independent of the Government, the Resolution includes a recommendation to assess not only the administrative burden for business, but also the compliance costs. Draft legal acts and their impact assessments are submitted to the Ministry of the Economy and Innovation, which is responsible for monitoring the change in the overall level of regulatory burden on business imposed by Lithuanian public authorities.

- *Rules and use of fast-track procedures and emergency procedures (for example, the percentage of decisions adopted through emergency/urgent procedure compared to the total number of adopted decisions)*
- *Rules and application of states of emergency (or analogous regimes), including judicial review and parliamentary oversight.*

### **Constitutional Court**

The 2024 Rule of Law Report referred to the Constitutional Court's continuing activities while assessing the measures adopted during the COVID-19 pandemic, including upon individual constitutional complaints. In this context, by its decision of 15 May 2024<sup>73</sup> the Constitutional Court rejected as inadmissible for consideration the individual constitutional complaint regarding the constitutionality of restrictions of movement between municipalities in Lithuania during the quarantine enshrined in the Government resolution (No 1226) of 4 November 2020 on declaring quarantine in the territory of Lithuania. The Constitutional Court, *inter alia*, acknowledged that the petitioner addressed the Constitutional Court with a general request, and not with the aim of defending its violated constitutional rights or freedoms.

By its ruling of 30 October 2024<sup>74</sup> the Constitutional Court declared the provisions of the Law on the Remuneration of Employees of State and Municipal Establishments and Pay for Work of Members of Commissions compliant with the Constitution, insofar as extra pay or the total amount of extra pay granted to an employee of a budgetary establishment had been limited. On the basis of the individual constitutional complaint, this ruling was related to the situation of extra pay exceeding its maximum amounts for the increase in workload due to the COVID-19 pandemic.

The Constitutional Court noted that, in implementing its discretion arising from the Constitution, the legislature had provided for the clear and objective criteria and conditions for granting extra pay, such as the scope and nature of the functions or tasks performed, as well as had provided for the specific amounts linked to fixed and variable parts of positional salary, by which it had limited extra pay or the total amount of extra pay (if more than one type of extra pay had been granted at the same time). Therefore, the legislature had properly implemented the constitutional requirements arising, among others, from the provisions of the Constitution that establish the constitutional powers of the Seimas in the field of public finances and are connected with the payment of remuneration from state (municipal) budget funds. The Constitutional Court also noted that, having established that the remuneration of employees of budgetary establishments had been composed of fixed and variable parts of positional salary (or only of a fixed part where a variable part had not been granted in the cases specified by the Law), extra pay, bonuses, and additional payment for work during days off and on holidays, as well as for work at night, overtime work, and for being on duty, the legislature had observed the requirements arising from the Constitution, and, thus, it had created the conditions for employees of budgetary establishments to be fairly remunerated for their work, *inter alia*, taking into account the nature of the work performed, the complexity and scope of their functions, and the particularities of the duties held.

- *Regime for constitutional review of laws*

<sup>73</sup> <https://lrkt.lt/lt/teismo-aktai/paieska/135/ta3002/content>

<sup>74</sup> <https://lrkt.lt/lt/teismo-aktai/paieska/135/ta3065/content>



## Constitutional Court

The rulings of the Constitutional Court are implemented in time and there is only about 4.3 percent of rulings waiting for the implementation (not all of them are adopted in 2024, but also before that year). The legislature has the duty to revise and to amend the legal regulation to the extent it was recognised as violating the Constitution.

### B. Independent authorities

☐ No developments regarding independent authorities

☒ If there have been developments related to independent authorities, please specify which, in particular regarding topics listed below: ...

## State Data Protection Inspectorate

### Increased SDPI Budget:

- The SDPI budget has been increased from EUR 1,727,000 (2024) to EUR 2,198,000 (2025), EUR 2,206,000 (2026), and EUR 2,214,000 (2027).
- More information in Lithuanian can be found at the following links:
  - 2024: <https://www.e-tar.lt/portal/lt/legalAct/cb6d7c909a5211eea5a28c81c82193a8>
  - 2025-2027: <https://www.etar.lt/portal/lt/legalAct/f768c8a2c13d11ef88c08519262548c4>.

### **Amendment to the Law on Legal Protection of Personal Data of the Republic of Lithuania (No. I-1374):**

On May 14, 2024, the Amendment to the Law on Legal Protection of Personal Data of the Republic of Lithuania (No. I-1374) was adopted (information in Lithuanian: [XIV-2626 Lietuvos Respublikos asmens duomenų teisinės apsaugos įstatymo Nr. I-1374 pakeitimo įstatymas](#)). Article 6 of this amendment supplements the Law on Legal Protection of Personal Data of the Republic of Lithuania with Article 14<sup>1</sup>. Pursuant to this article, in order to enhance public awareness and understanding of the rules, safeguards, rights, and risks related to personal data processing, anonymized **decisions adopted by the SDPI will be published on the SDPI website** starting from January 1, 2025 (excluding decisions adopted under Articles 27 and 29 of the Law on Legal Protection of Personal Data).

### Relevant topics to be covered in your contribution include:

- *Independence, resources, capacity and powers of national human rights institutions ('NHRIs'), of ombudsman institutions if different from NHRIs, of equality bodies if different from NHRIs and of supreme audit institutions<sup>75</sup>*

## The Seimas Ombudspersons' Office

In 2024, the Seimas Ombudspersons' Office was re-accredited as a Level A National Human Rights Institution by the Sub-Committee on Accreditation (SCA) of the Global Alliance of National Human Rights Institutions (GANHRI). In its Report and Recommendations issued on 7 June 2024<sup>76</sup>, the Sub-

<sup>75</sup> Cf. the website of the European Court of Auditors:

<https://www.eca.europa.eu/en/Pages/SupremeAuditInstitutions.aspx#>

<sup>76</sup> GANHRI Sub-Committee on Accreditation Report – First Session SCA 2024, Report and Recommendations of the Session of the Sub-Committee on Accreditation (SCA),

Committee on Accreditation provided recommendations aimed at ensuring formalization of a clear, transparent, and participatory selection and appointment process of Ombudspersons and encouraged for amendments of the Law on the Seimas Ombudspersons to provide for an independent and objective dismissal process including by providing express criteria on the no-confidence vote against the Ombudsperson or to remove this ground for dismissal. Additionally, the Sub-Committee encouraged the adoption of appropriate amendments to the law to grant the Seimas Ombudspersons an explicit mandate to promote the ratification or accession to regional and international human rights instruments.

On 7 November 2024 the Seimas adopted the Law on the Seimas Ombudspersons No VIII-950 amending Articles 1, 3, 4, 24 and Section III of the Law on the Seimas Ombudspersons and supplementing the Law with Article 19-3<sup>77</sup>, which provide that from 1 January 2025 the Seimas Ombudspersons' Office will take on the role of National Rapporteur on trafficking in human beings. The 2025 budget allocates funding for two additional positions to support the implementation of the new mandate.

- *Statistics/reports concerning the follow-up to recommendations by National Human Rights Institutions, ombudsman institutions, equality bodies, and supreme audit institutions in the past two years.*

### **The Seimas Ombudspersons' Office**

The recommendations of the Seimas Ombudspersons were generally followed in 2023 and 2024. As regards the implementation of recommendations following the investigation of complaints, 97 per cent of the recommendations made by the Seimas Ombudspersons over the year 2023 and 98 per cent of the recommendations made over the year 2024 have been implemented or taken into account. However, for a few of the recommendations made in 2024, the outcome is not clear as the deadline for implementation has not yet passed. As regards the implementation of the recommendations made following monitoring visits carried out under the Optional Protocol to the Convention against Torture, they have been implemented by at least 70 per cent in 2023 and 80 per cent in 2024. It should be noted that in some individual cases there are objective reasons (e.g. lack of appropriations and human resources, outdated or heritage infrastructure) for the non-implementation of the recommendations made by the Seimas Ombudspersons, which the institution informs the Seimas Ombudspersons of upon receipt of the recommendation. It is also worth noting that the comments submitted by the Seimas Ombudsperson on draft legal acts related to the protection of human rights and freedoms were generally taken into account in the past two years.

However, as regards the implementation of the recommendations by National Human Rights Institution following the investigations into fundamental human rights issues, less than 50 per cent of the recommendations made by the Seimas Ombudspersons have been implemented in the past two years. Recently the following investigations were conducted: investigation on fundamental human rights issues in assessing the right to access justice in environmental matters in Lithuania<sup>78</sup> and investigation on

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<https://www.ohchr.org/sites/default/files/documents/countries/nhri/ganhri/SCA-Report-Second-Session-2024-EN.pdf>

<sup>77</sup> Law No VIII-950 of the Republic of Lithuania on the Seimas Ombudspersons of the Republic of Lithuania amending Articles 1, 3, 4, 24, the title of Section III, and supplementing the Law with Article 19-3 and the Annex, <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/87323e009dab11ef955ff95815eb5ce5?jfwid=>

<sup>78</sup> The Seimas Ombudspersons' Office of the Republic of Lithuania, Report on the Investigation into the Implementation of the Public's Right to Access to Courts on Environmental Issues in Lithuania in Fulfilling the

fundamental human rights issues in assessing the provision of assistance to victims of crime in Lithuania<sup>79</sup>. Most of the difficulties in implementing the recommendations set forth in the reports on these investigations arose at the municipal level (regarding taking measures to organize public awareness and education campaigns about the rights of victims and the assistance available to them), while at the governmental level, challenges were often linked to political decision-making within ministries (regarding amendments to the law in order to better ensure the right of the members of the public concerned to access justice in environmental matters).

### C. Accessibility and judicial review of administrative decisions

☐ No developments

☒ If there have been developments related to the accessibility and judicial review of judicial decisions please specify which, in particular regarding topics listed below: ...

#### Relevant topics to be covered in your contribution include:

- *Transparency of administrative decisions and sanctions (incl. their publication and rules on collection of related data)*
- *Judicial review of administrative decisions: short description of the general regime (in particular competent court, scope, suspensive effect, interim measures, and any applicable specific rules or derogations from the general regime of judicial review).*
- *Rules and practices related to the application by all courts, including constitutional jurisdictions, of the preliminary ruling procedure (Art. 267 TFEU)*
- *Implementation of final judgments by the public administration and State institutions and follow-up given to supranational judgments, including decisions from the European Court of Human Rights, as well as available remedies in case of non-implementation*

#### **Constitutional Court**

The 2024 Rule of Law Report raised the issue of implementation of conclusions made by the European Court of Human Rights in the case *Macatė v. Lithuania* (no 61435/19).

The Constitutional Court's ruling of 18 December 2024 was based on the conclusions made in the case *Macatė v. Lithuania*.<sup>80</sup>

In the case dealt with by the ruling of 18 December 2024, the petitioner (the Government) applied to the Constitutional Court regarding the constitutionality of item 16 of paragraph 2 (wording of 22 December 2009) of Article 4 of the Law on the Protection of Minors against the Detrimental Effect of Public Information (the Law), which contained the provision establishing which public information had a detrimental effect on minors and, therefore, limited the dissemination of such information. The said information was defined in the above-mentioned item of the Law as including public information that expressed disdain for family values or promoted the concept of entering into marriage and family creation that was different from the one established in the Constitution and the Civil Code. The petitioner

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Republic of Lithuania's International Obligations in the Field of Human Rights, 30 December 2022, <https://www.lrski.lt/ataskaitos-del-esminiu-zmogaus-teisiu-problemu/>

<sup>79</sup> The Seimas Ombudspersons' Office of the Republic of Lithuania, Report on the Investigation into Fundamental Human Rights Issues Arising in the Field of Ensuring Assistance to Victims of Crime, 28 December 2023, <https://www.lrski.lt/ataskaitos-del-esminiu-zmogaus-teisiu-problemu/>

<sup>80</sup> <https://lrkt.lt/lt/teismo-aktai/paieska/135/ta3089/content>

claimed that this regulation was not sufficiently clear and thus giving rise to different interpretations and the discriminatory application of the Law, and, therefore, it was contrary to the constitutional principle of a state under the rule of law. The Government also argued that such a legal regulation did not meet the criteria of necessity and reasonableness of the limitation of freedom of expression and the freedom to information. Thus, it could not be regarded as compatible with paragraphs 1 and 2 of Article 25 of the Constitution, and that it contradicted the constitutional concept of the family as enshrined in paragraphs 1 and 2 of Article 38 of the Constitution; in addition, according to the petitioner, it discriminated against families other than those created by marriage. The petitioner also pointed out that Lithuania had the constitutional obligation to ensure the proper legal protection of the rights and freedoms deriving from the Convention for the Protection of Human Rights and Fundamental Freedoms of 1950 (the Convention), including the right to free dissemination of information, paying regard to the fact that the European Court of Human Rights, in its case *Macatè v. Lithuania*, held, that due to the regulation enshrined in the Law, there was a violation of Article 10 of the Convention.

The Constitutional Court recognised that item 16 of paragraph 2 (wording of 22 December 2009) of Article 4 of the Law was in conflict with paragraphs 1, 2, and 3 of Article 25 and paragraphs 1 and 2 of Article 38 of the Constitution and the constitutional principle of a state under the rule of law.

When deciding on the compliance of the impugned legal regulation with the Constitution, the Constitutional Court noted that, under Article 25 (ensuring, *inter alia*, the freedom of information) and paragraphs 1 and 2 of Article 38 (ensuring the duty of the state to protect and nurture childhood) of the Constitution of the Republic of Lithuania, taking into account the possibilities of the dissemination and accessibility of information in modern society, also considering that childhood is a special period in the life of an individual, during which the development of the personality, insofar as this development is linked to physical, intellectual, and social maturity, takes place, as well as considering that children constitute a socially sensitive and particularly vulnerable part of society due to the particularities of their developing personalities, the state is obliged to pay particular attention to the protection of the interests of minor children as a particularly vulnerable group of persons, and it may impose certain limitations on the dissemination of information that are specifically designated with regard to minor children. In doing so, the legislature must respect the general requirements arising from the Constitution in relation to limitations on human rights and freedoms, including the requirement that the limitations must be necessary in democratic society in order to protect the rights and freedoms of other persons and the values consolidated in the Constitution (paragraph 3 of Article 25), as well as the constitutional imperative of the priority of the interests of the child, which arises from the Constitution (paragraph 2 of Article 38, paragraph 3 of Article 39) and implies the duty of the state to ensure that account is primarily taken of the interests of the child and no preconditions are created for violating these interests in the course of adopting laws and other legal acts, as well as in the course of applying them and deciding on other issues related to the child.

The constitutionally guaranteed freedom to seek and impart information includes the duty to disseminate to minors objective information that reflects real relations in society and contributes to the formation of a worldview based on constitutional values, including respect for the rights and dignity of another person.

Having recalled that, under the Constitution, marriage is only one of the grounds of the constitutional institution of the family for the creation of family relationships and that, unlike the constitutional concept of marriage, the constitutional concept of the family, among others, is neutral in terms of gender, the Constitutional Court stressed that, under the Constitution, including its Article 25, when limitations on the dissemination of information that are designated with regard to minors are established, no preconditions can be created for denying or disregarding other values consolidated in the Constitution. Such a legal regulation that imposes 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 and 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 democratic society.

Relying also on the conclusions made by the European Court of Human Rights in the case of *Macatė v. Lithuania*, the Constitutional Court noted that the impugned legal regulation did not provide for a clear content of limitations on the dissemination of information; it was not clear which specific information was intended to be limited in cases where it referred to the concept of entering into marriage and family creation that was different from the one established in the Constitution and the Civil Code, as well as whether the concept of marriage and the concept of family creation that are established in the Constitution and the Civil Code were used as synonyms or had different content. The Constitutional Court concluded that the impugned legal regulation disregarded the requirement, implied by the constitutional principle of a state under the rule of law, that a legal regulation laid down in legal acts must be clear, understandable, and non-contradictory, as well as that concepts must be defined in a particularly clear and understandable manner where limitations are established on information presented to minors.

The Constitutional Court also held that, seeking to ensure the protection of the rights and legitimate interests of minors against information having a detrimental effect on them, the legislature, having established limitations on the dissemination of information about family models by the impugned legal regulation, had created the preconditions for narrowing the content of the family as a constitutional institution, as well as the preconditions for unreasonably limiting the dissemination of such information and the freedom of information of minors. Thus, the legislature had created the preconditions for denying or disregarding the values consolidated in the Constitution and had failed to ensure the obligation to disseminate to minors objective information that reflected real relations in society and contributed to the formation of a worldview based on constitutional values, including respect for the rights and dignity of another person.

### **Ministry of Justice**

Following judgment of the European Court of Human Rights in *Ancient Baltic religious association Romuva v. Lithuania* (no. 48329/19), on 12 December 2024 the Seimas adopted Resolution No. XV-58 granting State recognition to the Ancient Baltic Religious Association Romuva.

Following the judgment of the European Court of Human Rights in *Macatė v. Lithuania* (no. 61435/19), on 18 December 2024 the Constitutional Court of Republic of Lithuania<sup>81</sup> having examined the case subsequent to the petition of the Government recognised item 16 of paragraph 2 (wording of 22 December 2009) of Article 4 of the Law on the Protection of Minors against the Detrimental Effect of Public Information to be in conflict with paragraphs 1, 2 and 3 of Article 25 and paragraphs 1 and 2 of Article 38 of the Constitution and the constitutional principle of a state under the rule of law. It should be emphasized that the said Ruling of the Constitutional Court has eliminated the indicated flawed legal provision from the Lithuanian legal system as it has become inapplicable since the day the Ruling was published and thus has greatly contributed to the execution of the said Court's judgment.

### **The Seimas Ombudspersons' Office**

The full implementation of judgments by the European Court of Human Rights sometimes takes several years. It is worth mentioning that, in the previous parliamentary term, the Court judgments in the cases of the Ancient Baltic Religious Community “Romuva” v. Lithuania and *Macatė v. Lithuania* did not progress towards full implementation until late 2024.

On 8 June 2021, the European Court of Human Rights adopted a judgment in the case of the Ancient Baltic Religious Community “Romuva” v. Lithuania, in which it found that Lithuania, in deciding on

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<sup>81</sup> Constitutional Court, Ruling of 18 December 2024 No. 101-N15/2024, Case No. 3/2024.



the state recognition of this religious community, violated Article 9 (Freedom of thought, conscience and religion) in conjunction with Article 14 (Prohibition of discrimination) and Article 13 (Right to an effective remedy) of the European Convention on Human Rights (hereinafter referred to as the Convention). In the opinion of the Court, the Seimas, in refusing to grant the applicant state recognition, did not provide objective and reasonable arguments as to why it treated the applicant differently than other religious communities in a similar situation, and the members of the Seimas, who voted against granting recognition, did not remain neutral and impartial in exercising their powers. The Court found a violation of Article 13 of the Convention because the applicant did not have an effective remedy to appeal the unfavorable decision of the Seimas. However, despite the decision of the European Court of Human Rights, the Seimas, by a repeated vote on 19 September 2023, rejected the proposal to grant the applicant state recognition without the possibility of appealing this decision. On 4 January 2024, Ancient Baltic Religious Community “Romuva” repeatedly appealed to the European Court of Human Rights regarding the refusal to grant state recognition. And only on 24 October 2024, the Seimas granted state recognition to the Ancient Baltic Religious Community “Romuva”<sup>82</sup>.

Another example would be related to the judgment issued by the European Court of Human Rights on 23 January 2023 in the case of *Macatė v. Lithuania*. In its judgement the Court stated that the restriction of the distribution of a book due to the content of several fairy tales depicting same-sex relationships is to be considered a violation of Article 10 of the European Convention on Human Rights, which establishes the right to freedom of expression. In order to implement the judgment, it was necessary to ensure that the Lithuanian authorities did not apply the Law on the Protection of Minors from the Influence of Negative Public Information<sup>83</sup> in such a way as to restrict information about same-sex relationships on discriminatory grounds, or to amend such legal regulation. However, since the Seimas had not made any amendments to the legal regulation, the Government applied to the Constitutional Court with a request to investigate whether the provision of the Law, according to which the distribution of the applicant's book in the case was restricted, contradicts the Constitution. On 18 December 2024 the Constitutional Court found that the disputed legal regulation creates prerequisites for narrowing the concept of the family institute, unreasonably restricting the dissemination of such information and the freedom of information of minors, and therefore contradicts the Constitution and is held invalid from the day the Constitutional Court's ruling was published<sup>84</sup>.

#### D. The enabling framework for civil society

☐ No developments

☒ If there have been developments related to the enabling framework for civil society, please specify which, regarding topics listed below: ...

#### **Ministry of Justice**

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<sup>82</sup> Resolution of the Seimas of the Republic of Lithuania No. XV-58 On granting state recognition to the Ancient Baltic Religious Community "Romuva", 12 December 2024 <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/f4f61f30b91f11efa6bcd8fd37368776>

<sup>83</sup> Law No IX-1067 of the Republic of Lithuania On the Protection of Minors from the Negative Influence of Public Information, <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/87323e009dab11ef955ff95815eb5ce5?jfwid=>

<sup>84</sup> Resolution No. KT101-N15/2024 of Constitutional Court of the Republic of Lithuania On the compliance of Article 4, Part 2, Point 16 of the Law of the Republic of Lithuania on the Protection of Minors from the Negative Influence of Public Information (wording of December 22, 2009) with the Constitution of the Republic of Lithuania, 18 December 2024 <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/96d8bf42bd8211ef940bca4d136e126f?jfwid=-tgotci72o>

Please see the information regarding the regulation on SLAPPs, as provided in Part C.

### **State Data Protection Inspectorate**

SDPI: On May 14, 2024, the Amendment to the Law on Legal Protection of Personal Data of the Republic of Lithuania (No. I-1374) was adopted (information in Lithuanian: [XIV-2626 Lietuvos Respublikos asmens duomenų teisinės apsaugos įstatymo Nr. I-1374 pakeitimo įstatymas](#)), which, through Article 14, amended Article 24 of the Law on Legal Protection of Personal Data of the Republic of Lithuania. This legal amendment expanded the range of entities eligible to file complaints with the SDPI to include non-profit institutions, organizations, or associations operating in the field of personal data protection (more information in Lithuanian on Law on Legal Protection of Personal Data of the Republic of Lithuania amendments is available at this link: [link](#)), i. e. complaint to the SDPI can be lodged independently of a data subject's mandate .

### **Relevant topics to be covered in your contribution include:**

- *Measures regarding the framework for civil society organisations and human rights defenders (e.g. legal framework and its application in practice incl. registration, transparency and dissolution rules)*
- *Rules and practices having an impact on the effective operation and safety of civil society organisations and human rights defenders. This includes measures to protect them from attacks – verbal, physical or on-line –, intimidation, legal threats incl. SLAPPs, negative narratives or smear campaigns, measures capable of affecting the public perception of civil society organisations, etc. It also includes measures to monitor threats or attacks and dedicated support services, as well as available remedies.*
- *Organisation of financial support for civil society organisations and human rights defenders (e.g. framework to ensure access to funding, and for financial viability, taxation/incentive/donation systems, measures to ensure a fair distribution of funding)*

### **E. Initiatives to foster a rule of law culture**

☐ No developments

☒ If there have been developments related to initiatives to foster a rule of law culture, please specify which, (e.g. debates in national parliaments on the rule of law, public information campaigns on rule of law issues, contributions from civil society, education initiatives, etc.): ...

### **Constitutional Court**

*Citizenship lessons in schools.* In 2024, the Constitutional Court, together with the Ministry of Justice, invited pupils from schools of Lithuania to civil education lessons conducted by the justices of the Constitutional Court. In this context, pupils from six schools came to the Constitutional Court and the justices visited two schools of Lithuania. The initiative of legal education and citizenship was started in November 2023.

*The Culture Night.* The Constitutional Court traditionally joined the festival of culture and art ‘The Culture Night 2023’, which took place on 7 June 2024 in Vilnius. The Constitutional Court’s justices and lawyers invited the public to the event ‘The evening conversations about what matters most’. The participants of the event were acquainted with the functions of the Constitutional Court, the specific nature of its activity, and the particularities of the work of its justices, and participated in the discussion on the importance of the Constitution and its values for the state and for each individual.

*The Constitution examination.* The Constitutional Court is one of the organisers of the traditional Constitution examination on the Day of the Constitution, which was held on 25 October 2024. The examination is open to different groups of society (school pupils, persons studying law and with a degree in law, as well as other persons) and tests their participants’ legal knowledge and understanding of the

Constitution, at the same time, spreading the idea of both the supremacy of the Constitution as the supreme law and the rule of law.

*The annual international scientific-practical conference.* The Constitutional Court is one of partners contributing to organisation of the annual international scientific-practical conference in the Seimas, commemorating the Day of the Constitution. On 25 October 2024, the conference titled ‘Constitutional dialogue: who determines the tendencies of human rights?’ was dedicated to the 30th anniversary of Lithuanian membership in the Council of Europe, and to the Lithuanian Presidency of the Committee of Ministers of the Council of Europe. The conference drew attention to relevant human rights issues of concern to society fostering respect for human rights and freedoms as an integral part of a democratic state governed by the rule of law.<sup>85</sup>

***Other – please specify***

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<sup>85</sup> <https://lrkt.lt/en/news/other-news/constitutional-dialogue-who-determines-the-tendencies-of-human-rights/2212>