

# 2024 Rule of Law Report - targeted stakeholder consultation

Fields marked with \* are mandatory.

## Introduction

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The annual Rule of Law Report lies at the centre of the Annual Rule of Law Cycle, which acts as a preventive tool, deepening multilateral dialogue and joint awareness of rule of law issues. So far, four editions of the Rule of Law Report have been published in 2020, 2021, 2022 and 2023.

The Commission would like to invite stakeholders to provide contributions to the 2024 Rule of Law Report. This survey provides information on the type of information and topics that will be covered in the 2024 Rule of Law Report, in order to allow stakeholders to provide input. More targeted input may be requested at a later stage of preparation of the 2024 Rule of Law Report, including in the context of country visits, or bilateral contacts.

The 2024 Rule of Law Report will continue to deepen the assessment under the existing four pillars, and will also follow-up on the implementation of the recommendations to Member States, that were issued as part of the 2023 Rule of Law Report. The contribution to be provided should include **(1) information on measures taken to implement the recommendations addressed to the Member State in the 2023 Rule of Law report, as well as developments with regard to the points raised in the respective country chapter and (2) any other significant developments since January 2023<sup>[1]</sup> falling under the ‘type of information’ outlined in section II.**

The input should consist of a short summary, if possible in English, covering the areas referred to below. Legislation or other documents may be referenced with a link. Contributions should focus on significant developments since the last Rule of Law Report both as regards the legal framework and its implementation in practice.

[1] Unless the information was already submitted in the input for the previous Rule of Law Reports.

## Type of information

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The topics are structured according to four pillars: I. Justice system; II. Anti-corruption framework; III. Media pluralism; and IV. Other institutional issues related to checks and balances. The replies could include aspects set out below under each pillar. This can include challenges, current work streams, positive developments and best practices:

## A) Legislative developments

- Newly adopted legislation
- Legislative drafts currently discussed in Parliament
- Legislative plans envisaged by the Government

## B) Policy developments

- Implementation of legislation
- Evaluations, impact assessment, surveys
- White papers/strategies/actions plans/consultation processes
- Follow-up to reports/recommendations of Council of Europe bodies or other international organisations
- Important administrative measures
- Generalised practices

## C) Developments related to the judiciary / independent authorities

- Important case law by national courts
- Important decision/opinions from independent bodies/authorities
- State of play on terms, nominations and expired mandates for high-level positions (e.g. Supreme Court, Constitutional Court, Council for the Judiciary, heads of independent authorities included in the scope of the questionnaire[2])

## D) Any other relevant developments

- Respondents are free to add any further information, which they deem relevant; however, this should be short and to the point.

Please also indicate whether the developments reported are linked to the implementation of reforms and investments under the RRP, where applicable.

If there are no changes, it is sufficient to indicate this and the information covered in the contributions for the previous Rule of Law Reports should not be repeated.

[2] Such as: media regulatory authorities and bodies, national human rights institutions, equality bodies, ombudsman institutions, supreme audit institutions and, where they exist, transparency authorities.

## About you

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\* I am giving my contribution as

- ☐ Academic/research institution
- ☐ Business association
- ☒ Civil society organisation/NGO

- ☐ International organisation
- ☐ Judicial association or network
- ☐ Media organisation or association
- ☐ Public authority or network of public authorities
- ☐ Other

\* Organisation name

250 character(s) maximum

Main Areas of Work

- ☐ Justice System
- ☐ Anti-corruption
- ☐ Media Pluralism
- ☒ Other

If "Other", please specify

Please insert an URL towards your organisation's main online presence or describe your organisation briefly:

500 character(s) maximum

Transparency register number

Check if your organisation is in the transparency register. It's a voluntary database for organisations seeking to influence EU decision-making

\* Country of origin

Please add the country of origin of your organisation

- ☐ Afghanistan
- ☐ Albania
- ☐ Algeria
- ☐ Andorra
- ☐ Angola
- ☐ Antigua and Barbuda
- ☐ Argentina
- ☐ Armenia
- ☐ Australia
- ☐ Austria
- ☐ Azerbaijan

- ☐ Bahamas
- ☐ Bahrain
- ☐ Bangladesh
- ☐ Barbados
- ☐ Belarus
- ☐ Belgium
- ☐ Belize
- ☐ Benin
- ☐ Bhutan
- ☐ Bolivia
- ☐ Bosnia and Herzegovina
- ☐ Botswana
- ☐ Brazil
- ☐ Brunei Darussalam
- ☐ Bulgaria
- ☐ Burkina Faso
- ☐ Burundi
- ☐ Cabo Verde
- ☐ Cambodia
- ☐ Cameroon
- ☐ Canada
- ☐ Central African Republic
- ☐ Chad
- ☐ Chile
- ☐ China
- ☐ Colombia
- ☐ Comoros
- ☐ Congo
- ☐ Costa Rica
- ☐ Côte D'Ivoire
- ☐ Croatia
- ☐ Cuba
- ☐ Cyprus
- ☐ Czechia
- ☐ Democratic Republic of the Congo
- ☐ Denmark
- ☐ Djibouti
- ☐ Dominica
- ☐ Dominican Republic
- ☐ Ecuador
- ☐ Egypt
- ☐ El Salvador
- ☐ Equatorial Guinea
- ☐ Eritrea
- ☐ Estonia
- ☐ Eswatini
- ☐ Ethiopia

- ☐ Fiji
- ☐ Finland
- ☐ France
- ☐ Gabon
- ☐ Gambia
- ☐ Georgia
- ☐ Germany
- ☐ Ghana
- ☐ Greece
- ☐ Grenada
- ☐ Guatemala
- ☐ Guinea
- ☐ Guinea Bissau
- ☐ Guyana
- ☐ Haiti
- ☐ Honduras
- ☐ Hungary
- ☐ Iceland
- ☐ India
- ☐ Indonesia
- ☐ Iran
- ☐ Iraq
- ☐ Ireland
- ☐ Israel
- ☐ Italy
- ☐ Jamaica
- ☐ Japan
- ☐ Jordan
- ☐ Kazakhstan
- ☐ Kenya
- ☐ Kiribati
- ☐ Kuwait
- ☐ Kyrgyzstan
- ☐ Laos
- ☐ Latvia
- ☐ Lebanon
- ☐ Lesotho
- ☐ Liberia
- ☐ Libya
- ☐ Liechtenstein
- ☒ Lithuania
- ☐ Luxembourg
- ☐ Madagascar
- ☐ Malawi
- ☐ Malaysia
- ☐ Maldives
- ☐ Mali

- ☐ Malta
- ☐ Marshall Islands
- ☐ Mauritania
- ☐ Mauritius
- ☐ Mexico
- ☐ Micronesia
- ☐ Monaco
- ☐ Mongolia
- ☐ Montenegro
- ☐ Morocco
- ☐ Mozambique
- ☐ Myanmar
- ☐ Namibia
- ☐ Nauru
- ☐ Nepal
- ☐ Netherlands
- ☐ New Zealand
- ☐ Nicaragua
- ☐ Niger
- ☐ Nigeria
- ☐ North Korea
- ☐ North Macedonia
- ☐ Norway
- ☐ Oman
- ☐ Pakistan
- ☐ Palau
- ☐ Panama
- ☐ Papua New Guinea
- ☐ Paraguay
- ☐ Peru
- ☐ Philippines
- ☐ Poland
- ☐ Portugal
- ☐ Qatar
- ☐ Republic of Moldova
- ☐ Romania
- ☐ Russian Federation
- ☐ Rwanda
- ☐ Saint Kitts and Nevis
- ☐ Saint Lucia
- ☐ Saint Vincent and the Grenadines
- ☐ Samoa
- ☐ San Marino
- ☐ Sao Tome and Principe
- ☐ Saudi Arabia
- ☐ Senegal
- ☐ Serbia

- ☐ Seychelles
- ☐ Sierra Leone
- ☐ Singapore
- ☐ Slovakia
- ☐ Slovenia
- ☐ Solomon Islands
- ☐ Somalia
- ☐ South Africa
- ☐ South Korea
- ☐ South Sudan
- ☐ Spain
- ☐ Sri Lanka
- ☐ Sudan
- ☐ Suriname
- ☐ Sweden
- ☐ Switzerland
- ☐ Syrian Arab Republic
- ☐ Tajikistan
- ☐ Tanzania
- ☐ Thailand
- ☐ Timor-Leste
- ☐ Togo
- ☐ Tonga
- ☐ Trinidad and Tobago
- ☐ Tunisia
- ☐ Turkey
- ☐ Turkmenistan
- ☐ Tuvalu
- ☐ Uganda
- ☐ Ukraine
- ☐ United Arab Emirates
- ☐ United Kingdom
- ☐ United States of America
- ☐ Uruguay
- ☐ Uzbekistan
- ☐ Vanuatu
- ☐ Venezuela
- ☐ Viet Nam
- ☐ Yemen
- ☐ Zambia
- ☐ Zimbabwe

First name

Surname

Email Address of the organisation (this information will not be published)

**\* Publication of your contribution and privacy settings**

You can choose whether you wish for your contribution to be published and whether you wish your details to be made public or to remain anonymous.

- ☒ Anonymous - Only your type of respondent, country of origin and contribution will be published. Organisation name, URL, transparency register number, first name and surname given above will not be published. **To maintain anonymity, please refrain from mentioning the name of your organisation and any details from which your organisation can be identified in the rest of your contribution.**
- ☐ Public - Your personal details (name, organisation name, transparency register number, country of origin will be published with your contribution).
- ☐ No publication - Your contribution will not be published. Elements of your contribution may be referred to anonymously in documents produced by the Commission based on this consultation.

☒ I agree with the personal data protection provisions.

[Specific privacy statement targeted stakeholder consultation 2024 rule of law report.pdf](#)

## Questions on horizontal developments

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In this section, you are invited to provide information on general horizontal developments or trends, both positive and negative, covering all or several Member States. In particular, you could mention issues that are common to several Member States, as well as best practices identified in one Member State that could be replicated. Moreover, you could refer to your activities in the area of the four pillars and sub-topics (an overview of all sub-topics can be found below), and, if you represent a Network of national organisations, to the support you might have provided to one of your national members.

Overview topics for contribution

[List of topics 2024 RoL Report.pdf](#)

Please provide any relevant information on horizontal developments here

*5000 character(s) maximum*



The prevalence of xenophobic, homophobic, islamophobic moods remains a problem in Lithuania. Tensions on the Lithuania - Belarus border, that started in 2021, remain an issue as there persists a flow of migrants and asylum seekers (although decreased since its peak in 2021), trying to enter Lithuania irregularly from Belarus. The official position of the government is that this is an attack by the Belarusian regime as part of hybrid warfare waged against Lithuania and other countries in the region. Such rhetoric stimulates fear and distrust of migrants and asylum seekers in the Lithuanian society. Several crimes perpetrated by immigrants that happened throughout the year have contributed to negative opinions within the society. These negative prejudices are mainly aimed at migrants from the Middle East, Central Asia and Africa - typically darker looking peoples than the Lithuanian population. Having in mind the acceptance shown to refugees from Ukraine and dissidents from Russia and Belarus, it is clear that the population is more accepting of culturally and physically more similar peoples. Some politicians are capitalising on such sentiments and propagating an openly anti-migration policy and right wing policy. Additionally, the conflict between Hamas and Israel, starting in October, has contributed to the rise of both islamophobic and anti-semitic moods.

The rights of LGBTQI+ people are also contended as the members of parliament failed to approve same-sex partnership legislation and failed to suspend legal provisions stating that information about LGBTQI+ people are harmful to underaged people. Additionally, introduction of information about LGBTQI+ people in the school "Life skills" curriculum, recently approved by the Ministry of Education provoked negative responses from groups of parents representing "traditional family values". Another topic in the curriculum that created friction was sexual education: several human rights NGOs and youth organisations expressed their support of this discipline in the curriculum, however, above mentioned groups of parents opposed this. This again shows the clash of ideas and ideologies between groups of "traditional" conservative and liberal ideas in the society.

Overall, the political landscape is becoming more fragmented with conservative "traditional" values (christian, heterosexual, homogeneous society) representing political parties and social movements on the one side and liberal values political and social movements on the other side (inclusive, diverse, equal heterogeneous society).

## Questions for contribution

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The following four pillars (I.-IV.) are sub-divided into topics (A., B., etc.) and sub-topics (1., 2., 3., etc.). For each of the topics and sub-topics, you are invited to provide (1) information on measures taken to implement the recommendations addressed to the Member State in the 2023 Rule of Law report, as well as developments with regard to the points raised in the respective country chapter of the 2023 Rule of Law Report and (2) any other significant developments since January 2023[3]. Please always include a link to and reference relevant legislation/documents (in the national language and/or where available, in English). Significant developments can include challenges, positive developments and best practices, covering both legislative developments or implementation and practices.

If there are developments you consider relevant under each of the four pillars that are not mentioned in the sub-topics, please add them under the section "other - please specify". Only significant developments should be covered.

Information provided in reply to the first question under each pillar, related to the follow-up to the

recommendations, does not need to be repeated in subsequent parts of the questionnaire, but can be cross-referenced in the subsequent questions, where relevant. All other questions are not limited to the recommendations, but as in previous years, cover the entire scope of the Report.

[3] Unless already covered in the input for the previous Rule of Law Reports.

Member State covered in contribution [only one choice possible]

**If you wish to submit information concerning several Member States, please fill in the questionnaire separately for each Member State. There is no limit to the number of contributions submitted by a single participant.**

- ☐ Austria
- ☐ Belgium
- ☐ Bulgaria
- ☐ Croatia
- ☐ Cyprus
- ☐ Czechia
- ☐ Denmark
- ☐ Estonia
- ☐ Finland
- ☐ France
- ☐ Germany
- ☐ Greece
- ☐ Hungary
- ☐ Ireland
- ☐ Italy
- ☐ Latvia
- ☒ Lithuania
- ☐ Luxembourg
- ☐ Malta
- ☐ Netherlands
- ☐ Poland
- ☐ Portugal
- ☐ Romania
- ☐ Slovak Republic
- ☐ Slovenia
- ☐ Spain
- ☐ Sweden

## I. Justice System

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Please provide information on measures taken to follow-up on the recommendations received in the 2023 Report regarding the justice system (if applicable)

*5000 character(s) maximum*

## A. Independence

Appointment and selection of judges, prosecutors and court presidents (incl. judicial review)

*(The reference to 'judges' concerns judges at all level and types of courts as well as judges at constitutional courts)*

*5000 character(s) maximum*

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)

*5000 character(s) maximum*

Promotion of judges and prosecutors (incl. judicial review)

*5000 character(s) maximum*

Allocation of cases in courts

*5000 character(s) maximum*

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)

*5000 character(s) maximum*

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)

*5000 character(s) maximum*

Remuneration/bonuses/rewards for judges and prosecutors, including observed changes (significant and targeted increase or decrease over the past year), transparency on the system and access to the information

*5000 character(s) maximum*

Independence/autonomy of the prosecution service

*5000 character(s) maximum*

Independence of the Bar (chamber/association of lawyers) and of lawyers

5000 character(s) maximum

Significant developments capable of affecting the perception that the general public has of the independence of the judiciary

5000 character(s) maximum

## B. Quality of justice

*(Under this topic, you are not required to give statistical information but should provide input on the type of information outlined under section 2)*

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

5000 character(s) maximum

Resources of the judiciary (human/financial/material)

*(Material resources refer e.g. to court buildings and other facilities. Financial resources include salaries of staff in courts and prosecution offices.)*

5000 character(s) maximum

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

5000 character(s) maximum

Digitalisation (e.g. use of digital technology, particularly electronic communication tools, within the justice system and with court users, procedural rules, access to judgments online)

5000 character(s) maximum

Use of assessment tools and standards (e.g. ICT systems for case management, court statistics and their transparency, monitoring, evaluation, surveys among court users or legal professionals)

5000 character(s) maximum

Geographical distribution and number of courts/jurisdictions (“judicial map”) and their specialization, in particular specific courts or chambers within courts to deal with fraud and corruption cases

*5000 character(s) maximum*

## C. Efficiency of the justice system

*(Under this topic, you are not required to give statistical information but should provide input on the type of information outlined under section 2)*

Length of proceedings

*5000 character(s) maximum*

Other - please specify

*5000 character(s) maximum*

## II. Anti-Corruption Framework

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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.

Please provide information on measures taken to follow-up on the recommendations received in the 2023 Report regarding the anti-corruption framework (if applicable)

*5000 character(s) maximum*

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

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 measure taken to effectively and timely cooperate with OLAF and EPPO (where applicable)

*5000 character(s) maximum*

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

*5000 character(s) maximum*

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

*5000 character(s) maximum*

## B. Prevention

Measures to enhance integrity in the public sector and their application (including as regards incompatibility rules, revolving doors, codes of conduct, ethics training)

*5000 character(s) maximum*

General transparency of public decision-making (including rules on lobbying and their enforcement, asset disclosure rules and enforcement, gifts policy, transparency of political party financing)

*5000 character(s) maximum*

Rules and measures to prevent and address 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)

*5000 character(s) maximum*

If available to you, for the three preceding questions, you are also invited to provide figures on their application, such as number of detected breaches/irregularities of the various rules in place and the follow-up given (investigations, sanctions, etc.).

Measures in place to ensure whistleblower protection and encourage reporting of corruption, including the number of reports received and the follow-up given

*5000 character(s) maximum*

Sectors with high-risks of corruption in your Member State:

- Measures taken/envisaged for monitoring and preventing corruption and conflict of interest in public procurement

- List other sectors with high risks of corruption and the relevant measures taken/envisaged for monitoring and preventing corruption and conflict of interest in these sectors (e.g. healthcare, citizen /residence investor schemes, urban planning, risk or cases of corruption linked to the disbursement of EU funds, other), and, where applicable, list measures to prevent and address corruption committed by organised crime groups (e.g. to infiltrate the public sector)

*5000 character(s) maximum*

Any other relevant measures to prevent corruption in public and private sector

*5000 character(s) maximum*

## C. Repressive measures

Criminalisation, including the level of sanctions available by law, of corruption and related offences, including foreign bribery

*5000 character(s) maximum*

Data on the number of investigations, prosecutions, final judgments and application of sanctions for corruption offences (differentiated by corruption offence if possible) including for legal persons and high level and complex corruption cases) and their transparency, including as regards to the implementation of EU funds

*5000 character(s) maximum*

Potential obstacles to investigation and prosecution as well as to the effectiveness of criminal sanctions of high-level and complex corruption cases (e.g. political immunity regulation, procedural rules, statute of limitations, cross-border cooperation, pardoning)

*5000 character(s) maximum*

Information on effectiveness of non-criminal measures and of sanctions (e.g. recovery measures and administrative sanctions) on both public and private offenders

*5000 character(s) maximum*

Other - please specify

*5000 character(s) maximum*

### III. Media pluralism and media freedom

Please provide information on measures taken to follow-up on the recommendations received in the 2023 Report regarding media pluralism and media freedom (if applicable)

*5000 character(s) maximum*

No specific European Commission's recommendations for this thematic area.

#### A. Media authorities and bodies

*(Cf. Article 30 of Directive 2018/1808)*

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

*5000 character(s) maximum*

Conditions and procedures for the appointment and dismissal of the head / members of the collegiate body of media regulatory authorities and bodies

*5000 character(s) maximum*

The election of director of the LRT (Lithuanian Radio and Television), the national broadcaster, twice resulted in the split vote of the LRT board - revealing fighting for influence amongst political bodies of national government. The new director was appointed in autumn 2023 after receiving the majority of votes. The complicated election of the new director caused a debate on whether the procedure for the election of the LRT director should be changed by introducing an open vote or changing the number of the board members.

Existence and functions of media councils or other self-regulatory bodies

*5000 character(s) maximum*

On May 25, 2023, amendments to the Law on Provision of Information to the Public were passed which reformed the composition of the Commission for the Ethics of Public Information(1). Previously the Commission was composed only from the members of the Association for the Ethics of Public Information and the number of members of the Commission as well as the number of the terms of office were not limited. The amendments provided that the Commission is composed of representatives of each member of the Association, one member from the national broadcaster LRT and three members from the Media Council. The members of the commission are appointed for the term of three years and for no more than two consecutive terms in office. The members of the Commission must have higher university education and no less than 5 years of experience of journalistic, legal or media related work experience.

1 - <https://www.e-tar.lt/portal/legalAct.html?documentId=3bd0e1c0ffb211ed9978886e85107ab2>



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

Measures taken to ensure the fair and transparent allocation of state advertising (including any rules regulating the matter)

*5000 character(s) maximum*

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 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 licenses, company operation, capital entry requirements, concentration and corporate governance

*5000 character(s) maximum*

Transparency of media ownership and public availability of media ownership information, including on direct, indirect and beneficial owners, as well as any rules regulating the matter

*5000 character(s) maximum*

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

Rules and practices guaranteeing journalists' 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

*5000 character(s) maximum*

Law enforcement capacity, including during protests and demonstrations, to ensure journalists' safety and to investigate attacks on journalists

*5000 character(s) maximum*

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)

*5000 character(s) maximum*

In June 2023, Reporters Without Borders published a report on access to information in the Baltics(1). The study found low efficiency of Access to Information mechanisms in all three countries, due to such reasons as informal decision making, misinterpretation of regulations, motives balanced towards data privacy, and lack of trust and discussion(2). Although in Lithuania the journalists compared with the general public are the most privileged in terms of access to information, in practice the Lithuanian mechanism requires the most improvement because of a “complex web of norms that journalists find hard to understand”(3). There is also a lack of a simple and easy to use FOI appeal procedure which, according to the study, is more important to the effectiveness of access to information mechanisms than professional privileges. The study recommends that Lithuania's media stakeholders choose one of the institutions for FOI appeals. Currently, there are three institutions that handle FOI complaints - Parliamentary Ombudsperson, Commission for Administrative Disputes and administrative courts. The Inspector for Journalistic Ethics expressed positive response to suggestions that it could be the main institution for handling FOI complaints, although in such a case the legislation needs to be changed(4).

1 - <https://rsf.org/en/access-information-baltics-rsf-asks-authorities-address-weak-spot-press-freedom>

2- *ibid.*

3 - *ibid.*

4 - <https://m.kauno.diena.lt/naujienos/lietuva/politika/zeit-sutiktu-nagrineti-gincus-del-informacijos-nesuteikimo-bet-tam-reikia-keisti-istatyma-1131041>

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

*5000 character(s) maximum*

Other - please specify

*5000 character(s) maximum*

In March 2023, Association of Professional Journalists was established as an alternative to the Lithuanian Union of Journalists. The association was founded after several journalists expressed disagreement with the Union's public positions. According to the founders, the main priority of the association is to improve journalists' and the public's access to information and respond to attempts to restrict freedom of expression (1).

In 2023, by amending the Law on Public Information, a Media Support Fund was established which will provide state funding for media projects(2). The shareholders of the Fund are the Government, Association for Journalistic Ethics and Association for Culture Periodical Publications. The funding will be allocated by way of tenders, announcing calls for application and selecting the best media projects.

According to the 2023 December public opinion poll, 50 per cent of the respondents expressed trust in the media, whilst 46 percent expressed an opposite opinion(3). It is a slight increase compared to the previous year when 46 percent expressed trust and 50 percent of respondents claimed they did not trust the media (4). This indicates that the public is divided in two rather equal parts in terms of their trust in the media.

However, no research has been identified in 2023 that would explain the reasons behind the relatively low level of trust.

In April 2023, the Inspector for Journalistic Ethics published recommendations to journalists and disseminators of public information on the key personal data protection principles and cyber-security(5). The guide provides legal information as well as practical examples of the way personal data is to be processed in line with the key data protection requirements. It also provides practical advice and recommendations on IT security related with the use of various IT equipment.

1 - <https://www.lrt.lt/naujienos/lietuvoje/2/2101116/zurnalistu-profesionalu-asociacijoje-kelios-desimtys-aktyviu-zurnalistu>

2 - <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/TAIS.29884/asr>

3 - <https://m.kauno.diena.lt/naujienos/lietuva/salies-pulsas/apklausa-isaugo-gyventoju-pasitikejimas-kariuomene-1152935>

4 - <https://m.kauno.diena.lt/naujienos/lietuva/salies-pulsas/naujausias-instituciju-vertinimas-isaugo-pasitikejimas-ziniasklaida-kitu-instituciju-nepakito-1082259>

5 - <https://zeit.lt/data/public/uploads/2023/04/gaires-zurnalistams-2023-04-17.pdf>

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

Please provide information on measures taken to follow-up on the recommendations received in the 2023 Report regarding the system of checks and balances (if applicable)

*5000 character(s) maximum*

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

Framework, policy and use of impact assessments and evidence based policy-making, stakeholders'[1] /public consultations (including consultation of judiciary and other relevant stakeholders on judicial reforms), and transparency and quality of the legislative process both in the preparatory and the parliamentary phase

[1] This includes also the consultation of social partners

*5000 character(s) maximum*

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)

*5000 character(s) maximum*

Rules and application of states of emergency (or analogous regimes), including judicial review and parliamentary oversight

*5000 character(s) maximum*

Regime for constitutional review of laws

5000 character(s) maximum

## B. Independent authorities

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

(Cf. the website of the European Court of Auditors: <https://www.eca.europa.eu/en/Pages/SupremeAuditInstitutions.aspx#>)

5000 character(s) maximum

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

5000 character(s) maximum

## C. Accessibility and judicial review of administrative decisions

Transparency of administrative decisions and sanctions (incl. their publication and rules on collection of related data)

5000 character(s) maximum

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)

5000 character(s) maximum

Rules and practices related to the application by all courts, including constitutional jurisdictions, of the preliminary ruling procedure (Art. 267 TFEU)

5000 character(s) maximum

Follow-up by the public administration and State institutions to final (national/supranational, including the European Court of Human Rights) court decisions, as well as available remedies in case of non-implementation

*5000 character(s) maximum*

## D. The enabling framework for civil society

Measures regarding the framework for civil society organisations and human rights defenders (e.g. legal framework and its application in practice incl. registration and dissolution rules)

*5000 character(s) maximum*

On 1 April 2023, amendments to the Law on Assemblies came into force which strengthened the protection of freedom of assemblies<sup>(1)</sup>. The amendments shortened the term during which the organisers of an assembly of more than 15 people must notify the relevant authorities of the planned event from 5 to 4 days before the event. The amendments also provided for specific terms within which the decisions of the municipal authorities can be appealed to court and have to be adjudicated by the courts. The appeal is to be filed within 2 working days to the first instance administrative court, which must issue its decision in 72 hours. The decision might be appealed to the Supreme Administrative Court within 2 working days, and the court's decision on the appeal must be issued in 72 hours. The law also included municipal mayors and directors of municipalities as officials responsible for smooth procedures for coordination of the assemblies, provided for the prohibition to oblige the organisers to implement measures related to the assembly which cost financial resources (apart from tidying up the place of the event), and provided for administrative liability for mayors and directors of municipalities in case of violations of the Law on Assemblies.

1 - <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/43ac5640874e11edbdcebd68a7a0df7e?jfwid=hv33duzny>

Rules and practices having an impact on the effective operation and safety of civil society organisations and human rights defenders. This includes measures for protection 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

*5000 character(s) maximum*

On 28 September 2023, Association Lithuanian Gay League organised a protest near the Parliament regarding the law that censors information about LGBTQI+ people<sup>(1)</sup>. The protest was disrupted by counter-protesters who prevented the participants of the assembly from speaking. The organisers appealed to police officers that were maintaining public order around the protest requesting to take measures, however, the police officers ignored the requests and failed to act, and the assembly had to be discontinued. The organisers later filed a complaint with the prosecution office regarding the interference with their freedom of assembly and expression as well as threats received during the protest. In this case, the police failed to comply with the positive obligation to secure the effective enjoyment of freedom of assembly which, according to the case law of the ECtHR, is of particular importance for persons belonging to minority groups, because they are more vulnerable to victimisation. In this case, the police had an obligation to facilitate the conduct of the event by restraining the verbal attacks and physical interference by counter-demonstrators.

1 - <https://www.delfi.lt/news/daily/lithuania/policijos-vadas-pripazista-kad-lietuvos-geju-lygos-mitingas-prie-seimo-nebuvo-suvaldytas.d?id=94684789>

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)

*5000 character(s) maximum*

In March 2023, the Ministry of Social Security and Labour approved a procedure for tenders for institutional strengthening of CSOs(1). This measure is one of the measures foreseen in the 2023-2025 Action Plan for Strengthening of CSOs Activities, which was approved in 2022, and provides for such objectives as strengthening of the CSOs' institutional capacities and activity; promoting cooperation between public and CSO sectors whilst providing public services, increasing financial sustainability of CSOs; strengthening and developing voluntary activities; increasing public and CSOs' participation in the decision making process and participation in public policy, and others(2).

1 - <https://www.e-tar.lt/portal/lt/legalAct/cc265d20bf1811ed97b2975f7dad7488>

2 - <https://www.e-tar.lt/portal/lt/legalAct/c8f1fd80300711edb4cae1b158f98ea5/asr>

Rules and practices on the participation of civil society organisations and human rights defenders to the decision-making process (e.g. measures related to dialogue between authorities and civil society, participation of civil society in policy development and decision-making, consultation, dialogues, etc.)

*5000 character(s) maximum*

Despite the absence of legal constraints on the activities of Civil Society Organizations (CSOs) aiding migrants and refugees, a significant challenge arises from widespread public support for restrictive government policies. Only a minority of the public endorses a human rights-based approach to managing increased irregular migration. The government's consistent portrayal of migrants and asylum seekers as threats has significantly shaped public opinion, with 2021 opinion polls revealing a growing negative sentiment towards migrants and refugees. Consequently, civil society's advocacy efforts need to extend beyond addressing laws and policies, emphasising the importance of humanising the public narrative surrounding irregular migration.

Additionally, the scarcity of information poses a considerable obstacle for CSOs in evaluating the full implications of laws affecting asylum seekers. Official statistics only account for individuals pushed back on specific days, with no available data on those allowed entry and provided the opportunity to lodge asylum applications. Furthermore, critical demographic information such as countries of origin, gender, age, and other individual characteristics remains inaccessible. This lack of data hinders the identification of specific vulnerabilities among individuals who were pushed back(1).

1 - <https://www.civicus.org/index.php/media-resources/news/interviews/6432-lithuania-civil-society-must-humanise-the-public-narrative-around-irregular-migration>

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

Measures to foster a rule of law culture (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.)

*5000 character(s) maximum*

On July 26, 2023, the Prosecutor General of the Republic of Lithuania approved the Methodological Guidelines for the Pre-Trial Investigation of Hate Crimes and Hate Speech, replacing the 2020

Methodological Guidelines. These recommendations are expected to contribute to a more effective investigation of hate crimes and a more proactive response to such incidents(1).

On November 16, 2023, the Parliament voted to support the impeachment proceedings against member of parliament Remigijus Žemaitaitis. The Constitutional Court of the Republic of Lithuania has been tasked with evaluating whether the actions of the Member of the parliament are in violation of the constitution. The initiation of the impeachment process stems from Žemaitaitis' public anti-Semitic statements and incitement to hatred.

He has been found to have made tendentious and biased assessments of both historical and contemporary events related to the Jewish people. Additionally, he openly expressed justification and support for expressions encouraging violence against the Jewish community. In response to these allegations, the Prosecutor General's Office is currently conducting a pre-trial investigation into charges of public contempt and incitement to hatred against any national, racial, ethnic, religious, or other group of people(2).

On December 6, 2023, the case involving Petras Gražulis, a member of parliament, for stigmatising LGBTIQ people has been forwarded to court. The evidence collected during the investigation indicates that Mr. Gražulis acted deliberately, fully aware that his statements were being recorded, broadcast, and disseminated through online media(3).

In 2023, the parliament rejected a draft law focused on amending the Law on Protection of Minors from Negative Impact of Public Information. The proposed law aimed to eliminate a provision that restricts publishing of information that "denigrates family values" and promotes the LGBTIQ family concept. Following this rejection, the Ministry of Justice of the Republic of Lithuania has initiated an appeal to the Constitutional Court to clarify whether this provision in the law discriminates against a particular segment of society(4).

In 2023, Lithuania faced a multifaceted challenge with disinformation. A draft law was introduced to amend Article 118-1 of the Criminal Code, targeting individuals who manipulate accounts on online social networking platforms to significantly amplify the dissemination of information against the Republic of Lithuania. This includes false narratives targeting its constitutional order, sovereignty, territorial integrity, defence, or economic power, with potential penalties ranging from fines and restrictions of liberty to arrest or imprisonment for up to five years(5).

Further exacerbating the situation, the National Crisis Management Centre identified 16 information incidents before and during the NATO Summit in Vilnius in 2023. The primary source of these incidents was traced back to individuals residing in Lithuania or organisations operating within the country. Particularly noteworthy was the manipulation of audio files through hacking into the systems of a regional radio station and a shopping mall in Vilnius. These altered audio files were then broadcasted, conveying messages opposing NATO and expressing anti-military aid sentiments towards Ukraine. This comprehensive disinformation campaign highlighted the urgency of addressing and mitigating the impact of deceptive information on national security and public perception(6).

1 - [https://www.prokuraturos.lt/data/public/uploads/2023/09/20230726\\_neapykantos\\_nusikaltimai\\_rekomendacijos.pdf](https://www.prokuraturos.lt/data/public/uploads/2023/09/20230726_neapykantos_nusikaltimai_rekomendacijos.pdf)

2 - <https://www.lrt.lt/naujienos/lietuvoje/2/2126266/seimo-nariai-prite-ka-d-yra-pagrindas-zemaitaicio-apkaltai>

3 - <https://www.lrt.lt/naujienos/lietuvoje/2/2142779/prokuratura-grazulio-byla-del-lgbtiq-niekinimo-perduota-teismui>

4 - <https://www.lrt.lt/naujienos/lietuvoje/2/2158544/ministerija-inicijuoja-kreipimasi-i-konstitucini-teisma-del-draudimo-skatinti-lgbtiq-seimos-samprata>

5 - <https://e-seimas.lrs.lt/portal/legalAct/lt/TAP/eb6de9009f4611ee8172b53a675305ab>

6 - <https://www.lrt.lt/naujienos/lietuvoje/2/2034946/po-nato-virsuniu-susitikimo-melagienu-prieskonis->

Other - please specify

5000 character(s) maximum

In April 2023, the Lithuanian Parliament enacted a law legalising the practice of turning away irregular migrants at the border during a state-level extreme situation regime or a state of emergency. These amendments formalise and consolidate the existing procedure for rejecting migrants at the border. This practice was initially introduced through an interior minister's order issued in 2021 and subsequently formalised by a government resolution(1).

On 7 June 2023, the Constitutional Court of the Republic of Lithuania issued a ruling declaring that the provisions of the Law on the Legal Status of Aliens concerning the temporary accommodation of an asylum seeker in an Alien Registration Centre during a state of emergency are contrary to Article 20 of the Constitution, which enshrines the inviolability and protection of human freedom. The legislator has not complied with the requirements of the Constitution not to restrict a person's rights beyond what is necessary to achieve the objective. The provisions of the law were found to be unconstitutional as asylum seekers were not granted the guarantees applicable to detained persons, such as the right to apply to a court for an alternative measure to detention, and the restrictive measures imposed were adopted without a decision of the competent authority, without ensuring the possibility of a judicial review of the validity and lawfulness of the measures(2).

Legal recognition for same-sex partnerships is absent. A proposal to permit same-sex civil unions faced insufficient support in a May 2021 parliament vote, and in May 2023, discussions commenced in Parliament regarding a compromise legislation aiming to establish gender-neutral civil unions, intending to extend rights to same-sex couples. However, the matter of civil partnership remains unsettled.

In 2023, Lithuania grappled with the implementation of 21 leading judgments from the European Court of Human Rights, maintaining a 21% backlog of main cases from the past decade. Over the course of the year, four new leading judgments emerged, while two were successfully implemented(3).

Notably, the case of *L. v. Lithuania* lingered in pending status. During 2023, the Vice-Ministers of the Committee of Ministers voiced deep concern regarding the prolonged legislative process for gender reassignment surgery and legal recognition, specifically in the context of the *L. v. Lithuania* case. Despite the establishment of an inter-institutional working group, more than 15 years after the judgement, significant progress remained elusive. The Vice-Ministers expressed apprehension over the absence of a defined timetable for future actions(4).

*Macate v. Lithuania*, another unresolved case, centred around the temporary suspension and subsequent labelling of a book depicting same-sex relationships. The Court found that the measures imposed in respect of the book had intended to limit children's access to information depicting same-sex relationships which had not pursued any aims that could be accepted as legitimate (violation of Article 10). The Ministry of Justice has prepared a draft law amending the impugned Article 4 of the Minors Protection Law to eliminate the discriminatory provision in question. The draft law was considered at the inter-institutional meeting of the Government on 29 August 2023, no additional remarks or suggestions were received. Despite the Ministry of Justice's draft law to amend the discriminatory provision, the parliament rejected it in November 2023, prolonging the case's unresolved status(5).

The Ancient Baltic Religious Association "Romuva" v. Lithuania continued to await resolution. Originating from the Parliament's denial of state recognition to a non-traditional religious association in 2019, the case



highlighted insufficient and unclear reasons, constituting violations of Convention Articles 14, 9, and 13. Although a Ministry of Justice evaluation confirmed the association's alignment with recognition criteria, the parliament rejected the proposal for state recognition in September 2023. Additionally, the newly established Article 6 of the Law on Religious Communities and Associations failed to safeguard the interests of the Ancient Baltic Religious Association "Romuva"(6).

1 - <https://www.lrt.lt/en/news-in-english/19/1970339/lithuania-legalises-migrant-pushbacks>

2 - <https://lrkt.lt/lt/teismo-aktai/paieska/135/ta2861/content>

3 - <https://www.coe.int/en/web/execution/lithuania>

4 - <https://hrmi.lt/l-byla-pries-lietuva-po-15-metu-vis-dar-pradiniame-starto-taske/>

5 - [https://hudoc.exec.coe.int/eng#{%22execdocumenttypecollection%22:\[%22CEC%22\],%22execlanguage%22:\[%22ENG%22\],%22execstate%22:\[%22LTU%22\],%22execisclosed%22:\[%22False%22\],%22exectype%22:\[%22L%22\],%22execidentifier%22:\[%22004-62540%22](https://hudoc.exec.coe.int/eng#{%22execdocumenttypecollection%22:[%22CEC%22],%22execlanguage%22:[%22ENG%22],%22execstate%22:[%22LTU%22],%22execisclosed%22:[%22False%22],%22exectype%22:[%22L%22],%22execidentifier%22:[%22004-62540%22)

6 - <https://www.lrt.lt/naujienos/lietuvoje/2/2080419/seimas-atmete-siulyma-suteikti-senoves-baltu-religinei-bendrijai-romuva-pripazinima>

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