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Groupe d'États contre la corruption

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FOURTH EVALUATION ROUND

Corruption prevention in respect of members of
parliament, judges and prosecutors

COMPLIANCE REPORT

LITHUANIA

Adopted by GRECO at its 75th Plenary Meeting
(Strasbourg, 20-24 March 2017)

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I. INTRODUCTION

1. The Compliance Report assesses the measures taken by the authorities of Lithuania to implement the recommendations issued in the Fourth Round Evaluation Report on Lithuania which was adopted at GRECO's 66th Plenary Meeting (12 December 2014) and made public on 11 February 2015, following authorisation by Lithuania ([Greco Eval IV Rep \(2014\) 5E](#)). GRECO's Fourth Evaluation Round deals with "Corruption prevention in respect of members of parliament, judges and prosecutors".
2. As required by GRECO's Rules of Procedure, the authorities of Lithuania submitted a Situation Report on measures taken to implement the recommendations. This report was received on 10 October 2016 and served, together with the information submitted subsequently, as a basis for the Compliance Report.
3. GRECO selected Ukraine and the Czech Republic to appoint Rapporteurs for the compliance procedure. The Rapporteurs appointed were Mr Mykhaylo BUROMENSKIY, on behalf of Ukraine and Ms Lenka HABRNÁLOVÁ, on behalf of the Czech Republic. They were assisted by GRECO's Secretariat in drawing up the Compliance Report.
4. The Compliance Report assesses the implementation of each individual recommendation contained in the Evaluation Report and establishes an overall appraisal of the level of the member's compliance with these recommendations. The implementation of any outstanding recommendation (partially or not implemented) will be assessed on the basis of a further Situation Report to be submitted by the authorities 18 months after the adoption of the present Compliance Report.

II. ANALYSIS

5. GRECO addressed 11 recommendations to Lithuania in its Evaluation Report. Compliance with these recommendations is dealt with below.

Corruption prevention in respect of all categories under review

Recommendation i.

6. *GRECO recommended that, at the initiative of the Chief Official Ethics Commission, the co-operation on an operational level between the institutions responsible for overseeing the implementation, by members of the Seimas, judges and prosecutors, of rules on conduct, conflicts of interest and related matters be significantly strengthened.*
7. The authorities of Lithuania report that the Chief Official Ethics Commission (COEC) has developed and published a virtual official ethics adviser for civil servants on its internet website. This is an online tool providing explanations and individual recommendations in light of the Law on the Adjustment of Public and Private Interests in Civil Service (LAPPICS) on questions related to ethics and the implementation of the law (e.g. on gifts, recusal, etc.). It is planned to provide a link to this tool on the websites of the public institutions. Moreover, in the framework of the National Anti-Corruption Programme 2015-2025, the COEC has started preliminary work on establishing a private interest register for the automated submission, registration and checking of declarations of private interests, with links to other relevant State information resources, in particular the Courts Information System (LITEKO), as proposed by the Lithuanian Court of Appeal. Structured data on private interests of judges and court employees should

facilitate the distribution of cases and documents, avoiding conflicts of interests. The COEC also organised a workshop for employees of the Lithuanian Court of Appeal on ethics related issues, where a new supplement to the declaration of private interests was presented.

8. GRECO welcomes the different activities reported by the COEC, in particular the setting up of an online virtual official ethics adviser for civil servants and plans for an automated register of private interests. That said, these measures do not directly respond to the objectives of the recommendation, which is that structured cooperation be developed on an operational level with the oversight institutions responsible for preventing corruption among parliamentarians, judges and prosecutors, namely the Parliamentary Commission for Ethics and Procedure, the Judicial Ethics and Discipline Commission and the Commission on Ethics of Prosecutors. However, the information reported also shows that operational contacts have been established with the Lithuanian Court of Appeal, which is a positive element towards the implementation of the recommendation.
9. GRECO concludes that recommendation i has been partly implemented.

Corruption prevention in respect of members of parliament

Recommendation ii.

10. *GRECO recommended that the transparency of the legislative process be further improved by ensuring that agendas, working documents and minutes of committee meetings are made accessible in due time.*
11. The authorities report that draft law No. XIIP-4449¹ on the amendment of Articles 48, 78 and 124 of the Statute of the Seimas No. I-399, tabled by the Minister of Justice, the Deputy Chair of the Seimas Anticorruption Commission, and the Chair of the Commission for Parliamentary Scrutiny of Criminal Intelligence, has been registered in Parliament. The draft law provides for publication on the Seimas' website of agendas, draft decisions and conclusions (Article 1, amendment of Article 48) as well as minutes of committee and commission meetings (Article 3, amendment of Article 125). Moreover it supports the system of declarations of private interests by MPs (see below).
12. Furthermore, the authorities explain that on 1 June 2016, the initiators of the draft law presented it to the public at a press conference at the Seimas². On 16 June 2016, the draft was presented to a plenary meeting of the Seimas. On 14 September 2016, the Committee on State Administration and Local Authorities considered the draft and approved it.
13. GRECO welcomes the draft amendments to the Statute of the Seimas, aimed at enhancing the transparency of the legislative process. They appear to fulfil on paper the aims of the recommendation and GRECO looks forward to their adoption. However, it is of paramount importance that the transparency of the legislative process is ensured in practice, in particular through timely publication of agendas, working documents and minutes of committee meetings. Therefore, GRECO expects to receive specific information on the practice followed by the Seimas committees in its next report.

¹ Text of the draft (in Lithuanian):

<https://eseimas.lrs.lt/portal/legalAct/lt/TAK/cb19b0b0270f11e6a222b0cd86c2adfc?jfwid=f4nne6gg>

² Video recording of the conference (in Lithuanian):

http://www.lrs.lt/sip/portal.show?p_r=15259&p_k=1&p_a=media_object_viewer&guid=649F8D1B-625E-4E4B-81DD-FF827DF76A72

14. GRECO concludes that recommendation ii has been partly implemented.
Recommendation iii.
15. *GRECO recommended introducing rules on how members of the parliament engage with lobbyists and other third parties who seek to influence the legislative process.*
16. The authorities confirm that the 2000 Law on Lobbying Activities has not been enforced efficiently. Registered lobbyists submit summaries on their activities annually and a large part of lobbyists' activities remains undisclosed. At the COEC's initiative, amendments to the Law on Lobbying Activities were drafted by 1 December 2014 and registered in the Seimas as draft law no. XIIP-2731 on 23 January 2015³. The draft law was updated (no. XIIP-2731(2)) on 3 June 2016⁴, taking into account submitted proposals for improvement. MPs, registered lobbyists and persons engaged in undeclared lobbying activities contributed to the discussions and proposals for improvement. The relevant parliamentary committees approved the draft law. The amendments aim at improving accountability as regards specific lobbyist activities, while lowering the administrative burden on the lobbyists. The draft law introduces the requirement of e-disclosure of lobbying activities to the COEC within seven calendar days, instead of annual reports.
17. The draft Law introduces or improves the concepts of "clients of lobbying activities" and of "persons on whom exercising influence is sought", specifies the rights of lobbyists and clarifies lobbying activities. They encompass all activities at meetings, except the activities of the persons on whom exercising influence is sought, and the persons acting exclusively at the initiative and invitation of such persons. The draft Law provides for a duty on lobbyists to introduce themselves, produce the lobbyist certificate issued by the COEC, specify the client represented, the draft legal act or administrative decision they seek to have adopted or defeated, and to agree on the location and time of the meeting. Lobbyists are prohibited from giving gifts to persons they seek to influence or from promising compensation for an adopted or defeated legal act or administrative decision. The authorities explain that the COEC is of the view that this prohibition also covers invitations, which will be explicitly mentioned in the implementing legislation.
18. Moreover, the draft amendments require that the MPs ascertain whether the person carrying out the lobbying activities is registered and, if not, report to the COEC the activities of those who are not registered.
19. While the draft law is pending for adoption in Parliament, the COEC is working towards an increased registration of lobbyists and enhanced transparency of their activities, while at the same time reducing administrative hurdles. Thus the COEC intends to lower the registration fee to €10, has approved new simplified forms to be submitted by those seeking registration and set up a tool, on its website, to search lobbyists.
20. GRECO welcomes the amendments aimed at improving the regulation of lobbying. The provisions of the draft law appear to be comprehensive, attempting to finally address the flaws of the current legislation. GRECO would welcome, however, more information on how compliance with the provisions of the draft law is to be ensured. The proposed system for e-disclosure within seven calendar days can be expected

³ Text of the draft (in Lithuanian):

<https://e-seimas.lrs.lt/portal/legalAct/lt/TAP/82863470a2d311e49dedcf791a151bf8?positionInSearchResults=27&searchModelUUID=a1defc9f-77bd-4a47-ac38-c187f98ddffb>

⁴ Text of the draft (in Lithuanian):

<https://e-seimas.lrs.lt/portal/legalAct/lt/TAP/01e95ab0295811e6a222b0cd86c2adfc?positionInSearchResults=16&searchModelUUID=d5c8f28c-fe44-46bf-994c-728640d2a9bb>

to improve the transparency and accountability of lobbying activities. GRECO welcomes the proposed requirement for the person(s) on whom exercising influence is sought to ensure that lobbying activities are exercised by registered lobbyists and to report the activities of those who are not registered. GRECO also looks forward to the introduction by Parliament of guidance regulating MPs relations with third parties, as required by the recommendation.

21. GRECO concludes that recommendation iii has been partly implemented.

Recommendation iv.

22. *GRECO recommended that appropriate measures be taken to ensure effective supervision and enforcement of the rules regarding declarations of private interests and other rules of conduct of members of the Seimas.*

23. The authorities report that, in the framework of the Action Plan of the Programme of Prevention of Corruption in Funding of Elections, Activities of Political Parties and Political Campaigns for 2016-2017⁵, the COEC published in September 2016 on the websites of the SEC and the COEC, a comparative analysis of declarations of private interests by candidates to political positions. Candidates were notified automatically of discrepancies in the data submitted in their declarations.

24. Moreover, the authorities indicate that, in cooperation with the Chancellor's Office of the Seimas⁶, the COEC⁷ carried out a cross-cutting examination and assessed the risk for any conflicts of interests in the areas of activity of Members of the Seimas. This showed that one of the risk-prone groups were public consultants of members and parties of the Seimas⁸, as well as assistant-secretaries and advisers to MPs⁹. After an information campaign conducted by the COEC resulting in increased public awareness of the problem and personal notifications to the persons concerned, the number of public consultants and assistant-secretaries who had not declared their private interests decreased on 23 September 2016 to 30 persons (about 2.5 %). The COEC published on its website the names of the persons who failed to declare their interests.

25. GRECO takes note with interest of the activities carried out by the COEC and of the subsequently improved compliance with the declaration duties of persons associated with MPs. That said, the focus of the recommendation is on compliance by MPs with their obligations and it also calls for a strengthening of the self-regulation mechanism within the Seimas. GRECO therefore invites the authorities to pursue their efforts in this direction.

26. GRECO concludes that recommendation iv has been partly implemented.

⁵ Approved by Order n°I-28/5-V-68/11-2/MS-2-(6.10) of 28 January 2016 of the Prosecutor General of the Republic of Lithuania, the Commissar General of the Republic of Lithuania, and the Chair of the Supreme Electoral Commission (hereinafter – SEC), and the Chair of the COEC

⁶ Exercising the authority granted to it under Article 17 of the Law on Chief Official Ethics Commission to supervise the progress of implementation of the relevant provisions of LAPPICS.

⁷ Article 18(1)(12) of the Law on the Chief Official Ethics Commission authorises the COEC to check the data regarding the private interests of persons working in the civil service.

⁸ Out of 695 persons working as public consultants to members of the Seimas or groups of the Seimas as many as 39 % (274 persons) did not submit any declarations and 32 % (223 persons) provided in the declarations incorrect data.

⁹ Out of 572 assistant-secretaries and advisers of members and political groups of the Seimas 6 % (37 persons) did not submit any declarations of private interests, 15 % (87 persons) submitted their declarations with material mistakes.

Recommendation v.

27. *GRECO recommended that efficient internal mechanisms be developed to promote, raise awareness of, and thereby safeguard, integrity in the Seimas, both at institutional level (training, institutional discussions on ethical issues related to parliamentary conduct, etc.) and on an individual basis (confidential counselling).*
28. The authorities explain that the draft law referred to under paragraph 11 also contains specific provisions empowering the Commission for Ethics and Procedure of the Seimas to check MPs' compliance with their declaration duties and to enhance their awareness about the prevention of corruption, including by providing confidential consultations on issues of ethics in relation with parliamentary activities.
29. GRECO welcomes the provisions of the draft law making the Commission for Ethics and Procedure of the Seimas responsible for raising the awareness of MPs and providing confidential advice on ethical issues. It looks forward to the adoption of the law and to assessing in its next report the activities to be carried out by the Commission in that context.
30. GRECO concludes that recommendation v has been partly implemented.

Corruption prevention in respect of judges

Recommendation vi.

31. *GRECO recommended that the judicial authorities continue in their endeavours to ensure (i) appropriate education to strengthen the professional skills for drafting judicial decisions and (ii) better communication with the public.*
32. As regards the first part of the recommendation, the authorities report that on 27 March 2015, the Judicial Council set up a working group to draw up a draft plan for improving skills in drafting judicial decisions and rulings. The draft plan provided for the setting of specific quality standards¹⁰ and discussing them, introducing related (practical) training, as well as improving court funding and analysing the workload of judges. On 29 May 2015, the Judicial Council approved the draft plan and subsequently set up a working group to draw up the draft Standards, and related guidelines. The working group analysed the responses given to a specific questionnaire by Lithuanian courts, the Prosecutor General's Office, the Lithuanian Bar Organisation, Lithuanian research and study institutions, as well as internet opinion surveys, international best practices and relevant methodologies. On 27 May 2016, the Judicial Council formally approved the standards on the quality of judicial decisions¹¹. They contain recommendations regarding clarity, transparency, comprehensiveness of judicial decisions, motivation, argumentation, structure and verbal expression.
33. Furthermore, the Training and International Cooperation Division of the National Courts Administration and the Training Committee of the Judicial Council were instructed to take into account the working group's proposals when planning their training programmes for 2016 and subsequent years. In 2015, the National Courts Administration hosted a training session for representatives of the courts on the methodology for drafting judgments (54 participants). Training sessions on this

¹⁰ An internal (among judges and lawyers in courts) and external surveys had been conducted with the purpose of elaborating the standards.

¹¹ Resolution No. 13P-65-(7.1.2) of 27 May 2016 of the Judicial Council 'On the approval of recommended standards for the quality of procedural judicial decisions'

issue were also organised in 2016, including introductory training for 13 newly appointed judges and training for 38 judges.

34. Turning to the second part of the recommendation, the authorities specify that in the period November 2014 to April 2015, the National Courts Administration organised a 24 hour training session on communication with the media and the public¹², attended in total by 132 participants. Moreover, in 2015, the Administration organised training sessions on communication means within the judiciary and presenting judicial decisions to the public, attended by 410 participants. The Administration drew up and published a methodological guide "Communication Manual for Courts"¹³, addressed to judges, public relations experts and other court employees as well as the public. The manual includes practical advice, case studies and templates. With a view to enhancing transparency of court activities and decisions, the Supreme Court has initiated, with the approval of the Judicial Council, a series of draft legal amendments¹⁴. The amendments seek to establish a general rule according to which, if requested by a person concerned, the court should allow, for the purposes of public information, education or research, the broadcasting, filming, photographing, audio or video recording during court hearings. The Government Resolution n° 792¹⁵ of 11 August 2016 approved the draft amendments and formulated relevant proposals to the Seimas.
35. With regard to the first part of the recommendation, GRECO welcomes the standards on the quality of judicial decisions and the organisation of training aimed at strengthening the professional skills for drafting judicial decisions, as well as the training activities reported. This part of the recommendation has thus been implemented.
36. Regarding the second part of the recommendation, GRECO appreciates the efforts undertaken to improve communication between the judicial authorities and the public, in particular through the organisation of relevant training and the publication of a practical guide by the National Courts Administration. Moreover, the initiation of draft legal amendments aimed at enhancing transparency of the judiciary is a positive step. Adequate follow-up has thus been given to this part of the recommendation.
37. GRECO concludes that recommendation vi has been implemented satisfactorily.
- Recommendation vii.
38. *GRECO recommended (i) that the method for appointing the members of the Selection Commission of Candidates to Judicial Offices be reviewed in order to strengthen their independence and that the procedure for appealing against the Commission's decisions be consolidated, and (ii) that the Judicial Council be given a more important role in the procedure for selecting judges.*

¹² In the framework of the project "Improvement of competences of representatives of the judicial system (including judges, employees of courts and representatives of the National Courts Administration)" supported by the Norwegian Financial Mechanism.

¹³ Idem

¹⁴ Draft Law No. XIIP-4309 on the amendment of Article 38 of the Law on Courts of the Republic of Lithuania No. I-480; draft Law No. XIIP-4310 on the amendment of Article 9 of the Code of Civil Procedure of the Republic of Lithuania; draft Law No. XIIP-4311 on the amendment of the Code of Criminal Procedure of the Republic of Lithuania; draft Law No. XIIP-4312 on the amendment of Article 11 of the Law on Administrative Proceedings of the Republic of Lithuania No. VIII-1029; draft Law No. XIIP-4313 on the amendments of Articles 589, 614 and 633 of the Code of Administrative Violations

¹⁵ Text of the draft (in Lithuanian):

<https://www.e-tar.lt/portal/lt/legalAct/ba5f4780638711e68abac33170fc3720>

39. The authorities refer to one particular case in which the Judicial Council refrained on 15 May 2015 from advising the President of the Republic of Lithuania to appoint a candidate to the position of judge of the Vilnius Regional Court. The minute of the relevant meeting of the Judicial Council read as follows: “It was emphasised in the course of the discussion, that the judicial corps must be formed in good faith and transparently, by selecting to the position of judge only those distinguished by their professional qualification, personal qualities, other abilities and advantages relevant for the position of judges. It should be also noted that the Judicial Council had not received the information necessary for clarifying, and making an objective evaluation of all the relevant criteria for advising on a judge’s career, including those related to the evaluation of the results of the selection of the judges for the Vilnius Regional Court”.¹⁶
40. GRECO takes note of the reported case in which the Judicial Council gave a negative opinion on a candidate proposed for judicial appointment. This case, however, occurred on the basis of procedures existing at the time of the adoption of the Evaluation Report. GRECO regrets that no steps have been taken to implement either part of the recommendation.
41. GRECO concludes that recommendation vii has not been implemented.
Recommendation viii.
42. *GRECO recommended that judicial authorities (i) take further measures to raise judges’ awareness on ethical issues and conflicts of interest, notably by stimulating institutional discussions and that (ii) these measures be communicated to the public.*
43. The authorities report that since 1 February 2013, the Judicial Ethics and Discipline Commission has been providing consultations on issues of judicial ethics. Most often judges seek clarifications regarding the enforcement of the principle of impartiality. During 2016, the Commission was consulted in one instance. The Commission was consulted 5, 9 and 7 times in 2015, 2014 and 2013 respectively. Due to their relevance to other judges and the public, the consultations are published on the website of the Courts’ Administration¹⁷. The Commission’s decisions are also available to the public¹⁸. The former chairman of the Commission has contributed to informing the public of its activity by appearing on numerous TV and radio broadcasts. The Code of Ethics of Judges as well as its practical Guide are updated on a regular basis¹⁹. The permanent training programme for judges²⁰ was updated to include the following subjects: “Ethics requirements for judicial behaviour”; “Conflicts of interest in judicial activity”; “Limits for partiality and impartiality”; “Practical application of the Code of Ethics of Judges”; “Peculiarities of the corruption risk, management in the judicial system”. All new judges and presidents of courts participate in these mandatory training activities. The information on training activities is public.
44. The authorities also indicate that in 2016 the Judicial Ethics and Discipline Commission attended various events and discussions on ethics and judges: in January a discussion “What should a modern judge be like” at the Supreme Court of

¹⁶ Minutes of the meeting of the Judicial Council, see Item 1.13. Text of the minutes (in Lithuanian): <http://www.teismai.lt/data/public/uploads/2015/05/2015-05-15-38p-7-7-1-1-neeiline.doc>

¹⁷ <http://www.teismai.lt/lt/teismu-savivalda/teiseju-etikos-ir-drausmes-komisija/konsultacijos/185/2016-10> (in Lithuanian)

¹⁸ <http://www.teismai.lt/lt/teismu-savivalda/teiseju-etikos-ir-drausmes-komisija/sprendimai/184/2016-10> (in Lithuanian)

¹⁹ The Guide is updated in the light of the decisions of by the Judicial Ethics and Discipline Commission and the relevant case law of the Judicial Court of Honour and the Supreme Court.

²⁰ Approved by Resolution No. 13P-137-(7.1.2) of 31 October 2014 “On the approval of the programmes for the enhancement of qualification of judges in 2015–2016” of the Judicial Council.

Lithuania, in May a meeting with the Ethics Commission of the Prosecutor's Office, as well as a meeting and a lecture on judicial ethics with judges of local courts from several regions held in Telšiai. In June members of the Commission delivered a lecture "Aspects of professionalism and ethics for a judge and a lawyer" at the forum of courts of Lithuania-Ukraine-Moldova-Georgia.

45. As for the first part of the recommendation, GRECO appreciates that measures have been taken to raise judges' awareness of ethical issues and conflicts of interest. The permanent training programme has been updated to include courses on issues of judicial ethics, conflicts of interest and corruption risks. Moreover, GRECO welcomes the Judicial Ethics and Discipline Commission's role in counselling of judges and participating in discussions on ethics and conflicts of interest. This part of the recommendation has therefore been implemented.
46. As regards the second part of the recommendation, GRECO welcomes the Commission's former chairman's appearances in the media as well as to the availability of the information on training activities to the public. GRECO encourages the Lithuanian authorities to further pursue awareness raising activities. The second part of the recommendation has been implemented as well.
47. GRECO concludes that recommendation viii has been implemented satisfactorily.

Corruption prevention in respect of prosecutors

Recommendation ix.

48. *GRECO recommended that the prosecutorial authorities continue in their endeavours to improve communication between the prosecution service and the public, notably by ensuring proper implementation of the adopted standards, complementing them where necessary, and by providing relevant training.*
49. The authorities explain that the Prosecutor General asked the competent entities to submit to him conclusions regarding the efficiency of implementation of the "Guidelines on the publication of data of a pre-trial investigation" (hereinafter – the Guidelines), and of the "Description of the procedure for the provision of information to public information providers" (hereinafter – the Description). The Communication Division of the Prosecutor General's Office analysed whether the above mentioned documents provided sufficient grounds for the provision of complete and accurate information to the public and on 15 September 2015 submitted proposals for improvement (Conclusion No. 17.9-3105) to the Prosecutor General. On that basis, the Prosecutor General started drafting amendments to the Description and the Guidelines.
50. Furthermore, as part of additional measures to implement this recommendation, the Prosecutor General's Office undertook to draw up and submit for approval a programme for training communication staff at the prosecutor's office and prosecutors. On 14 June 2016 the Prosecutor General approved the semi-annual training programme for 2016²¹, including a session on relations with media and communication and communication psychology. Employees of the prosecution service working in the area of communication attended a series of training events. In April 2016, the Prosecutor General's Office hosted a 6-hour training course on communication with the media, attended by 33 prosecutors and civil servants from the Prosecutor General's Office. In September 2016, the Kaunas Regional Prosecutor's Office held a training session on public speaking for 70 prosecutors

²¹ Order No. I-148 of 14 June 2016 of the Prosecutor General, approving the training programmes for H2 2016 for prosecutors, civil servants at the prosecutor's Office and employees working under employment contracts

and other employees of the Office. In October 2016, the Prosecutor General's Office hosted a 6-hour training course on communication with the media, attended by 27 prosecutors and civil servants from the Prosecutor General's Office. In addition, in November 2016, the Prosecutor General's Office organised a targeted 8-hour training course on communication with the media for top managers of the prosecution service, attended by 14 head prosecutors of the Prosecutor General's Office.

51. GRECO welcomes the measures taken to improve the regulatory framework on communication between the prosecution service and the public and its implementation in practice. GRECO appreciates also the increased training efforts in this context and encourages the authorities to pursue them.

52. GRECO concludes that recommendation ix has been implemented satisfactorily.

Recommendation x.

53. *In order to increase the transparency and objectivity of the recruitment and promotion in the prosecution service, GRECO recommended strengthening the decisive influence of the selection commissions, by providing that their recommendations be followed as a rule and that written motivation be given if they are not.*

54. The authorities report that the Prosecutor General set up working groups to assess the current legal regulation, and, if necessary, draw up amendments to the Law on the Prosecutor's Office and/or the Regulations on the Commissions for the Selection of Prosecutors and the Selection of Chief Prosecutors (selection commissions). In December 2015, it was concluded²² that the current legal framework was adequate, and that there was therefore no need to amend the Law on Prosecution Service or other legal acts. Following a corruption risk assessment amendments to the Regulations on selection commissions have been adopted, introducing a 10-working-day limit and three possible types of decisions by the Prosecutor General.

55. Furthermore the authorities state that, according to the Law on the Prosecutor's Office, the selection commissions' recommendations for appointing prosecutors and chief prosecutors (adopted by a majority of votes) are not binding upon the Prosecutor General. However, they specify that in practice the Prosecutor General follows them.

56. GRECO takes note of the initiatives that have been taken to review the current regulations on recruitment. The process of decision-making by the Prosecutor General has been better framed, introducing a time limit and typology for recruitment decisions. GRECO notes the assurances by the authorities that in practice the Prosecutor General currently follows the recommendations of the selection commissions. However, it underlines that safeguards are needed to ensure that this will be done systematically in the future, following the requirements of the recommendation. GRECO cannot conclude that this recommendation has been even partly implemented.

57. GRECO concludes that recommendation x has not been implemented.

²² Conclusion No. 17.9-4482 of 31 December 2015

Recommendation xi.

58. *GRECO recommended that i) the Code of Ethics of Prosecutors be complemented in such a way as to offer practical guidance by way of explanatory comments and/or practical examples on conflicts of interest and ethical issues and (ii) that further measures be taken to raise prosecutors' awareness of these issues, notably by stimulating institutional discussions.*
59. As regards the first part of the recommendation, the authorities reported that the College of the Prosecutor's Office had approved a practical guide to the Code of Ethics of Prosecutors. The Prosecutor's Office published the guide on its intranet page where it is accessible internally to all employees of the Prosecutor's Office. The Guide contains practical recommendations and/or examples of problems related to conflicts of interest and ethics.
60. Regarding the second part of the recommendation, the authorities indicate that the Prosecutor General's Office analysed the decisions of the Commission of Ethics of Prosecutors, organised an opinion poll among prosecutors, collected feedback and opinions by e-mail, with a view to identifying the situations in which prosecutors most often encounter problems related to ethics. Having summarised the feedback received, the Prosecutor General submitted on 24 September 2015 Conclusions n°17.9-3203 regarding the most relevant themes for training in the area of professional ethics. In September 2016, the Prosecutor General's Office hosted a training session for 44 participants on relevant issues for civil servants. In December 2016 and February 2017, it organised a training course on ethics for 61 prosecutors. A follow-up session is planned in 2017 for 140 participants from regional prosecutor's offices. Lecturers include a former member of the Prosecutors' Ethics Commission (institution which investigates violations of the Code of Ethics committed by prosecutors).
61. As for the first part of the recommendation, GRECO welcomes the approval and publication of the practical guide to the Code of Ethics of Prosecutors. This part of the recommendation has thus been fully addressed. With respect to the second part of the recommendation, GRECO appreciates the design of more targeted training efforts, based on the feedback received from prosecutors. However, more needs to be done to ensure that awareness raising activities on conflicts of interest and ethical issues are held on a regular basis and involve as many prosecutors as possible, preferably at the level of the prosecutors' offices themselves. GRECO also believes that improved public access to the information on trainings activities would be beneficial. This part of the recommendation has been partly implemented.
62. GRECO concludes that recommendation xi has been partly implemented.

III. CONCLUSIONS

63. In view of the foregoing, GRECO concludes that Lithuania has implemented satisfactorily three out of eleven recommendations contained in the Fourth Round Evaluation Report. Of the remaining recommendations, six have been partly implemented and two have not been implemented.
64. More specifically, recommendations vi, viii and ix have been implemented satisfactorily, recommendations i, ii, iii, iv, v, and xi have been partly implemented and recommendations vii and x have not been implemented.
65. More generally, with respect to all categories under review, structured cooperation at operational level between the COEC and the oversight institutions responsible for

prevention of corruption among parliamentarians, judges and prosecutors is still to be significantly strengthened.

66. With respect to members of parliament, all the recommendations have been partly implemented. While legal amendments have been prepared to enhance transparency of the legislative process and to improve the regulation of lobbying, their adoption is pending and it is of the utmost importance to ensure progress in practice with regard to the transparency of committee activities and applying rules for parliamentarians' engagement with lobbyists and other third parties. More resolute measures are also required to improve supervision and enforcement of the rules regarding declarations of private interests and conflicts of interests as well as to put in place efficient internal mechanisms promoting integrity in the Seimas.
67. As far as judges are concerned, GRECO notes certain positive developments such as the approval of standards on the quality of judicial decisions and the organisation of relevant training, improved communication with the public, as well as increased judges' awareness on ethical issues and conflicts of interest. By contrast, GRECO regrets that no steps have been taken to strengthen the independence and the role of the Selection Commission of Candidates to Judicial Offices and to consolidate the procedure for appealing against the Commission's decisions.
68. Finally as regards prosecutors, GRECO welcomes the measures taken to improve the regulatory framework on communication between the prosecution service and the public and its implementation in practice. Other achievements include the approval and publication of a practical guide to the Code of Ethics of Prosecutors and more targeted training efforts, based on the feedback received from prosecutors. More needs to be done to strengthen the role of the selection commissions in the recruitment of prosecutors.
69. Overall, Lithuania has been making clear efforts to implement the recommendations contained in the Fourth Round Evaluation Report. GRECO notes that further reforms are underway in respect of a number of the pending recommendations. It encourages the country to pursue these reforms, bearing especially in mind that certain fundamental improvements still need to be introduced as regards the judiciary and the prosecution service. GRECO invites the Head of delegation of Lithuania to submit additional information regarding the implementation of the pending recommendations i to v, vii, x and xi by 30 September 2018 at the latest.
70. Finally, GRECO invites the authorities of Lithuania to authorise, as soon as possible, the publication of the present report, to translate it into the national language and to make this translation public.