



PROFILES ON COUNTER-TERRORISM CAPACITY

LITHUANIA

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NATIONAL POLICY

Terrorism remains one of the most serious threats to peace and security and it poses a direct threat to universally recognised democratic values. To counter this threat the Republic of Lithuania has developed and implemented numerous legal and organisational measures. While seeking to ensure effectiveness of the counter-terrorism measures, the Republic of Lithuania give due consideration to the protection of human rights and the rule of law.

Recognising terrorism as a global phenomenon, the Republic of Lithuania makes every effort to contribute to international co-operation in the fight against terrorism.

The Public Security Development Programme for 2015-2025 (hereinafter referred to as the Programme) was approved by Resolution No XII-1682 of 7 May 2015 of the Seimas of the Republic of Lithuania "On Approval of the Public Security Development Programme for 2015-2025". The third objective of the Programme is to reduce and eliminate risk factors that increase the likelihood of acts of terrorism. Considerable attention is paid in the Programme to the reduction and elimination of risk factors, so specific tasks for this purpose are provided for in the Programme: prevent the views of the population from becoming extreme, i.e. so extreme that individuals become recruited for terrorist activities; create unfavourable conditions for terrorist activities in Lithuania and contribute to the efforts of the international community in combating terrorism; strengthen the protection and resilience of potential terrorist targets. In addition, other objectives and tasks are provided for in this Programme which both directly and indirectly affect the reduction and elimination of risk factors for terrorism. The third objective of the Programme concerns the prevention of terrorism and its financing. To achieve this objective, the State Security Department has established an inter-institutional working group to address issues related to the fight against terrorism and terrorist financing.

LEGAL FRAMEWORK

General information

The Republic of Lithuania has not adopted an independent law regulating the application of criminal

liability for terrorist offenses. All criminal offenses relating to terrorism and the rules governing the investigation and prosecution of such cases are laid down accordingly in the Criminal Code of the Republic of Lithuania (hereinafter referred to as the CC), the Code of Criminal Procedure of the Republic of Lithuania (hereinafter referred to as the CCP), and the Law on Criminal Intelligence of the Republic of Lithuania (hereinafter referred to as the LCI).

However, it should be noted that the Republic of Lithuania has adopted a special law – the Law on the Prevention of Money Laundering and Terrorist Financing of the Republic of Lithuania (hereinafter referred to as the LPMLTF), the purpose of which is to establish measures for the prevention of money laundering and/or terrorist financing as well as the authorities responsible for implementing the measures for the prevention of money laundering and/or terrorist financing.

Lithuania pays particular attention to the right balance between the legal framework of the suppression of terrorism and the observation of the Human Rights. Lithuania does not have a specific legal act on suppression of terrorism, the common Criminal Law and Criminal Procedural Law legislation applies.

Criminal law

In implementing Council Framework Decision 2008/919/JHA of 28 November 2008 amending Framework Decision 2002/475/JHA on combating terrorism (OJ 2008 L 300, p. 21) and Directive (EU) 2017/541 of the European Parliament and of the Council of 15 March 2017 on combating terrorism and replacing Council Framework Decision 2002/475/JHA and amending Council Decision 2005/671/JHA, the Republic of Lithuania, in 2013, 2017 and 2018, supplemented the list of terrorist offences already established in the CC with new crimes which significantly expanded the scope of criminal law to ensure effective, proportionate and dissuasive liability for committing terrorism, one of the most dangerous crimes. It should be noted that the changes and additions to the criminal law in question were made consistently and currently establish a unified system of terrorist offences.

A terrorist group is equated to a criminal organization. Article 25 (4) of CC establishes that a criminal association shall be one in which three or more persons linked by permanent mutual relations and division of roles or tasks join together for the commission of a joint criminal act – one or several less serious, serious and grave crimes. An anti-state group or organisation and a terrorist group shall be considered equivalent to a criminal association.

Chapter XXXV of CC establishes crimes against public security. This chapter covers all autonomous criminal offenses related to terrorist offenses, offences related to a terrorist group and offences related to terrorist activities which are:

Article 249¹. Establishment and Activities of Groups Having the Aim of Committing Terrorist Crimes

1. A person who establishes an organised group having the aim of committing terrorist crimes or is the leader thereof or participates in the activities of this group shall be punished by a custodial sentence for a term of up to eight years.
2. A person who participates in the activities of a terrorist group having the aim of committing terrorist crimes shall be punished by a custodial sentence for a term of five up to fifteen years.
3. A person who participates in the activities of a terrorist group armed with firearms, explosives, explosive, radioactive, biological or chemical harmful substances, preparations or micro-organisms shall be punished by a custodial sentence for a period of ten up to twenty years or by a life custodial sentence.
4. A person who organises a terrorist group provided for in paragraph 2 or 3 of this Article or is the leader thereof shall be punished by a custodial sentence for a term of twelve up to twenty years or by a life custodial sentence.
5. A legal entity shall also be held liable for the acts provided for in this Article.

Article 250. Act of Terrorism

1. A person who, for terrorist purposes, has produced, acquired, kept, transported, transferred or otherwise disposed of a firearm, ammunition, explosives, explosive, nuclear or radioactive materials, or other sources of ionising radiation, or a person who, for terrorist purposes, has developed, produced, acquired, kept, transported, transferred or otherwise disposed of a chemical or biological weapon or chemical substances or their precursors, micro-organisms and other biological substances or toxins used for the production of chemical or biological weapons, shall be punished by a custodial sentence for a term of up to eight years.
2. A person who, for terrorist purposes, has caused a flood or disrupted the supply of water, energy or other natural resources, or exploded, set fire to, or

otherwise destroyed or damaged property on a large scale, or affected an information system or electronic data, or released hazardous radioactive, biological or chemical substances, preparations or micro-organisms, if this caused or could have caused serious consequences, or a person who, for terrorist purposes, has caused a minor impairment to the health of one or more persons or endangered the lives or health of many people, or affected an information system of significant importance to public administration, the economy or the financial system or electronic data thereof, shall be punished by a custodial sentence for a term of up to ten years.

3. A person who, for terrorist purposes, has caused a serious impairment to the health of one or more persons shall be punished by a custodial sentence for a term of three to fifteen years.
4. A person who has killed one or more persons for terrorist purposes shall be punished by a custodial sentence for a term of eight to twenty years or a life sentence.
5. A person who has committed an act provided for in paragraph 2, 3 or 4 of this Article, if it was directed against an object of strategic importance to national security or caused grave consequences, shall be punished by a custodial sentence for a term of ten to twenty years or a life sentence.
6. A legal entity shall also be held liable for the acts provided for in this Article.

Article 250². Recruitment for Terrorism

1. A person who recruits another person to commit a terrorist crime or participate in the commission of the terrorist crime or participate in the activities of a group seeking to commit terrorist crimes shall be punished by a custodial sentence for a term of up to seven years.
2. A legal entity shall also be held liable for the acts provided for in this Article.

Article 250³. Threatening to Commit a Terrorist Crime

1. A person who threatened to commit a terrorist offense referred to in Articles 250, 251 or 252 of this Code, if there were sufficient grounds to believe that the threat could be carried out, shall be punished by a custodial sentence for a term of up to five years.
2. A legal entity shall also be held liable for the acts provided for in this Article.

Article 250⁴. Financing and Support of Terrorist Activities

1. A person who directly or indirectly raises, accumulates or provides funds or other assets or provides other material support to another person, with knowledge or with intent that the assets, support or part thereof would be used to prepare or commit a terrorist crime or a terrorist-related crime or to support one or more terrorists or a group seeking to commit terrorist crimes or the persons or groups

recruiting, preparing terrorists or otherwise participating in terrorist activities shall be punished by a custodial sentence for a term of up to ten years.

2. A legal entity shall also be held liable for the acts provided for in this Article.

Article 250⁵. Terrorist Training and Learning for Terrorist Purposes

1. A person who provides another person with the special knowledge or skills necessary to prepare, commit a terrorist crime or participate in the commission of a terrorist crime, while being aware that the person intends to use the knowledge or skills thus provided for terrorist purposes, as well as a person who, with the aim of using the acquired knowledge or skills for terrorist purposes, systematically collects special knowledge or acquires special skills necessary to prepare, commit the terrorist crime or to participate in the commission of the terrorist crime shall be punished by a custodial sentence for a term of up to seven years.

2. A legal entity shall also be held liable for the acts provided for in this Article.

Article 250⁶. Travel for terrorist purposes

1. A person who enters the Republic of Lithuania or travels to another state for the purpose of preparing or committing a terrorist crime or participating in the commission of a terrorist crime or participating in the activities of a group having the aim of committing terrorist crimes or training terrorists or studying for terrorist purposes shall be punished by a custodial sentence for a term of up to five years.

2. A legal entity shall also be held liable for the acts provided for in this Article.

Article 251. Hijacking an Aircraft, Vessel or Another Public or Freight Vehicle or Fixed Platform on the Continental Shelf

1. A person who hijacks an aircraft, vessel or fixed platform on the continental shelf shall be punished by arrest or by a custodial sentence for a term of up to five years.

2. A person who hijacks an aircraft, ship or fixed platform on the continental shelf by using physical violence or threatening the use of violence shall be punished by a custodial sentence for a term of three up to eight years.

3. A person who hijacks an aircraft, vessel or another public or freight vehicle or fixed platform on a continental shelf by using a firearm, explosive or another means posing a threat to the life or health of the crew or passengers of the aircraft, vessel or another public or freight vehicle or the persons present on the fixed platform on the continental shelf shall be punished by a custodial sentence for a term of five up to ten years.

4. A person who commits an act provided for in paragraph 1, 2 or 3 of this Article for terrorist

purposes shall be punished by a custodial sentence for a term of five up to fifteen years.

5. A person who commits an act provided for paragraph 1, 2, 3 or 4 of this Article, where this results in an accident, breakdown or causes other grave consequences, shall be punished by a custodial sentence for a period of ten up to twenty years or by a life custodial sentence.

6. A legal entity shall also be held liable for the acts provided for in this Article.

Article 252. Hostage Taking

1. A person who kidnaps or holds hostage a person and demands that an international public organisation, the State or an institution thereof perform or abstain from performing an action, also a person who threatens the immediate killing or causing bodily harm to the person held hostage unless he is provided conditions to avoid detention, shall be punished by a custodial sentence for a term of three up to ten years.

2. A person who commits the act provided for in paragraph 1 of this Article, where he kidnaps or holds hostage two or more persons, shall be punished by a custodial sentence for a term of five up to fifteen years.

3. A legal entity shall also be held liable for the acts provided for in this Article.

Article 252¹. Interpretation of Concepts

1. A crime referred to in Article 250 of this Code and the crimes referred to in Articles 250³, 251 and 252 of this Code, if committed for terrorist purposes, shall be deemed terrorist offences.

2. Crimes related to terrorist activities shall be the crimes referred to in Articles 249¹, 250¹, 250², 250⁴, 250⁵ and 250⁶ of this Code, as well as the crimes referred to in Articles 178, 180, 181 and 300 of this Code, if they are committed with the aim of obtaining funds, tools or means for the commission of terrorist offences or supporting the activities of a group whose purpose is to commit terrorist offences.

3. Terrorist purposes means the aim of greatly intimidating society or part thereof, or unlawfully compelling an international public organisation, the State or an institution thereof to perform or refrain from performing an action, or destabilising or destroying an international public organisation or the fundamental constitutional, political, economic or social structures of the State.

Article 7 of the CC provides for universal criminal jurisdiction for terrorist offences by establishing that persons are liable under the CC regardless of their citizenship and place of residence, as well as the place where the crime was committed and whether the act committed is punishable under the laws of the place where the crime was committed when they commit crimes for which liability is provided for on the basis of international agreements:

- terrorist offences and crimes associated with terrorist activities (Article 252¹(1) and (2));

Article 20 of the CC establishes grounds for Criminal Liability of a Legal Entity

1. A legal entity shall be held liable solely for the criminal acts the commission whereof is subject to liability of a legal entity as provided for in the Special Part of this Code.
2. A legal entity shall be held liable for the criminal acts committed by a natural person solely where a criminal act was committed for the benefit or in the interests of the legal entity by a natural person acting independently or on behalf of the legal entity, provided that he, while occupying an executive position in the legal entity, was entitled:
 - 1) to represent the legal entity, or
 - 2) to take decisions on behalf of the legal entity, or
 - 3) to control activities of the legal entity.
3. A legal entity may be held liable for criminal acts also where they have been committed by an employee or authorised representative of the legal entity as a result of insufficient supervision or control by the person indicated in paragraph 2 of this Article.
4. Criminal liability of a legal entity shall not release from criminal liability a natural person who has committed, organised, instigated or assisted in commission of the criminal act.
5. The State, a municipality, a state and municipal institution and agency as well as international public organisation shall not be held liable under this Code.

Article 43 of the CC establishes types of Penalties in Respect of Legal Entities

1. The following penalties may be imposed upon a legal entity for the commission of a criminal act:
 - 1) a fine;
 - 2) restriction of operation of the legal entity;
 - 3) liquidation of the legal entity.
2. Having imposed a penalty upon a legal entity, a court may also decide to announce this judgement in the media.
3. Only one penalty may be imposed upon a legal entity for one criminal act.
4. The sanctions of articles of the Special Part of this Code shall not specify the penalties to which legal entities are subject. In imposing a penalty upon a legal entity, a court shall refer the list of penalties specified in paragraph 1 of this Article.

Procedural Rules

Lithuania procedural law does not contain any special regulations with regard to people prosecuted for terrorist offences and offences related to terrorist activities. This means that there are no legal differences between the processing of criminal proceedings concerning offences related to terrorism

and proceedings involving other serious crime. Thus a person suspected of or prosecuted for a terrorist offence or offence related to terrorist activities enjoys the same rights as a person charged with another serious or very serious crime.

Once the amendment to Article 165 of the CCP came into effect on 1 February 2011, the State Security Department of Lithuania (hereinafter referred to as the SSD) was removed from the list of pre-trial investigation institutions (pre-trial investigations within the competence of the SSD, including for terrorist offences, have been entrusted to the police by the prosecutor's office), so it no longer performs the function of pre-trial investigation and has no powers in this area of activity. In view of this, the Lithuanian Criminal Police Bureau (hereinafter referred to as the LCPB) is tasked with conducting criminal intelligence and prevention of terrorist threats, and preventing, disclosing and investigating criminal acts related to acts of terrorism and the illicit manufacture, acquisition, possession, carrying, transportation and/or sale of firearms, ammunition and explosives.

Depending on the data or information received on terrorism, terrorist incidents and persons related to terrorism, the authorities, in carrying out the tasks and functions assigned to them by law, may conduct the disclosure and investigation of crimes using disclosure procedures established by the CCP or the LCI that are substantially different in content.

Law enforcement agencies may use coercive measures in the context of a preliminary investigation. Article 120 of CPC establishes that the supervision measures are: detention, intensive supervision, house arrest, restraining order, security deposit, seizure of documents, suspension of a special right, obligation to periodically check in with the police, written undertaking not to leave.

Chapter X of CPC establishes other coercive measures which include:

- temporary detention;
- transfer to a health care institution;
- bringing to court;
- personal examination;
- taking samples for comparative testing;
- search, personal search;
- seizure, seizure of postal parcels;
- temporary restriction of property rights;
- control, recording and storage of information transmitted via electronic communications networks;
- taking photographs, filming, measuring, taking handprints and a sample for genetic dactyloscopy;

- temporary suspension from duties or temporary suspension of the right to engage in certain activities;
- actions of undercover pre-trial officers;
- simulation of a criminal act;
- covert surveillance.

The LCI establishes the legal basis for criminal intelligence, the principles and tasks of criminal intelligence, the rights and obligations of criminal intelligence entities, the conduct of criminal intelligence investigations, the participation of individuals in criminal intelligence, the use of criminal intelligence, as well as the financing, coordination and control of criminal intelligence.

Criminal intelligence is the activities of criminal intelligence entities in accordance with the procedure established by the LCI in collecting, recording, evaluating and using available information on potentially planned, carried out or committed criminal acts, the persons who are planning, are carrying out or have committed them, the active actions of these persons in neutralising criminal intelligence, and other events and persons related to the national security of the state.

The following methods of collecting criminal intelligence are provided for in the LCI:

- agency activities;
- interrogation; inspection;
- control inspection;
- controlled deliveries;
- crime simulation;
- ambush;
- following; covert operation;
- tasks of law enforcement authorities.

The methods of collecting criminal intelligence referred to in the LCI can be actively used for the effective disclosure and investigation of crimes related to terrorism

Other relevant legislation

In 2008, a recast of the Republic of Lithuania Law on the Protection of Participants in Criminal Proceedings and Criminal Intelligence and Justice and Law Enforcement Officials Against Criminal Influence was adopted, establishing the measures and procedures for protection against criminal influence. Under Article 7 of this law, various measures are provided for the protection of a person and his or her property: (a) physical protection of the person and his or her property; (b) temporary transfer of the person to a place of refuge; (c) establishment of a special regime for the provision of personal data from state and departmental registers and information systems; (d) change in the person's place of residence, employment or learning; (e) alteration of the person's identity and biographical data; (f) performing plastic

surgery to change the person's appearance; g) issuing the person a firearm or special measures; (h) financial support.

Once the Law on the Basics of Transport Activity of the Republic of Lithuania was supplemented with Article 19¹ in 2016, a modern Passenger Name Record (PNR) information system was created, the data of which are used for the prevention, detection, investigation or prosecution of terrorist or terrorist-related crimes and other very serious and serious crimes.

Item 5 of the Description of the Procedure for Terrorist Threat Level Determination, Announcement and Preparedness approved by Resolution No 1614-8 of 10 November 2010 of the Government of the Republic of Lithuania "On Approval of the Description of the Procedure for Terrorist Threat Level Determination, Announcement and Preparedness" obligates the SSD to continuously assess the threat of a terrorist act, so state and municipal institutions that receive information relating to a terrorist threat should forward it to the SSD without delay.

In implementing Council Decision 2005/671/JHA of 20 September 2005 on the exchange of information and cooperation concerning terrorist offences (OJ 2005 L 253, p. 22), the LCPB Europol and Interpol National Unit provide the European Police Office (Europol) with information on terrorist or terrorist-related crimes. The LCPB will also be designated as the contact point responsible for providing personal data and related information to the national centre of another European Union Member State when there is a suspicion that a person may commit crimes of this nature.

Resolution No 1324 of 9 November 2011 of the Government of the Republic of Lithuania "On Approval of the Description of the Procedure for the Cross-Border Exchange of DNA Data, Dactyloscopic Data, Data on Vehicle Registration, Owners and Operators, and Information Related to Large-Scale Cross-Border Events or the Prevention of terrorist offences" came into force on 18 November 2011. In accordance with the provisions of item 2.4 of this resolution, in the implementation of Council Decision 2008/615/JHA of 23 June 2008 on the stepping up of cross-border cooperation, particularly in combating terrorism and cross-border crime (OJ 2008 L 210, p. 1), the LCPB was designated as the contact point for the Republic of Lithuania for exchanging personal data and information for the prevention of terrorist or terrorist-related crimes, as well as information if there is a hit, with other Member States' national contact points.

In order to improve inter-institutional cooperation in the disclosure and investigation of criminal offences, the Prosecutor General and the main institutions of

criminal intelligence signed agreement No 9.11.-7 on cooperation and coordination of criminal intelligence actions on 9 February 2017. Under this agreement, the country's institutions of criminal intelligence, as well as the SSD, upon receiving information on criminal offences of a terrorist nature, will forward this information to the LCPB, and since the SSD coordinates the fight against terrorism by the authorities of the Republic of Lithuania, the SSD is provided with information on planned, carried out or committed terrorist offences and other acts instigated, prepared, carried out or committed for terrorist purposes.

In order to improve and coordinate the response of institutions to criminal offences of a terrorist nature, the actions and interaction of central internal affairs agencies were approved by Order No 1V-252 of 4 April 2016 of the Minister of the Interior of the Republic of Lithuania "On the Interaction of the Statutory Institutions of the Interior upon Establishing the Level of Threat of a Terrorist Act". The Lithuanian police has been given the role of coordinating authority.

The 13 July 2017 recast of the LPMLTF transposing Directive (EU) 2015/849 of the European Parliament and of the Council on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing, amending Regulation (EU) No 648/2012 of the European Parliament and of the Council, and repealing Directive 2005/60/EC of the European Parliament and of the Council and Commission Directive 2006/70/EC. The purpose of the law was to amend and supplement the provisions of the previous Law on the Prevention of Money Laundering and Terrorist Financing of the Republic of Lithuania taking into account the provisions of the Directive and the recommendations of the FATF, which is the global standard setter in the prevention of international money laundering and terrorist financing, thus improving the legal framework for the prevention of money laundering and terrorist financing.

Lithuania is currently transposing into the National Legislation the Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA provides to victims of crimes (including victims of terrorist offences, offences related to a terrorist group and offences related to terrorist activities) specific rights (such as the right to legal assistance, the rights to be informed about the outcomes of the enquiries, access to victims support services) and safeguards during investigations, trials and sometime after criminal proceedings.

In view of this, the Republic of Lithuania has adopted Law on Assistance to Victims of Crime (hereinafter referred to as the LAVC), which establishes the rights of victims of crime:

1. The victim, having regard to his or her individual needs, the needs arising from the offence committed and the nature of the offence, shall have the right:

1) to free, confidential use of the assistance provided and/or organised by the first contact authorities and emergency services before, during and, if necessary, after criminal proceedings and in all cases where criminal proceedings are not instituted;

2) to receive information in a language he or she understands in the manner and by the means chosen by agreement between him or her and the assisting entities, as well as to receive interpretation, translation and sign language interpretation services;

3) to choose a person who will participate in contacting the first contact authority and help him or her to understand or be understood, except in cases when it is contrary to the interests of the victim and/or otherwise impedes the provision of assistance;

4) to receive health care and/or social services, the provision of which is regulated respectively by the Law on Health Insurance of the Republic of Lithuania, the Law on the Health System of the Republic of Lithuania and their implementing legislation, as well as the Law on Social Services and its implementing legislation.

2. The family members of the victim shall have the right to free use of the assistance provided and/or organised by the first contact authorities having regard to their individual needs and the needs arising from the offence committed, depending on the extent of the damage caused by the offence committed.

3. Eligibility for assistance does not depend on whether the victim has lodged a formal complaint or his or her legal representative has filed a statement regarding the offence with the competent authority.

4. When providing the assistance provided for in this law to a child victim, the participation of his or her legal representative must be ensured, provided that this is not contrary to the best interests of the child.

Article 11 of the LAVC establishes special rights for victims of terrorist offences by providing that:

1. A victim of a terrorist offence shall have the right to receive the assistance provided for in this Law and the necessary medical assistance immediately after the terrorist offence.

2. While in the territory of the Republic of Lithuania, a person who has been the victim of a terrorist offence in a Member State of the European Union has the right to receive information on his or her rights as well as the assistance and compensation established and provided in the Member State of the European Union where the terrorist offence was committed. This information is collected and provided to the victim of the terrorist offence in accordance with the

procedure established by the order of the Prosecutor General of the Republic of Lithuania.

INSTITUTIONAL FRAMEWORK

The police carry out strategic and tactical analysis (monitoring), carry out cyberspace monitoring and criminal intelligence, and conduct pre-trial investigations into terrorist offences and crimes associated with terrorist activities.

The LCPB has a specialised criminal police unit responsible for conducting criminal intelligence and prevention of terrorist threats, and preventing, disclosing and investigating criminal acts related to acts of terrorism and the illicit manufacture, acquisition, possession, carrying, transportation and/or sale of firearms, ammunition and explosives. The objects of the activities of this unit are threats related to "left" and "right" extremism, religiously motivated terrorism, individual persons (suicide bombers), or the criminal circulation of weapons, ammunition and explosives, as well as factors determining terrorist threats. Additional criminal intelligence, analytical, pre-trial investigation and other resources available to the LCPB are (may be) allocated as needed (depending on the priorities). The organised crime investigation units at the territorial police offices throughout the country also have officers who are responsible for the prevention and investigation of criminal offences of a terrorist nature. In performing the assigned functions, the LCPB cooperates with all necessary Lithuanian or European Union institutions and organisations.

It should be noted that the Lithuanian police regularly hold training, qualification development courses and exercises for police officers working in the field of counter-terrorism.

In accordance with the provisions of the Law on the Basics of National Security of the Republic of Lithuania, the SSD coordinates the fight against terrorism by the institutions of the Republic of Lithuania. In order to ensure that after the approval of the Public Security Development Programme for 2015-2025, counter-terrorism issues are properly addressed and proposals are promptly submitted to the institutions of the Republic of Lithuania on measures related to combating terrorism, a working group was formed to address counter-terrorism issues by the 28 September 2016 order of the director of the SSD. The working group includes representatives from the SSD, the Ministry of the Interior, the Police Department, the Prosecutor General, the State Border Guard Service under the Ministry of the Interior, the Dignitary Protection Department under the Ministry of the Interior, the Ministry of Foreign Affairs, the Ministry of Justice, the Ministry of Culture, the Ministry of Social Security and Labour, the Ministry of Health, and the Defence Staff

of the Lithuanian Armed Forces. This working group prepared and approved an action plan for the implementation of the Objective III tasks of the Public Security Development Programme for 2015-2025.

A threat monitoring, assessment and alert procedure based on threat monitoring indicators was established by the Government Resolution of 10 July 2019 "On Approval of the Description of the Procedure for Monitoring, Assessing and Alerting of Threats to the National Security of the Republic of Lithuania". Terrorist threat indicators have been integrated into the overall national threat monitoring and prevention system.

Financial institutions operating in Lithuania (including banks, payment institutions, electronic money institutions, credit unions, investment companies, etc.) and other obliged entities specified in the LPMLTF must comply with the requirements set out in the said law and carry out money laundering and terrorist financing (hereinafter referred to as ML/TF) prevention. These requirements include proper customer and beneficial owner due diligence, the monitoring of the customer's business relationships and transactions in order to determine whether the transactions or operations carried out are related to an offence, etc. Pursuant to Article 16(1) of the LPMLTF, financial institutions and other obliged entities that have noticed suspicious transactions or monetary operations that may be related to criminal activities (both money laundering and terrorist financing) must immediately inform the Financial Crime Investigation Service under the Ministry of the Interior of the Republic of Lithuania.

Pursuant to Article 4 (1) of the LPMLTF, the Bank of Lithuania is one of the institutions responsible for the supervision of Lithuanian financial institutions in the field of ML/TF. In accordance with the competence established by legislation, the Bank of Lithuania approves instructions for supervised financial market participants aimed at preventing ML/TF activities, advises financial market participants, and monitors (performs inspections) their implementation of ML/TF prevention requirements and whether they have appropriate internal control measures and procedures in place for implementing the requirements of the legislation governing the fight against ML/TF. Upon identifying violations of the legislation governing ML/TF prevention, the Bank of Lithuania has the right to impose the sanctions provided for in the legislation (for example, a warning, a fine, operating restrictions, licence revocation, etc.).

One of the main functions of the Financial Crime Investigation Service under the Ministry of the Interior of the Republic of Lithuania (hereinafter referred to as the FCIS) is to implement money laundering and terrorist financing prevention

measures aimed at establishing an effective national money laundering prevention system and ensuring its proper functioning. The FCIS also conducts pre-trial investigations into the legalisation of proceeds of crime.

The FCIS is the main state institution that coordinates cooperation among all of the institutions involved in money laundering prevention. The service has a unit for the prevention and analysis of money laundering and terrorist financing, which performs the following functions in accordance with its competence:

- collects and registers information on the customer's monetary operations and transactions as well as on the customer carrying out these operations and transactions;
- collects, analyses and publishes information related to the implementation of measures to prevent money laundering and terrorist financing; provides law enforcement and other state institutions with information on the customer's monetary operations and transactions;
- provides financial institutions and other entities with information on the criteria for identifying possible money laundering and terrorist financing and suspicious or unusual monetary operations or transactions;
- informs financial institutions and other entities, as well as law enforcement and other state institutions about the results of analysis and investigation of their reports on suspicious or unusual monetary operations and transactions and about observed signs of possible money laundering and terrorist financing or violations of this law;
- evaluates existing legislation and provides conclusions for its improvement in accordance with international standards and recommendations.

INTERNATIONAL CO-OPERATION

Mutual assistance in criminal matters and extradition

Mutual legal assistance in criminal cases in Lithuania shall be carried out in accordance with the provisions of CPC and ratified international agreements (Article 66 of the CPC). Extradition may be granted solely in accordance with a treaty to which the Republic of Lithuania is party or a resolution of the United Nations Security Council (Article 77 of the CPC and Article 9 of the CC)

The international legal instruments, based on which the mutual legal assistance is provided and extradition is granted in Lithuania may be divided into several categories:

- 1) Conventions ratified by Lithuania (of the Council of Europe, of the United Nations)
- 2) Bilateral agreements
- 3) EU legal acts

As regards to the reciprocity principle, in the absence of international treaty the reciprocity may be applied as a legal ground for MLA. In this case, the MLA must not violate the Constitution, national legal acts and the fundamental principles of the criminal procedure. Article 13 of the Constitution prohibits the extradition of Lithuanian citizens, unless an international treaty establishes otherwise. In such a case a request for prosecution by a foreign authority to initiate or to take over persecution against a Lithuanian national who committed a criminal act in a foreign state and returned to Lithuania may be issued and executed.

Measures at international level

The international legal instruments, based on which the Republic of Lithuania has concluded several bilateral treaties on legal assistance and legal relations, which include provision on cooperation between law enforcement authorities in criminal matters, namely: the agreements with the Russian Federation, The Republic of Moldova, The Republic of Uzbekistan, The Republic of Armenia, The Republic of Azerbaijan, the People's Republic of China, the United States of America, the Republic of Kazakhstan, Ukraine, the Republic of Poland, the Republic of Belarus, the Republic of Latvia and the Republic of Estonia.

The Republic of Lithuania has also concluded several bilateral treaties on extradition, namely the agreements with the People's Republic of China and the United States of America

The Republic of Lithuania has also concluded several bilateral treaties on the transfer of sentenced persons, namely with the Russian Federation, the Republic of Belarus, The Republic of Azerbaijan, the Kingdom of Norway

After Lithuania joined the European Union on 1 May 2004, the application of legal instruments of the European Union in the field of judicial cooperation in criminal matters have provided for a possibility to facilitated and expedited cooperation with the authorities of other states. The main EU legal instruments on MLA and surrender issues, which Lithuania applies, are the following:

Directive 2014/41/EU of the European Parliament and of the Council of 3 April 2014 regarding the European Investigation Order in criminal matters

Council Framework Decision 2003/577/JHA of 22 July 2003 on the execution in the European Union of orders freezing property or evidence

Council Framework Decision of 26 June 2001 on money laundering, the identification, tracing, freezing, seizing and confiscation of instrumentalities and the proceeds of crime

Council Framework Decision 2005/212/JHA of 24 February 2005 on Confiscation of Crime-Related Proceeds, Instrumentalities and Property

Council Framework Decision 2006/783/JHA of 6 October 2006 on the application of the principle of mutual recognition to confiscation orders

Council Framework Decision 2009/948/JHA of 30 November 2009 on prevention and settlement of conflicts of exercise of jurisdiction in criminal proceedings

The Agreement between the European Union and Japan on mutual legal assistance in criminal matters (L 39, 12/02/2010, p. 20)

The Agreement between the European Union and the Republic of Iceland and the Kingdom of Norway on the surrender procedure between the Member States of the European Union and Iceland and Norway

Since 2009, the LCPB has been participating in the informal Police Working Group on Terrorism (PWGT), the main purpose of which is to exchange criminal

intelligence on the activities of terrorist organisations, groups, movements and individual terrorists and to share best practice in combating terrorism and radical extremism. The LCPB participates in the Europol Analysis Projects for combating terrorism: Travellers (foreign fighters in Syria and other conflict zones), Check the Web (Islamic propaganda on the Internet) and Hydra (Islamist terrorism). The LCPB has also contributed to Syria strategic communication advisory team (SSCAT), a Belgian initiative which aims to develop strong counter-strategic communication (combat the ISIL narrative) and prevent radicalisation, and continues to participate in the European Strategic Communication Network (ESCN), which unites national experts from European Member States.

The Lithuanian Police participates in the activities of the European Counter-Terrorism Centre created by Europol, the aim of which is to ensure faster support at the European Union level to the Member States by ensuring the highest level of confidentiality and speed of information as well as response in the event of a terrorist offence (attack).

The LCPB has been a member of the Council of Europe 24/7 Network of Contact Points on Foreign Terrorist Fighters since 2015, and also participates in the activities of the EU Internet Referral Unit (EU IRU), which coordinates the flagging of terrorist and violent extremist Internet content and the exchange of tasks with relevant partners.

Relevant Council of Europe conventions – Country name	Signed	Ratified
Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism [CETS No. 198]	28/10/2015	28/04/2020
Council of Europe Convention on the Prevention of Terrorism [CETS No. 196]	10/10/2007	15/05/2014
Additional Protocol to the Council of Europe Convention on the Prevention of Terrorism [CETS No. 217]	23/03/2016	26/09/2018
Convention on Cybercrime [ETS No. 185]	23/06/2003	18/03/2004
Additional Protocol to the Convention on Cybercrime, concerning the criminalisation of acts of a racist and xenophobic nature committed through computer systems [ETS No. 189]	07/04/2005	12/10/2006
Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime [ETS No. 141]	03/06/1994	20/06/1995
European Convention on the Compensation of Victims of Violent Crimes [ETS No. 116]	14/01/2004	-
European Convention on the Suppression of Terrorism [ETS No. 90]	07/06/1996	07/02/1997
Protocol amending the European Convention on the Suppression of Terrorism [ETS No. 190]	15/11/2004	15/09/2005
European Convention on the Transfer of Proceedings in Criminal Matters [ETS No. 73]	17/04/1997	23/11/1999
European Convention on Mutual Assistance in Criminal Matters [ETS No. 30]	09/11/1994	17/04/1997
Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters [ETS No. 99]	09/11/1994	17/04/1997
Second Additional Protocol to the European Convention on Mutual Assistance in Criminal Matters [ETS No. 182]	09/10/2003	06/04/2004
European Convention on Extradition [ETS No. 24]	09/11/1994	20/06/1995
Additional Protocol to the European Convention on Extradition [ETS No. 86]	09/11/1994	20/06/1995
Second Additional Protocol to the European Convention on Extradition [ETS No. 98]	09/11/1994	20/06/1995
Third Additional Protocol to the European Convention on Extradition [CETS No. 209]	20/09/2012	02/01/2017
Fourth Additional Protocol to the European Convention on Extradition [CETS No. 212]	-	-

Relevant United Nations conventions – Country name	Signed	Ratified
Convention on Offences and Certain Other Acts Committed on Board Aircraft (Tokyo, 1963)	-	21/11/1996
Convention for the Suppression of Unlawful Seizure of Aircraft (the Hague, 1970)	-	14/12/1995
Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (Montreal, 1971)	-	14/12/1995
Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, Supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (Montreal, 1988)	-	14/12/1995
Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents (New York, 1973)	-	23/10/2002 a
International Convention against the Taking of Hostages (New York, 1979)	-	2/02/2001 a
Convention on the Physical Protection of Nuclear Material (Vienna, 1979)	07/12/1993	06/01/1994
Amendment to the Convention on the Physical Protection of Nuclear Material (Vienna, 2005)	19/05/2009	08/05/2016
Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (Rome, 1988)	-	-
2005 Protocol to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (London, 2005)	-	-
Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf (Rome, 1988)	-	-
2005 Protocol to the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf (London, 2005)	-	-
Convention on the Marking of Plastic Explosives for the Purpose of Detection (Montreal, 1991)	-	14/12/1995
International Convention for the Suppression of Terrorist Bombings (New York, 1997)	8 Jun 1998	17 Mar 2004
International Convention for the Suppression of the Financing of Terrorism (New York, 1999)	-	20/02/2003
International Convention for the Suppression of Acts of Nuclear Terrorism (New York, 2005)	16/09/2005	19/07/2007