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Freedom House

Nations in Transit 2018 - Lithuania

Year:

2018

Regime Classification:

Consolidated Democracy

Electoral Process:

2.00

Civil Society:

2.00

National Democratic Governance:

2.75

Independent Media:

2.25

Local Democratic Governance:

2.25

Judicial Framework and Independence:

1.75

Corruption:

3.50

Democracy Score:

2.36

Nations in Transit Ratings and Averaged Scores

NIT Edition	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
National Democratic Governance	2.75	2.75	2.75	2.75	2.75	2.75	2.75	2.75	2.75	2.75
Electoral Process	1.75	1.75	1.75	1.75	2.00	2.00	2.00	2.00	2.00	2.00
Civil Society	1.75	1.75	1.75	1.75	1.75	1.75	1.75	1.75	1.75	2.00
Independent Media	1.75	1.75	1.75	2.00	2.00	2.25	2.25	2.25	2.25	2.25

Local Democratic Governance	2.50	2.50	2.50	2.50	2.50	2.50	2.50	2.25	2.25	2.25
Judicial Framework and Independence	1.75	1.75	1.75	1.75	1.75	1.75	1.75	1.75	1.75	1.75
Corruption	3.75	3.50	3.50	3.50	3.50	3.50	3.50	3.50	3.50	3.50
Democracy Score	2.29	2.25	2.25	2.29	2.32	2.36	2.36	2.32	2.32	2.36

NOTE: The ratings reflect the consensus of Freedom House, its academic advisers, and the author(s) of this report. The opinions expressed in this report are those of the author(s). The ratings are based on a scale of 1 to 7, with 1 representing the highest level of democratic progress and 7 the lowest. The Democracy Score is an average of ratings for the categories tracked in a given year.

Score Changes:

- **Civil Society rating declined from 1.75 to 2.00** due to the newly adopted law defining the foundation of a family as a union between a man and a woman, which could provide grounds for discrimination against other kinds of families.

As a result, Lithuania's Democracy Score declined from 2.32 to 2.36.

Mažvydas Jastramskis

Executive Summary:

Lithuania entered 2017 following 12 months of political turmoil, marked by corruption scandals linked to political parties and parliamentary elections unexpectedly won by the center-populist Lithuanian Farmers and Greens Union (LFGU). The government clung to power throughout the year despite an internal split in the parliamentary faction of its junior coalition partner, the Lithuanian Social Democratic Party (LSDP). Meanwhile, some changes in the television and internet markets fostered positive trends in the country's media environment.

The major problem for Lithuania's democracy—corruption—continued to dominate the public sphere, as a series of scandals plagued members of the Seimas (parliament) and public institutions. After launching pretrial investigations in 2016, the Special Investigation Service (SIS) announced indictments in two parliamentary parties in 2017: the Liberals' Movement of the Republic of Lithuania (LMRL, with 14 members of parliament, MPs) and the Labor Party (LP, with 2 MPs). Intolerance to corruption may be growing, however, given the removal of officials entangled in nontransparent schemes and investigations by special commissions.

Direct mayoral elections, introduced in 2015, significantly strengthened political rights. Yet, because the underlying institutional system was left essentially unchanged, mayors remain relatively weak vis-à-vis municipal councils. In 2016, mayors and councils experienced tensions in both smaller and larger municipalities. In 2017, institutional conflict was observed in the capital Vilnius, after the mayor lost a majority in the council and was unable to replace the director of the local administration at first try following a coalition reshuffle. However, efforts to reform the local institutional model and strengthen mayoral power could be quite difficult to implement, since that may require amending the constitution.

Ever since the 2016 elections, the political party system has shown signs of growing instability. The governing LFGU struggled to remain popular, and traditional parties were also unable to make significant gains. On the right side of the political spectrum, members of the conservative Homeland

Union–Lithuanian Christian Democrats (HU-LCD) held onto their positions, and their popularity slowly increased. By contrast, the political perspectives of the center-right LMRL remained uncertain given the prolonged corruption investigation. On the left, the parliamentary faction of LSDP experienced an internal split, with half of its members establishing a new faction that stayed in the governing coalition and announced plans to launch a new left-wing party.

The signs of growing instability in the party system could influence further political developments, especially regarding national democratic governance. After the LSDP split, the governing coalition is de facto in the minority, and any small crisis could bring it down. However, the only viable alternative in such a scenario could be early elections, since the parliamentary opposition became even more fragmented in 2017 in terms of both sitting lawmakers and ideology. There is a low possibility that liberals, conservatives, social democrats, the populist Order and Justice (OJP), and the Electoral Action of Poles in Lithuania (EAPL) could present themselves as an alternative governing coalition.

In Lithuania, electoral volatility, which increased in 2016, and electoral behavior in general—as in other postcommunist democracies such as Latvia and recently the Czech Republic—is largely driven by the ever-changing supply of parties and leaders. This supply normally takes the form of center-technocratic parties, such as the current LFGU. However, in the current international context, this could change. Although the influence of illiberal movements in Lithuania remains minimal, the erosion of the party system, coupled with LFGU's inability to maintain trust in its technocratic government, creates a niche for other new or populist movements. The main hurdle for such movements could be the minimum party membership requirement. No new party has formed since parliament raised this requirement from 1,000 to 2,000 members in December 2015.

Lithuania's democratic stability must also contend with persistently low electoral turnout and weak social engagement in public matters. Advocacy is one of the strongest dimensions of civil society in the country. However, Lithuanian society is still fairly conservative, and political parties have been reluctant to implement changes such as guaranteeing equal rights for LGBT people. A new law passed in 2017 defines the foundation of a family as a union between a man and a woman, raising concerns about discrimination against single parents and same-sex couples with families. The number of refugees resettling in Lithuania remained low and did not constitute a salient issue in the public sphere.

Positive developments were observed in Lithuania's media environment in 2017. Certain changes in the television and internet markets helped to boost media pluralism, notably creation of the internet television channel Freedom TV and the sale of Alfa Media shares by the conglomerate MG Baltic. Another significant development was the revocation of the order of private accusation in the Code of Penal Procedure, meaning that plaintiffs may only bring defamation cases to court with evidence from a pretrial investigation.

Outlook for 2018: Lithuania's political climate may become more turbulent ahead of three major elections scheduled for 2019: presidential, European parliamentary, and local government. Due to weaker traditional parties and decreasing trust in the current government, new political movements and parties may emerge. The current technocratic government is expected to begin reforming higher education and taxes, but the extent of these changes remains to be seen, especially since the current prime minister, Saulius Skvernelis, is a possible contender in the forthcoming presidential race. With a minority government, political instability remains a risk, but the main parliamentary powers maintain a pro-Western consensus.

National Democratic Governance:

2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
2.75	2.75	2.75	2.75	2.75	2.75	2.75	2.75	2.75	2.75

- Lithuania's national governance experienced minor political instability in 2017 as a split within the junior coalition partner, Lithuanian Social Democratic Party (LSDP), resulted in a de facto minority cabinet. The semi-technocratic government, dominated by nonpartisans and supported by the center-left coalition comprised of the Lithuanian Farmers and Greens Union (LFGU) and LSDP, enjoyed the first year of its mandate in 2017 after it scraped into government with the 2016 elections.¹ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote1sym>) This alliance soon proved to be unstable, as LSDP quit the government in October. Following LSDP's factional split that same month, the governing coalition held only 69 of the 141 parliamentary seats by the end of the year.² (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote2sym>)
- One of LFGU's main pledges during the 2016 parliamentary election campaign was to combat alcoholism, which naturally became the party's first major reform after assuming power. Even though LFGU retreated from some of its left-wing proposals—namely, a state monopoly on alcohol—a strict package of changes to the Law on Alcohol Control was adopted in June. These changes included a complete ban on alcohol advertising, shortening times for retail trade of alcohol, and raising the minimum age to buy alcohol from 18 to 20 years.³ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote3sym>) However, its advocates discredited the reform to some degree. LFGU accentuated the need for tougher alcohol controls, pointing to World Health Organization (WHO) data that showed Lithuania consumed the most alcohol per capita in the world in 2016. However, it was revealed that Minister of Health Aurelijus Veryga had been one of the WHO sources for the data on illegal alcohol consumption in Lithuania prior to assuming the ministry position.⁴ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote4sym>)
- Before the 2016 parliamentary elections, LFGU campaigned against the new, liberalized version of the Labor Code adopted by the outgoing parliament. However, after assuming power, the party's stance on this issue changed considerably. After additional discussions in the Tripartite Council, the new code, with some nonessential changes, came into force in July.⁵ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote5sym>) Political observers noted that the adoption of the new code showed an abandonment of policies that LFGU had previously advocated. The gap between the party's left-leaning election manifesto and its actual economic policies widened when a tripartite national agreement between the government, employer representatives, and trade unions was signed in October. According to this agreement, Lithuanian employers pledged to raise salaries in exchange for lower taxation on labor costs.⁶ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote6sym>)
- A major disagreement arose between LFGU and LSDP after the government proposed a reform to merge all 42 state forest enterprises into one central agency, arguing that these agencies were politicized and potentially mismanaged. LSDP opposed the reform, perhaps because it had the highest number of partisan forestry directors among the main parties (7 out of 42).⁷ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote7sym>) The main opposition party, Homeland Union –Lithuanian Christian Democrats (HU-LCD), supported the prime minister's proposal. A law enabling the government to merge all forestry agencies into a central institution was adopted in July, mostly by LFGU and HU-LCD votes.⁸ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote8sym>)
- Divisions between the two governing parties deepened after LSDP elected a new chairperson in April. The first direct elections for this position (all party members could vote) resulted in a tight race, with the deputy mayor of Vilnius, Gintautas Paluckas, winning by only a few hundred votes.⁹ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote9sym>) Paluckas was considered a left-wing candidate, not favored by the center-leaning and pragmatic establishment of LSDP.
- LSDP's new leader decided to pull the party from the governing coalition after the reform of forestry agencies, and formally seceded in September when the LSDP council terminated the agreement with LFGU.¹⁰ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote10sym>) However, the majority of LSDP representatives in the Seimas, Lithuania's parliament, rejected the decision and subsequently split from the party, establishing a new parliamentary grouping with plans to form a new left-wing party.¹¹ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote11sym>) Only one of the three ministers delegated by LSDP, Economy Minister Mindaugas Sinkevičius, resigned. Paluckas was

left with six MPs (members of parliament), falling short of the seven required to maintain a formal faction in the Seimas. In the end, Dovilė Šakalienė from the Liberals' Movement of the Republic of Lithuania (LMRL) agreed to join LSDP's faction and thus ensured that the number of lawmakers needed for a formal faction was met.¹² (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote12sym>)

- The political party system in Lithuania has shown signs of further erosion ever since the earthshaking 2016 elections. LFGU's popularity continued to plummet during the year due to the mixed bag of reforms as well as a potential conflict-of-interest case involving party leader Ramūnas Karbauskis (see "Corruption"). However, the votes did not transfer to other parties. According to two major polling agencies, Vilomorus and Spinter, in December, the two parties with the largest support were HU-LCD (16–19 percent) and LFGU (13–15 percent).¹³ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote13sym>) Such low popularity rates could be a sign that public demand for new or populist political forces is growing.
- Lithuania's foreign policy maintained a pro-Western stance. In the approved 2018 budget, the country allocated 2 percent of GDP for defense, in accordance with the target agreed among NATO members.¹⁴ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote14sym>)
- According to data from the Bank of Lithuania, the country's economy grew by 3.3 percent and unemployment was at 7.3 percent in 2017.¹⁵ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote15sym>) Despite the growing economy, the issue of socioeconomic inequality became more prominent. The income gap in Lithuania has become one of the largest in the European Union (EU), with the difference between the country's richest 20 percent and poorest 20 percent five times higher than the EU average.¹⁶ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote16sym>)

Electoral Process:

2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
1.75	1.75	1.75	1.75	2.00	2.00	2.00	2.00	2.00	2.00

- No major elections were held in Lithuania during 2017, except for several mayoral by-elections and a by-election for one parliamentary seat. These transpired smoothly.
- Since 2015, mayors of Lithuania's 60 electorates are elected directly. By-elections are organized when a mayor is removed from power on legal grounds, resigns, or cannot continue his or her service due to illness or death. Three such elections were held in Lithuania in 2017: the mayor of Jonava resigned in order to become a government minister, the mayor of Šakiai resigned due to a local corruption scandal,¹⁷ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote17sym>) and the mayor of Marijampolė died.
- In Lithuania's mixed voting system, 71 of the 141 members of parliament are elected in one-seat constituencies, with a two-round system requiring an absolute majority of votes. Hence, the removal or resignation of an elected MP results in a by-election. Greta Kildišienė, an MP from the LFGU parliamentary grouping, resigned in February after a scandal over nontransparent ties. Since she had been elected in Anykščiai-Panevėžys, another by-election had to be organized. The national popularity of LFGU in the first half of the year was sufficient to secure victory for the party's candidate, Antanas Baura.
- The first and second rounds of three of these elections—the Šakiai and Jonava mayoral by-elections and the parliamentary by-election in Anykščiai-Panevėžys—were held on 23 April and 7 May, respectively. In Marijampolė, the two rounds of the mayoral by-elections were held on 10

and 24 September. The Central Electoral Commission (CEC) ensured free and fair elections, and no significant violations of electoral laws were reported.¹⁸ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote18sym>)

- There was a noteworthy change in the composition of the Central Electoral Commission. After more than 20 years of service, longtime chairman Zenonas Vaigauskas resigned amid criticism over the effectiveness of the CEC's work in the 2016 parliamentary elections. In June, the Seimas approved a new CEC chair, former deputy chair Laura Matjošaitytė, who was sworn in together with other new commission members.¹⁹ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote19sym>)
- The first major decision of the new CEC established an important precedent regarding the regulation of political parties and campaign financing in Lithuania. In November, the commission ruled that LMRL had substantially violated the law on political campaigns. According to the commission, in spring 2016, LMRL members participated in a campaign-oriented workshop that was organized and paid for by an institute established by now-former party member Šarūnas Gustainis. Since some of the workshop activities were held less than six months before the election, after the start of the official campaign, the organizational support was deemed an in-kind campaign donation from a "legal person" unaccounted for in LMRL's financial declarations.²⁰ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote20sym>) The financing of political parties by legal persons is forbidden in the law on party regulation. After this decision, LMRL leader Remigijus Šimašius resigned. Using this ruling as justification, the CEC withdrew the second half of annual state subsidies from the party.²¹ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote21sym>) Since allocations from the state constitute a majority of parliamentary party finances, the decision will create short-term difficulties for LMRL, even though this was the smallest possible penalty (state subsidies are assigned biannually; the law on political parties foresees a penalty of up to two years for a gross violation).²² (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote22sym>)
- In January, a proposal to change the constitution in order to reduce the number of MPs from 141 to 101 was registered in the Seimas.²³ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote23sym>) However, it was clear that the proposal would fall short of the required votes for a constitutional change—85 of 141 MPs. Such proposals are quite popular in the country's political scene; they have the potential to garner social support, since the parliament is one of the least trusted institutions in Lithuania.²⁴ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote24sym>) However, if a cube root rule is applied, the present size of Lithuania's parliament is adequate; based on population size, the ideal number of seats in the chamber should be around 137.

Civil Society:

2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
1.75	1.75	1.75	1.75	1.75	1.75	1.75	1.75	1.75	2.00

- Civic engagement in Lithuania continues to be rather low, and nongovernmental organizations (NGOs) struggle with financial viability. The influence of extremist movements remains minimal. In 2017, the parliament adopted and the president signed a law defining the foundation of the family unit as the relationship between a man and a woman, despite objections by many liberal NGOs and academics that this would result in discrimination against other kinds of families.
- According to a Civil Society Institute (CSI) study, the most common civil actions in Lithuania are still charitable donations to individuals or organizations (41.8 percent of Lithuanians) and participation in environmental cleanups (36.9 percent). Apart from these two activities, only participation in local community issues (27.3 percent) is above 20 percent.²⁵ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote25sym>) Lithuanians' belief that ordinary citizens can

influence political processes remains rather low: on a scale from 0 (no influence) to 10 (considerable influence), the average is only 3.33 among citizens—the lowest level among all the groups (e.g., representatives of media, NGOs, etc.) mentioned in the study.

- The most recent USAID Civil Society Sustainability Index places Lithuania at 2.7 on a scale from 1 (vibrant civil sector) to 7 (stifled civil society).²⁶ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote26sym>) This position has not changed considerably since 2002. The highest score in the index is for advocacy, with a score of 2, while the worst evaluated dimensions are financial viability and service provisions, with a score of 3.3. The former decreased half a point since 2008. Insufficient and decreasing government funding has led to low organizational activity, as at least half of registered organizations are not active.
- The involvement of Lithuanians in trade unions is quite low: only around 2.9 percent of respondents reported such activity in the CSI study. On the other hand, the main organization, Lithuanian Trade Union Confederation (LTUC), has 50,000 members.²⁷ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote27sym>)
- Collection by the "Food Bank" remains the most visible NGO initiative at the national level. According to data provided by the USAID index, in the autumn of 2016, the Food Bank collected a record 370,000 euros (\$430,000) in their annual food collection at supermarkets and raised an additional 170,000 euros (\$197,000) through a concert.²⁸ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote28sym>)
- Public participation in demonstrations, rallies, and strikes remains low but, as in previous years, there were several such instances during 2017, confirming the active freedom of nonconventional political participation in Lithuania. One notable case was a demonstration of representatives from several universities protesting a reform of higher education that favored the consolidation and merging of some institutions. However, this was a comparably minor event: 100 protesters participated in a demonstration near the parliament building on 15 June.²⁹ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote29sym>) There were also some student protesters supporting the reform. The law enabling the government to merge all forestry agencies into a central institution (see "National Democratic Governance") sparked a protest that was attended by two thousand people employed in the public forestry sector.³⁰ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote30sym>) In December, a new movement headed by the leader of the small Lithuanian Green Party (which has one representative in the parliament), was established with the sole aim of countering the reform.³¹ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote31sym>)
- The influence of openly illiberal movements and extremism in the public sphere remains minimal. There were no significant demonstrations or other major acts of unconventional political activism organized by such movements during the year. However, the media reported on the underground activities of some pro-fascist organizations, most notably "The Shield," which describes itself as "youth counterculture" but cites Benito Mussolini prominently on its webpage. Experts argue that Russian influence could be behind such movements.³² (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote32sym>)
- Immigration and refugee arrivals are not politically salient issues in Lithuania, for two reasons. First, 309 asylum seekers resettled in Lithuania in recent years, out of 1,105 refugees that the country has committed to accept under its EU quota. However, a majority of those refugees who had already settled in Lithuania (230) voluntarily left the country after arrival.³³ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote33sym>) Second, emigration is a major problem in Lithuania, hence 80 percent of immigrants are actually returning Lithuanians.³⁴ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote34sym>) Euroscepticism and right-wing populism are not prominent issues for major political parties. However, the instability of the party system and popular mistrust in political institutions may create a niche for such movements.

- In November, a group of MPs registered an amendment to the Civil Code that would forbid gender-reassignment surgeries.³⁵ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote35sym>) Lithuania formally allows gender-reassignment surgery, but since the country lacks the implementing law that would regulate the procedure, actual surgeries are not possible. Ten years ago, the European Court of Human Rights (ECtHR) ruled that Lithuania violated the rights of a transgender person by failing to adopt laws regulating reassignment surgeries, thereby preventing the surgeries from actually being performed.³⁶ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote36sym>) Despite this ruling, the legal environment for transgender people remains unchanged.
- On 19 October, the Lithuanian parliament adopted a law on “strengthening the family institution.” It was signed by the president despite vocal opposition by a hundred NGOs and independent scholars.³⁷ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote37sym>) In its preamble, the law explicitly defines the foundation of the family as a union between a man and a woman,³⁸ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote38sym>) and potentially makes it easier for organizations affiliated with traditional religious communities to receive state support for activities aimed at families that meet such a definition.
- In November, a group of academics from Vilnius University started the initiative “Last Priority” and invited other colleagues to send emails to MPs demanding adequate financing for higher education and research.³⁹ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote39sym>) Similar trends are observed in the health sector. Lithuanian doctors recently founded the “Lithuanian Movement of Medics”: one of its main objectives is to raise the salaries of healthcare employees by 30 percent.⁴⁰ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote40sym>)
- In the past, reported cases of sexual harassment were rare in Lithuania, and the problem was not frequently discussed in the public sphere. However, this year perhaps signified an important turning point. In March, several women who interviewed for the position of assistant (and one former assistant) to MP Kęstutis Pūkas (OJP) came forward with claims of sexual harassment.⁴¹ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote41sym>) On 19 December, the Constitutional Court completed its examination of the grounds for impeachment and declared that Pūkas violated the constitution and breached the parliamentary oath of office.⁴² (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote42sym>) Also, in the context of the #MeToo movement sparked by revelations of sexual harassment in Hollywood, two women—an actor and an art director—accused prominent Lithuanian film director Šarūnas Bartas of instances of sexual misconduct going back several years.⁴³ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote43sym>) It remains to be seen whether these cases will go to court.
- The Open Lithuanian Foundation officially renewed its activities on 18 April after it had ceased operations in 2008. This was followed by the establishment of an affiliated Vilnius Institute of Policy Analysis, an independent research center.⁴⁴ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote44sym>)

Independent Media:

2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
1.75	1.75	1.75	2.00	2.00	2.25	2.25	2.25	2.25	2.25

- There were several favorable changes for Lithuanian media independence in 2017. These included enhanced media pluralism in the television and internet markets, revocation of the order of private accusation in the Penal Code, and an administrative structure for funding and managing the public broadcaster. However, the economic weakness of most media outlets continues to hamper media freedom in the country.

- Defamation remains a criminal offense in Lithuania, but in 2017, the legal procedures underpinning defamation litigation became more complex when the parliament repealed the order of private accusation in the Code of Penal Procedure.⁴⁵ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote45sym>) This amendment prevents defamation suits from proceeding directly to court unless evidence is produced through a pretrial investigation. It also introduces the status of "suspect" instead of "accused" under claims of defamation: this alleviates the legal defense and grants more security for the defendant.
- Lithuanian media remain frail in terms of financial sustainability,⁴⁶ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote46sym>) weakening further in the wake of advertising money directed toward global companies. A survey of media planning agencies estimated that companies like Google, Facebook, and YouTube had a 42 percent share of Lithuania's overall online advertising market in 2016.⁴⁷ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote47sym>)
- Government subsidies for local outlets are not sufficient to strengthen Lithuanian media faced with unequal competition from global players. State allocations through the Press, Radio, and Television Support Foundation are relatively small compared to the dramatically decreased revenues suffered by media companies since 2008. This support makes up for only a few percent of those advertising revenue losses.⁴⁸ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote48sym>)
- An analysis of market ownership concentration showed that daily newspaper and radio markets are highly concentrated, but television and internet markets were only moderately concentrated between 2010 and 2016.⁴⁹ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote49sym>)⁵⁰ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote50sym>) However, there were two changes in the television and internet markets in 2017 that may help to reduce concentration and foster media pluralism in Lithuania. First, a channel called "Freedom TV" (Laisvės TV) was launched on YouTube with a business model based on individual donations. The channel has also broadcast investigative journalism programs since September.⁵¹ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote51sym>) The second development saw the holding company MG Baltic, which controls five national TV channels with a time share of 27.4 percent through a subsidiary, MG Baltic Media,⁵² (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote52sym>) sell shares of the company Alfa Media, which operates the internet portal *Alfa.lt*, to the company Baltic Media Ltd. in September.⁵³ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote53sym>) This should have a positive impact on media concentration. MG Baltic's ownership of a number of other companies engaged in telecommunications, construction, logistics, real estate development, trade, and the manufacture of alcoholic beverages has previously raised concerns about its influence in the media sector and in politics more broadly (see "Corruption").⁵⁴ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote54sym>)
- In September, the Radio and Television Commission of Lithuania restricted free reception of the Russian Federation television channel TVCI for six months, as the commission found that information broadcast on a TVCI talk show had incited ethnic hatred and instigated war.⁵⁵ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote55sym>)
- There is a formal balance of political influence in the management of the National Radio and Television of Lithuania (LRT) between representatives of the president and the parliament, including the governing coalition and the opposition. Additionally, one third of the LRT board consists of NGO representatives. LRT receives state and municipal funds and benefits from internet advertising, ensuring its financial sustainability. The company's administrative structure for funding and management allows for balanced political views in disseminated content.⁵⁶ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote56sym>)

Local Democratic Governance:

2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
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2.50 2.50 2.50 2.50 2.50 2.50 2.50 2.25 2.25 2.25

- In 2015, direct mayoral elections were introduced in Lithuania, but the institutional municipal system remained the same. The political implications of this reform unfolded in 2017.
- Three local by-elections were held in the municipalities of Jonava, Marijampolė, and Šakiai. Since Jonava and Marijampolė are LSDP strongholds, the party's candidates easily won there. An HULCD candidate became mayor in Šakiai, replacing the former LFGU mayor. While direct election of mayors was intended to encourage greater political participation, voter turnout did not exceed 40 percent.⁵⁷ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote57sym>) The lowest turnout was in the second round in Jonava, where only 19.7 percent of eligible citizens participated.⁵⁸ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote58sym>)
- The 2015 reform also complicated relations between directly elected mayors and other branches of local government. Given the fragmented political environment in Lithuania, the separate election of mayors and councils meant that, in most cases, mayors did not have their party's (or committee's) majority in the municipal council. Since the institutional system remained unchanged, this created the potential for deadlock. Such a situation arose in Vilnius in October, when HULCD was expelled from the coalition and mayor Remigijus Šimašius (LMRL) was left without a majority in the council. When Šimašius attempted to replace the administrative director in local government, he fell two votes short in the council, showcasing the difficulty of implementing important changes without support of the council.⁵⁹ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote59sym>) The mayor succeeded in replacing the administrative director in a second attempt, but the opposition in the council protested the decision on the grounds that the vote was not 100 percent secret.⁶⁰ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote60sym>) Hence, even though the introduction of direct mayoral elections aimed to strengthen political accountability at the local level, without a more extensive reform regarding mayoral powers, it actually created new possibilities for political conflict and blurred accountability. Similar tugs-of-war between mayors and councils previously took place in Raseiniai and Šiauliai.
- With only 60 municipalities, Lithuania remains highly centralized. The average number of people living in a municipality is around 48,000, which is one of the highest averages in the EU. In October, the ministry of interior presented plans to abolish six so-called ring municipalities that encompass areas surrounding Lithuania's largest cities. It is still unclear whether these will merge with their respective cities, which would mean further centralization.⁶¹ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote61sym>) According to the 2017 Lithuanian Municipality Rankings developed by the Lithuanian Free Market Institute, four out of the six ring municipalities facing abolition are actually among the 11 most effective smaller municipalities in Lithuania.⁶² (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote62sym>)
- Local governments are still somewhat financially dependent on the central government. However, the portion of national income tax revenue allocated to local governments is slowly increasing each year: from 75.49 percent in 2016, to 78.17 in 2017, to 82.82 percent planned in 2018.⁶³ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote63sym>)

Judicial Framework and Independence:

2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
1.75	1.75	1.75	1.75	1.75	1.75	1.75	1.75	1.75	1.75

- The efficiency and effectiveness of Lithuania's judicial system has been questionable in the previous decade. However, in recent years several positive trends have been observed. The World Economic Forum's Global Competitiveness Index ranks Lithuania's judicial independence in

56th place among 137 countries surveyed; this is an improvement compared to the previous year, when Lithuania ranked 68th out of 140 countries.⁶⁴ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote64sym>)

- Perceptions of the judiciary support these trends. Public opinion research companies reported in 2015 that, for the first time in two decades, public trust in the courts (25.5 percent) was higher than distrust (25.1 percent).⁶⁵ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote65sym>) Even though the difference is not statistically significant, this modest trend was sustained in 2016 (27.7 percent trusting and 25.2 not trusting) and 2017 (26.3 percent trusting against 24.1 percent tending not to trust the courts). Only 18–21 percent trusted the courts in 2013. Further, the ratio of trust (29.4 percent) to distrust (19 percent) is also positive in the case of the Prosecutor General.⁶⁶ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote66sym>) Nevertheless, it also must be noted that approximately half of those surveyed did not have an opinion about these institutions.
- According to data from the Ministry of Interior, trust in the police has been steadily improving in the last decade, from 50 percent in 2005 to 75 percent in 2016. It is the largest recorded percentage of public trust in law enforcement since 2004, when this indicator was first measured.⁶⁷ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote67sym>) Data from other public research companies show a slightly lower number, but the ratio of trust (61.2 percent) to distrust (11.6 percent) in the police is very positive.
- In 2017, Lithuania recorded the lowest crime rate in more than two decades: 55,184 criminal activities were registered in 2016, compared to 72,448 in 2015 and 84,970 in 2014. Police completed investigations in 57.2 percent of cases, a 2.1 percentage-point increase from the previous year.
- There have been some positive steps towards improving conditions in the Lithuanian prison system, including alleviating overcrowding and poor conformity with international standards and obligations. The number of prisoners has consistently dropped since 2012. At the end of 2016, the country's prisons held 6,815 persons, a significant decrease from 8,636 in 2014 and 9,577 in 2013.⁶⁸ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote68sym>) In 2015, Lithuania's prison capacity was at 78 percent full: a positive trend when compared to 92 percent in 2014.⁶⁹ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote69sym>) However, these trends were overshadowed by a scandal involving alleged corruption in the prison department (see "Corruption").
- According to representatives of the European Court of Human Rights (ECtHR), Lithuania does not stand out among other countries. In 97 percent of court cases against Lithuania, no violations of the European Convention on Human Rights were found.⁷⁰ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote70sym>)

Corruption:

2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
3.75	3.50	3.50	3.50	3.50	3.50	3.50	3.50	3.50	3.50

- Following a year marked by scandals implicating political parties, it is clear that corruption continues to be a major issue in Lithuania. In 2017, scandals affected high-ranking politicians from four of the six parties with a parliamentary grouping—LSDP, LMRL, OJP, and LP. A major case concerned LMRL and two of its members, including former party leader Eligijus Masiulis, who allegedly received bribes from one of Lithuania's largest corporations, MG Baltic, on behalf of the party. The LP, which, after the 2016 elections, lost its parliamentary grouping and was left with only two MPs, was also implicated in the MG Baltic case. In September, the Special Investigation Service (SIS) announced indictments against LP and LMRL.⁷¹ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote71sym>)

- There were also revelations about several lawmakers entangled in nontransparent schemes throughout 2017. In January, Greta Kildišienė, a lawmaker in the ruling LFGU government, announced her resignation from the parliament after it was previously disclosed by media that she was driving a car belonging to Agrokonzernas, a company owned by LFGU leader Ramūnas Karbauskis. Officially, the car was leased by her mother, but Kildišienė did not declare her ties and the related transaction.⁷² (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote72sym>)
- Another important case regarded an MP from the split LSDP party and vice-chairman of the energy commission, Artūras Skardžius. In June, the media portal "15min" reported their investigation into nontransparent ties between Skardžius and his family, on the one hand, and energy companies on the other.⁷³ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote73sym>) In October, the parliament's Anticorruption Commission announced that Skardžius may have protected the interests of Baltic Energy Group, but the official investigation is still ongoing.⁷⁴ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote74sym>) Yet, in November, a parliamentary majority voted against removing Skardžius from the Committee of Economics, favoring political stability of the governing coalition.⁷⁵ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote75sym>)
- Finally, in March, a special commission initiated an investigation into the activities of former LSDP lawmaker Mindaugas Bastys, raising suspicions of nontransparent international ties. In May, the commission found that there were grounds for Bastys's impeachment, as he may have acted against Lithuanian interests by protecting the Russian state nuclear energy company Rosatom.⁷⁶ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote76sym>) On 19 December, the Constitutional Court finished examining the grounds for impeachment and declared that Bastys violated the constitution and breached his parliamentary oath of office.⁷⁷ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote77sym>)
- In February, Minister of Justice Milda Vainiūtė announced the removal of the heads of the Prison Department of Lithuania and the Kaunas Remand Prison until the end of a special commission investigation.⁷⁸ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote78sym>) A former accountant inside Kaunas had reported on possible corruption and nontransparent public procurements. In August, the ministry announced that the special commission confirmed ongoing violations in Kaunas, including disregard for Public Procurement Service (VPN) recommendations.⁷⁹ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote79sym>)
- An additional case that may signal growing intolerance for corruption in state institutions involved the dismissal of the head of the Lithuanian National Opera and Ballet Theater, Gintautas Kėvišas. Following an internal investigation, the minister of culture dismissed Kėvišas for systematic confusion of public and private interests.⁸⁰ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote80sym>)
- Lithuania ranked 38th out of 176 countries in Transparency International's 2016 Corruption Perceptions Index. While its overall score of 59 leans towards countries with lower rates of corruption, it still has room for improvement.⁸¹ (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote81sym>)
- On 28 November, a law on the protection of whistleblowers was adopted in the parliament. Transparency International in Lithuania stated that the project meets the essential criteria for the protection of whistleblowers.⁸² (<https://freedomhouse.org/report/nations-transit/2018/lithuania#sdendnote82sym>)

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