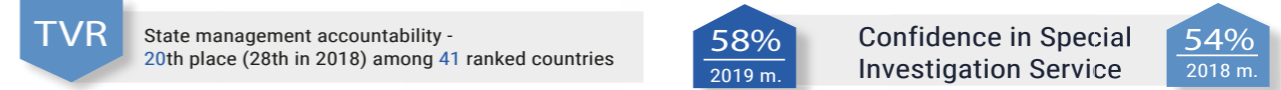


SPECIAL INVESTIGATION SERVICE  
OF THE REPUBLIC OF LITHUANIA  
ANNUAL REPORT 2019

# Corruption perception index

2019 m.		2018 m.		2017 m.	
35	60	38	59	38	59
place	points	place	points	place	points

## Corruption map of Lithuania



## WITHIN 10 YEARS 16 cases 171 offenses CORRUPTION IN THE JUDICIAL SYSTEM

VULNERABILITY IN THE JUDICIAL SYSTEM		
Criminal prosecution	Corruption prevention	Confidence in the courts
<p>Large-scale bribery, trading in influence, bribery, abuse</p> <p>126 criminal acts</p> <p>73 serious criminal acts</p> <p>3 grave criminal acts</p> <p>Charges brought against 12 judges</p> <p>6 judges questioned as special witnesses on the basis of Articles 80 (1) and 82 of the Code of Criminal Procedure</p> <p>Charges were brought against 7 lawyers and 1 assistant lawyer</p> <p>Charges have been brought against 1 legal entity</p>	<p>10 anti-corruption assessments</p> <p>1 corruption risk analysis</p> <p>Preventive anti-corruption seminars for the judiciary community</p> <p>10 proposals were made to create a corruption-resistant environment within the judicial system</p>	<p>Lithuanian courts are among the institutions perceived as the most corrupt</p> <p>District courts are considered to be the most corrupt of the judicial system of Lithuania</p> <p>More than 1 in 3 people disagree that courts adopt fair and impartial decisions</p> <p>Judges are most often cited by respondents as the group responsible for the extent of corruption in Lithuania</p>

Analytical anti-corruption intelligence	Criminal prosecution	Corruption prevention	Anti-corruption education and awareness raising	Operational administration
<p>The prevalence of 3 factors contributing to corruption (nepotism, favouritism, conflict of interest) was monitored</p> <p>Resistance to corruption of 7 public administration areas was evaluated: municipal, health protection, territorial planning and construction, law enforcement, education, agriculture and energy</p> <p>On the basis of the investigations carried out, legal changes were initiated in the areas of public procurement, support and the management of conflicts of interest</p>	<p>244 criminal acts to public service and public interest</p> <p>Charges were brought against 167 individuals</p> <p>Up to 35% increase in pre-trial investigations lasting up to 9 months</p> <p>78 pre-trial investigations were completed</p>	<p>388 legal acts or their drafts were evaluated</p> <p>24 corruption risk analyses were performed</p> <p>54% of the recommendations were implemented, for 33% of them the implementation continued, and 5% were partially implemented</p>	<p>40 anti-corruption events were organised</p> <p>164 anti-corruption lectures, workshops in state and municipal institutions and in the private sector were organised</p> <p>196 press releases</p> <p>174 comments on the TV and radio broadcasts</p>	<p>STT has 277 employees: 155 men and 122 women</p> <p>12763.7 thousand euro allocated for the Service were used effectively</p> <p>Participation in 68 rulemaking processes</p>

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## INTRODUCTION

According to Transparency International's Corruption Perceptions Index (CPI), Lithuania was awarded 60 points in 2019, ranking 35th in the list of 180 countries. Compared to the last four years, when the index was 59 points and remained unchanged, the positive change of the CPI allows for moderate satisfaction that the anti-corruption situation in Lithuania is improving. We also noted the improving trends in the results of the annual survey "Corruption Map of Lithuania". Summarising these data, we might conclude that petty corruption is noticeably declining in Lithuania, but increasingly more people are focusing on more complex corruption phenomenon and more complex forms of corruption.



In the course of our activities in 2019, we have revealed a case of systemic corruption in the administration of justice – in the courts of various levels. Whereas that the transparent administration of justice is a key pillar of the rule of law, and given the public's belief that courts are in particular responsible for the situation of corruption in Lithuania, the report of Special Investigation Service (STT, Service) for 2019 places a major focus on the corruption issue in the courts. We provide the data from sociological survey on the prevalence of corruption in courts, analyse possible causes of corruption and identify specific actions suggested by the STT for the establishment of a corruption-resistant environment in courts.

Insufficient involvement of the public sector, pro-activeness in the development of anti-corruption standards are the obstacles to the anti-corruption breakthrough of the country identified by STT, international experts or respondents of sociological surveys for more than a year. Recently disclosed resonant violations of environmental protection requirements in Klaipeda and Alytus is a signal of ineffective operational quality of state supervisory institutions overseeing businesses, as well as possible corruption. The STT, as in previous years, still fails to notice activism, or at least systematic encouragement so that civil servants, when confronted with attempts of being bribed while performing their official duties, do not tolerate and report these cases. The low number of whistleblowers simultaneously with the STT detecting corruption crimes in the same area is a warning of high corruption risks and a non-existent sustainable anti-corruption environment, system and procedures.

In order to change the situation, in 2019 we greatly focused on preventing corruption. We provided various recommendations to decision-makers to possibly reduce the risks of corruption. Together with the institution of the President of the Republic of Lithuania, we drafted a new version of the Law on Prevention of Corruption. Its main purpose is to encourage, engage, commit ministers, mayors of municipalities, and heads of other institutions to be the creators in the field or institution under their management and to be accountable for the results of these activities.

In this report you will also find detailed information on STT's activities in all four areas – detection of corruption crimes, prevention, analytical intelligence and raising anti-corruption awareness of the public. You will find data on the Service's expanded international collaboration in 2019, the number of personnel in the STT, it's funding, and more.

In 2020, the Service sets itself at least the same goals – acting in a transparent, firm and fair manner, maintaining a courageous, active team of professionals, in collaboration with Lithuanian and foreign partners, to create a more transparent Lithuania in Europe and in the world.

# EVALUATION OF CHANGES IN THE LITHUANIAN ANTI-CORRUPTION ENVIRONMENT

The Special Investigation Service conducts an annual assessment of Lithuania's anti – corruption environment in a global context<sup>1</sup>.

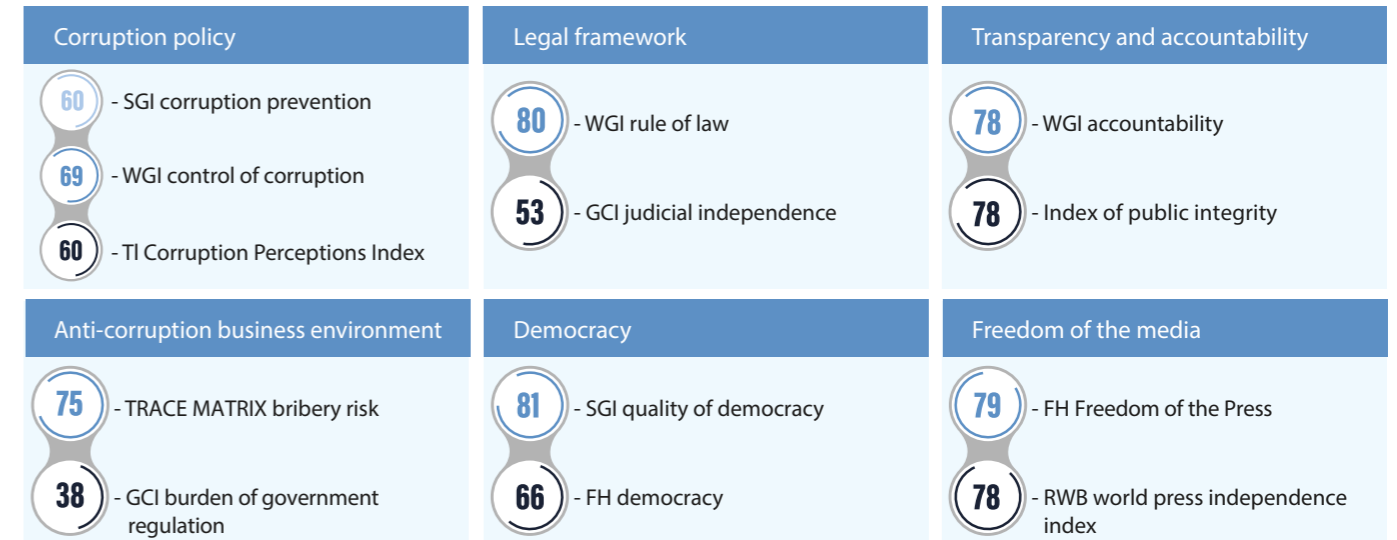


Fig. 1 Indicators relevant to anti-corruption

## Lithuanian anti-corruption environment in the international context

In the international context, Lithuania's anti-corruption environment is seen as providing higher than minimum standards for the anti-corruption environment. Lithuania's estimates remain lower than the European Union average, but in 2019 the Lithuanian anti-corruption environment in the Transparency International survey of Corruption Perception Index<sup>2</sup> (the CPI) for the first time was ranked higher than Poland's, and the divide between those of Lithuania's and Latvia's were also increasing.

*"In the CPI study of 2019, Lithuania was awarded 60 points and the 35th place, 3 positions higher than in 2018."*

In 2019 in the CPI study, Lithuania was awarded 60 points and the 35th place among 180 countries evaluated worldwide. This year Lithuania's rating is one point higher than in the last four years and compared to 2018, Lithuania was ranked 3 positions higher. In the context of EU Member States, Lithuania's score remains 6 points lower (EU

<sup>1</sup> The data from the international surveys are adapted to the scale from 0 to 100, where a higher rating signifies more favourable anti-corruption environment. Abbreviations and data sources used in the chart:

SGI – Bertelsman Foundation Research on Sustainable Governance Indicators, Internet access: <https://www.sgi-network.org/2019/>;

WGI – World Bank Governance Indicators Survey, Internet access: <https://info.worldbank.org/governance/wgi/>;

TI – Transparency International, Internet access: <https://www.transparency.org/>;

GCI – World Economic Forum Research the Global Competitiveness Index, Internet access: <https://reports.weforum.org/>;

FH – Freedom House. The chart includes the adapted Democracy Score from the Nations in Transit survey and the adjusted indicator of the Freedom of the Press survey. Internet access: <https://freedomhouse.org/>;

RWB – Reporters Without Borders, Internet access: <https://rsf.org/en/>;

TRACE Bribery Risk Matrix, Internet access: <https://www.traceinternational.org/trace-matrix/>;

Integrity Index – Index of Public Integrity, Internet access: <https://integrity-index.org/>.

<sup>2</sup> Internet access: [www.transparency.org/cpi/](http://www.transparency.org/cpi/).

average being 66) and Lithuania ranks 15-16 among the 28 EU member states. Estonia remains the leader among the Baltic States with the CPI rating, like Lithuania, rising by 1 point to 74, while in the ranking remaining in the 18th place in the world. Latvia in 2019 experienced a two-point downgrade of 56, and a three-position decrease to the 41st place in the world. In addition, this year for the first time from 2012 The CPI score for Lithuania is higher than the CPI score for Poland, which is 58 points in 2019, two points less than last year.

By highlighting areas where indicators relevant to anti-corruption have changed in 2019, it is noteworthy that more positive assessments are found in business representatives' interviews regarding the prevalence of bribery and corruption in the business environment, but some international studies have showed worse perception of corruption in the public sector. For example, the prevalence of political corruption in Lithuania in a V-dem<sup>3</sup>, expert survey scored lower than in previous years the risk assessment of corruption in the public sector presented in the Economist Intelligence Unit state risk report has declined<sup>4</sup>. On the other hand, the latest results of the annual report of the IMD World Competitiveness Ranking business leader survey are more positive: the previous year's assessment of the decline in bribery and corruption in the business environment has returned to the previous level<sup>5</sup>.

*"In 2019, Lithuania's competitiveness was ranked 68 points and 39th place, one position higher than in 2018."*

Ambiguous developments are seen in the World Economic Forum's "Global Competitiveness Report"<sup>6</sup>. In 2019 Lithuania's competitiveness scored 68 points and ranked the 39 places, i.e. one position higher than in 2018. From among the five variables measuring the state's anti-corruption environment, two evaluations – burden of the government regulation and world press freedom – improved, while the other two – prevalence of corruption and management of the conflict of interests – remained unchanged and one – the independence of the judiciary system from the influence of political, business and other interest groups – deteriorated<sup>7</sup>. Among all five variables, Lithuanian media freedom (78 points, 27 place) and management of conflicts of interest in large open liability companies (60 points, 53 place) were the highest, while the burden of government regulation (38 points, 85 place) remains to have the lowest value. However, there has been a significant positive change in this area, with Lithuania ranked 21 position higher than in the rating of 2018<sup>8</sup>. Although in the context of the Baltic States, the burden of government regulation in Lithuania remains the highest<sup>9</sup>. Comparing the changes in Lithuania's anti-corruption environment with those of Estonia and Latvia, it is noticeable that Estonia's leadership in the region continues to strengthen and that progress in Lithuania and Latvia is slower.

The Global Competitiveness Ranking identifies the institutional environment of countries as part of the empowering environment for business. A strong institutional environment that creates disadvantages for corruption helps attract and retain investment, build a sustainable economy that can successfully adapt to the changing conditions of the global economy.

*"Lithuania's corruption challenge score was 24 points higher than average and the estimate did not change compared with 2018."*

In assessing the attractiveness of a country to foreign investors, attention should be drawn to studies aimed at

<sup>3</sup> Prevalence of political corruption in 2018 was rated at 0.183, with 1 representing high levels of corruption, and the estimate appointed in 2017 is 0.15. Internet access: <https://www.v-dem.net/en/>.

<sup>4</sup> The prevalence of corruption in the public sector was estimated at 0.25, with 1 indicating a very good situation. In the previous assessment, the indicator was 0.5. The indicators are accessible through the World Bank's Worldwide Governance Indicators (WGI) survey database.

Internet access: <http://info.worldbank.org/governance/wgi/index.aspx#doc-sources>.

<sup>5</sup> In this study, a 10-point scale measures the prevalence of corruption and bribery in a country's economy, with 10 points indicating full absence of corruption or bribery. In the latest assessment, business representatives ranked Lithuania 4.06, i.e. 0.54 points higher than a year ago. In 2017 this score was also 4 points. The indicators are accessible through the WGI database.

<sup>6</sup> Internet access: <http://reports.weforum.org/global-competitiveness-report-2019/>.

<sup>7</sup> It should be noted that the changes in the endpoint do not necessarily lead to a change in the ratings – the position in the ranking depends on the progress or recourse made by other countries, therefore, the increase in the score does not necessarily mean a better position in the ranking and vice versa.

<sup>8</sup> In 2019 Lithuania scored 38 points and 85th place. This is 5.2 points better than last year's score.

<sup>9</sup> Latvia's regulatory burden was rated at 42.5 points – 67th place (14 positions higher than in 2018), Estonia – 52 points, 22nd place (8 positions higher than in 2018).

identifying the risks of corruption for investors in countries around the world. Corruption Challenge Index, 2019<sup>10</sup> by the international Risk Advisory Company ranked Lithuania's corruption challenge at 24 points and above average<sup>11</sup>. Although the threat of corruption was assessed as relatively unlikely – scoring 4 points for Lithuania<sup>12</sup>, Lithuania was ranked lower for data openness – 14 points<sup>13</sup>. By the risk of foreign investors Lithuania falls into the group of Central and Eastern European countries. In turn, Latvia (with a corruption challenge score of 18 points) and Estonia (17 points) are rated as less risky and fall into the Western and Northern European bloc. Estimates of the Baltic States did not change as compared to the scores of 2018.

*"In the Transparent Public Procurement Rating published in 2019, Lithuania was ranked 14th out of 32 countries rated, with an estimate of 73.8%."*

Public procurement remains a problem area for business operations in Lithuania, and data availability and openness are seen as some of the problem aspects of procurement. In the Transparent Public Procurement Rating<sup>14</sup> published in 2019, Lithuania was ranked 14th out of 32 countries rated, with an estimate of 73.8%. Lithuania was rated the worst in terms of transparency, with only 35% rating allocated to the country. The low evaluation of public procurement transparency was mainly because the procurement information and documents were not fully accessible in digital, machine-readable format at the time of evaluation, and some were not made public in any format.

The budget transparency indicator directly related to data openness is singled out as the weakest area of Lithuania's anti-corruption environment in the public sector integrity index<sup>15</sup>. Overall, the integrity of the Lithuanian public sector is rated at 7.85 points out of 10, with the 30th position out of 117 countries. It is also noteworthy that since the beginning of monitoring Lithuania's estimate has increased slightly – it is higher by 0.16 points compared to 2015 and barely 0.03 points compared with 2017.

Therefore, in 2019, Lithuania's rating the in international rankings were changing insignificantly, most of the change indicators not exceeding the threshold of statistical error. Positive signs are seen among business representative's prevalence of corruption in the business environment. The reputation of the state is also positively influenced by the improvement of the Corruption Perceptions Index. However, at the same time, studies point to the lack of transparency of state processes, shortage of data openness – access to information is considered to be one of the preconditions for effective corruption and these opportunities are still untapped.

## Anti-corruption environment in Lithuania

### Criminogenic situation

*"Lithuania shows the consistent decline of registered crime and minor criminal acts against civil service and public interest."*

The analysis of crime statistics of 2016-2019<sup>16</sup> shows the consistent decline of registered crime and minor criminal acts against civil service and public interests in Lithuania (see Fig. 2). In 2019 the number of registered corrupt offences dropped down by 35% in comparison to 2016 (516 and 788 offences respectively) and it made up 48 criminal acts less than in previous year (564 in 2018). However, this change is not homogeneous for different types of corrupt offences. In 2019 the number of registered cases of graft continued to decline significantly - 276<sup>17</sup> offences (337 in 2018);

<sup>10</sup> Internet access: <https://www.riskadvisory.com/campaigns/corruption-challenges-index-2019/>.

<sup>11</sup> The state scored from 10 to 51, the world average was 28.3.

<sup>12</sup> According to the manifestation of the threat of corruption, states were rated between 3 and 16.

<sup>13</sup> According to the uncertainty of the information available, states were rated on a scale of 1 to 31.

<sup>14</sup> Transparent Public Procurement Rating, Internet access: <https://www.tpp-rating.org/>.

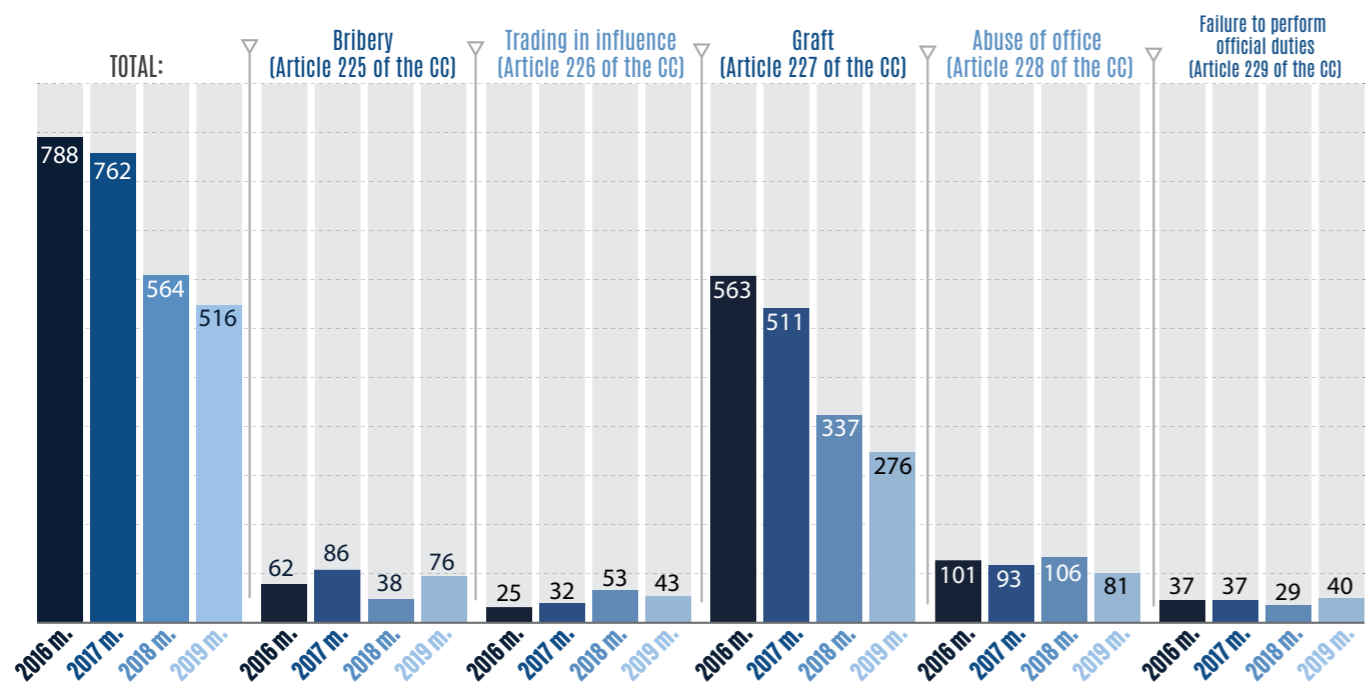
<sup>15</sup> Lithuanian budget transparency was rated 5.93 out of 10. Internet access: <https://integrity-index.org/>.

<sup>16</sup> Data on recorded and investigated criminal acts in institutions conducting pre-trial investigations (Form\_1G-ITB). Crime and pre-trial investigation statistics. Department of Informatics and Communications at the Ministry of the Interior of the Republic of Lithuania. Internet access: <https://goo.gl/mAK1mr>.

<sup>17</sup> According to the data from IRD, in 2019 the STT has registered 69 graft cases (55 in 2018), i.e. 25% from all recorded bribe cases.

numbers of the abuse of office dropped down by 24% – 81<sup>18</sup> cases (106 in 2018) and number of trading in influence decreased by one-fifth– 43<sup>19</sup> (53 in 2018). During last year twice as many cases of bribery were registered – 76<sup>20</sup> (38 in 2018). On the other hand, this was a return to the similar number of registered bribery cases as in 2016-2017.

For several years in a row, the sharpest decline in grafts registered by the police (165 in 2019, 265 in 2018) suggests that the scale of petty corruption is declining as the public intolerance to corruption and internal control of law enforcement increase. Meanwhile, it shows that the total number of registered corrupt crime is declining mainly due to the drop down of the petty corruption.



Due to the small number included in the total amount but not represented in detail for criminal acts under Article 228 (1) of the Criminal Code (Illegal registration of rights in immovable property (0-3 criminal acts per year).

Fig. 2 Dynamics of the number of criminal offences against civil service and public interest in 2016–2019

## Results of sociological surveys

The sociological survey of anti-corruption environment, initiated by the Special Investigation Service, "The Corruption Map of Lithuania," shows the positive downward trend in corruption maintained in 2019. In 2019, all groups of the public positively welcomed changes in the scale of corruption in Lithuania over the last five years: most public believe that the level of corruption has declined, with a smaller proportion seeing it increase<sup>21</sup>. Similarly, more respondents who evaluate the extent of corruption positively are business representatives<sup>22</sup> and civil servants<sup>23</sup>.

As far as the closest forecasts are concerned, further downward trends in corruption in the country are optimistic. Corruption is expected to decline by 11% over the next three years compared to 2016 by 11% more of population and 13% more of civil servants<sup>24</sup>. There was no significant change in the assessment of business representatives<sup>25</sup>.

Corruption is perceived as a pressing problem in Lithuania, but it is noteworthy that citizens and civil servants

18 According to the data from IRD, in 2019 the STT has registered 31 cases of abuse (44 in 2018), representing 38% from all recorded abuses.  
 19 According to the data from IRD, in 2019 the STT has registered 38 cases of trading in influence (49 in 2018), i.e. 88% from all recorded cases of trading in influence.  
 20 According to the data from IRD, in 2019 the STT has registered 65 cases of bribery (33 in 2018), i.e. 86% from all recorded cases of bribery.  
 21 A decrease was indicated by 26% and an increase by 20%.  
 22 37% of business representatives reported that the skill of corruption went down, 12% stated that the skill of corruption has increased.  
 23 72% of civil servants pointed out that the skill of corruption had fallen, 7% stated that the skill of corruption has increased.  
 24 Population: 2019 – 29%, 2018 – 27%, 2016 – 18%; civil servants: 2019 – 69%, 2018 – 62% 2016 – 56%.  
 25 2019 – 35%, 2018 – 39%, 2016 – 37%.

mention corruption less frequently and business representatives – more often. Corruption among problems pressing to Lithuanian citizens in 2019 ranked 4th after low wages, rising prices, and emigration. Corruption was identified as a very serious problem by 36% of population, which is less than in 2018 (40%). Business representatives mentioned corruption as a very serious problem in the 4th place – 32%. (27% in 2018), and civil servants rank it 7th, staying at 23%. (30% in 2018).

*"Corruption experience of the public is decreasing – in the last 12 months, 10% of the public gave a bribe."*

The results of the survey reveal that the population's experience of corruption continues to decline – over the past 12 months 10% of the public gave a bribe, compared to 16% in 2016 and almost three times as much – 27% in 2005. The corruption experience of business representatives has not changed<sup>26</sup> significantly in recent years and was at the earmark of 5%. However, from a long-term perspective, it has been noted that since 2002 this proportion has fallen more than five times, by 27%. Meanwhile, civil servants who admitted of giving a bribe in 2019 accounted for 2% of respondents<sup>27</sup>, i.e. almost ten times less than in 2011 – 19%.

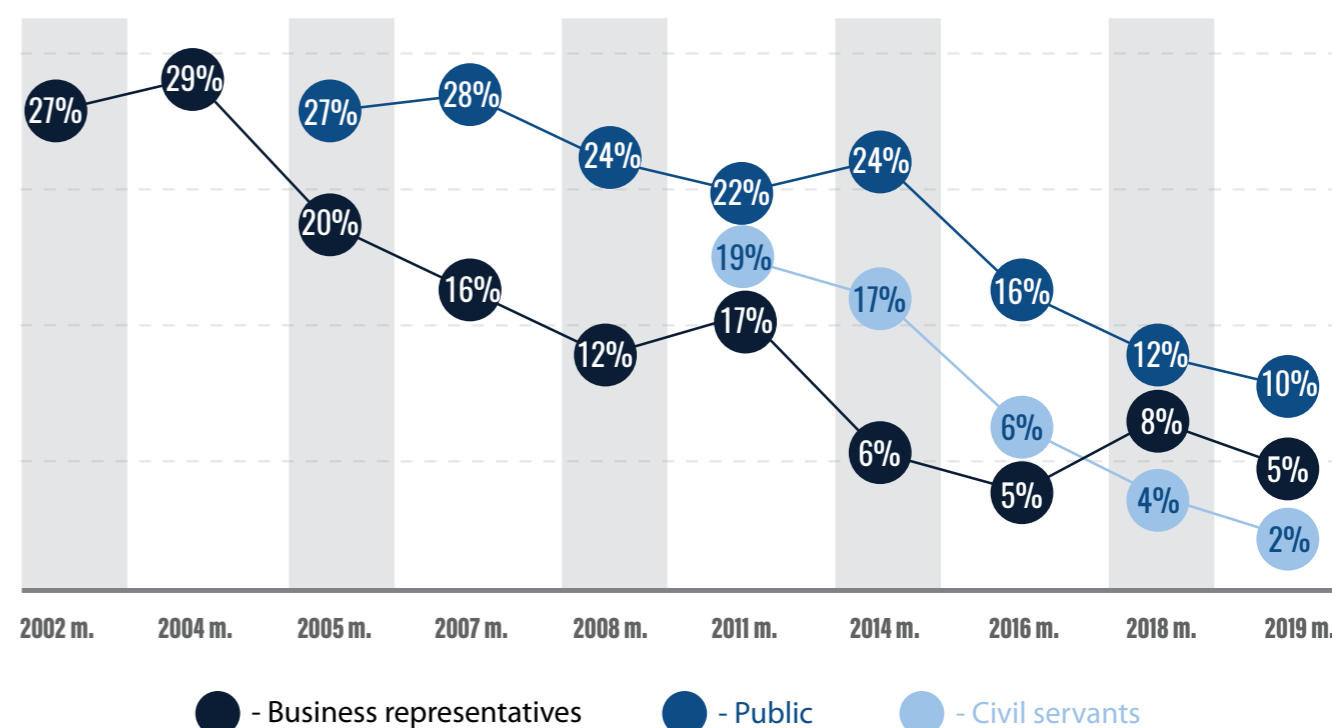


Fig. 3 Bribing experience

When evaluating the state of anti-corruption attitudes of the public, it is noticeable that groups of the public and civil servants are showing an increase in the attitude not to give a bribe. Compared to 2018, a 7% share of residents and civil servants who said they would not give a bribe to solve their problems, slightly increased, while no such changes were recorded in the group of business representatives<sup>28</sup>.

26 2018 – 8%, 2016 – 5%, 2014 – 6%.  
 27 2018 – 4%, 2016 – 6%, 2014 – 17%.  
 28 Share of residents who stated they would not give a bribe to solve their problems: 2019 – 42%, 2018 – 35%, 2016 – 37%.  
 Share of civil servants who stated they would not give a bribe to solve their problems: 2019 – 71%, 2018 – 71%, 2016 – 63%.  
 Share of business representatives who stated they would not give a bribe to solve their problems: 2019 – 53%, 2018 – 51%, 2016 – 56%.

The health sector remains the area most exposed to the risk of extortion fee, also with the highest bribing indices. One in four residents who have been dealing in republican hospitals or clinics over the past five years said they were expected to give bribes. A similar proportion of extortion fee occurred in city and district hospitals. However, in comparison with the results of previous years, the experience of corruption in health care institutions is significantly decreasing<sup>29</sup>.

*"Among 28 countries, Lithuania ranks 8th as the country where corruption is the least pressing issue in business development Lithuania scores better than Poland and Latvia."*

As regards the anti-corruption environment in the private sector, the reduction of corruption as a barrier to business development in Lithuania should be noted. According to the "Flash Eurobarometer No. 482 Business Attitudes towards Corruption in the EU", the role of corruption as a problem for business development in Lithuania has significantly decreased. Most Lithuanian entrepreneurs do not see corruption as an obstacle to their business development. Among 28 countries, Lithuania ranks 8th as the country where corruption is the least pressing issue in business development<sup>30</sup>. Nevertheless, corruption remains a problem in public procurement. More than one in three respondents with their companies involved in public procurement stated that corruption has prevented them from winning a contract in the last three years<sup>31</sup>. Nepotism and patronage identified as a bigger obstacle to corruption than business corruption in the study of the Corruption Map of Lithuania 2019<sup>32</sup>.

According to the Corruption Map of Lithuania 2019, the assessment of openness in decision-making processes remained at the same level as in 2018 – merely 19% of civil persons, 10% of the public and 14% of business representatives said that decisions are made in Lithuania openly. When analysing the transparency of decision-making, it is noteworthy that the proportion of civil servants indicating that the institution in which they work was exposed to the pressure of politicians at national or local level with the aim of not the public but the private or party<sup>33</sup> interests of politicians. However, one in five civil servants said that corruption was widespread in his workplace, a figure that did not change compared to 2018.

The results of the Corruption Map of Lithuania 2019 results reveal stagnation in anti-corruption potential, although, it should be noted that awareness of where to report a case of corrupt information is high<sup>34</sup>. In 2019, total 22% of the public indicated that they would report corruption and this indicator returned to the level of 2016<sup>35</sup>. Less than one in three respondents would report corruption among business representatives<sup>36</sup>. Potential involvement in anti-corruption activities remained low: only one in ten respondents in the focus groups of the public and business representatives indicated that they would like to participate in anti-corruption activities<sup>37</sup>. The anti-corruption potential of civil servants is higher, but remained stable compared to last year: half of them would report corruption and almost one in three civil servants would like to take part in anti-corruption activities<sup>38</sup>.

29 Extortion fee indices: Republican hospitals/clinics 0.25 (2018 – 0.35; 2016 – 0.4), city and district hospitals: 0.22 (2018 – 0.32; 2016 – 0.36), outpatient clinics 0.07 (2018 – 0.13; 2016 – 0.16).

Bribe giving indices: republican hospitals/clinics 0.21 (2018 – 0.26; 2016 – 0.27), city and district hospitals: 0.14 (2018 – 0.22; 2016 – 0.23), outpatient clinics 0.03 (2018 – 0.09; 2016 – 0.1).

30 Corruption was identified as a problem in Lithuania by 15% of business representatives. Compared to 2017 this rate is 6% lower and compared to the result of 2015, the indicator has reduced by almost twice (28% in 2015). Thus, Lithuania is ahead of the EU average (37%), and when assessing Lithuania as compared to its neighbours, the indicator is better than Poland (27%, 12th place) and Latvia (19%, 9th place), however, Estonia's business environment remains more favourable in this respect (9%, 2nd place).

31 37% Lithuanian companies involved in public procurement stated that corruption had prevented them from winning public tenders in the last three years. This rate is 11% higher than in the study of 2017 and returned to the level of 2015 (39%). Lithuania is ranked 20th among the 28 EU Member States in the area of encountering corruption in public procurement. This is worse than the neighbouring Latvia (19th place, 35%) and Estonia (5th place, 21%), but in Poland, the business encounters of corruption in public procurement is higher than in Lithuania (25th place, 43%).

32 19% business representatives identified nepotism and patronage as a problem in their business development (20% in 2018), and 13% identified - corruption is their problem (8% in 2018).

33 2019 – 11%, 2018 – 16%, 2016 – 16%.

34 In the public target group – 48%. (46% in 2018), in the group of business representatives – 61%. (62% in 2018) Emma civil servants – 86%. (86% in 2018).

35 2019 – 23%, 2018 – 17%.

36 2019 – 31%, 2018 – 32%.

37 In 2019 in the public group reached 9% (8% in 2018) in the business representatives group 10% (13% in 2018).

38 In 2019, 52% of civil servants indicated that they would report corruption (54% in 22) and that 30% of them would be willing to participate in the anti-corruption activities. (33% in 2018).

*"Compared to 2018, in the public group the disbelief that after reporting, corrupt persons would be convicted, declined by 6% and in the group of business representatives this proportion has grown by 6%."*

Top reasons for not reporting corruption in 2019 included fear of victimisation on reporting among the public and business representatives, as well as disbelief that reporting on corruption will lead to conviction of guilty parties, and belief that everyone is aware of corruption but does not report<sup>39</sup>. It should be noted that, as compared to 2018, in the public group the disbelief that after reporting, corrupt persons would be convicted, declined by 6% and in the group of business representatives this proportion has grown by 6%.

Alongside the fear of victimisation and the disbelief among civil servants that guilty persons will be convicted, some of the main reasons for not reporting corruption is the doubt as to whether the observed case is corrupt. In addition, this group showed 5% less disbelief that corrupt persons sentenced after reporting<sup>40</sup>.

Data from international surveys confirm that business representatives in Lithuania are less likely to believe in the criminal nature of corruption compared to neighbouring countries – starting with the likelihood that law enforcement authorities will investigate corrupt criminal acts, that charges will be brought against such business and it will go to the court, and eventually, business will be heavily fined and offenders imprisoned<sup>41</sup>.

*"Lithuania has fully implemented 16 recommendations in two years, partially implemented 8 recommendations and not implemented 1 recommendation."*

The fact that the prevention of corruption act, and once they have happened, investigation once it has happened, as well as prosecution of law offenders is an essential part of the overall justice system, has been revealed by the results of the European Commission's Special Eurobarometer No. 489: Rule of Law". The survey revealed that, among all legal principles, the Lithuanian public attaches great importance to responding to corruption, impartial decision-making, law making and enforcement, in accordance with the Code of Ethics and the rules requiring the avoidance of conflicts of interest. According to the results of the survey, the Lithuanian public pays great attention to the continuous improvement of the process of investigation and prosecution of corruption. Areas for improvement include management of conflicts of interest for politicians and decision-making in the public interest by public authorities<sup>42</sup>.

39 The three major reasons for not reporting a corruption event in the population are: whistle-blowers are affected the worst – 52%. (57% in 2018), there is no point in reporting because no one would convict those guilty – 46%. (51% in 2018), everyone is aware of these cases but no one reports – 33%. (35% in 2018).

The top three causes for not reporting a corruption event in the business representatives group: whistle-blowers are affected the worst – 47%. (43% in 2018), there is no point in reporting because no one would convict those guilty – 46%. (40% in 2018), everyone is aware of these cases but no one reports – 29%. (29% in 2018).

40 The three main reasons for not reporting a corruption incident in the civil servant group: whistle-blowers are affected the worst – 36%. (37% in 2018), I'm not sure this is a case of corruption – 36%. (32% in 2018), there is no point in reporting because no one would convict those involved – 30%. (25% in 2018).

41 26% business representatives agreed with the statement that a business that committed a corruption type of criminal offense should be subject to a high fine or imprisonment by court order, 55% believed that law enforcement would find out about the corrupt nature of business criminal act and 48% assumed that such a business could be prosecuted and brought to trial. In Latvia, respectively: 31%, 62%, 51%; in Estonia: 32%, 53%, 60%. (Flash Eurobarometer No. 482: "Business Approach to Corruption").

42 Survey results prepared by STT. Internet access: [https://www.stt.lt/documents/2019/EBS\\_489\\_STT\\_apzvalga.pdf](https://www.stt.lt/documents/2019/EBS_489_STT_apzvalga.pdf).

## International grafts

*"A total 10% of the public, 18% business representatives and 18% of civil servants have heard about the measures being implemented in Lithuania to combat international bribery. This indicator remains unchanged compared to 2018."*

In 2019 in Paris, the OECD Task Force on Countering Illicit Trade concluded that out of 27 recommendations made to Lithuania in 2017, 16 were fully complied implemented, 8 were implemented in part and 1 recommendation remained not implemented. The other 2 recommendations were transferred to the monitoring list. Experts who evaluated Lithuania's progress noted significant steps taken by the Special Investigation Service in anti-corruption awareness and outreach, but the lack of contribution from other state institutions, business and non-governmental organisations in informing companies, particularly state-owned and small and medium-sized enterprises, about corruption risks in foreign business development. Amendments to the laws adopted by Lithuania regarding the obligation of auditors to report corruption findings to law enforcement authorities and the strengthening of the role of the Judicial Selection Commission and the Judicial Council in the selection and appointment of judges were positively evaluated. The working group was also impressed by the extensive training of prosecutors and pre-trial investigation officers on the qualification of corruption offenses, criminal liability of legal persons and the application of sanctions.

While evaluating the results of sociological survey, it must be assumed that the Lithuanian public, business representatives and civil servants underestimate the risks of graft in international business transactions as the level of awareness of these risks can be further developed. In 2019 only about one in seven (15%) of the public have heard about the risks of international bribes, i.e. 5% less than in 2018 (20%). Only one in four business representatives (25%, in 2018 – 26%) and one in five civil servants (19%, in 2018 – 26%) have heard about the risk of bribery in international business transactions. 10% of the public (9% in 2018), 18% business representatives (14% in 2018) and 18% of civil servants (16% in 2018) have heard about the measures being implemented in Lithuania to combat international grafts. The situation where a foreign business representative bribes a Lithuanian civil servant or official for the benefit of his business is considered as widespread by 2% of civil servants (4% in 2018). None of the civil servants questioned had direct experience of international bribery (when a foreign official offered a grafts) in recent years.

## CORRUPTION IN THE JUDICIAL SYSTEM

### Prevalence of corruption in Lithuanian courts: perception and experience

According to the data of the survey "Corruption Map of Lithuania 2019"<sup>43</sup>, the Lithuanian courts are among the institutions where corruption is most prevalent. It is also noteworthy that in 2019 the judiciary's transparency was assessed lower than in previous years. In the opinion of the public, that courts rank second by corruption prevalence, according to business representatives, they rank first<sup>44</sup>, and civil servants ranked them second<sup>45</sup> to third<sup>46</sup>.

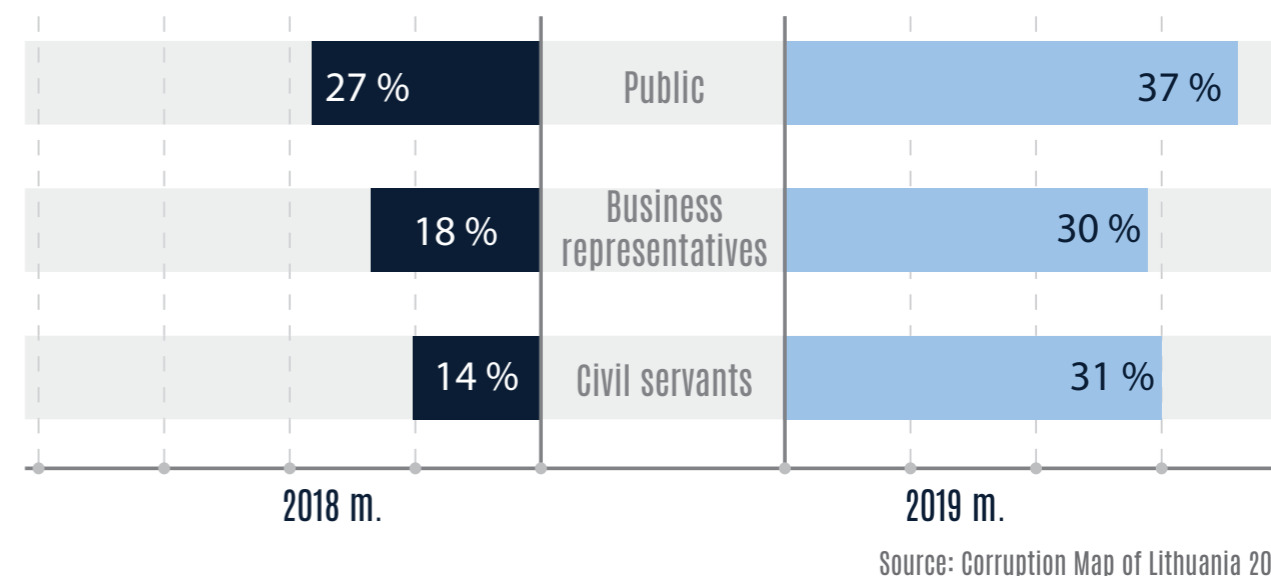


Fig. 4 Distribution of respondents by assessment of court corruption levels

Notably, district courts<sup>47</sup> are considered the most corrupt in Lithuania, while regional<sup>48</sup> and administrative<sup>49</sup> courts are less corrupt, however, all target groups rated the corruption of these courts less well compared to 2018. Assessment of the corruption level of higher courts – more moderate<sup>50</sup>. Comparison of the attitudes of different groups of the public reveals that the attitude of business representatives to all Lithuanian courts is more critical than that of the public and civil servants.

*"In terms of bribery experience in the judiciary system, the district courts have been named by the residents as one of the riskiest subjects in 2019."*

In terms of experience of bribery in the judicial system<sup>51</sup>, in 2019, the public ranked district courts<sup>52</sup> as one of the riskiest entities and civil proceedings as the riskiest procedures<sup>53</sup>. Likewise, the public was more likely to face

43 Internet access: <https://www.stt.lt/lt/menu/tyrimai-ir-analizes/>.

44 2019 – 30%, 2018 – 18%.

45 The courts were indicated by 37% of the population as the most corrupt institution, in 2018 – 27%

46 2019 – 31%, 2018 – 14%.

47 District courts, as highly corrupt, in 2019 were perceived by 22% of the public and civil servants, and 20% of business representatives.

48 Regional courts, as very corrupt, in 2019 were perceived by 18% of the public, 17% of civil servants, and 20% of business representatives.

49 Administrative courts, as very corrupt, in 2019 were perceived by 18% of the public, 16% of civil servants, and 20% of business representatives.

50 The Supreme Administrative Court of Lithuania was identified as highly corrupt by 12% of the public.

51 It should be noted that only a small proportion of respondents have directly faced the courts in the last five years, therefore, the results presented below are to be considered to have a significant bias. Due to the small sample, a comparison with previous years is not possible.

52 Extortion fee index – 0.06, giving bribes – 0.03; the sample size is 64.

53 Extortion fee index – 0.15, giving bribes – 0.15; the sample size is 39.

extortion of bribe in the cases of administrative misconduct<sup>54</sup>. Business representatives were more likely to face extortion fee – in administrative courts<sup>55</sup> and in dealing with advocates<sup>56</sup>. The handling of administrative offenses<sup>57</sup> and civil litigation<sup>58</sup> was distinguished as risky procedures. Meanwhile, civil servants stated that they were exposed to extortion fee when dealing their matters in the courts<sup>59</sup>.

The results of the survey revealed that the Lithuanian public has low evaluation of the justice and impartiality of courts. A bigger share of respondents – the public and business representatives – disagreed with the statement that "courts make fair and impartial decisions" rather than agreed with this statement<sup>60</sup>. The difference between civil servants who disagreed with and agreed with this statement is less marked, but the assessment is also more negative<sup>61</sup>. Half of the Lithuanian public (50%), more than half (55%) of business representatives and one in three civil servants (32%) felt that the courts are significantly affected by politicians. Significant business influence on the courts was reported by 40% of the public, by every third business representatives (32%) and every fourth civil servant (26%).

*"Judges, as most responsible for the spread of corruption in Lithuania, were identified by target groups of the public and business representatives."*

It is noteworthy that in the World Economic Forum's<sup>62</sup> "Global Competitiveness Report" 2019 the indicator of independence of Lithuanian courts from political, business and other interest groups reached 53.4 points, i.e. 0.9 points lower than in the inhalation of 2018. According to this indicator, Lithuania ranked 53 out of 141 countries. In terms of judicial independence, Lithuania is ranked higher than Latvia<sup>63</sup>, but worse than Estonia<sup>64</sup>.

Comparison of the survey data of the Corruption Map of Lithuania 2019 and 2018 showed a significant increase in the proportion of respondents claiming that judges are responsible for the prevalence of corruption in Lithuania. Judges, as most responsible for the spread of corruption in Lithuania, were identified by target groups of the public<sup>65</sup> and business representatives<sup>66</sup>. Civil servants positioned judges as responsible in the second place<sup>67</sup>.

Strengthening of penalties and prohibitions prevail as the most effective means of combating corruption in the evaluations of the public and business representatives. These groups identified the following as the most effective measures: tightening of penalties for bribe-taking<sup>68</sup>, verification of transparency of assets of civil servants and their family members, confiscation<sup>69</sup> of assets, and prohibition of is conducting civil servants to hold public offices, where appropriate<sup>70</sup>.

*"Imposition of penalties for corruption was perceived as the most problem-ridden area of justice administration in Lithuania."*

54 Extortion fee index – 0.05, giving bribes – 0.05; the sample size is 37.

55 Extortion fee index – 0.07, giving bribes – 0.02; the sample size is 44.

56 Extortion fee index – 0.05, giving bribes – 0.05; the sample size is 81.

57 Extortion fee index – 0.06, giving bribes – 0.01; the sample size is 71.

58 Extortion fee index – 0.04, giving bribes – 0.02; the sample size is 46.

59 Extortion fee index is 0.05, giving bribes 0; the sample size is 60.

60 10% of respondents in the public target group agreed with the statement "Courts make fair and impartial decisions", disagreed 36%, in the group of business representatives 12% agreed with the statement and

61 23% civil servants agreed with the statement "Courts make fair and impartial decisions", 29% disagreed.

62 Internet access: <http://reports.weforum.org/global-competitiveness-report-2019/>.

63 45.8 points, 74th place.

64 73.5 points, 22nd place.

65 2019 – 82%, 2018 – 75%.

66 2019 – 84%, 2018 – 68%.

67 2019 – 73%, 2018 – 61%.

68 In the population group, supported by 44% and in the business representatives' group by 45%.

69 In the population group, supported by 28% and in the business representatives' group by 27%.

70 In the population group, supported by 25% and in the business representatives' group by 29%.

Assessing the importance of the performance of courts in the anti-corruption environment of Lithuania, attention should be drawn to the results of the survey initiated by the European Commission "Business attitudes to corruption in the EU"<sup>71</sup>. According to the survey results, 48% of business representatives believed that charges could be brought against non-transparent business and it would go before the court, and only one in four (26%) agreed with the statement that a business that has committed a corruption criminal act should face heavy fines or imprisonment by the decision of the court. Thus, imposition of penalties for corruption was perceived as the most problem area of justice administration in Lithuania. According to the perceived likelihood of a serious fine or imprisonment for a business engaged in a corrupt criminal act, Lithuania is 25th among EU Member States and this indicator is poorer than that of neighbouring countries<sup>72</sup>.

### Risk factors for corruption in the judiciary system

Special Investigation Service since 2012 consistently has been raising questions about potential corruption risks in the judicial system and conducted anti-corruption evaluations of legislation and drafts thereof, as well as corruption risk analysis, identifying risk factors in the judicial system, making comments and suggestions on how to eliminate them and to ensure effective preventive measures.

*"Special Investigation Service since 2012 consistently has been raising questions about potential corruption risks in the judicial system."*

The anti-corruption assessments of the legislation and drafts thereof have shown that there is no legal basis for cases to be assigned to judges or panels of judges without the use of automated selection. There is also no clear list of reasons for replacing a judge or a panel member. There are no clear circumstances in which a judge or a panel of judges or a member thereof cannot investigate a particular case and there are no clear cases where a panel of judges cannot be constituted by automated selection. In 2014 the anti-corruption assessment of the draft amendment to the Rules on the allocation of cases to judges and the formation of panels of judges found that the comments of the anti-corruption assessment of 2012 were not taken into account. It was emphasised that the observations of the previous evaluation remain relevant and suggestion was made to take them into account. Noteworthy, a new description of the Rules came into force 01-01-2016; it partially takes into account the comments submitted by the STT, but there is no clear mechanism for control of case allocation.

In 2019, upon the assessment of the above-mentioned description, it is obvious that there are no regulation for criteria of "priority procedure for allocation of cases in the courts" and "procedure for urgent allocation of cases in the courts". Chairs of courts or court divisions have a broad discretion not to assign new cases or to assign fewer cases to judges dealing with cases requiring quicker processing. In addition, there is no fixed time limit for entering the case data into the LITEKO after its receipt by the court clerk office. There are no details given for reasons for determining the period for exclusion of a judge from automated queuing and the deadline for assigning a case to a selected judge is unclear. It is noteworthy that the totality of the gaps in legal regulation make it possible to influence the final result of which a judge or a panel of judges will be appointed to hear a particular case.

The corruption risk analysis has found that using the Case Distribution Module of LITEKO Lithuanian court information system, only one of the steps of the case allocation procedure is performed automatically – formation of the queue of judges who can hear the case. Both this and other features of the Case Distribution Module need improvement, as significant part of the data relevant to the final result of the file allocation process is entered and/or manually adjusted and the traceability of these actions is very limited. In addition, it was found that the number of cases assigned to a judge and their complexity and the availability of the judge were not assessed in the automated formation the sequence of judges. As a result, the case is often allocated not to the first or second judge on top of the queue but to the judge lower in the automatically generated sequence.

Insufficient effective control by the higher courts of the allocation of cases to judges in the lower courts was found, not all risky aspects of the procedure were always checked and the activities of the courts are fragmented.

71 Internet access: <https://ec.europa.eu/2019/surveys>.

72 Latvia – 21st place, 31%, Estonia 19th place, 32%, Poland – 6th place, 47%.

In the last 10 years, the Special Investigation Service has launched 16 pre-trial investigations into possible corruption in the field of administration of justice. A total of 171 criminal acts were investigated and 79 persons were suspected, including 23 judges: 8 city, district court judges, 10 regional court judges, 4 Appellate Court judges, 1 Supreme Court of Lithuania judge.

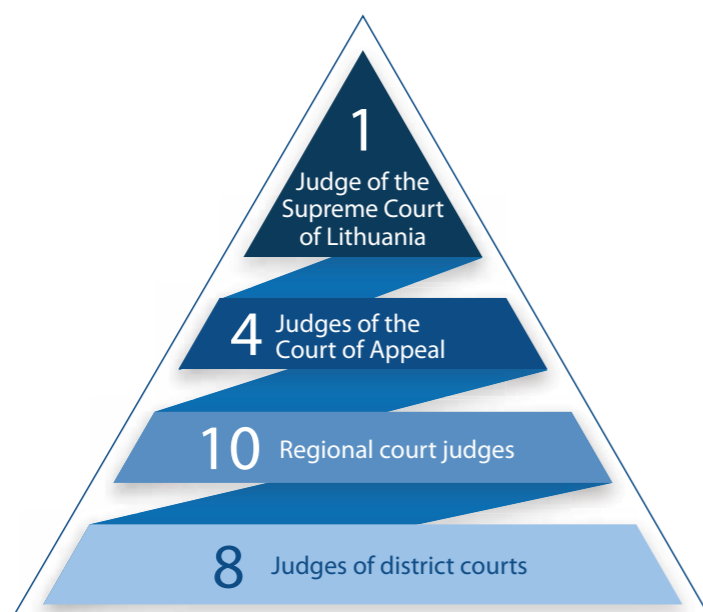


Fig. 5 Charges were brought against judges

Several court decisions in the pre-trial investigations into possible corruption in the judiciary system that were launched during the period in question are worth mentioning:

In 2012 the Vilnius Regional Court issued a verdict finding a Kaunas District Court judge guilty of abuse of his official position and falsification of documents, causing serious harm. He was sentenced to 2 years of imprisonment, with a suspended sentence and a contribution of 10 MSL (LTL 1,300) to the Crime Victims' Fund (pre-trial investigation launched in 2011).

*"The prevalence of corruption and potential crime in the judiciary system is not geographically isolated to one region."*

In 2015 the Supreme Court of Lithuania in a ruling dismissed a cassation appeal by the judge of the Vilnius Regional Court against a conviction leaving the judgment of the Court of Appeal of Lithuania of 2014 finding a judge guilty of bribery and trading in influence. He was fined EUR 28,237 (pre-trial investigation launched in 2011).

In 2015 the Supreme Court of Lithuania upheld a ruling of the first-instance court ruling declaring judge of Panevėžys District Court to be guilty for abuse. He was sentenced to 2 years imprisonment and the sentence suspended for 1 year (pre-trial investigation launched in 2011).

In 2016 Kaunas Regional Court issued a verdict finding a judge of Vilnius City District Court judge guilty of facilitation of fraud. She was fined 200 MGL (EUR 7,530.12). In the part of the accusations of falsification of documents and abuse of office, the case was closed because of the limitation period of criminal liability (pre-trial investigation launched in 2011).

In 2016 the Panevėžys Regional Court ordered the termination of the criminal case of abuse of office by a judge of Radviliškis District Local Court and refused to apply coercive medical measures, without finding the latter's danger to the public (pre-trial investigation launched in 2012).

In 2018 the Supreme Court of Lithuania dismissed the cassation appeal of the convicted judge of Šiauliai City District Court and upheld the appeal of the Court of Appeal of 2016 in a judgment finding that the judge was guilty of abusing her official position and imposing a fine of EUR 7,532 on her. Part of the case concerning the bribe was closed upon expiry of the limitation period (the pre-trial investigation launched in 2011).

In 2019 the Supreme Court of Lithuania passed a decision in the case concerning the attempt of the judge of Kaunas Regional Court to bribe another judge and returned the case for retrial according to the appeal procedure.

In 2019 the Special Investigation Service has launched the largest of its pre-trial investigations into large-scale bribery, trading in influence, bribery and abuse in the judicial system. Judges, advocates at law and practitioners trading in influence of both general and specialised courts, including the Supreme Court of Lithuania, were covered by the scope of the investigation.

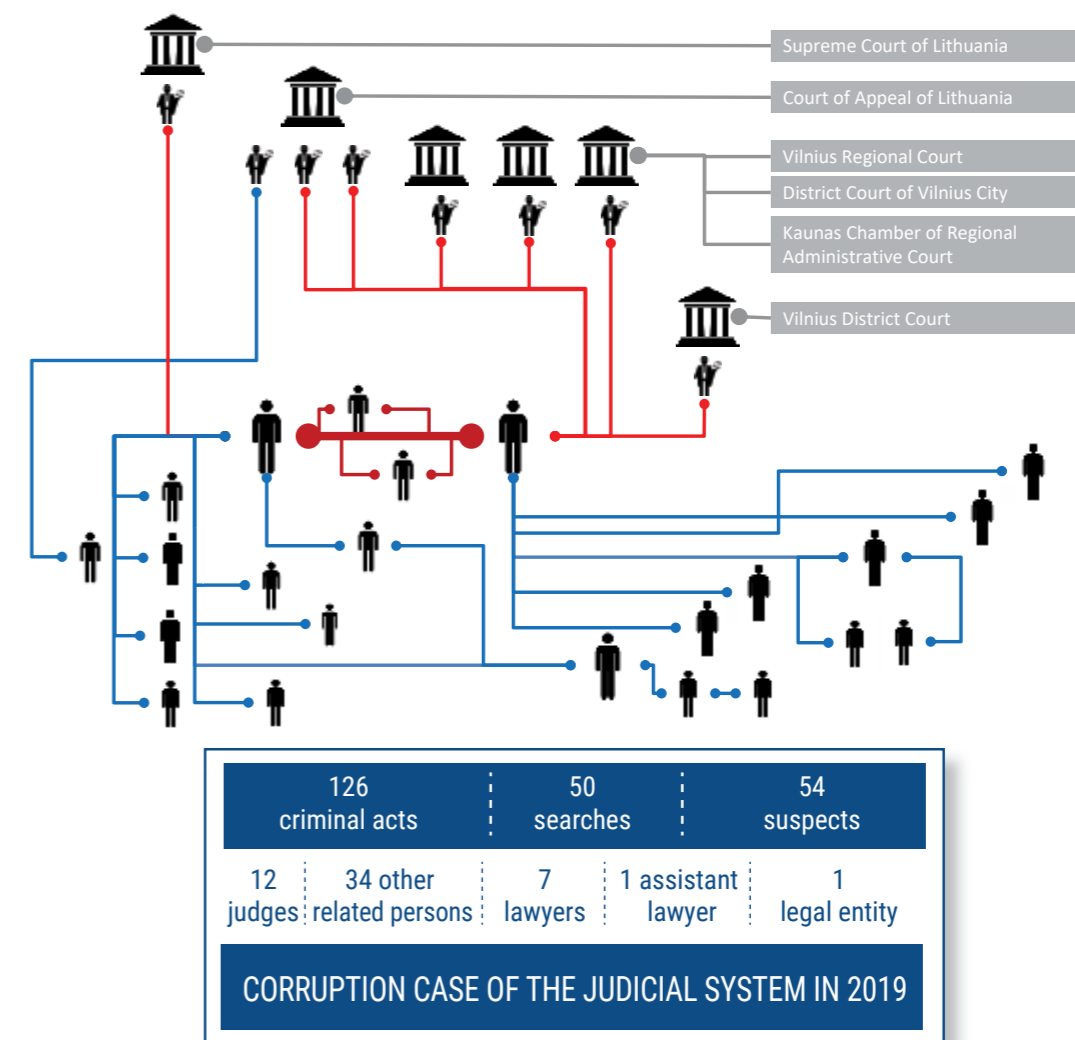


Fig. 6 Scheme of trading in influence<sup>73</sup>

<sup>73</sup> The diagram depicts some of the criminal acts scrutinised in this pre-trial investigation. The red lines indicate the relations of traders in influence with judges, the blue lines show the relations of those seeking favourable decisions of the court with intermediates, traders in influence or directly the judges

The investigation revealed potential criminal acts, which in many cases were long-term, systematic and organised, and involved a large number of both perpetrators, and persons assisting them in one way or another.

It is suspected that the perpetrators of the offenses communicated through mediators, in some cases chains of mediators, and criminal agreements were concluded between persons having long-standing personal relationships in conspiracy. The wide network of mediators has potentially made it possible for those seeking favourable decisions but not having direct contact with judges, to reach them. The criminal schemes possibly involved judges, persons who sought illegal services and intermediaries, including lawyers. The criminal scheme included courts of all instances.

*"The Special Investigation Service has made 10 proposals to create a corruption-resistant environment in the judiciary system."*

There is evidence that, through the effect of the criminal trading in influence and the mediation system, perpetrators of crimes sought to obtain favourable court decisions for administrative misdemeanours, fraud, murder, trading in influence in human beings, other cases. It is suspected that unlawful fees ranging from EUR 1,000 to 100,000 may have been paid to with the aim of facilitating favourable court decisions, delaying criminal trials, in order to achieve limitation periods for criminal prosecution in the expectation that the cases will be heard by selected judges or read directed back to lower courts, for avoidance of the confiscation of property, etc.

The Special Investigation Service, in cooperation with the self-governance judicial authorities, has made the following suggestions to create a corruption-resistant environment in the judicial system:



Set up a task force to assess the current situation in the judiciary system and propose measures to create a corruption-resistant environment in the short and medium term.



Develop a sectoral anti-corruption programme for the judiciary system and ensure its consistent implementation in accordance with the courts' action plans.



Establish a central unit responsible for the development of a corruption-resistant environment throughout the judiciary system and designate persons responsible for the development of a corruption-resistant environment in the courts.



From an anti-corruption point of view, to evaluate the legislation governing the work and administration of the courts and develop proposals for its improvement.



To evaluate the practical application of the legislation governing the functioning and administration of the major courts and identify risk factors for corruption in the existing practices.



Take measures to improve legislative practices and working procedures to ensure effective reconciliation of the public and private interests of judges and court staff and to avoid conflicts of interest.



Take measures to improve the legislative practices and working procedures of the judiciary in order to ensure its excellent reputation and resistance to corruption.



Take measures to increase the transparency, openness and innovation of the judicial system.



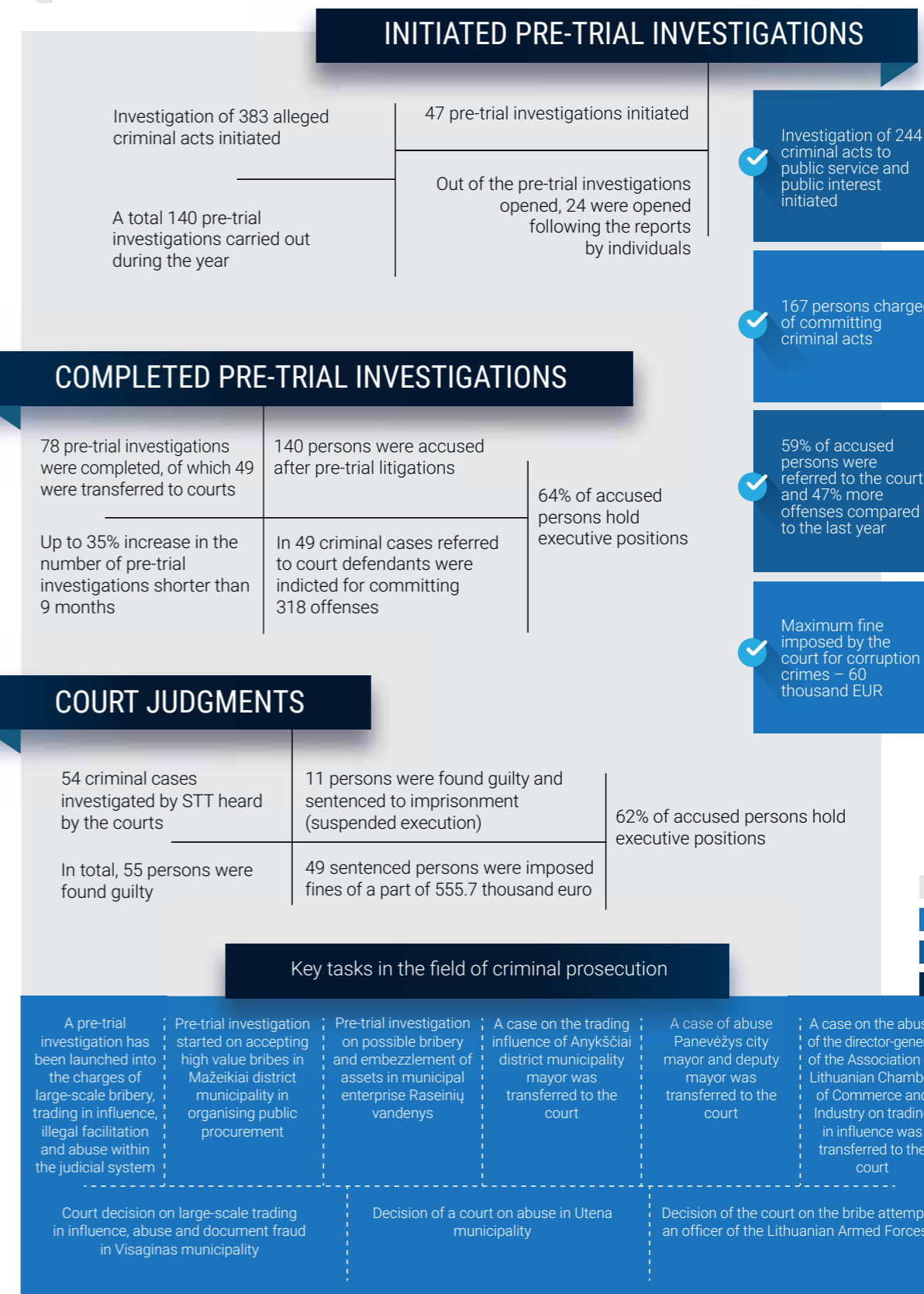
Take measures to reduce the links that increase the risk of corruption.



Create corruption-resistant environment, to choose and consistently implement a set of measures beyond the formal implementation of legal requirements.

## PERFORMANCE RESULTS

### CRIMINAL PROSECUTION



Criminal prosecution is one of the means of combating corruption, aimed at detecting, detecting and investigating systemic corruption criminal acts that cause the most damage to the state. Targeted criminal prosecution capacities, proper and comprehensive investigations, efficient use of information also help identify the factors that affect the incidence of corruption, identification and elimination of major corruption threats across the state, contributing to the STT mission of reducing corruption that threatens human rights and freedoms, the principles of the rule of law, and economic development.

Among the criminal cases processed in the courts in 2019, the number of cases transferred to court and the open for pre-trial investigations the following should be mentioned in particular:

A pre-trial investigation has been launched into allegations of large-scale bribery, trading in influence, illegal facilitation and abuse within the judicial system. Judges, advocates at law and practitioners trading in influence of both general and specialised courts, including the Supreme Court of Lithuania, were covered by the scope of the investigation. This pre-trial investigation investigates about 126 alleged criminal acts and identifies 54 suspected offenders, against whom charges have been brought, including: 1 legal person, 12 judges (with 24 to 37 years of service), 8 advocates or assistant advocates and others.



A pre-trial investigation into possible corruption in the municipal enterprise Raseinių vandenys was launched. The director of Raseinių vandenys was detained for possible bribery and embezzlement of property, and an engineer for wastewater management for bribery. In addition, a deputy director for strategic planning, a former parliamentarian, was arrested on suspicion of aiding in embezzlement. It is suspected that the director of the company and a sewage treatment engineer received bribes from a representative of a private company in order to create favourable conditions for the said company to win the public procurement of Raseinių vandenys. In addition, it is suspected that Raseinių vandenys has paid the deputy director's personal legal services, i.e. wasting the company's assets.



Pre-trial investigation started on accepting high value bribes in Mažeikiai district municipality in organising public procurement. In the course of the investigation, member of the municipal council of Mažeikiai district, former director of municipal administration and head of strategic development and investment division were arrested. The head of the local facility department was also detained following allegations of bribery. It is suspected that the former director of the municipal administration has made preliminary agreements and accepted bribes from the representatives of the companies taking part in the procurement for making exceptional conditions for these companies to win tenders. In addition, four representatives of the aforementioned companies were detained and charges were brought against them for bribing municipal employees.



Pre-trial investigation on Anykščiai district as completed and transferred to court concerning the trading in influence of the mayor of Anykščiai district municipality after the data was gathered that the mayor of Anykščiai district municipality has potentially accepted bribes for promises to affect civil servants of mayor of Anykščiai district municipality or other institutions to make exceptional conditions for bribers in disposing the land parcel belonging to the state of Lithuania, obtaining the government support for business development, appointing specific persons to the management positions of a municipal enterprise, etc.



The pre-trial investigation into the abuse of the mayor of Panevezys and the counsellor of the mayor of Panevezys has been completed and brought before the court after collecting the information that the mayor of Panevezys city municipality, allegedly abusing the service and acting in concert with the mayor's adviser, in favour of himself and his political party directly negotiated with a representative of one of the companies to accept a bribe from him – a survey of Panevezys residents he needed – for the influence of Panevezys municipal administration officials in facilitating the enterprises to participate and win public procurement tenders organized by Panevezys City Municipality Administration.



During the pre-trial investigation into the alleged large-scale bribery, trading in influence, corruption and abuse in the judicial system, 3 separate pre-trial investigations in respect of 3 persons were separated from the case and brought to court to obtain court criminal orders against them. One of them was found guilty of trading in influence and illicit possession of drugs, penalising with a fine of 22.5 thousand euro. Another person was found guilty of trading in influence and resisting a civil servant, imposing him a fine of 36,600 thousand euro. A third person, after found guilty to trading in influence, was imposed a fine of 25 thousand euro.



The former mayor of Visaginas has been convicted of accepting bribes from representatives of various companies through the employees of Visaginas municipality in order to make favourable decisions in the public procurement organised by the Visaginas Municipality administration. The former mayor was found guilty of large-scale trading in influence, abuse and forgery of documents, and was sentenced to 3 years' imprisonment with suspension for free years, a fine of 15 thousand euro and prohibition for holding public office or employment in municipal and other their institutions, companies or non-governmental organisations for 3 years, along with the confiscation of 9.3 thousand euro as a result of crime.



The company manager was found guilty of offering a high-value bribe to the offices of a Financial Crime Investigation Service who conducted a search in his house – sharing the fund 1,030,000 euro in cash in exchange of not formally reporting this money as found in the search report. The head of a company offering the bribe was found guilty of bribery by the punitive order of the court and was sanctioned with a fine of 50 thousand euro.



The head of the company was found guilty of having offered and agreed to give a bribe of 90 thousand euro to the officer of Air Force in a tender for the purchase and sale of the aircraft lease by the Lithuanian Air Force for exclusive conditions to his in a visually presented company to participate and win the tender. The head of a company offering the bribe was found guilty of bribery by the punitive order of the court and was sanctioned with a fine of 60 thousand euro.



# ANALYTICAL ANTI-CORRUPTION INTELLIGENCE



Analytical anti-corruption intelligence - the STT is engaged in analytical activities that include collection, processing of information on corruption and collecting phenomena related to it, comparison with other public or classified information held by the STT, obtaining qualitatively new data that is obtained as a result of such information processing, use and provision of it to state or municipal authorities and officials, empowered to make significant decisions to reduce the incidence of corruption.

### Analysis of the institutional structure of nepotism risk in Lithuanian municipal administrations and municipal enterprises

According to the study of the Corruption Map of Lithuania 2019, nepotism and the favouring of members of political parties are seen by the country's public, business representatives and civil servants as the two most common forms of corruption in Lithuania. Studies of the risks of nepotism and politicisation conducted by STT in the field of Lithuanian self-government in 2019 also indicate the relevance of the latter forms. Employment of relatives in one institution is not a problem in itself, for example, when relatives are not directly subordinate and the resulting risks of conflict of interest are managed. In addition, persons, in absence of specific data on violations of the Republic of Lithuania Law on the Reconciliation of Public and Private Interests in the Public Service and other legal acts committed by them should not be subjected to any negative consequences (damage to reputation, etc.) solely based on kinship, marriage or similar connections. However, uncontrolled information about relatives working in public sector entities can lead to the conflicts of interest, which not only negatively affect the workplace microclimate, damage the institution's competence potential, its operational efficiency, and its public sector reputation. In 2019, with the STT's ongoing monitoring of nepotism risk in the area of self-government (municipal administrations and municipal-owned companies) the aim was to provide decision-makers with information on potential nepotism risks within their institutions to be used to manage the identified risks. One of the indirect objectives of the monitoring is to empower civil society by raising its awareness of the anti-corruption environment and, simultaneously, enhancing its potential to participate in decision-making processes.

**Risk of nepotism in Lithuanian municipal administrations.** In November 2019 the STT performed the third enquiry of Lithuanian municipal nepotism risk intensity (hereinafter the NRI) analytical anti-corruption intelligence (hereinafter the AAI) and found that the overall municipal NRI indicator decreased from 17.62% to 16.92% compared to February 2019. The enquiry showed that 12,596 persons were employed in municipal administrations, of whom 2,140 were related by kinship, marriage, and similar relations (hereinafter – kinship). The share of family-related employees decreased in 34, increased in 25 and remained unchanged in 1 municipal administration. The highest rates of NRI were found in Pagėgiai – 34%, in Šalčininkai district – 27% and Šakiai district – 26%. The lowest share of employed relatives was recorded in Šilalė district, Birštonas district and Pakruojis district – 7% each. (see Annex 2).

**Risk of nepotism in Lithuanian municipal enterprises.** In 2019 June the first AAI study was carried out to help identify the risks of nepotism in Lithuanian municipal-owned enterprises (hereinafter the MoE). The survey found that Lithuanian municipalities own 246 companies with 21,991 employees, of whom 4,159 were related by kinship. The overall NRI rate for MoE is 19%. For comparison of municipalities, the highest indicators of the MoE NRI were recorded in Švenčionys district municipality, with the average NRI of the companies controlled being 28%, in Neringa – 26%, in Elektrėnai – 23%. The lowest average NRI for MoE was in the following municipalities: Klaipėda district – 0%, Varėna district – 6% and Pakruojis district – 7%. The following MoE have the highest rates of NRI: UAB Gedmina and SĮ Švenčionių planas – 50% each, UAB Neringos komunalininkas – 42%. Most of the persons<sup>74</sup> related by kinship were employed in UAB Vilniaus viešasis transportas – 601 (NRI – 29%), UAB Kauno autobusai – 226 (NRI – 19%), UAB Druskininkų sveikatinimo ir poilsio centras AQUA – 170 (NRI – 41%) (see Annex 2).



### Monitoring the risk of politicisation in local government

As regards the relevance of monitoring the risk of politicisation by the STT in self-government, it should be noted that membership in a political party is a constitutional right of every citizen of a democratic state. Active involvement of citizens in political activities is inseparable from the strengthening of democratic state processes and the creation of national prosperity. However, situations where membership of certain political bodies becomes an eligibility criterion for participation in public activities rather than individual competence are associated with weakening of the democratic system, increasing risks of corruption and undermined public interest. Political organisations, through the recruitment of their own representatives in the public sector, may gain greater control over not only political, but also administrative, decisions, which are more favourable for public interest but for a narrow group of political interests. Investigation of the risk of politicisation is one of the tools for monitoring the sustainability of the anti-corruption environment. In this context, it is worth noting the study report published by the Transparency International 2020 in January, "The Corruption Perceptions Index 2019", emphasising that corruption perceptions indexes are better in countries with more stakeholder and decision-maker involvement and wider debate<sup>75</sup>. The report emphasizes that the concentration of political power "in single hands" increases the likelihood of corruption. For this reason, active political opposition and strong institutional control are essential for effective prevention of corruption and implementation of good governance principles in the authorities<sup>76</sup>.

**Politicisation of Lithuanian municipalities.** In August 2019, a survey of politicisation of Lithuanian municipal administrations revealed that out of 12,774 employees of Lithuanian municipal administrations, 3,050 belonged to political organisations. The overall politicisation rate of municipal administrations is 24%, i.e. almost every 4th employee of the municipal administrations was a member of a political organisation. Radviliškis district municipality was among the most politicized municipal administrations with 53% employees belonging to political parties; similar numbers were in Birštonas (49%) and Tauragė district (48%) administrations. The lowest rates of politicisation were estimated in Visaginas – 7%, in Panevėžys – 9% and Alytus town with 11% political party members in municipal administrations.

The study also assessed the prevalence of one political organisation in all three government bodies of municipalities: administration, the Council, and the mayor's institution. Uncontrolled dominance of a single political power in all government bodies can increase the risk of corruption in a municipality, as political and administrative decisions can be made solely through political power and represent the interests of a particular group without proper discussion and evaluation of their impact on the public interest. According to the survey, 28 out of 60 (47%) Lithuanian municipalities were found to have the risk of weak political control of decision-making. The governing bodies of these municipalities were dominated by the same political organisation, with the highest number of representatives in both the Council and the administration, and the same political force also nominated the mayor during the election. It is noteworthy that in four Lithuanian municipalities (Šalčininkai district, Birštonas, Pakruojis district and Alytus district) the influence of political organisations was extremely significant. In these municipalities, the dominant political organisations had the absolute majority of mandates in the municipal councils (over 50%), and in the administrations their members accounted for a third and more (29 to 47%) of all employees, while mayors were also members of the same political organisations. (see Annex 2).



74 In absolute numbers.

75 Internet access: [https://www.transparency.org/news/feature/cpi\\_2019\\_global\\_highlights#CountriesToWatch](https://www.transparency.org/news/feature/cpi_2019_global_highlights#CountriesToWatch).

76 Internet access: [www.transparency.org/news/feature/cpi\\_2019\\_political\\_integrity](http://www.transparency.org/news/feature/cpi_2019_political_integrity).

### National corruption index created

The National Anti-Corruption Index, an instrument of monitoring the anti-corruption environment was created in 2019 with the aim of Assessing the changes in the Lithuanian anti-corruption environment, in the light of the economic, political, social and cultural context of the state and different aspects of the corruption phenomenon. This monitoring instrument provides an opportunity to carry out detailed monitoring of the Lithuanian anti-corruption environment, timely noticing of changes in the anti-corruption environment and assessing the impact of anti-corruption policy. Another distinctive feature of the National Corruption Index is the importance it attaches to national surveys and research, which respond more readily than international estimates to national processes. Meanwhile, expert assessment data of international organisations such as the European Commission, OECD, World Bank, non-governmental organisations and academic research and other research were selected for the study sample; the index compares actual economic and social indicators with statistics from other countries from the Eurostat and OECD databases, and evaluates statistics on corruption-related activities in Lithuania. In total, the index consists of 105 indicators from 23 different sources.

The National Corruption Index measures the situation of corruption in the country (actual experience and perception of corruption within the groups of the public), public resistance to corruption (robustness of anti-corruption attitudes, level of corruption intolerance, public sector intolerance to corruption) and corruption-related contextual factors which are linked to more favourable or less favourable conditions for corruption to occur. Results are indexed on a scale of 0 to 100, where 0 represents the lowest indicator and 100 represent the highest indicator possible. In 2019, the National Corruption Index measured at 60 points. Among the eight areas of anti-corruption relevance, estimates ranged from 51 to 74 points. The highest ratings were assigned for media resistance (74 points) and the sustainability of democracy (66 points) in Lithuania. Meanwhile, the third contextual factor is the economic and social environment, which is the lowest, rated with only 51 points in 2019. When assessing the situation of corruption in Lithuania, it is noteworthy that the perception of corruption is significantly less favourable than the public experience of corruption – 53 and 64 points, respectively. The Lithuanian legal system is also rated lower than other areas – 55 points. In determining the level of public resistance to corruption, 65 points were awarded to the Lithuanian anti-corruption environment, which assesses the anti-corruption attitudes of the public, civil servants, business representatives, intolerance to corruption, and whistleblower culture. Transparency – the level of data openness and accountability – had a 57 point rating. The National Corruption Index remained the same for 2018 and 2019, but comparisons of recent years show differences in the treatment of individual indicators. Over the two-year period, negative developments were recorded in the areas of corruption (drop of the indicator from 67 to 64) and the legal system (drop from 59 to 55). The problem aspect that has led to a negative change in the corruption experience index is the stagnation of business corruption experience, which, in the context of EU countries, becomes regressive<sup>77</sup>. In the case of the legal system, the negative change is associated with an increase in the public's evaluation of corruption of the legal system and a decrease in confidence with these institutions. Positive changes were recorded in the area of transparency, with the indicator rising from 54 to 57 points. Also, in 2019, the evaluation of the economic-social environment was more favourable, when the indicator grew from 46 to 51 points.



77 In other EU countries, direct corruption experience indicators show a declining trend, while Lithuania's indicators are stable, therefore, in terms of Lithuania being further from the EU leaders, the gap is growing. Similarly, as compared to the previous year, the share of businesses claiming that they had encountered unfair procurement practices that prevented them from winning the contract, has grown. The extent to which this share differs from the EU leaders shows a widening gap. It is the experience of business corruption, seen in the context of EU countries, which has led to the overall lower overall rating: population corruption experience indicator in 2019 was one point higher (increased from 59 to 60 points), corruption-related statistics scored four points higher (65 to 69 points), and corruption experience in the civil service did not change significantly (84 points).

### NATIONAL CORRUPTION INDEX

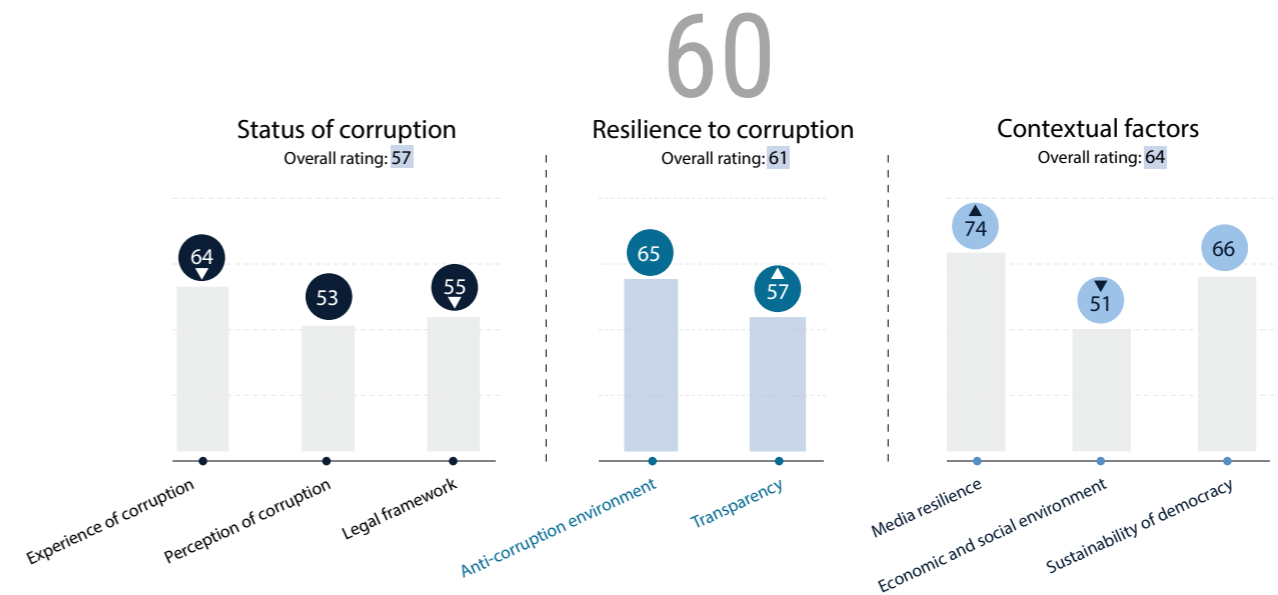


Fig. 7 National Corruption Index

### Dissemination of results in international global organisations



The analytical products of the AAI and the methodology used to develop them have attracted international interest. Officials were invited to present an analytical study on "Corruption risk in the health sector: case of support and public procurement" to the 2nd Annual Meeting of the Social Partners' Coalition on the Transparency of Public Decisions at the World Anti-Corruption and Transparency Forum of the Organisation for Economic Cooperation and Development (OECD) in March 2019<sup>78</sup>. The event not only discussed problem of transparency in decision-making in the health sector, but also shared the STT best practices on using big data to identify corruption risks. The Service analysts were also invited to share good practices at the 13th Annual Conference of the European Network on Fraud and Corruption in Health Care (EHFCN) held in November 2019 in Berlin<sup>79</sup>.

### Implemented analytical capacity building project under HERCULE III programme of European Anti-Fraud Office (OLAF)



2019 was a year for completion of one-year long project valued at 457.0 thousand euro, "Strengthening the analytical capacity of law enforcement authorities to ensure the protection of the European Union's financial interests against corrupt criminal acts" under the European Anti-Fraud Service (OLAF) Hercule III Programme. The project sought to strengthen evidence-based corruption risk management by developing a Big Data analytics model to identify and analyse the risks of corruption in a more efficient and operational manner before they are evolved into corrupt criminal acts. The project included an expanded analytical capability for technical data analysis and strengthened the analyst expertise to integrate advanced data analysis tools into an existing data analytics system and strengthen the strategic, tactical and operational capabilities to detect the risks of corruption. With the project funds, the analytical platform was complemented with integrated components: software for performing visual-associative, geographic (spatial) and textual analysis, for managing and optimising analytical processes, and for the display and storage of big data. New tools enable faster and more effective detection of possible corruption, identification of corruption schemes and communication of timely information to decision makers.

78 Internet access: <https://www.oecd.org/gov/ethics/coalition-influencers.htm>.

79 Internet access: <https://youtu.be/kS-RYZiksRM>.

# PREVENTION OF CORRUPTION

## ANTI-CORRUPTION ASSESSMENT OF LEGISLATION

388 legal acts or drafts thereof evaluated from the anti-corruption point of view

On the initiative of STT, 316 anti-corruption evaluations of legal acts or their drafts carried out

72 evaluations of legislative acts or drafts thereof carried out at the request of the institutions

Implementation of 19 anti-corruption programmes and their action plans evaluated

17 anti-corruption co-ordination events organised

38 methodological assistance events organised

Project funded by the European Union HERCULE III programme won

## CORRUPTION RISK ANALYSIS

24 corruption risk analyses were performed

Corruption risks evaluated in 83 institutions

54% of the recommendations in the conclusions of the corruption risk analysis were implemented, implementation continued for 33% recommendations, and 5% were partially implemented

## NATIONAL ANTI-CORRUPTION PROGRAMME 2015-2025

17 officials participated in continuing training on the detection of criminal acts, investigation and state prosecution of the acts of corrupt nature

253 corruption prevention specialists trained

1 international conference and 10 discussions organised

32 persons were paid 22.6 thousand euro for valuable information on corruption-related offenses

15 facilities under the National Anti-Corruption Programme implemented within the competence

### Key tasks in the field of corruption prevention

Corruption risks discovered in renting public land without auction

Risk factors of corruption in patient queuing and queue management evaluated

Anti-corruption assessment of the proposed amendments to the Law on Forests and Protected Areas carried out

Corruption risk analyses carried out in the field of issuing consents for acquisition of agricultural land

Coordinating role has been undertaken by organising regional seminars

The STT Corruption Prevention Board, monitoring the key processes taking place in the state, timely responding to ongoing events, changes and factors contributing to corruption risk, implementing the corruption prevention measures, identifies preconditions and (or) conditions for corruption to occur, identifies corruption risk factors and proposes preventive solutions.

The following STT works related to high resonance events or processes in socially sensitive areas are worth mentioning:

#### Corruption risks discovered in renting public land without auction

The STT, having evaluated the Rules on the sale and lease of public land plots for other purposes approved by the Government of the Republic of Lithuania (hereinafter the Rules) has found that their provisions constitute the legal prerequisites for the future use of a plot of land under a purpose other than the one for which it was leased without an auction. In practice, a number of cases have been identified where, after acquiring low-value real estate on state land, plots of land have been formed for the operation of these buildings and they have been leased without auction. Later, after the land use was changed, it was allowed to build residential houses and commercial buildings (for example, the case of the former Vilnius Žalgiris stadium). In pursuit of clarity and transparency of the legal regulation, it was proposed to clarify the provisions of the Law on Land according to which the state land lease agreement should be terminated prematurely if the tenant uses the land for purposes other than the main purpose and/or mode of land use specified in the contract, or changes the main land use/method<sup>80</sup>.



#### Anti-corruption assessment of the proposed amendments to the Law on Forests and Protected Areas carried out

Responding to the fact that the proposed amendments to the Law on Forests and Protected Areas may not only cause damage to forests, but also create preconditions for anti-corruption manifestations, STT officials conducted an anti-corruption assessment of the proposed changes to these laws. It was found that proposals of draft laws allow forestry infrastructural projects to attribute engineering structures not related to forestry activities and expand possibilities for converting forest land into other types of land by establishing that it can be used not only for residential construction but also other buildings with a purposes not specified in the drafts, is not in line with the Law on Forests. It should also be noted that in cases where non-forest related engineering facilities could be attributed to forest infrastructure, the initiators of the construction of these facilities would avoid compensatory measures (payment of compensation for deforestation and/or reforestation obligation) which are used to for repurposing the forest land. This would have an adverse environmental impact on forests<sup>81</sup>.



#### Risk factors of corruption in patient queuing and queue management evaluated

STT officials have carried out four corruption risk analyses to identify systemic problems that prevent the required availability of the person's health care services, as a result of booking of individuals in personal health care service waiting queues and these queue management process and evaluated the working practices of 16 personal health care institutions (hereinafter the PHCIs) throughout Lithuania in shaping and managing patient waiting queues. It has been established that there is no properly functioning common patient-centred booking system for health care services, and no uniform working practices have been established across all PHCIs belonging to the Lithuanian National Health System (LNHS). Corruption risk analyses have revealed that although public health authorities are declaring that it is possible to book with specialists online, but are not revealing that only part of the information on the times of booking is made available in the pre-registration system for patients. Corruption analysis identified the need to initiate systemic changes to address the shortage of health care specialists, to develop realistic patient experience-based PHCI and health specialist rating and evaluation mechanism<sup>82</sup>.



#### Corruption risk analyses carried out in the field of issuing consents for acquisition of agricultural land

Given the continuing concerns in the public domain and the periodical you received information that controlling bodies do not ensure sufficient transparency in the granting of agricultural land acquisition permits, a decision was taken to carry out a risk analysis of corruption in this area. It was determined that the existing control mechanism for the acquisition and use of agricultural land is insufficient to fight effectively with threats to the concentration of agricultural land in one hands as identified by European Union (EU) institutions and international experts - to avoid the possibility of subjective decisions, to ensure transparent acquisition of agricultural land or takeover by the state, effectively identify managers of agricultural land, who acquired the right to manage the land by entering into transactions not compliant with the provisions of the Law. In order to achieve greater transparency and efficiency in the management and use of agricultural land, it is necessary to eliminate the identified risk factors of corruption and propose the automated processing of personal data provided by individuals and to assess the legality of transactions for the acquisition of agricultural land already concluded<sup>83</sup>.



#### Coordinating role has been undertaken by organising regional seminars

The STT launched the initiative of holding regular meetings of corruption prevention specialists from ministries, state-owned enterprises, municipalities and their affiliated companies, with presentation of the latest developments in the field of corruption prevention, sharing good practices, and discussing topical issues on how to improve the anti-corruption potential of an institution or company. In 2019, STT held three regional seminars for newly elected or appointed municipal politicians with 160 participants, including as many as 25 municipal mayors, as well as deputy mayors (vice mayors), administration directors, and chairmen of municipal anti-corruption commissions. The events included discussions of topical corruption risks in local government, introduced the tools available to municipalities in the field of corruption prevention, and reviewed the issues of municipal resistance to corruption.



80 Internet access: <https://www.stt.lt/naujienos/7464/nuomojant-valstybine-zeme-be-aukciono-aptiktos-korupcijos-rizikos:2667>.

81 Internet access: <https://www.stt.lt/naujienos/7464/stt-antikorupciniu-poziru-ivertino-siulomus-misku-ir-saugomu-teritoriju-istatymu-pakeitimus:2772>.

82 Internet access: <https://www.stt.lt/naujienos/7464/pacientu-eiliu-formavimo-ir-valdymo-srityse-truksta-skaidrumo-ir-sisteminio-poziru:2826>.

83 Internet access: <https://www.stt.lt/naujienos/7464/nzt-iskuodant-sutikimus-igyti-zemes-ukio-paskirties-zeme-truksta-skaidrumo:2661>.

### ANTI-CORRUPTION PUBLIC AWARENESS

Over 5500 participants attended lectures and workshops in state and municipal institutions

40 anti-corruption events were organised

✓ 68% of organised lectures and seminars focused on the riskiest sectors – the judiciary, self-government, health care and other areas

Over 650 persons attended lectures and workshops in the private sector

164 anti-corruption lectures, workshops in state and municipal institutions and the private sector organised

✓ The project of the National Internal Security Fund Programme "Measures for Anti-Corruption Education, Phase II" implemented

31 anti-corruption lessons and lectures were organised in general education and higher education institutions

✓ The average confidence in STT is 58%

### ANTI-CORRUPTION INFORMATION OF THE PUBLIC

196 press releases (14% increase in the number of releases compared with 2018)

167 media comments

13 newsletters in foreign media (number of newsletters increased by 18% compared to 2018)

174 comments for TV and radio shows (72% growth compared with 2018)

237 reports published on Facebook social network

#### Major tasks in the field of anti-corruption education and information

Implemented SST anti-corruption education initiative "Lithuania's transparency in your hands – clear yourself of corruption"

www.skaidrumozenk-lelis.lt anti-corruption education platform created

Updated application "Report to STT"

The STT Transparency Detector tour in Lithuania completed

Strengthening of the social network Facebook STT account activities, users and the internal communication

The purpose of anti-corruption education is to help every member of the public to foster civic and conscious values, to contribute to the development of a transparent character of the Lithuania's public, to spread the message about the importance and benefits of integrity in society. Education as a process is continuous and never-ending, always changing and adapting to innovation. Through the development of values and anti-corruption clauses, different approaches are used, which are otherwise tailored to each audience – lectures, workshops, promotions and initiatives, e-learning systems. Each of these forms has a meaning – to help realise the importance of a conscious and strong citizen in a democratic society.

**STT anti-corruption education initiative “Transparency of Lithuania in your hands – clear yourself of corruption” aimed at encouraging the public to become more actively involved in the fight against corruption in Lithuania**



In the framework of the anti-corruption social advertising project, representatives of the target groups – civil servants, business groups, and youth organisations – had to solve a corruption case and escape from a room visited by about 1.5 thousand people during a public campaign initiated by STT. This campaign allowed participants to get a close and attractive viewpoint at the complexity of corruption cases and realise that corrupt practices may not be as readily obvious as they might seem at first glance.

**Opportunity for students to gain independent knowledge of the importance of integrity and transparency in the anti-corruption education platform was developed: [www.skaidrumozenklelis.lt](http://www.skaidrumozenklelis.lt)**



The anti-corruption education platform [www.skaidrumozenklelis.lt](http://www.skaidrumozenklelis.lt) is an interactive learning system for learners, where they can solve multiple complexity levels of tasks and receive badges confirming their transparency at the end. It is the opportunity for learners to compete in a playful way with their classmates or schoolmates, sharing their badges on social networks.

**An update was made to the STT application to raise awareness among the Lithuanian public about anti-corruption activities in Lithuania**



The users of STT application "Report to STT" can get access to the most up-to-date news about ongoing investigations, corruption risk analysis, statistics and other information related to STT activities and transparency in Lithuania. The public has the opportunity to mark hot spots of corruption in the application, i.e., in case of suspicion of a possible corruption act, the user can map the location and indicate the nature of the criminal corruption act.

**STT Transparency Detector Tour across Lithuania was implemented, where the public was invited to check with this detector whether they believe Lithuania's transparency is in their hands**



The purpose of the Transparency Detector Tour in Lithuanian cities is to introduce the public to the complexity of corruption acts, to raise and strengthen anti-corruption awareness and to encourage the public to engage in transparency-enhancing activities. During the campaign, STT officials visited Vilnius, Trakai, Kaunas, Klaipėda, Šiauliai and Panevėžys. During the events organised by the municipalities in the cities and districts, the public was introduced to the situation of transparency in Lithuania and had the opportunity to test their faith in transparent Lithuania with the Transparency Detector. The participants of the campaign answered the test questions about the extent of corruption in Lithuania and had to answer questions related to the concepts of corruption in the game.

Effective communication is essential to the operation of the STT and it contributes to the Service's operational objective. By communicating with the public, we attempt to encourage citizens to become civic and report corruption, as well as to inform the public and the media in a timely and targeted manner about pending investigations, results achieved, and anti-corruption developments that are strategically important to the state.

Representatives of the Service actively interact with the media, comment on enquiries from journalists, participate in press conferences, TV and radio programmes. The focus is placed on increasing the number of users of the *Facebook* STT account on the social network and the dissemination of information relevant to the public, the effectiveness whereof is measured by the criteria of accessibility<sup>84</sup> and engagement level<sup>85</sup> of messages.

**Activity end users of the STT Facebook social network account**



The STT *Facebook* social network account aims to introduce the Service to users as a professional, open, transparent, friendly, socially responsible institution. The STT Facebook audience has grown from 10.4 thousand over the past year up to 11.4 thousand of users, the number increased by 1.0 thousand. Such user activity and interest in the information provided on the account is an indicator that consumers are actively interested in the situation in the country and that they place importance on role in the transparency and clarity of public sector procedures. The largest dissemination of one STT message recorded on this social network reached 19.4 thousand in 2019 with 950 users engaged.

In addition to external communication, the role of policy formed by internal communication and implementation of its tools is also important in the Service. Internal communication within the STT is one of the key tools for improving the organisational culture of the Service, harmonious interpersonal relations, as well as ensuring the seamless operation of the STT and the achievement of its strategic objectives.

**Internal communication is an activity that brings together the Service personnel**



In order to enhance cooperation and the development of traditions in departments, social initiatives are initiated and implemented annually in the Service, with joint celebrations and blood donation campaigns. Joint meetings with professionals from various fields, joint lunches, internal interviews with STT staff are also organised. Motivational events attract the attention of employees, in particular: STT Founding Day, Christmas celebration, Baltic Sea Region Anti-Corruption and law enforcement good practice exchange, basketball tournament for the Anti-Corruption Day. Once a week newsletter is prepared for STT staff on key inter-institutional news. The head of the STT presents the key issues, achievements, meetings, challenges in a Director's blog, and encourages everyone in the Service to implement their ideas together.

84 The aim of the STT is to ensure that the message dissemination is at least among 25% of the loyal consumer audience.

85 A qualitative indicator meaning that the user not only saw the STT message in their message stream, but actively used it – opened, "liked" or clicked other emotional icon, commented or shared the message etc.

# ADMINISTRATION OF ACTIVITIES

## SERVICE STAFF

The number of staff employed by the Service is 277

73% of employees – up to 45 years of age

29 new employees recruited

On average 47.56 academic hours per employee

12,763.7 thousand euro allocated for the Service were used effectively

## INTERNATIONAL COOPERATION

18 cases in sharing good practices with foreign partners in Lithuania (Estonia, Greece, Italy, Moldova, etc.)

Regular cooperation with anti-corruption institutions of 9 foreign countries

Successfully participated in defending Lithuania's Progress Report under the OECD Convention on Combating Bribery of Foreign Public Officials (Evaluation Phase 2)

Project "Support to the capacity building of law enforcement agencies of the Republic of Moldova in the field of prevention and investigation of corruption crimes"

Project is implemented in the Republic of Serbia: "Internal control in the fight against corruption, capacity-building in the Ministry of the Interior"

International conference organised to present the Service's activities and achievements

The STT employs 155 men and 122 women

The internship at STT was carried out by 27 students, 1 of them was recruited

Participation in 68 legislative processes

## EXAMINATION OF REPORTS

2077 reports were received (5% increase compared with 2018)

550 reports received – anonymous (one third of all applications received)

74 cases in which information has been received in the course of the obligation of persons to report under Article 10<sup>1</sup> of the Law on Prevention of Corruption

### Key work in the field of activity administration

Reviewing and updating the legal and technical environment of personal data

Review and update of STT general legal environment

Evaluation of information and reports provided by individuals

Active international cooperation activities

Efficient use of STT allocations

Operational administration units are responsible for managing human and financial resources, dealing with reports of corruption offenses, creating an appropriate legal environment, personal data protection, international collaboration, asset and document management, information technology and classified information protection, and operational planning. The main mission of the operational administration units is to ensure good governance; therefore, it is important for these units to ensure transparent decision-making, decision-making, responsibility for decisions, rational use of assets and funds, and functioning accountability.

#### Reviewing and updating the legal and technical environment of personal data

In 2019, considerable attention has been shown to the review and updating of the legal and technical environment for the processing of personal data under Directive (EU) 2016/680 of the European Parliament and of the Council establishing a new legal framework (OJ 2016 L 119, p. 89). To this end, an analysis of personal data processed by the STT has been carried out and an agreement has been made on improvements in this area. It is noteworthy that the legal environment of personal data processed by the STT was significantly influenced by the Constitutional Court of the Republic of Lithuania with its resolution No. KT13-N5/2019 of 18 April 2019, which states that not only certain norms of the Law on Criminal Intelligence are in conformity with the Constitution, but also that the criminal intelligence information can be declassified and used in the investigation of official offences and that the STT is reasonably applying the aforementioned directive of the European Parliament and of the Council to its activities.

#### Review and update of STT general legal environment

During the reporting period, the overall legal environment of the Service was reviewed and evaluated, and it was determined that the legal regulation of STT activities, which is rather broad and diverse, meets the basic expectations placed on it. In the light of this evaluation, more than 200 legislators have been identified as required to monitor the assigned legislation and to ensure timely updating of the legislation because of the change in the higher-ranking legislation.

#### Evaluation of information and reports provided by individuals

On 1 January 2019, the Republic of Lithuania Law on Protection of whistleblowers entered into force. During the year, 12 reports, submitted by persons who were recognized as whistleblowers by the Prosecutor General's Service of the Republic of Lithuania, were evaluated and analysed. This figure was the highest among all state institutions that in aggregate recognised 35 persons as whistleblowers and 2019. Also under the Republic of Lithuania Law on Corruption Prevention, 74 out of 2077 reports were submitted by those responsible to report, and evaluated by the STT in 2019.

#### Active international cooperation activities

In 2019, the STT together with its partners in the field of exchange of experience with the EU Eastern Partnership and other developing countries successfully implemented and completed the European Union Twinning project No. MD 13 ENPI JH 05 17 (MD/21) "Support to the capacity building of law enforcement agencies of the Republic of Moldova in the field of prevention and investigation of corruption crimes" and are currently implementing the project "Internal control in the fight against corruption, capacity-building in the Ministry of the Interior" of the EU Twinning Programme. New contacts have been established with anti-corruption bodies in Spain, Italy, Slovakia, Finland and Hong Kong to increase the boundaries of Service's publicity and expand the range of best practices. Other development cooperation activities took place in Ukraine, Moldova, Georgia, Azerbaijan and Armenia. Intensive involvement was noted in the work of international organisations OECD, GRECO and EPAC. The exchange of best practices involved active liaison with related anti-corruption institutions in the Baltic States – Estonia, Latvia, Poland (see Annex 6).

#### Efficient use of STT allocations

The appropriations received by STT in 2019 were used for the acquisition of fixed assets, which amounted to 21.5% of the total STT budget, goods and services represented 7.4%, social support 0.6% and wages and social security contributions – 70.5% of the budget. Having regard to decision No. SV-S-801 of 27 June 2018 of the Board of the Seimas of the Republic of Lithuania on the maximum permissible number of staff of STT and personal employed under employment contracts and receiving remuneration from the state budget and the state monetary funds, 10 STT new posts were additionally financed in 2019. By the said decision of the Board of the Seimas of the Republic of Lithuania, the maximum number of positions of STT civil servants and employees under employment contracts increased from 290 to 320, and the recruitment of new employees to the Service is planned in the future.



## STT PRIORITIES IN 2020

Growing public confidence in the STT, with the average annual confidence in the Service rising to 58% in 2019, is a witness of increasing public expectations for the Service as the main Lithuanian institution for reducing corruption in the state.

### The following operational priorities have been identified for 2020:



We will participate in the development of an optimal new corruption prevention model for Lithuania by both taking part in the deliberations of the new draft Law on Corruption Prevention, as well as improving the Service's activities, applying proven corruption prevention measures and seeking new forms of the Service's preventive activities.



We will focus our prosecution capacities on systemic corruption crimes that cause the most damage to the state.



Through analytical anti-corruption intelligence tools and enhanced competencies, knowledge and skills implemented by the European Anti-Fraud Office (OLAF) we will develop analytical products to ensure the protection of financial interests of the European Union from corruption acts.



We will involve youth organisations to transparency initiatives across Lithuania, paying more focus to practical workshops, implement a quality monitoring system for lectures and workshops, and raise anti-corruption awareness in the private business sector.



We will strengthen international cooperation by actively participating in the activities of international organisations, investigating cases of international bribery and exchanging good anti-corruption practices with anti-corruption institutions.



We will continue the systematic and continuous training of our employees at in-service training events both in Lithuania and abroad.



We will increase public confidence in STT.



We will promote the responsibility and involvement of the public sector entities in creating the corruption-resistant environment, both within these entities and in institutions and businesses owned and operated by the public sector entities to enhance the professionalism and efficiency of individuals and units responsible for corruption prevention.

# ANNEXES

## ANNEX 1

### Statistical indicators of prosecution-related activities

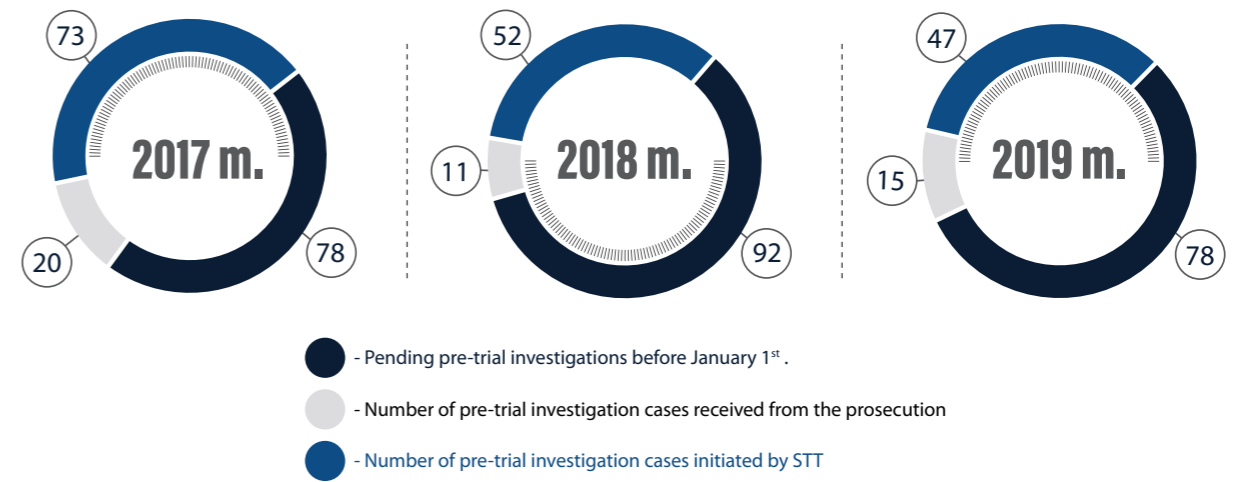


Fig. 8 Changes in the number of pre-trial investigations initiated by the prosecution and STT

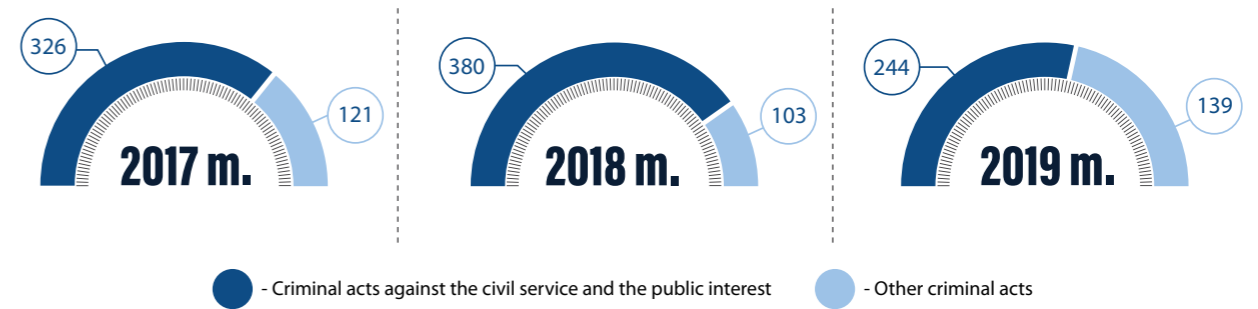


Fig. 9 Changes in the number of categorized criminal acts in pre-trial investigations initiated

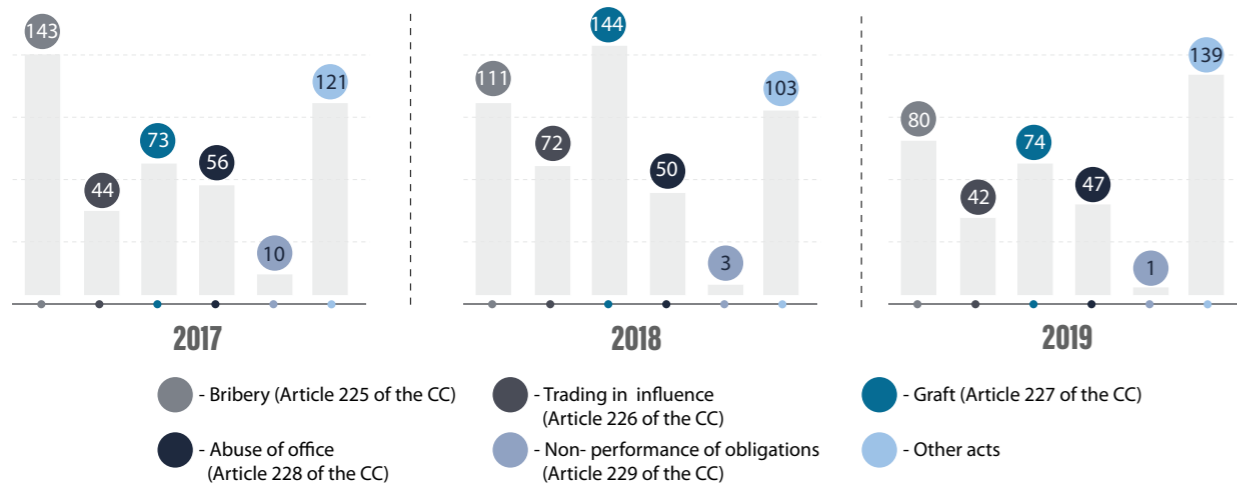


Fig. 10 Changes in the number of criminal acts under articles of the Criminal Code in pre-trial investigations initiated

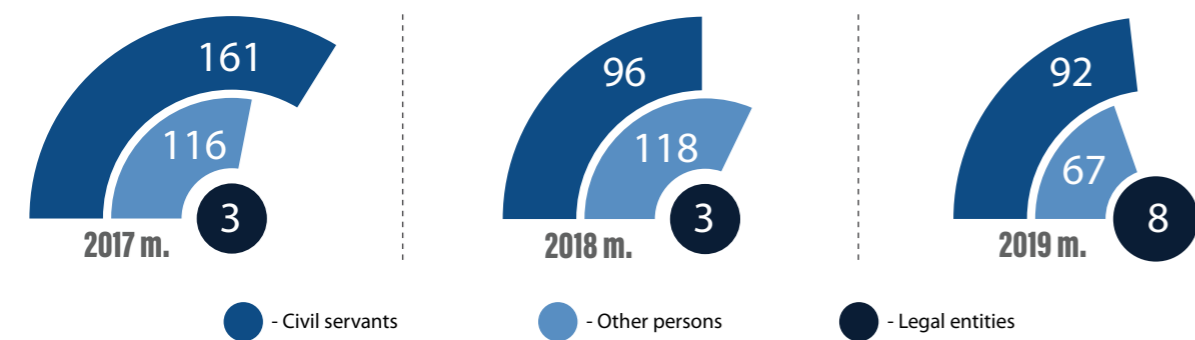


Fig. 11 Changes in the number of suspects by category in pre-trial investigations initiated

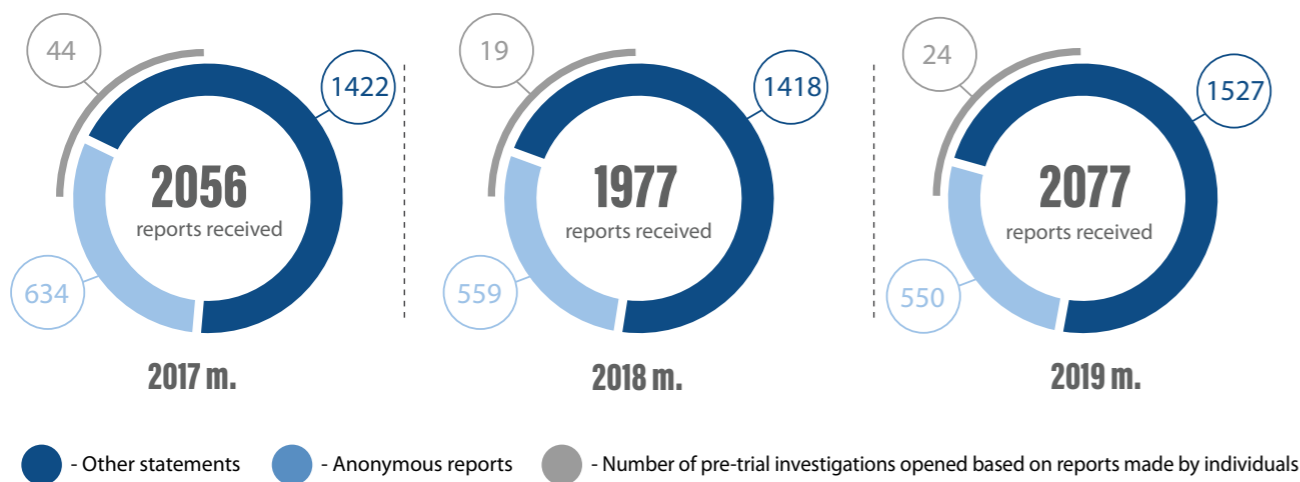


Fig. 12 Changes in the number of reports received by the STT and the number of pre-trial investigations initiated under them

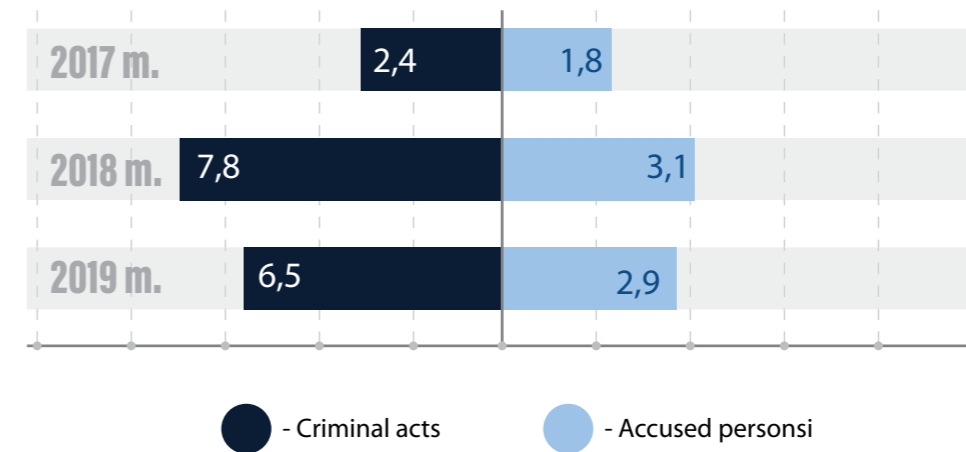


Fig. 13 Changes in the average number of criminal acts pre-trial investigation cases referred to court and accused persons in them

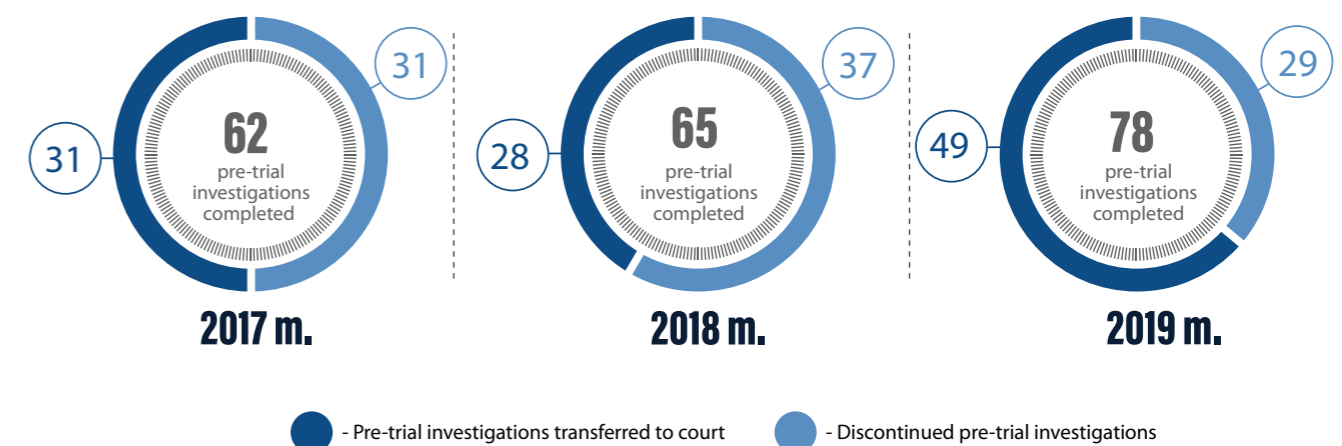


Fig. 14 Changes in the number of completed pre-trial investigations by mode of completion

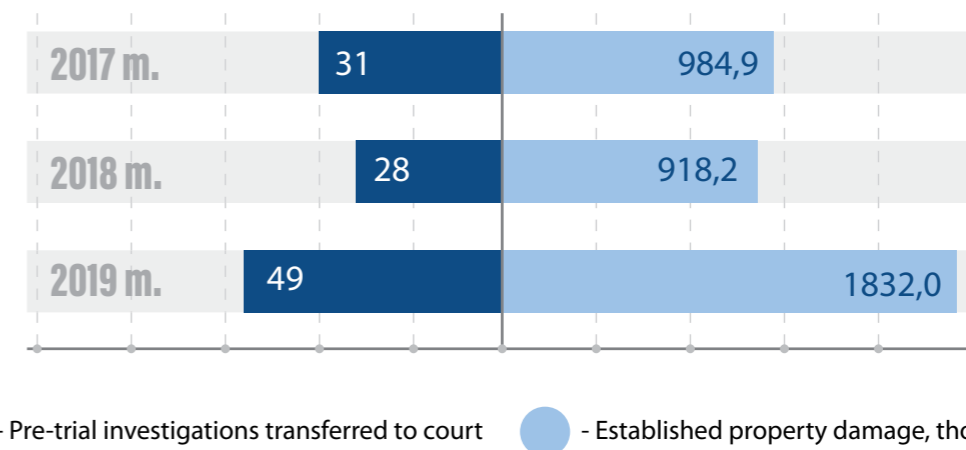


Fig. 15 Changes in the number of pre-trial investigations referred to the court and property damage established in them

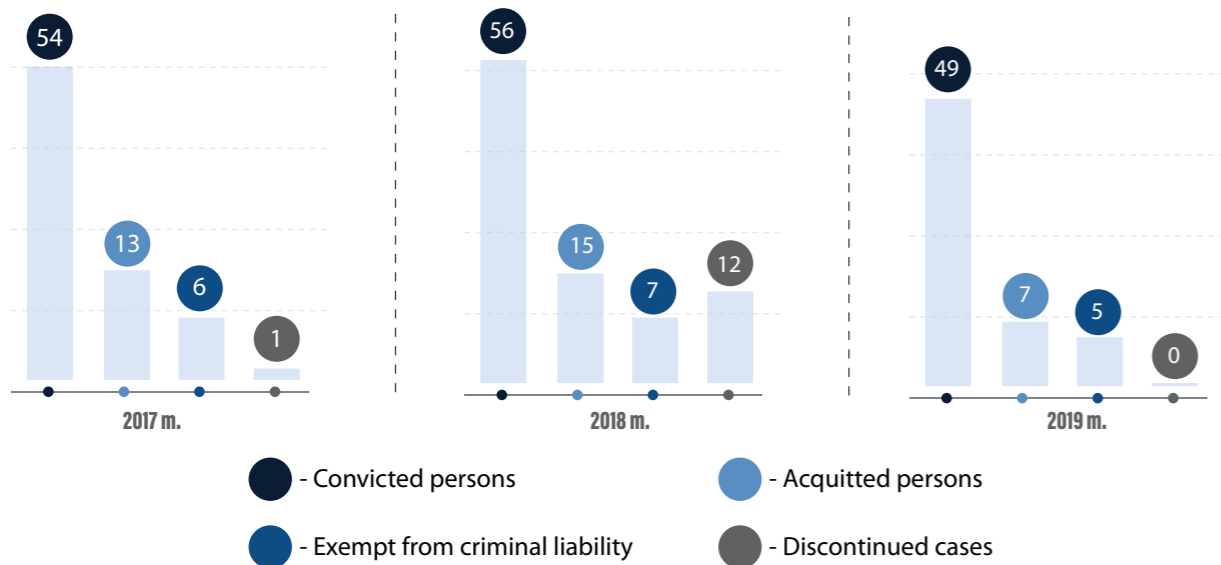


Fig. 16 Changes in the decisions of court of first instance by persons

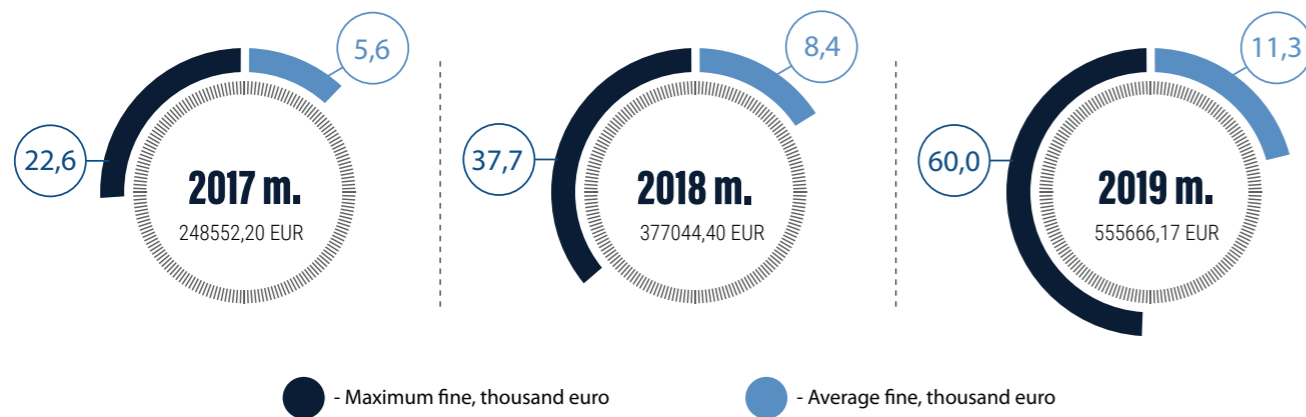


Fig. 17 Amounts of fines imposed on natural persons in decisions of the first instance and/or contrary to previous decisions

## ANNEX 2

### Statistical indicators of analytical anticorruption intelligence-related activities

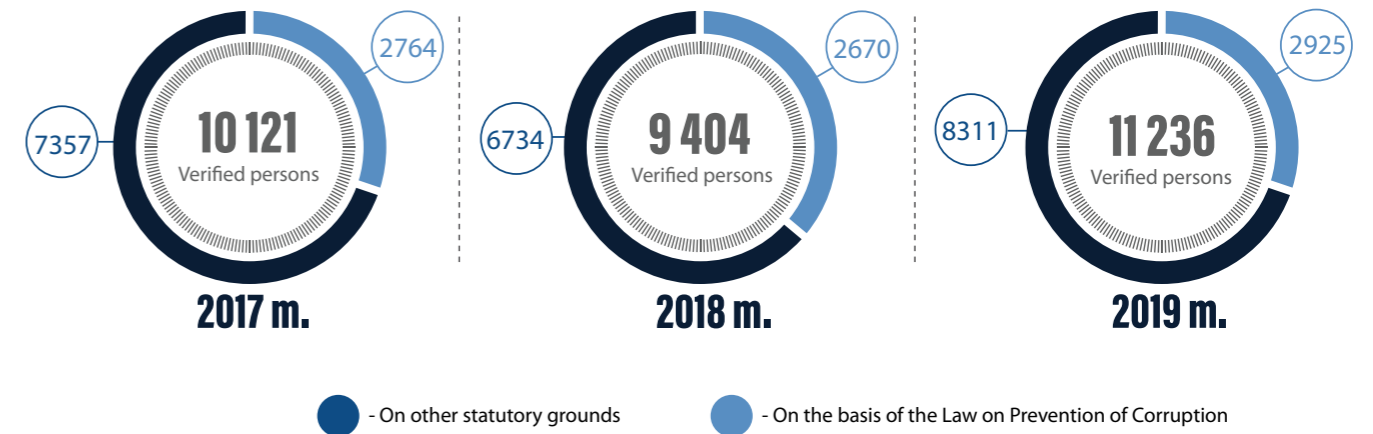


Fig. 18 Changes in the number of persons for whom information is provided by legal timetable

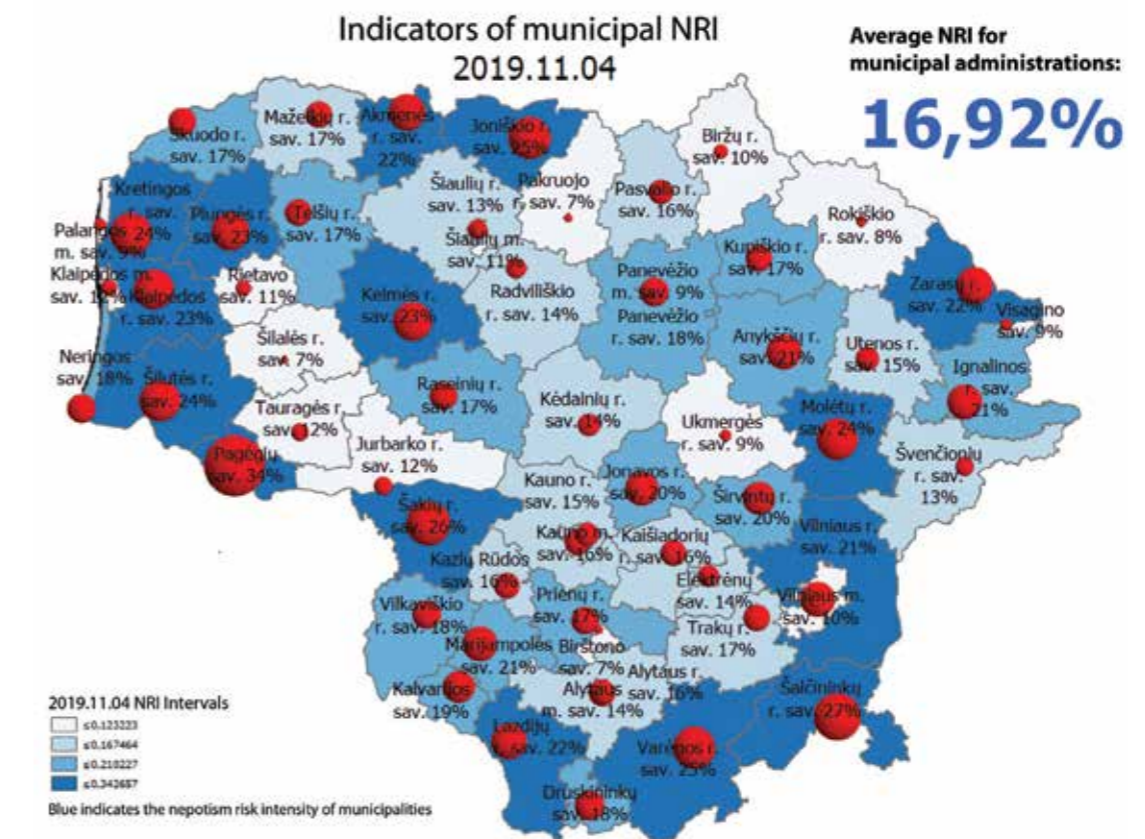


Fig. 19 Indicators of nepotism risk intensity in Lithuanian municipal administrations

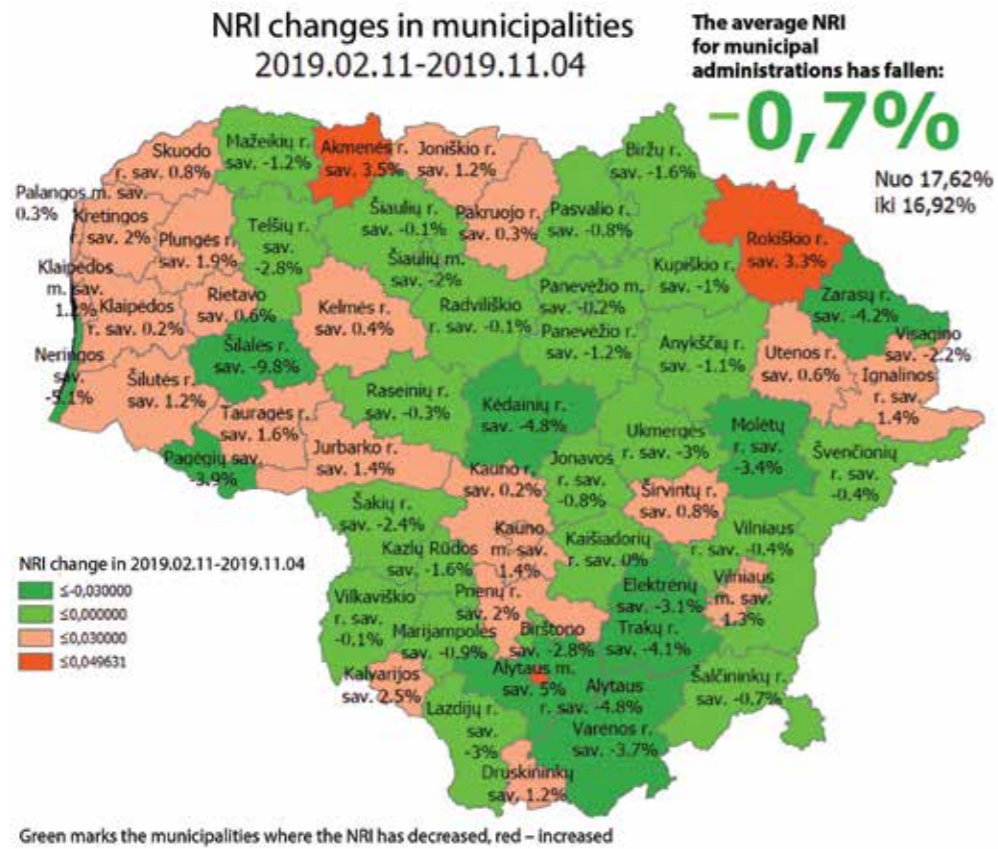


Fig. 20 Changes in the intensity of nepotism risk in Lithuanian municipal administrations

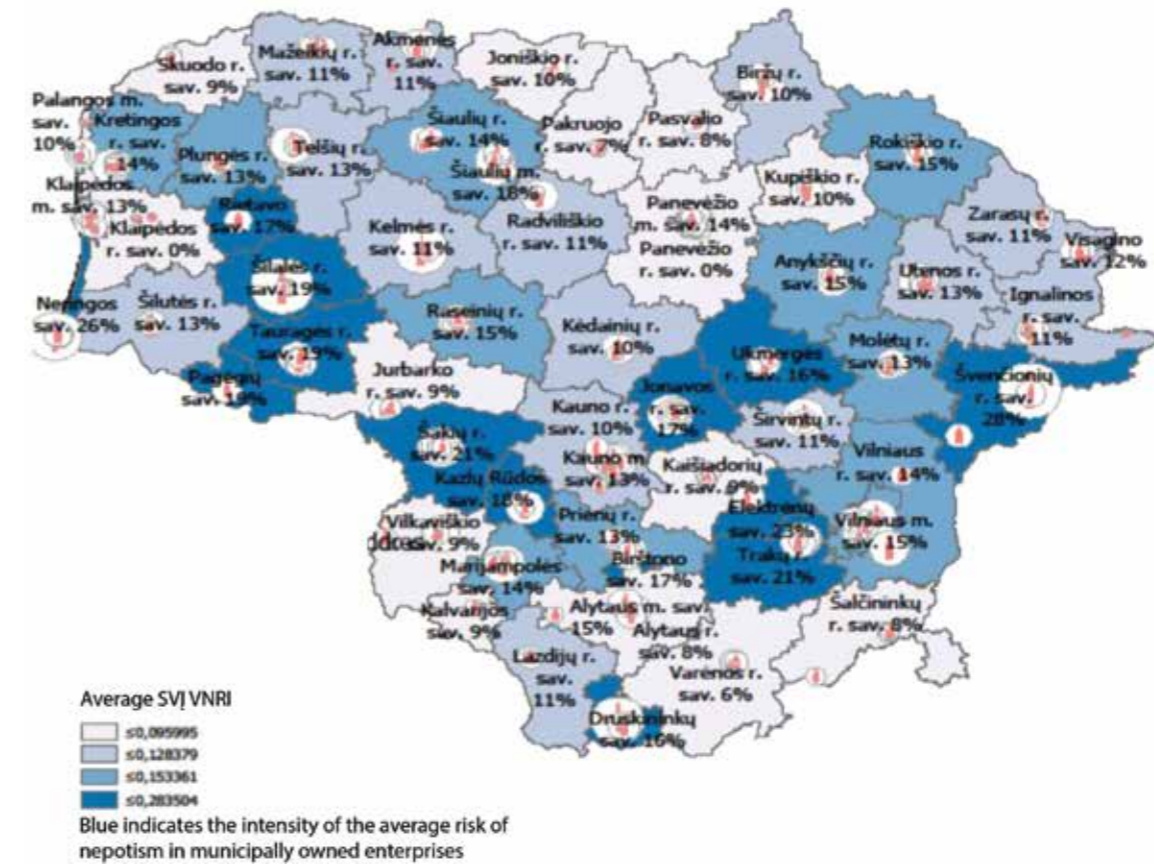
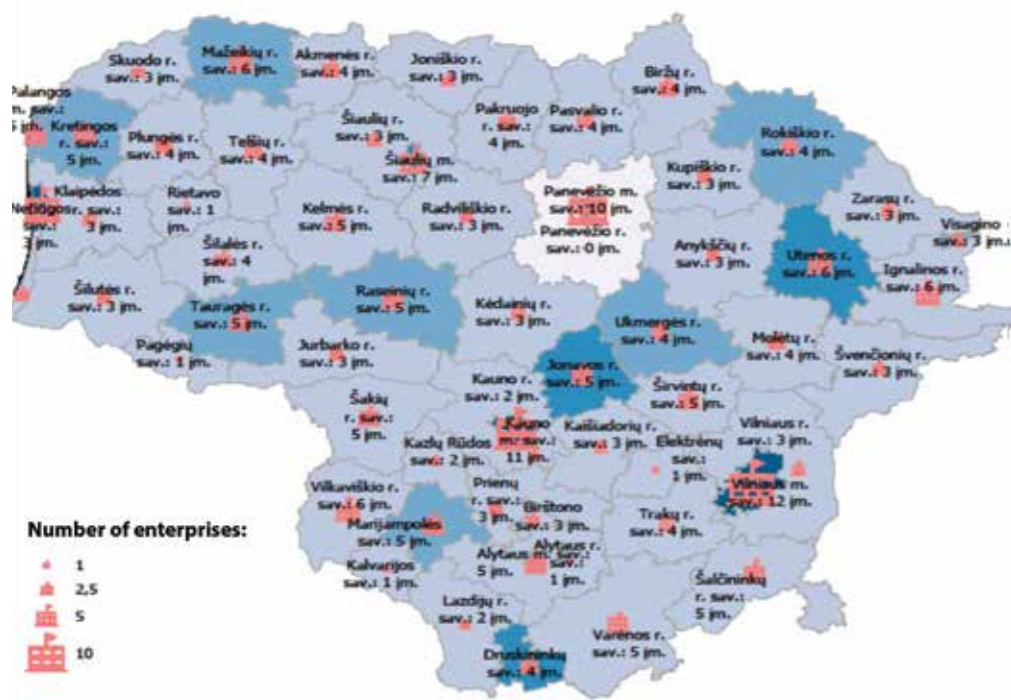


Fig. 22 Intensity of nepotism risk in enterprises owned by Lithuanian municipalities in 2019



21 pav. Number of enterprises owned by Lithuanian municipalities in 2019

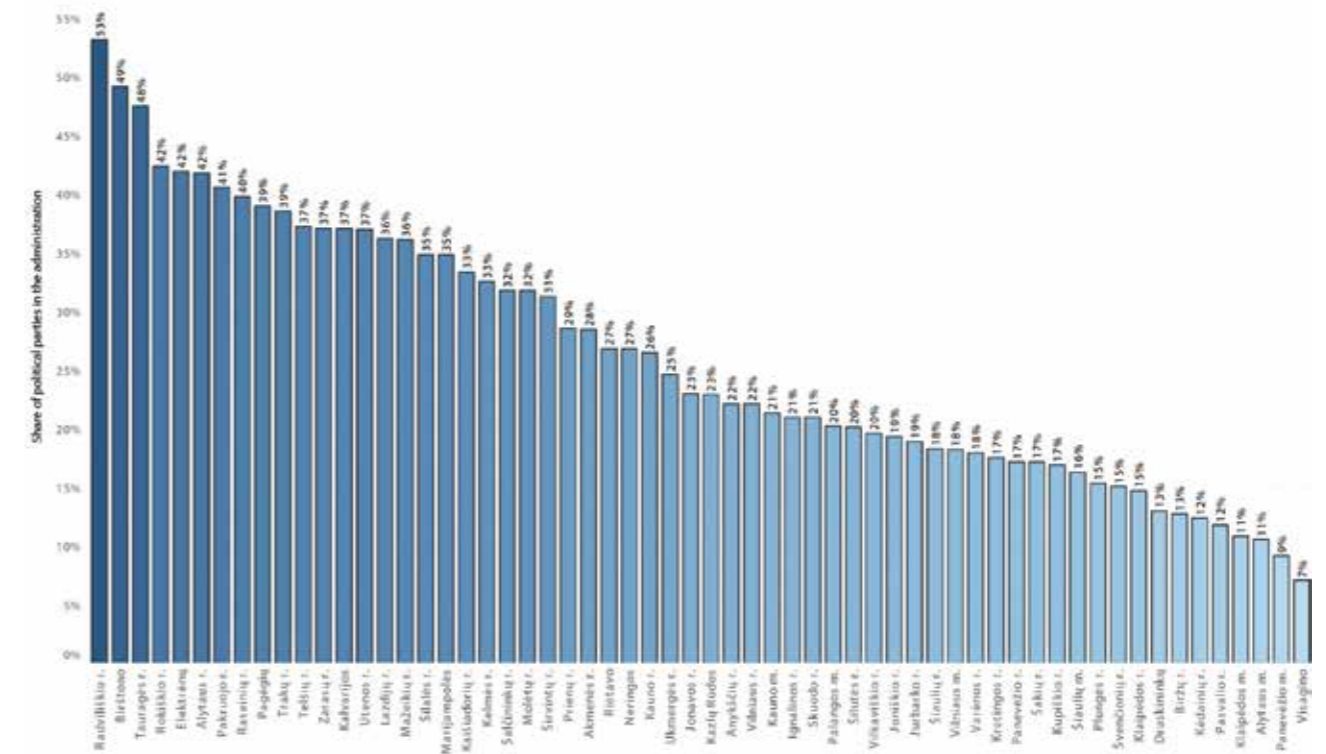


Fig. 23 General politicisation of municipalities

### ANNEX 3

#### Statistical activities related to corruption prevention

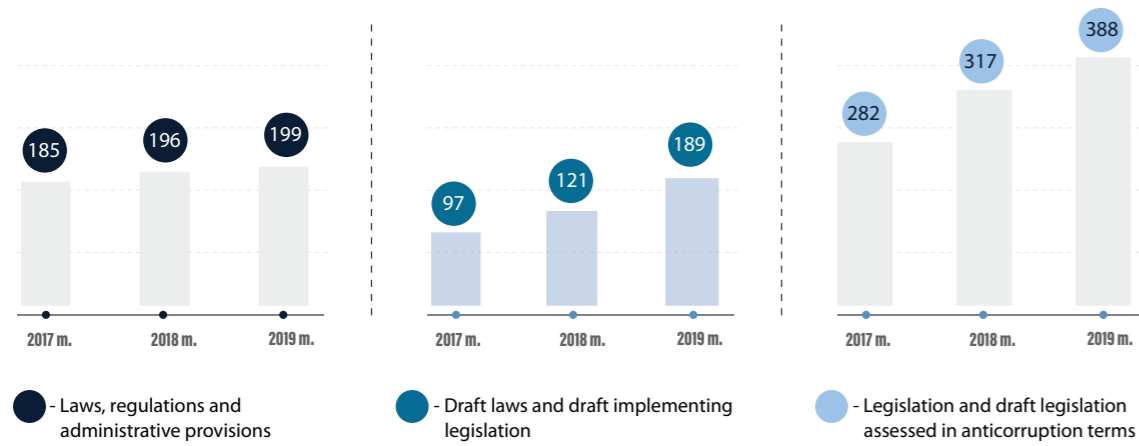


Fig. 24 Changes in the number of anti-corruption legislation or draft legislation

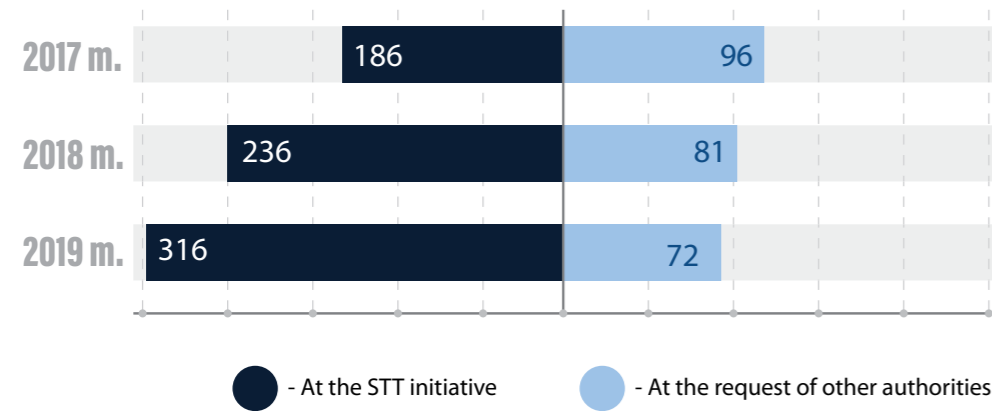


Fig. 25 Changes in the number of anti-corruption legislation or draft legislation by legal basis

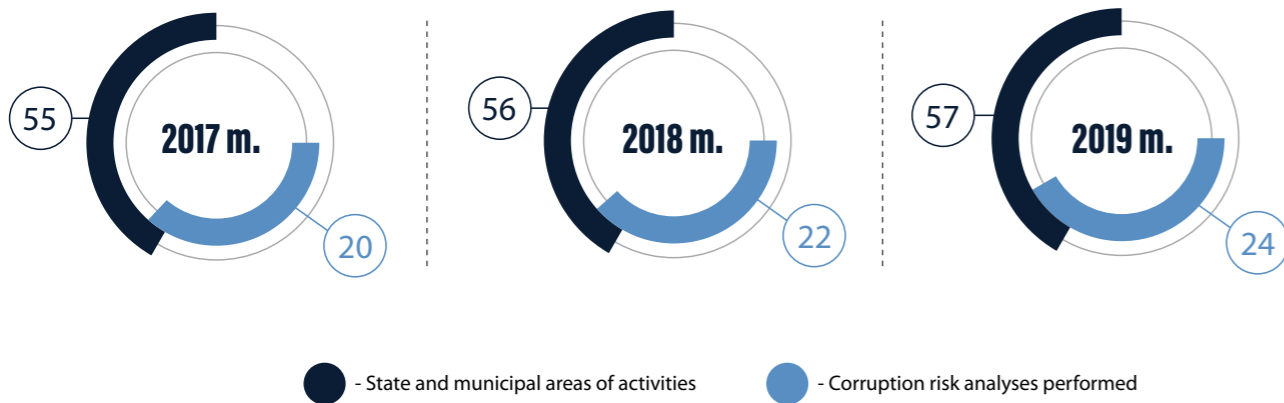


Fig. 26 Changes in the corruption risk analysis carried out (completed) and the areas of activity of institutions evaluated therein

### ANNEX 4

#### Statistical indicators of anti-corruption in public awareness and information activities

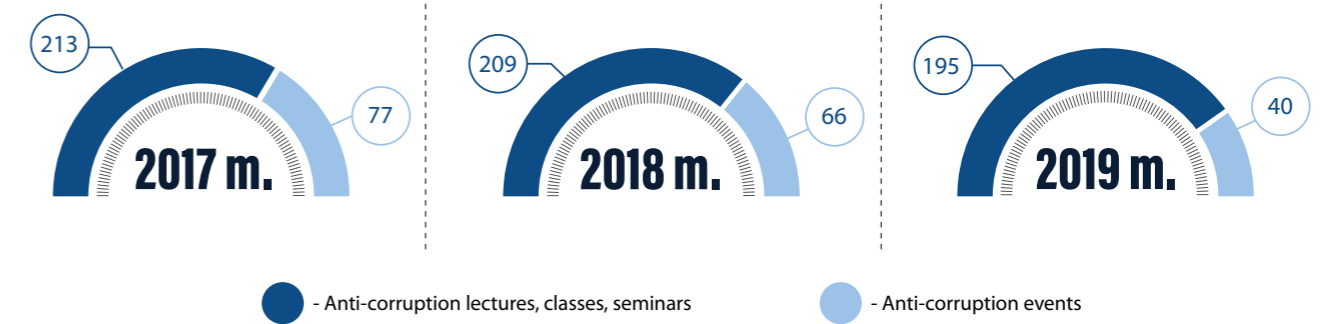


Fig. 27 Changes in the number of anti-corruption lectures, lessons, workshops and events

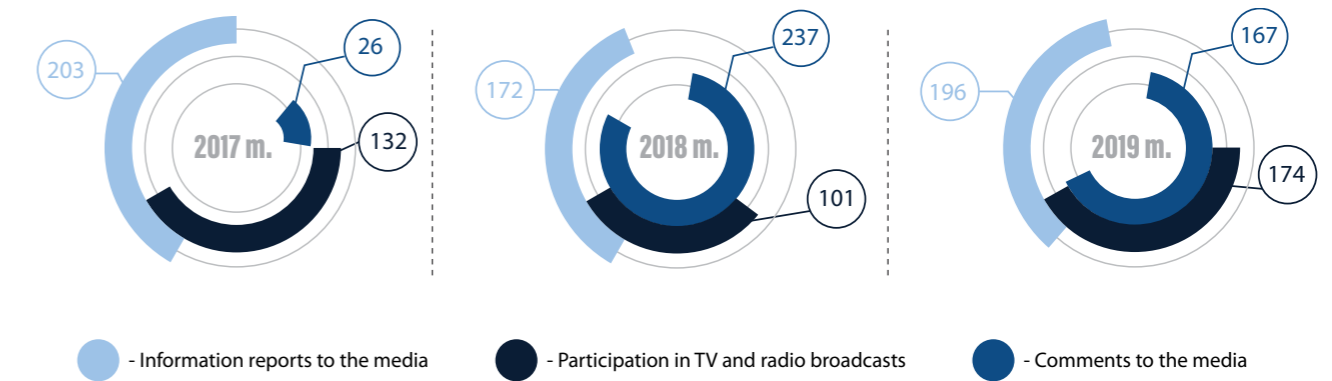


Fig. 28 Changes in the number of publicity measures

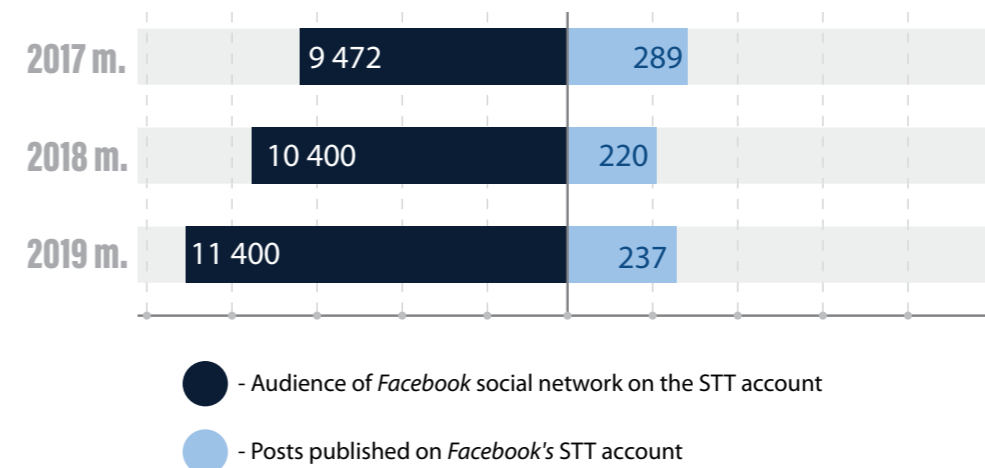


Fig. 29 Changes in the audience and number of posts on STT account on Facebook social network

# ANNEX 5

## Statistical indicators for operational administration

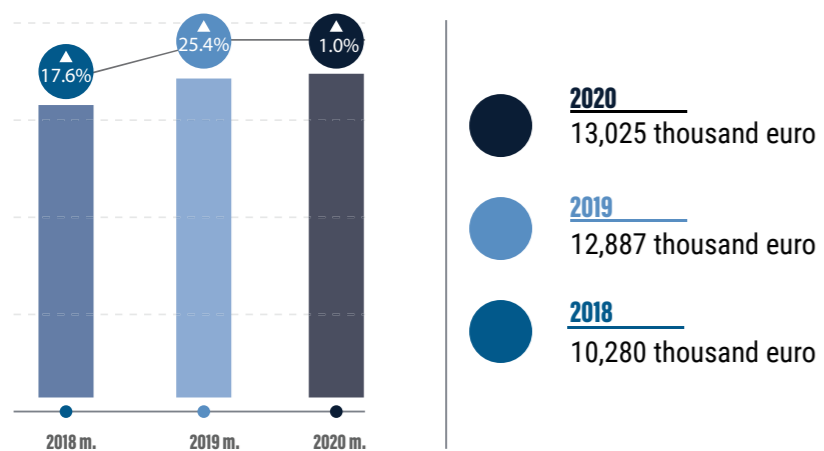


Fig. 30 Changes in appropriations for STT, thousand euro

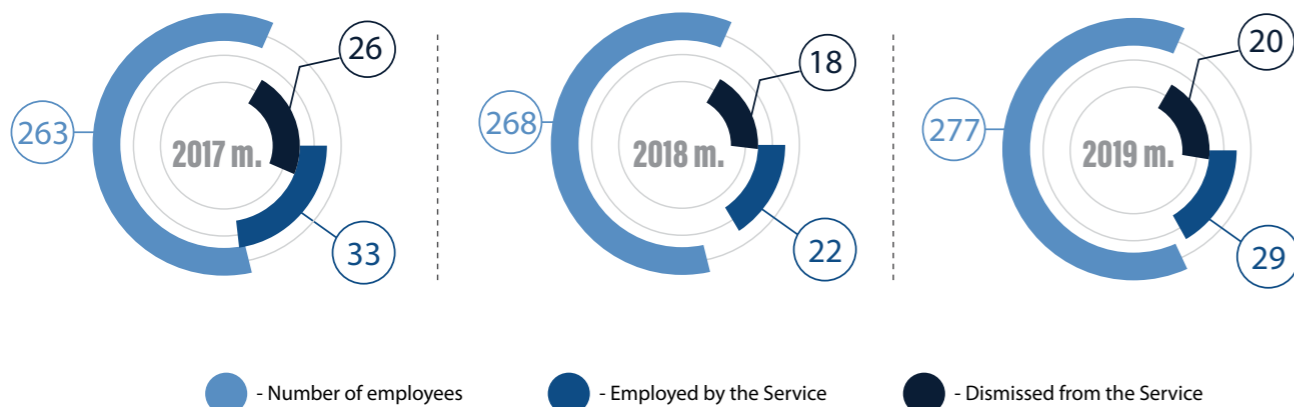


Fig. 31 Changes in the number of STT employees

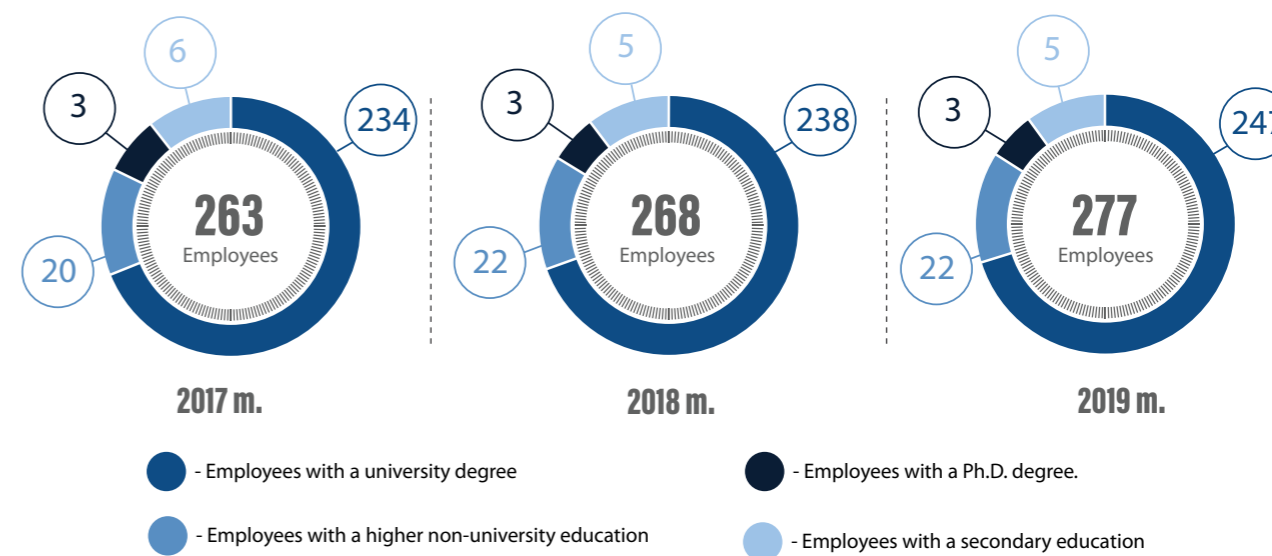


Fig. 32 Changes in the number of STT employees by education

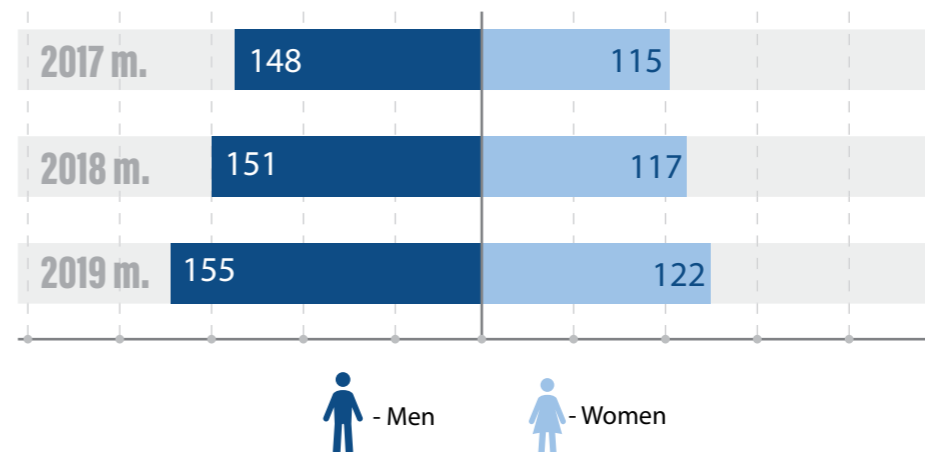


Fig. 33 Changes in STT headcount by gender

# ANNEX 6

## STT international cooperation activities

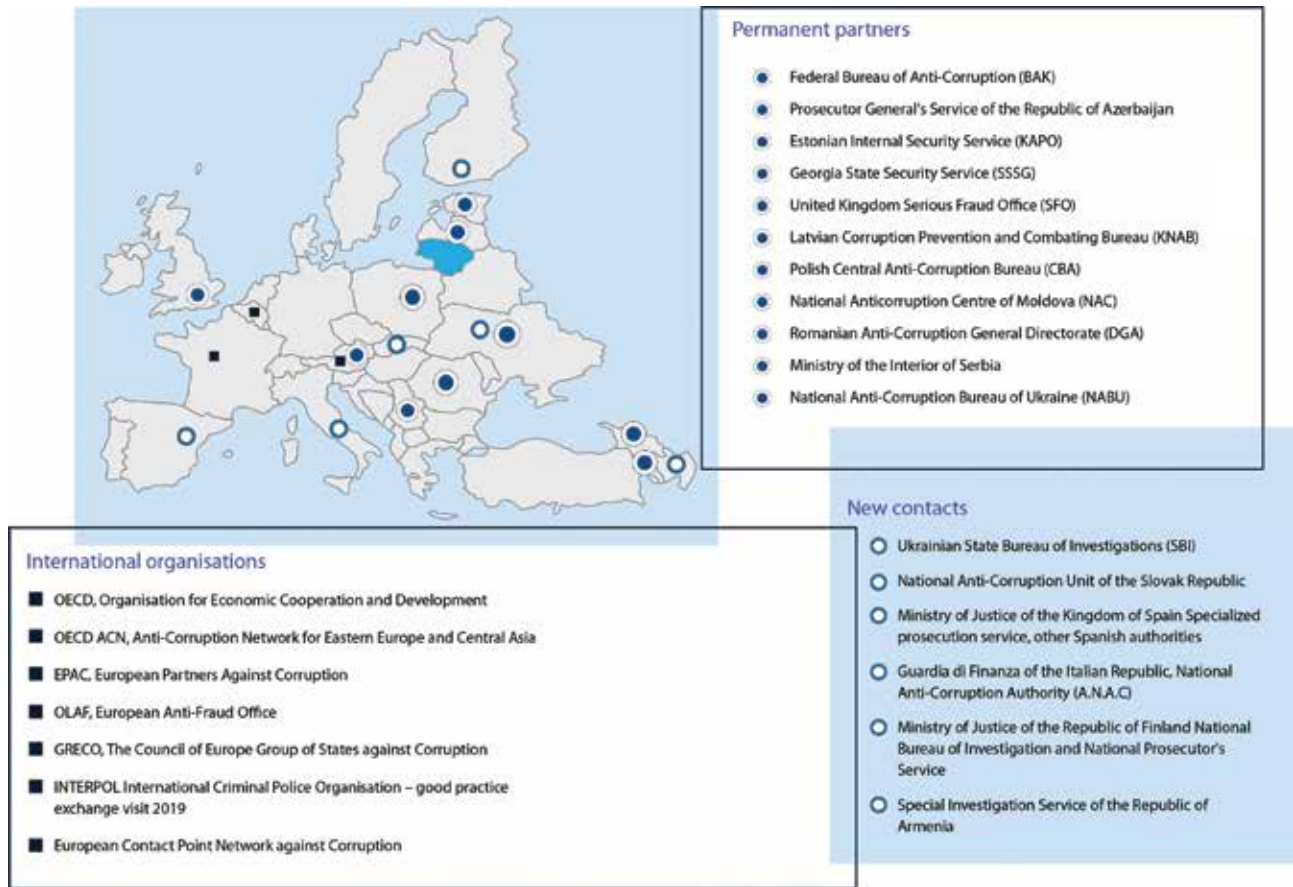


Fig. 34 Representation of international contacts