

35
1990 - 2025



Strasbourg, 19 December 2025

CDL-REF(2025)053

Engl. only

EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW
OF THE COUNCIL OF EUROPE
(VENICE COMMISSION)

LITHUANIA

**AMENDMENTS TO THE LAW ON
THE LITHUANIAN NATIONAL RADIO AND TELEVISION**

Unofficial translation from the Lithuanian language

Table of Contents

I.	Law No. XV-618 and accompanying argumentation	3
II.	Draft Law No. XVP-1052 and its Explanatory Memorandum	5
III.	Draft Law No. XVP-1119, its Explanatory Memorandum and Conclusion of the Seimas' Legal Department	7
IV.	Revised Draft Law No. XVP-1119	12
V.	Conclusion of the anti-corruption assessment regarding draft laws No. XVP-1052 and No. XVP-1119	13

I. Law No. XV-618 and accompanying argumentation

**LAW OF THE REPUBLIC OF LITHUANIA
AMENDING ARTICLES 11 AND 19 OF THE LAW ON THE NATIONAL RADIO AND
TELEVISION OF LITHUANIA No. I-1571**

27 November 2025, Vilnius

Article 1. Amendment of Article 11

Amend paragraph 2, point 4 of Article 11 and set it out as follows:

“4) considers and approves the strategic activity plans and the annual activity plans of the LRT;“

Article 2. Amendment of Article 19

1. Amend paragraph 5 of Article 19 and set it out as follows:

“5. Each year the amount of funds allocated to the LRT from the State budget shall equal 0.75 per cent of the actual revenue of the State budget and municipal budgets from personal income tax received in the year before last and 0.8 per cent of excise revenue. The amount of appropriations allocated to the LRT may not be lower than the average of the State budget appropriations allocated to the LRT over the last three budgetary years.”

2. Supplement Article 19 with paragraph 6:

“6. In 2026–2028 the State budget appropriations allocated to the LRT shall be equal to the State budget appropriations allocated to the LRT in 2025.”

Article 3. Application of the Law

1. The provisions of Article 1 of this Law shall apply when preparing the strategic activity plans of the National Radio and Television of Lithuania for 2026–2028 or later years.

2. The provisions of paragraph 1 of Article 2 of this Law shall apply when calculating and allocating State budget appropriations to the National Radio and Television of Lithuania in 2029 or later years.

I hereby promulgate this Law adopted by the Seimas of the Republic of Lithuania.

President of the Republic

Gitanas Nausėda

**PROPOSAL
ON AMENDING ARTICLE 19 OF THE LAW OF THE REPUBLIC OF LITHUANIA ON
NATIONAL RADIO AND TELEVISION NO. I-1571**

12 November 2025, Vilnius

Arguments:

Taking into account the current geopolitical situation, as well as the results of the state audit "Activities of Lithuanian National Radio and Television" conducted by the State Audit Office of the Republic of Lithuania, we propose to maintain a consistent approach to the financing of LRT activities in 2026–2028 and to plan it in accordance with the 2025 LRT state budget appropriations in order to maintain the same consistent LRT financing model. Changes are also proposed to the amount of funds allocated to LRT from the state budget after 2029.

Proposal:

Amend Article 2 and word it as follows:

1. Amend Article 19(5) and reword it as follows:

"5. The amount of funds allocated to LRT from the state budget each year shall be **4.075** per cent of the state budget and municipal budget revenue from personal income tax and **1.3** per cent from excise duty revenue actually received in the previous year. The amount of appropriations allocated to LRT shall not be less than the average amount of state budget appropriations allocated to LRT over the last three financial years."

"2. Add paragraph 6 to Article 19:

"6. ~~In each of the years 2026-2028, the state budget appropriations allocated to LRT compared to the previous year, may not increase by more than the annual percentage change in the country's gross domestic product at current prices for the year before last, equal to the state budget appropriations allocated to LRT in 2025.~~"

Proposal:

Amend Article 3 and word it as follows:

"Article 2. Application of the Law

The provisions of Article 1(1) of this Law shall apply to the calculation and allocation of state budget appropriations to Lithuanian National Radio and Television in 2026 and subsequent years.

Submitted by

Member of the Seimas

Remigijus Žemaitaitis

II. Draft Law No. XVP-1052 and its Explanatory Memorandum

DRAFT LAW OF THE REPUBLIC OF LITHUANIA AMENDING ARTICLE 5 OF THE LAW ON THE NATIONAL RADIO AND TELEVISION OF LITHUANIA No. I-1571 2025, Vilnius

Article 1. Amendment of Article 5

Amend Article 13 (5) of the Law on the National Radio and Television of Lithuania and set it out as follows:

“5. The Director General of the LRT may be dismissed from office before the expiry of his or her term of office on the grounds of loss of confidence, by secret ballot, if not less than one half of all members of the Council vote in favour of such loss of confidence.”

I hereby promulgate this Law adopted by the Seimas of the Republic of Lithuania.

President of the Republic

Submitted by Members of the Seimas

EXPLANATORY MEMORANDUM

1. Reasons for drafting the law, objectives and tasks of the proposed amendment: The purpose of the amendment is to strengthen the ability of the Council, as the supreme governing and supervisory body of LRT, to effectively and genuinely exercise the supervisory functions assigned to it by law, and to ensure the accountability, independence and responsibility of the LRT Director General towards the public. This is to be achieved by establishing a more objective decision-making procedure, protected from external pressure – namely, by introducing secret voting and a more proportionate majority requirement of no less than 1/2 of all Council members. Following the recommendations presented in the State Audit Office's report *“The Activities of the National Radio and Television of Lithuania”*, and seeking to better safeguard the interests of LRT and of society at large, it is proposed to make more purposeful use of the powers granted to the Council as the highest governing and supervisory body. The aim is to ensure that the LRT Director General may be dismissed by secret ballot, as such a voting method protects Council members from external pressure, political or organisational influence, and allows decisions to be taken in accordance with conscience and professional judgment. Open voting on sensitive issues may restrict members' freedom to vote objectively.

The currently applicable requirement of a 2/3 majority is very high and may, in practice, mean that even in cases of genuine lack of confidence in the Director General or serious problems within the organisation, dismissal becomes impossible. A requirement of no less than 1/2 of all Council members ensures a balance between stability and accountability and allows decisions to be taken more efficiently. It should be emphasised that these amendments seek to ensure that the head of the public broadcaster is not only independent, but also accountable.

2. Initiators and drafters of the draft law: Member of the Seimas of the Republic of Lithuania, Remigijus Žemaitaitis.

3. Current legal regulation of the relations addressed in the draft law: Article 13(5) of the Law on the National Radio and Television of Lithuania provides that the LRT Director General may be dismissed from office before the expiry of his/her term due to loss of confidence only if the Council substantiates the loss of confidence by reference to the public interest and if no fewer than 2/3 of all Council members vote in favour.

4. Proposed new legal regulation and expected positive results

It is proposed to amend Article 13(5) of the Law on the National Radio and Television of Lithuania to provide that the LRT Director General may be dismissed from office before the expiry of his/her term due to loss of confidence by secret ballot if no less than 1/2 of all Council members vote in favour. This would grant the Council a real possibility to assess the situation and, in cases of justified lack of confidence, dismiss the Director General, thereby ensuring continuous oversight of LRT's activities and accountability. Secret voting would reduce the risk of external pressure, enabling members to assess the situation more freely and responsibly. The lowered voting threshold does not diminish the importance of the decision, but helps to avoid situations where an excessively high threshold prevents the institution from responding to clearly identifiable problems. This would ensure more consistent oversight of LRT's activities, greater transparency, and allow society to expect both independent and accountable leadership.

5. Results of the regulatory impact assessment (if required) and possible negative consequences, and measures to avoid them: No negative consequences are foreseen.

6. Impact of the adopted law on the criminogenic situation and corruption: The draft law will have no impact on the criminogenic situation or corruption.

7. Impact of the law on business conditions and development: Implementation of the provisions of the draft law will have no direct impact on business conditions.

8. Compliance of the draft law with strategic planning documents: The draft law does not contradict strategic-level planning documents.

9. Incorporation of the law into the legal system and the legal acts to be adopted or amended: No additional legal acts will need to be adopted following the adoption of this law.

10. Compliance of the draft law with the requirements of the Law on the State Language, the Law on Legislative Framework, and terminology rules: The draft laws have been prepared in compliance with the requirements of the Law on the State Language of the Republic of Lithuania and the Law on Legislative Framework. The terms used have been assessed in accordance with the procedure established by the Law on the Term Bank and its implementing legislation.

11. Compliance of the draft law with the European Convention on Human Rights and European Union law: The draft laws do not contradict the provisions of the European Convention on Human Rights and are aligned with European Union legislation.

12. Implementing legislation required for the enforcement of the law: The Government of the Republic of Lithuania.

13. Estimated financial impact on the state and municipal budgets and state-established funds

Implementation of the law will require no funds from the state budget, municipal budgets or other state-established funds.

14. Expert assessments and opinions received during the drafting of the law: None.

15. Keywords required for inclusion in electronic search systems, including Eurovoc terms: "Dismissal of the LRT Director General".

16. Other explanations and justifications considered necessary by the initiators: None.

Submitted by Members of the Seimas

III. Draft Law No. XVP-1119, its Explanatory Memorandum and Conclusion of the Seimas' Legal Department

**SEIMAS OF THE REPUBLIC OF LITHUANIA
ON THE AMENDMENT OF ARTICLE 13 OF THE LAW NO. I-1571 ON THE NATIONAL
RADIO AND TELEVISION OF LITHUANIA**
2025, Vilnius

Article 1. Amendment of Article 13

Amend Paragraph 2 of Article 13 and set it out as follows:

“2. The Director General of LRT shall be appointed to and dismissed from office by the Council for a period of 5 years through a public competition, by secret ballot. If the required number of votes is not obtained, a new competition shall be held. Only a citizen of the Republic of Lithuania of impeccable reputation, holding higher university education or equivalent education, possessing a master’s degree or an equivalent higher education qualification, and having 5 years of managerial work experience may be appointed Director General. A person shall not be considered to have an impeccable reputation if they do not meet the requirements of impeccable reputation for heads of institutions or candidates for heads of institutions, as established in the Law on Civil Service.”

Amend Paragraph 5 of Article 13 and set it out as follows:

“5. The Director General of LRT may be dismissed from office before the expiry of his/her term of office due to a lack of confidence only if he/she improperly performs the functions of the LRT Director General established in Article 14 of this Law, or if the Council does not approve the annual LRT activity report, and provided that more than half of all Council members vote in favour of such lack of confidence.”

Article 2. Entry into force and implementation of the Law

This Law shall enter into force on 1 January 2026.

I hereby promulgate this Law adopted by the Seimas of the Republic of Lithuania.

President of the Republic

Submitted by Members of the Seimas

**EXPLANATORY MEMORANDUM
On the Draft Law Amending Article 13 of the Law on the National Radio and Television
of Lithuania No. I-1571**

1. Reasons for drafting the law, and the objectives and tasks of the prepared draft law:

The draft law seeks to amend the provisions of the Law on the National Radio and Television of Lithuania (hereinafter – the Law) related to the appointment and dismissal of the Director General of LRT. First, it is proposed to amend paragraph 2 of Article 13, which currently provides that the Director General of LRT is appointed to and dismissed from office by the Council by open voting, so that the decision would instead be taken by secret ballot. This amendment aims to ensure greater independence of Council members and freedom of will when making decisions concerning the appointment or dismissal of a high-level executive.

Open voting in matters of such sensitivity may lead to direct or indirect pressure on Council members, causing them to vote not in accordance with their objective professional judgement but in consideration of political or institutional influence. Secret voting eliminates these risks, ensures free decision-making, and creates conditions for adopting more objective and

independent decisions. On the other hand, secret voting does not in itself negatively affect democratic processes and does not violate any democratic principles.

The introduction of secret voting strengthens confidence in the Council's decision-making process, increases the transparency of the procedure, and ensures that decisions are made on the basis of professional criteria without violating existing legal regulations.

It is also proposed to amend paragraph 5 of Article 13 of the Law by establishing that the Director General of LRT may be dismissed on the grounds of loss of confidence if he or she fails to properly perform the functions laid down in the Law or if the Council does not approve the annual LRT activity report, and if more than half of all members of the Council vote for such loss of confidence. The aim of this amendment is to clarify the accountability mechanisms of the Director General of LRT and to ensure a decision-making procedure that is realistically implementable. These proposed amendments provide well-defined, clearly stated and objective criteria for evaluating the performance of the Director General of LRT.

Until now, the Law provided that loss of confidence may be based on the public interest. This provision is legally undefined, easily subject to manipulation, and does not allow the Director General's performance to be evaluated objectively. Invoking the "public interest" in the dismissal procedure is redundant, as all activities of the Council are inherently grounded in the public interest. As a collegial governing body of a public institution, the Council, *ex officio* (Lat. "by virtue of office"), adopts decisions on the basis of the public interest; therefore, an additional requirement to declare it is superfluous.

Given this, it is proposed that the main criteria be whether the Director General of LRT performs his or her functions properly and whether the Council approves the annual LRT activity report. This provides a clear, visible and objective basis for evaluation, consistent with the principle that a leader's responsibility should be assessed on the basis of actual performance results rather than abstract concepts.

The requirement of more than half of the votes is proportionate and rational for decision-making, as it allows the Council to respond effectively if the Director General of LRT fails or improperly performs his or her duties, while at the same time protecting the Director General from unfounded or politicised decisions. The amendments to the Law establish a coherent, clear and effective system of accountability for the Director General of LRT, increase transparency in LRT governance, strengthen the Director General's strategic responsibility, and ensure that decisions regarding confirmation or dismissal are made objectively and professionally, based on actual performance results.

2. Initiators and drafters of the draft law (institution, persons or representatives authorised by citizens): The draft law is initiated and prepared by Members of the Seimas.

3. Current regulation of the legal relations addressed in the draft: Under the Law currently in force (Article 13(2) and (5)), decisions regarding the appointment or dismissal of the Director General of LRT are taken by the Council through open voting. A two-thirds majority is required to adopt the decision. The Council may express loss of confidence in the Director General of LRT if this is based on the public interest.

4. Proposed new legal regulation and expected positive outcomes: The new legal regulation aims to change the method of voting in the Council from open to secret voting, establish the number of votes required, and clearly define the grounds for dismissing the Director General of LRT. These amendments are expected to ensure clearer and simpler rules and procedures, strengthen the strategic responsibility of the Director General, and ensure that decisions regarding dismissal or confirmation are taken objectively, professionally, and based on actual performance results.

5. Results of the assessment of the expected impact of the legal regulation (if such assessment must be carried out and its results are not presented in a separate document), possible negative consequences of the adopted legal act, and measures to avoid such consequences: No negative consequences are foreseen upon adoption of the draft law.

6. Impact of the adopted legal act on the criminogenic situation and corruption: The draft law will have no impact on the criminogenic situation or corruption.

7. Impact of the implementation of the legal act on business conditions and development: The draft law is not related to business conditions or business development.

8. Whether the draft legal act is consistent with strategic-level planning documents: - The draft law does not contradict strategic-level planning documents.

9. Incorporation of the legal act into the legal system, legal acts that need to be adopted, amended or repealed: Upon adoption of the draft law, no other laws will need to be adopted, amended or repealed.

10. Whether the draft legal act is prepared in accordance with the requirements of the Law on the State Language of the Republic of Lithuania and the Law on the Fundamentals of Law-making, and whether the terminology used in the draft has been assessed in accordance with the procedure laid down by the Law on the Terminology Bank and its implementing legislation: The draft law has been prepared in accordance with the requirements of the Law on the State Language and the Law on the Fundamentals of Law-making and complies with the norms of standard Lithuanian. The draft law does not introduce new concepts or amend existing ones.

11. Whether the draft complies with the provisions of the Convention for the Protection of Human Rights and Fundamental Freedoms and the documents of the European Union: The provisions of the draft law do not conflict with the Convention for the Protection of Human Rights and Fundamental Freedoms or with documents of the European Union.

12. If implementing legal acts are required – who should adopt them and when: The implementation of the draft law does not require any implementing legal acts.

13. Estimated amount of funds needed from the state and municipal budgets and other state-established funds to implement the legal act, and whether savings will be possible (forecast indicators for the current and the next three budgetary years): Implementation of the draft law will not require funds from the state or municipal budgets or from other state-established funds.

14. Expert assessments and conclusions received during the drafting of the draft law: No expert assessments or conclusions were required during the drafting of the draft law.

15. Keywords required for including this draft in computerised search systems, including terms, topics and areas from the Eurovoc thesaurus: Keywords required for including this draft in computerised search systems, including Eurovoc terms: "Director General of LRT", "Council", "LRT".

16. Other justifications and explanations which, in the opinion of the initiators, are necessary: None.

Submitted by Members of the Seimas

**OFFICE OF THE SEIMAS OF THE REPUBLIC OF LITHUANIA LEGAL DEPARTMENT
CONCLUSION ON THE DRAFT LAW AMENDING ARTICLE 13 OF THE LAW ON THE
NATIONAL RADIO AND TELEVISION OF LITHUANIA No. I-1571**

10 December 2025 No. XVP-1119
Vilnius

Having assessed the compliance of the draft with the Constitution, laws, legislative principles and rules of legal drafting, we submit the following comments.

1. Article 1(2) of the draft proposes to amend paragraph 5 of Article 13 of the Law on the National Radio and Television of Lithuania (hereinafter – the Law being amended), establishing that the Director General of LRT may be dismissed from office before the expiry of his or her term only if he or she fails to properly perform the functions of the Director General of LRT as set out in Article 14 of this law, or if the Council does not approve the annual LRT activity report, and if more than half of all members of the Council vote in favour of such loss of confidence.

In assessing this proposal, the constitutional doctrine of the independence of the public radio and television broadcaster, formulated by the Constitutional Court, should also be taken into account. In its ruling of 21 December 2006, the Constitutional Court held that the Constitution, including Article 25 thereof, gives rise to the special mission of the public broadcaster, including the national public broadcaster, to ensure the public interest – the constitutionally enshrined, protected and safeguarded interest of society to be informed. The Court held that the public broadcaster expresses the public interest. Therefore, the public broadcaster must always remain independent of particular private or group interests (political, economic or other).

In this context, it should be noted that the mission of the public broadcaster arising from the Constitution, including Article 25 thereof, implies its independence from interference by state institutions, officials or other persons in its activities. This means, *inter alia*, that the public broadcaster must be guaranteed the right, freely and without external interference, and respecting its constitutional mission, to determine the structure of its programmes, the content of broadcasts, their timing and similar matters (independence in terms of freedom of information, i.e. editorial independence). It must also be guaranteed the right, in accordance with the law, to organise and conduct its activities independently through public broadcaster management bodies that are independent of state institutions, officials, political parties and organisations, and other persons (*inter alia* private (commercial) broadcasters) – i.e. institutional independence.

The Constitutional Court held that it cannot in itself be regarded as a deviation from the imperative of independence that certain state institutions designated by law may participate in forming the highest body of the public broadcaster, having the powers to decide the most important issues of the public broadcaster's activities (such as determining the national broadcaster's operational strategy, setting requirements for programmes and broadcasts, etc. <...>). However, a public broadcaster established by the state can be regarded as truly public only if the institution empowered to decide the most important issues of the public broadcaster's activities is composed not of state officials or civil servants, but of persons who may reasonably be regarded as representatives of society as a whole, rather than of any particular interest groups.

In view of the above, and without questioning the authority of the LRT Council – the highest collegial body performing LRT's management and supervisory functions and representing the public interest – to dismiss the Director General of LRT before the expiry of the term of office, it should be considered that the constitutional imperative of institutional independence implies certain requirements for such dismissal. It should be noted that a person is appointed to the position of Director General of LRT not on the basis of confidence. The person is appointed through a public competition and must meet the statutory requirements. This creates a legitimate expectation for the appointed Director General of LRT to serve the full statutory term.

To properly perform his or her duties, the Director General must have sufficient guarantees of independence, thereby ensuring legal certainty and stability in the proper management of LRT's activities. Although the prerogative of the LRT Council, as the highest management body appointing the Director General, to dismiss the LRT head before expiry of the term in certain cases cannot be questioned, such dismissal must nevertheless be based on clearly established grounds, namely where the head no longer meets the prescribed requirements or where continuing in office would be incompatible with the mission entrusted to LRT and would objectively prevent the implementation of LRT's tasks.

Attention should also be drawn to the legal framework laid down in Regulation (EU) 2024/1083 of 11 April 2024 of the European Parliament and of the Council establishing a common framework for media services in the internal market and amending Directive 2010/13/EU (the European Media Freedom Act). Article 5(2) of Regulation (EU) 2024/1083 provides that Member States shall ensure that the procedures for appointing and dismissing the management head or board members of public service media providers aim to ensure the independence of such providers, and that decisions to dismiss the management head before the expiry of the term must be properly justified, may be adopted only in exceptional cases, where the person concerned no longer fulfils the conditions necessary to perform his or her duties according to criteria established in advance at national level, must be notified to the person in advance, and must ensure the possibility of judicial review.

In this context, when assessing the ground for dismissal of the Director General of LRT before the expiry of the term – namely, improper performance of the functions of the Director General – it should be considered that due to its subjective and undefined content (as improper performance may be interpreted very differently, and even a minor or insignificant breach of duty may formally be regarded as improper performance), such a ground should not be regarded as objective or sufficient to justify the legitimacy of dismissal. In view of the above, the law should either clearly define the criteria (i.e. specify the circumstances of serious or substantial breaches of duty) under which such improper performance of duties would be presumed to be such that the implementation of LRT's tasks could no longer be ensured if the Director General remained in office, or provide that the Council, in its decision to dismiss the Director General for improper performance of duties, must not only specify the facts of improper performance but also demonstrate that continued service would not ensure the implementation of LRT's tasks.

2. When assessing the draft provision amending Article 13(5) of the Law being amended, which aims to reduce the number of votes of LRT Council members required to dismiss the Director General on the grounds of loss of confidence, and provides that a decision to dismiss would require more than half of all Council members' votes (instead of the current requirement of not less than two-thirds of LRT Council members' votes), it should be noted that a higher quorum is usually established to ensure greater stability and continuity of the institution's leadership and to protect the head from political volatility. A higher quorum also better safeguards the independence of the head, as it makes dismissal on the basis of dissatisfaction more difficult. It should be noted that dismissal constitutes a restriction on the person's right to work (unlike appointment, which constitutes the exercise of that right), and therefore a higher quorum requirement is usually considered justified. In view of the above, it is questionable whether the proposed reduction in the number of votes required to dismiss the Director General on grounds of loss of confidence is justified and necessary.

3. A systemic assessment of the provisions of the Law being amended together with the norms proposed in the draft suggests that it would be inconsistent, illogical and legally flawed to establish a regulation under which the dismissal of the LRT Ethics Officer or the Head of the Internal Audit Unit on the grounds of loss of confidence would require a higher number of Council votes than the dismissal of the Director General of the national broadcaster. Furthermore, if the proposed regulation reducing the required number of votes for dismissing the Director General before the

expiry of the term were accepted, Article 12(3) of the Law being amended should also be amended by deleting the reference to Article 13(5) contained therein.

4. The draft should be corrected in accordance with the Recommendations for the Drafting of Legal Acts approved by Order No. 1R-298 of the Minister of Justice of 23 December 2013.

4.1. In the title of the draft, the word "On" should be replaced with "Republic of Lithuania", and the word "law" should be added after "amendment".

4.2. Both paragraphs of Article 1 of the draft should be numbered.

4.3. In the title of Article 2 of the draft, the words "and implementation" should be deleted.

Director of the Department Dainius Zebleckis

IV. Revised Draft Law No. XVP-1119

LAW ON AMENDMENTS TO ARTICLES 12, 13, 15 AND 17 OF THE LAW ON NATIONAL RADIO AND TELEVISION OF LITHUANIA NO. I-1571

2025, Vilnius

Article 1. Amendment to Article 12

Amend Article 13(2) and word it as follows:

"2. The Director General of LRT shall be appointed for a term of five years and dismissed from office by the Council through a public competition. The decisions of the Council shall be adopted by a majority of more than half of all members of the Council. In the event of a tie between votes "for" and "against", the chair of the Council meeting shall have the casting vote."

Article 2. Amendment to Article 13

Amend Article 13(2) and reword it as follows:

"2. The Director General of LRT shall be appointed for a term of five years and dismissed by the Council by secret ballot through a public competition. If the required number of votes is not obtained, a new competition shall be held. Only a citizen of the Republic of Lithuania of impeccable reputation who has obtained a university degree or equivalent education, holds a master's degree or equivalent higher education qualification and has 5 years of managerial work experience may be appointed as Director General. A person shall not be considered to be of impeccable reputation if he or she does not meet the requirements of impeccable reputation established in the Civil Service Law for heads of institutions or persons aspiring to become heads of institutions.

Amend Article 13(5) and reword it as follows:

"5. The Director General of LRT may be dismissed from office before the end of his term of office on grounds of no confidence only if he fails to properly perform the functions of the Director General of LRT as provided for in Article 14 of this Law, or if the Council does not approve the annual report on the activities of LRT, and if more than half of all members of the Council vote in favour of such a vote of no confidence."

Article 3. Amendment to Article 15

Amend Article 15(5) and reword it as follows:

"5. The LRT Ethics Controller may be dismissed from office before the end of his term of office if the Council expresses no confidence in him and if more than half of all Council members vote in favour of such dismissal."

Article 4. Amendment to Article 17

Amend Article 17(5) and word it as follows:

"5. The head of the LRT Internal Audit Service may be dismissed from office before the end of his term of office due to a vote of no confidence by the Council, if more than half of the members of the Council vote in favour of this."

Article 5. Entry into force of the Law

This Law shall enter into force on 1 January 2026.

I hereby promulgate this law adopted by the Seimas of the Republic of Lithuania.

President of the Republic

V. Conclusion of the anti-corruption assessment regarding draft laws No. XVP-1052 and No. XVP-1119

Chancellery of the Seimas of the Republic of Lithuania
E. Delivery Information System

CONCLUSION OF THE ANTI-CORRUPTION ASSESSMENT REGARDING DRAFT AMENDMENTS TO THE LAW ON NATIONAL RADIO AND TELEVISION OF LITHUANIA NO. XVP-1052 AND NO. XVP-1119

2025, December

The Special Investigation Service of the Republic of Lithuania, in accordance with the provisions of Article 8(5) of the Law on Corruption Prevention of the Republic of Lithuania (received from the Homeland Union – Lithuanian Christian Democrats faction, the Liberal Movement faction, Democrats faction "For Lithuania"), carried out a review of the draft law amending Article 5 of the Law on National Radio and Television of Lithuania No. I-1571, draft law No. XVP-1052¹, and the draft law amending Article 13 of the Law on National Radio and Television of Lithuania No. I-1571, draft law No. XVP-1119² (hereinafter referred to as the Draft Laws), which propose to amend the procedure for dismissing the Director General of Lithuanian National Radio and Television LRT (hereinafter referred to as the Draft Laws), an anti-corruption assessment.

In order to reduce the likelihood of corruption risk factors and to ensure the comprehensiveness, consistency, transparency and corruption resistance of legal regulation, we submit the following comments and proposals.

1. Critical anti-corruption comments and proposals:

1.1. *The draft laws propose that the Lithuanian National Radio and Television (hereinafter – LRT) Council vote by secret ballot on the dismissal of the LRT Director General (hereinafter – the Director). Given that the members of the LRT Council are representatives of the public, whose decisions, including the dismissal of the Director of LRT, are considered to be of particular importance in terms of public interest, a secret ballot by the LRT Council would not ensure the transparency of decisions and accountability to the public.*

¹ Available online: <https://e-seimas.lrs.lt/portal/legalAct/lt/TAP/ba548df0c8fd11f0a842b0e89767e3dc?positionInSearchResults=8&searchModuleUUID=845b233e-52b7-4a16-a207-35d441ea2cff>

² Available online: <https://e-seimas.lrs.lt/portal/legalAct/lt/TAP/6df4ff31d5cd11f0948bfb5fa1e0c51b?positionInSearchResults=307&searchModuleUUID=128cabfd-1bda-4a64-9c81-fe130e0bb270>

The explanatory notes to the drafts indicate that an open vote on such sensitive issues as the dismissal of the head of LRT may cause direct or indirect pressure on LRT Council members and may restrict their freedom to vote objectively.

According to the Special Investigation Service, secret voting would not eliminate the risk of external pressure on LRT Council members. On the contrary, secret voting would not allow for the identification and management of potential conflicts of interest, nor would it allow for an assessment of whether the decisions of the council members were made in accordance with the principles of objectivity and impartiality, and whether the voting was influenced by non-transparent agreements, etc. Furthermore, on issues of such importance to society and the public interest as the dismissal of the head of LRT, decisions must be made as transparently as possible, and the secret ballot proposed in the draft laws would essentially make it more difficult to ensure the transparency of the decision-making process.

It should be noted that the LRT Council represents the interests of the public and acts in the interests of LRT and the whole of society (Article 10(1) of the Law on Lithuanian National Radio and Television), therefore the members of the Council should be publicly responsible and accountable for the decisions they take, ensuring the transparency of the decision-making process.

In view of the above, in the opinion of the Special Investigation Service, having assessed the objective set out in the explanatory memorandum – to protect the LRT Council from external (political, institutional) pressure – there are reasonable doubts as to whether this objective can be achieved by introducing secret voting.

1.2. The legislative process of the draft law raises reasonable doubts as to its transparency (the new legal regulation proposed by the draft law is particularly important to the public, raising questions about its compliance with the doctrine established by the Constitutional Court of the Republic of Lithuania and EU legislation. Despite this, it was fast-tracked and an impact assessment was not carried out).

The legal regulation proposed in the draft laws regarding the dismissal of the head of LRT is particularly significant – it may threaten the editorial and institutional independence of the public broadcaster and may contradict the doctrine established by the Constitutional Court of the Republic of Lithuania and European Union legal norms on media freedom. It should be noted that many interested parties and organisations have become involved in the discussion of the draft law, which shows the great importance of this issue to society. Legislation is based on the principle of openness and transparency, which means that legislation must be public, legislative decisions relating to the general interest cannot be taken without the knowledge and participation of the public, the objectives of state policy, the need for legal regulation and the entities involved in law-making must be known, and the public and interest groups must be given the opportunity to submit proposals on legal regulation at all stages of law-making (Article 3(2)(4) of the Law on the Fundamentals of Law-Making of the Republic of Lithuania).

It should be noted that the draft law was not submitted for review by the Government or other institutions, and was also subject to an expedited procedure. It should be noted that the urgent procedure for the consideration and adoption of draft laws may *only* be applied *in exceptional cases* where, due to political, social, economic or other circumstances, it is necessary to urgently establish new or amend existing legal regulations in order to ensure important public and state interests and protect other constitutional values (Article 162(2) of the Statute of the Seimas of the Republic of Lithuania).

It should also be noted that although the required number of signatures was collected in the Seimas of the Republic of Lithuania, requesting the opinion of independent experts on the impact of the proposed draft law, and the Statute of the Seimas stipulates that the chairperson must put the procedural proposals received to a vote in order of priority, the Seimas did not follow the order of precedence – the question of urgent procedure was put to the vote first, while the question of the impact assessment was not put to the vote (Article 145(4) and (5) of the Seimas Statute).

In view of the above, the legislative process of the draft law raises reasonable doubts as to its transparency and openness, the adequate involvement of the public in the legislative process and the appropriateness of the urgent procedure.

2. Other anti-corruption comments and proposals:

The proposed date of entry into force of the draft law would not ensure legislative transparency

The draft law proposes that the new legal regulation come into force on 1 January 2026, i.e. while the term of office of the head of LRT is still ongoing.

In the opinion of the Special Investigation Service, in order to ensure legislative transparency, neutrality and compliance with general legislative principles, it should be considered whether changes to the legal regulation relating to the status of heads of public sector entities or persons in managerial positions should not apply from the start of their new term of office. Such legal regulation would help avoid potential corruption risks related to agreements between interested parties, possible political influence or the adaptation of legal regulation to specific circumstances.

In view of this, it is proposed that the new legal regulation on the dismissal of the head of LRT should enter into force at the end of the current term of office of the head of LRT. Such entry into force of the draft law would eliminate any grounds for considering the proposed legal regulation to be directed against a specific person and would confirm that the changes proposed in the draft law are of a systemic nature. Otherwise, changing the procedure for dismissing heads of public sector entities during their term of office would set a precedent that is flawed from an anti-corruption perspective and could have negative consequences for the entire public sector.

3. Other comments and suggestions:

None.

After conducting an anti-corruption assessment of the draft laws, it can be concluded that the legal regulation proposed in the draft laws may be flawed from an anti-corruption perspective, because:

– The draft laws propose that the Lithuanian National Radio and Television (hereinafter – LRT) Council vote by secret ballot on the dismissal of the LRT Director General (hereinafter – the Director). Given that the members of the LRT Council are representatives of the public, whose decisions, including on the dismissal of the Director of LRT, are considered to be of particular importance in terms of public interest, a secret ballot by the LRT Council would not ensure the transparency of decisions and accountability to the public;

The legislative process of the draft law raises reasonable doubts about its transparency (the new legal regulation proposed by the draft law is particularly important to the public, raising questions about its compliance with the doctrine established by the Constitutional Court of the Republic of Lithuania and EU legislation. Despite this, it was adopted under an urgent procedure and an impact assessment was not carried out);

– The proposed date of entry into force of the draft law would not ensure legislative transparency.

Deputy Director

Elanas Jablonskas