

Article 7, paragraph 5

Lithuania has assumed significant anti-corruption commitments at the international level, thus it has paid especial attention to make progress in prevention and fighting corruption in last few decades. Lithuania has ratified relevant international conventions (including UN Convention Against Corruption) and has created comprehensive domestic legal and institutional anti-corruption framework (besides the Special Investigations Service (SIS), the Seimas Ombudsman's office, Parliamentary Ethics and Procedure Commission and Parliamentary Anti-Corruption Commission. One of specific actors in that sphere is the Chief Official Ethics Commission, hereinafter – the COEC).¹

COEC is a collegial authority which is set up by the Seimas of the Republic of Lithuania and is accountable to it, and which, within the competence assigned to it exercises supervision of persons employed in the civil service and persons carrying out lobbying activities as well as the respective prevention of corruption.

*The competence and rights of the COEC, guaranties of its independence are prescribed in the Law on the Chief Official Ethics Commission (hereinafter - **the Law on the COEC**).²*

This Law provides that while performing its duties and taking decisions the COEC is independent. None of state politicians, state officials, political parties, associations, other legal or natural persons may exert influence regarding the decision-taking procedure and content (Article 9, paragraph 1).

The independence of the COEC is ensured by the principles of its formation, requirements for its members and restrictions of their outside activities, term of their duties, legal basis and principles of activities of the COEC, etc.

There are five members of the COEC and each of them is proposed to the Seimas by different authority. In accordance with the last amendment (May 25, 2017) of Article 6, the Law on the COEC, the process of its formation is as follows: one of the candidates is proposed by the President of the Republic, one - by the Speaker of the Seimas, one - by the Prime Minister and two candidates – by the Lithuanian Lawyers' Association (before the amendments only one candidate was proposed by this Association, and one – by the President of the Association of Local Authorities). On the advice of the Speaker, the Seimas shall appoint Chairperson of the COEC from the nominated members of this Commission.

Each member has to be of impeccable reputation and has received higher university education (at least a master's degree) or has university education which corresponds to it and the minimum five-year length of practical experience. The member of the COEC shall be a state official and the term of his/her office in the COEC is five years. The same person may be a member of the COEC not more than two terms in succession.

When performing his/her official duties, a member of the COEC shall be independent, may not be bound by any interest and must comply with the Constitution of the Republic of Lithuania, international agreements, laws and other domestic legal acts as well as ethical rules (Article 9, paragraph 2). Before starting his/her office the Oath to the State has to be given.

The Chairperson of the COEC may not be employed in businesses, commercial or other establishments, enterprises or organisations, may not receive any other remuneration, except the salary fixed in accordance with the position held and the remuneration for scientific and pedagogical work in higher education establishments or establishments of qualifications improvement of civil servants, remuneration for non-formal adult education and payment for creative activities (Article 11, paragraph 1).

¹ The COEC is the central institution supervising the implementation of the Law on the Adjustment of Interests in the public service and the only body which controls the implementation of the Law on lobbying.

² <http://www.vtek.lt/index.php/en>

Having received the consent of the COEC, a member of the COEC may work elsewhere, provided that this does not cause a conflict of interest or prevent from performing his duties properly (Article 11, paragraph 2).

When performing their duties, the Chairperson and the members of the COEC may not participate in activities of political parties and other political organizations or violate the principle of political neutrality (Article 11, paragraph 3).

The COEC has the Secretariat, which provides administrative services for the COEC members and consists of civil servants and persons working under employment contracts. Trainings for the staff are usually organized in the same way as trainings for all persons in civil service. Additionally, COEC's personnel improve its competence by participation in events organized by multilateral organizations, e.g. OECD Working Party of Senior Public Integrity Officials (SPIO) workshops, OECD Public Governance Committee sessions, EU Anti-corruption experience-sharing programs, etc.

The number of staff of the COEC (including auxiliary staff):

2013: 17 employees;

2014: 19 employees;

2015: 21 employees;

2016: 24 employees;

2017: 25 employees.

As it is stressed in the Article 9, paragraph 3, the Law on the COEC, financing of activities of this Commission from the state budget must enable to properly perform its functions. In fact, the budget was as follows:³

2013: EUR 0.391 million;

2014: EUR 0.430 million;

2015: EUR 0.493 million;

2016: EUR 0.578 million.

In accordance to the Article 17 of the Law on the COEC, this Commission has such powers:

- supervises the implementation of the Law on the Adjustment of Interests, the Law on Lobbying Activities, other legal acts regulating the norms of official ethics and conduct of persons in the civil service assigned to the competence of the COEC; gives recommendations on the improvement and implementation of the provisions of these legal acts; takes decisions and resolutions on these issues;*
- investigates notifications, complaints and requests of natural and legal persons regarding the conformity of actions of the persons in the civil service with the provisions of the Law on the Adjustment of Interests and the Law on Lobbying Activities;*
- carries out the investigation of the conduct of Chairmen and Deputy Chairmen of parliamentary political parties who are not members of the Seimas or municipal councillors, or are not appointed as Member of the Government in accordance with the procedure set forth by the Code of Conduct for State politicians;*
- upon the request or on its own initiative provides methodological assistance concerning the implementation of the provisions of the Code of Conduct for State Politicians;*
- makes recommendations of a methodological nature to municipal ethics commissions and provide consultations to them on the issues regarding the implementation of the Law on the Adjustment of Interests;*

³ *Due to the growing quantity of investigations to be made by COEC, and needs to expand trainings activities, the number of staff and given budget are not very sufficient.*

- follows information announced by the mass media about the conduct of state politicians and, in case there are sound data that a state politician has committed a violation, transfer this information for investigation to appropriate entities of state politicians' conduct control;
- analyses problems related to official ethics and conduct of persons in the civil service and gives relevant recommendations;
- on the basis of available information prepares and implements the measures preventing violations of the norms of official ethics and conduct, fulfils other functions laid down for the COEC in legal acts, and takes appropriate decisions;
- seeking to include the civic society as widely as possible in the democratic mechanisms of control over state government, informs periodically the public, state and municipal institutions about the meaning and importance for state government of the norms of official ethics and conduct of persons in the civil service and the legal acts regulating them; publicly informs about its activities on the website of the COEC; publishes its decisions and resolutions; etc.

To carry out of its functions, the COEC has granted with powerful rights, e.g.:

1) receive all necessary information, explanations, orders, decisions and other documents from institutions, enterprises, bodies and other organizations, also obtain free of charge the information from state or departmental registers, which is necessary in order to fulfil the duties of the COEC;

2) instruct the head of a state or municipal institution or body to conduct investigation, if the reasoned information has been received that a person in the civil service does not meet the requirements of the Law on the Adjustment of Interests, and, when disagreeing with the conclusion of the conducted investigation, instruct to conduct investigation repeatedly or conduct investigation itself and take its own decision;

3) make reports of administrative violations and impose on the administrative sanction⁴ if the person has violated the provisions of the Law on the Adjustment of Interests;

4) propose to the collegial state or municipal institution, the head of the state or municipal body, or the state or municipal institution or body of a higher subordination level to impose disciplinary penalties on the persons who have violated the Law on the Adjustment of Interests; or propose to repeal, suspend or amend the legal acts or decisions and transactions which do not meet the requirements of the Law on the Adjustment of Interests or the Law on Lobbying Activities, or propose to take the measures which would prevent violations of other legal acts in the future;

5) file claims (submit requests) to the court regarding termination of or declaring null and void the civil service relationships, employment contracts and transactions concluded in violation of the requirements of the Law on the Adjustment of Interests;

6) participate in preparation of legal acts regulating the requirements of official ethics and conduct of persons in the civil service;

7) check the data on private interests declared by persons in the civil service;

8) adopt resolutions of recommendatory character, which contain the opinion of the COEC on a certain issue or summarise the practice of activities of the COEC;

9) inspect activities of lobbyists and activity reports of lobbyists; and so forth.⁵

There are several laws, which outline elements for **management of conflict of interest situations**. One of them is the Law on the Adjustment of Public and Private Interests in the Civil Service (hereinafter – **the Law on the Adjustment of Interests**), as well as the Law on the Civil Service, Recommendations (general or individual), Regulations and Resolutions laid down by the COEC, which guideline activities of public officials and heads of public institutions, and authorized representatives, who manage conflict of interest.

⁴ The COEC is granted by the right to impose on the administrative sanction from the January 1, 2017 only. Previously the COEC in such cases had to appeal to the Court.

⁵ Article 18, the Law on the COEC.

The COEC applies complex of basic measures aimed to promote integrity of public service and prevent conflict of interests.

- *Trainings*

The COEC organizes trainings on management of conflict of interest situations and on filling the private interest declarations for different types of audience: civil servants and other persons in public service; managing officers responsible for supervising of subordinate persons in public service;⁶ sectoral staff (e.g. physicians, dentists).⁷

Each institution can also provide its own anti-corruption trainings. There is also an ethics module within the orientation trainings that is mandatory for all newly employed civil servants (respective trainings are under the competence of the Civil Service Department, the Ministry of Interior). Such training is evaluated by a questionnaire that participants must complete, and which allows the ministry or agency to evaluate the effectiveness of the training that was provided.

Trainings on Anti- corruption self evaluation of concrete institution are organized by the SIS.

- *Raising awareness of civil society*

COEC strives to raise awareness of society and cultivate a culture of integrity by spreading information about its activity, publishing its decisions, giving explanations on conflict of interest manner, giving recommendations, announcing resolutions, opinion, and presentation of annual reports of the COEC.

- *Guidance on implementation of the Law on the Adjustment of Interests*

The heads of public institutions are responsible for the implementation of the Law on the Adjustment of Interests in their subordinate institutions. And the COEC as supervising body supports them, The COEC gives respective guidance, i.e. gives recommendations, which could be addressed to individual public servants or to the state or municipal institutions in general; organizes trainings, do revisions on results of particular institutional investigation. Moreover, the COEC gives recommendations to the state or municipal authorities what special institutional regulations they should set and how to improve them when needed, etc.

In COEC opinion, one of the most important goals is to identify the reasons of non-ethical behaviour and prevent them. This could be more efficient with *engagement of state and municipal institutions*. Thus COEC calls on the institutions to strengthen their self-control (i.e. internal supervision on disclosure process of respective institution's employees; analysis of submitted disclosure declarations; recommendations on conflict of interest management; indicating and prevention of risk factors) and conduct more internal investigations themselves if the Law on the Adjustment of Interests was breached. COEC tries to achieve these goals by educational campaigns, trainings for the heads of institutions, authorized persons, conflict managers, public officers and other interested persons.

⁶ Recent aim of the COEC is to design the trainings in „Train the trainers“ principle.

⁷ E.g. since March, 2017 the COEC has organized trainings for more than 1200 servants (41 seminars). It should be stressed that due to lack of human resources there are only 2 specialists (trainers) in the COEC who carries out such trainings.

- *Preventive actions*

The COEC periodically organizes targeted and long-terming preventive actions, usually dealt with particular public sector more risky to corruption – healthcare, local governance, state enterprises.

- *IDIS system*

The COEC has designed the IDIS system – it is an electronic database on private interests, which was created as an assistant tool for the heads of public institutions to administer the disclosure declarations in respective institution.⁸

- *Register of Private Interests (PIR)*

Currently one of the main goals for the COEC is to design and foster the PIR.⁹

- *Supervision of activity of lobbyists*

It is known that the transparency and integrity of public sector are closely related with activities of lobbyists. In accordance to the Law on the Chief Official Ethics Commission, the control and supervision of this important and complicated sphere belongs to the COEC.

Despite that lobbying activities in Lithuania were regulated since 2000, the law was ineffective because of legal loopholes, e.g. narrow definitions of lobbying activity and of lobbyist. After a long considerations and hot confrontations, with a help of multinational organisations and domestic bodies, new Law on Lobbying Activity was adopted and came into force since September 1, 2017. The main goals of this law are to ensure publicity and transparency in respective sphere and to prevent illegal lobbying activities.

Lobbying activities shall be conducted only by a person recorded in the Register of Lobbyists. A person who wishes to engage in lobbying activities shall file an application to the COEC to be recorded in the Register of Lobbyists.

A lobbyist must submit a report on lobbying activities by electronic means (online) for every legal act or a draft of the legal act, following the procedure laid down by the COEC not later than within 7 calendar days (in comparison with previous annual reports only) from the day of the beginning of a certain lobbying activity - verbal or written communication with lobbied person (by electronic means too) regarding certain provisions concerning the legal acts or administrative decisions. For that purpose COEC has set up a website www.lobistai.lt (The Register of Lobbyists) maintained by COEC. Registered lobbyists can easily sign in to this website and report lobbying activities.

Reports of lobbyists are public. Thus citizens will see who attempts to influence whom in government. The register will allow citizens to search the register by the part of the word.

It should be noticed that seeking to reduce negative perceptions about lobbying, COEC intends to organize training activities for state institutions, private sector, develop online resources and tools to raise public awareness and educate on lobbying activities. Consequently, COEC will seek that non-governmental organisations would also be included (as they don't included still) in regulation of lobbying.

⁸ Please find more detailed information below in the text.

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Article 8, paragraph 5

Lithuania's disclosure regime is divided in two components: (1) the disclosure of private interests in accordance to the Law on the Adjustment of Interests (under control of the COEC); and (2) the disclosure of assets and income of individuals in accordance to the *Law on Declaration of Property and Income of Residents*¹⁰ (under control of the State Tax Inspectorate). These two regimes seek to deter conflict of interest and illicit enrichment in the civil service, respectively.

The Law on the Adjustment of Interests obliges persons in public service¹¹ to disclose their private interests. This obligation addressed to healthcare personnel as well as experts and members of public procurement commissions and other persons mentioned in the Article 4 of this Law¹² too.

Each person obliged to submit the Declaration of private interest¹³ must disclose information about himself (herself) and his (her) spouse (or cohabitant, partner). The content of the Declaration is stated in the Article 6:

- 1) the name, surname, personal number (ID), number of the social insurance certificate, place of employment (places of employment) and position;
- 2) a legal person whose participant he/she or his/her spouse (cohabitee, partner) is;
- 3) individual activity as it defined in the Law on Personal Income Tax;
- 4) membership in and position in undertakings, establishments, associations or foundations, except of membership in political parties or trade unions;
- 5) gifts received within last twelve calendar months (except gifts received from close persons), if the value of this gift exceeds 150 euros;
- 6) information about the transactions concluded during the last twelve calendar months or other transaction which is valid, if the value thereof exceeds 3000 euros;
- 7) close persons or other persons or information who/which may cause the conflict of interest.¹⁴

The Declaration of private interest takes a place in electronic form only.¹⁵ It has to be submitted within *30 calendar days* from the date of being elected, employed or appointed to an office in the civil service. If the data given in the declaration have changed or new circumstances have appeared, the person must revise the declaration within *30 calendar days* from the day of change in the data.

¹⁰ For more information please see <http://www.vmi.lt/>.

¹¹ The Law *is applicable to* a very broad list of public servants and other persons working in civil service: politicians; public officers; public servants; judges; military officers; persons working in state or municipal undertakings, budgetary institutions and organizations if they have administrative powers vested in them; persons who are employed at public establishments which are financed from the Lithuanian national or municipal budget or funds and who have administrative powers vested in them; officers of Central bank who have administrative powers vested in them; the heads and deputies, as well as other persons who have administrative powers vested in them, working in joint stock companies or limited liability companies where state or municipality governs more than ½ of voices in general shareholders meeting. See Article 2, paragraph 1, The Law on the Adjustment of Interests.

¹² The Law is available on <http://vtek.lt/index.php/en> (please keep in mind that on 25 May, 2017 some amendments were made to the Law and there is no English version of them still. These amendments will come into force on January 1, 2018 – the list of persons obliged to disclose their interest will be much broader).

¹³ It should be stressed that the Declaration of private interests is differ from the Income Declaration and the Property Declaration (these declarations should be filled with the State Tax Inspectorate, not with the COEC).

¹⁴ The person concerned shall also give other data or specify other circumstances which, in his opinion, may give rise to a conflict of interest - In 2015 the COEC has created and adopted additional annex to the form of Declaration of private interests – here person employed in public service can disclose his (her) contacts with individual person or legal entity, if these contacts appeared because of person's (employed in public service) official activity and if these contacts can raise suspicions that conflict of interest exists.

¹⁵ Submitted via EDS system which is administrated by STI:

https://deklaravimas.vmi.lt/Pradinis_Prisijungimo_puslapis/Prisijungimasperisorinessistemas.aspx.

But if new circumstances that may rise to a conflict of interest appear, the person must modify the declaration immediately, but not later than within *7 calendar days* after this circumstances came to light. Thus, data on person's private interest should be real almost up-to-date.

It is important to mention that data on private interest of persons employed in the highest positions, such as state politicians, judges, heads and deputy heads of state and municipal institutions, managers of structural divisions, civil servants of political confidence, is public to society and is published on the web site of COEC.¹⁶

Such publicity, as well as other tools for accountability and promotion of integrity standards (i.e. trainings for civil servants, widespread educational anti-corruption projects, which are becoming more and more popular, respective media campaigns) empowers the engaging of civic society into the safeguarding of public interest. Besides that, it raises awareness of both the society and the public servants, strengthens their consciousness, intolerance to misusing of official powers and helps to rebuild public trust.

Statistics.

Under the recent data there are approximately 107 000 persons who has disclosed their interests. They submitted more than 274 000 declarations on private interest (this amount includes primary, renewed and modified declarations). More than 40 000 of them are publicly available.

Here is the rapidly rising dynamics for years 2015 - 2017:

	2015	2016	2017
Amount of submitted Declarations	160 000	230 600	274 134
Number of persons who disclosed their private interests	57 790	72 629	100 400 ¹⁷
Public Declarations	28 700	39 900	40 675

The COEC has made significant progress regarding strengthening of declaration system and making emphasis on corresponding supervision – it has established the Electronic information system of declarations of private interests (this system is called **IDIS**)¹⁸. The system was created as assisting tool for the heads of institutions, which enables them to review all declarations of persons holding office in the corresponding institution and, accordingly, make related recommendations to a particular person on how he could manage his private interest, etc.

The overall objectives of the system are to reinforce the prevention and detection of situations of non-compliance and of violations of applicable rules, to modernise the administration and operations of the COEC, to reinforce control over the information provided by civil servants and to enhance the conditions that will lead to unbiased and fair decisions by the civil service.

¹⁶ <http://www.vtek.lt/paieska/id001/paieska.php>. P.S. Partial data on assets could be published by State Tax Inspectorate in the manner prescribed by the laws.

¹⁷ It is expected that this number is going to grow up regarding to the amendment of the Law on Adjustment of Interests (came in to force on January 1, 2018), under which more persons will be obliged to make disclosure of their private interest (e.g. public procurement experts, members of boards in State and municipal enterprises).

¹⁸ <http://vtek.lt/IDIS/> (available in Lithuanian only).

Despite that the disclosure regimes in Lithuania are generally in line with standards of multinational organizations, IDIS system still requires too many operations to be carried in a manual way, and does not automatically identify if some of the information is missing from the disclosure. The IDIS system also does not feature built in safeguards to ensure the accuracy of the information. Thus further improvements in relation with leveraging the use of IT technologies is in consideration.

Currently one of the main goals for the COEC is to design and foster the *Register of Private Interests (PIR)*. This project is organized in a frame of the *National Fight against Corruption Program* and *Interinstitutional action plan to fight corruption*, and granted by European Union. The fostering actions are in process now. It is expected that the PIR will be operating since the end of 2019. This Register will unify data from separate state, municipal registers and data bases and it will strengthen prevention of corruption and management of private interests significantly:

- Person working in public service will get a user-friendly tool for disclosing his interests: he'll get an automatically pre-generated declaration, thus he wouldn't miss/forget to disclose any mandatory information. As a result, he would better realize his individual risks and be able to avoid conflicts of interest better.
- Control institutions (COEC, heads of respective institutions) will get efficient, faster tool for verifying of disclosed and detecting of not disclosed interests (new register will provide possibility for fast electronic cross-examination of data from distinct registers and databases). Moreover, it would empower them to foresee potential conflict in advance and give respective recommendations aimed to prevent and avoid the conflict.

The enforcement mechanism for the conflicts of interest

Lithuania has established a variety of bodies to investigate misconduct and unethical activity in the public service: the COEC, the Seimas Commission on Ethics and Procedure, permanent ethics commissions of municipal councils and Ethics Commissions within institutions.¹⁹ Each of them operates on their own legal basis. Thus, there are different procedures and different consequences for violators of respective laws.²⁰

Legislation regarding conflicts of interest, as it was mentioned previously, provided in the Law on the Adjustment of Interests. The purpose of this law is adjustment of private interests of persons employed in the civil service and public interests of the community, ensuring that holders of public office make decisions solely in terms of the public interests, securing the impartiality of the decisions being taken and preventing the emergence and spread of corruption in the civil service.

The enforcement mechanism for the Law on the Adjustment of Interests is shared between the COEC and the head of the relevant state or municipal bodies.²¹

¹⁹ The main responsibility for overseeing compliance by MPs with the rules on conflicts of interest and institutional ethics lies with the *Seimas Commission on Ethics and Procedure*, accordingly, in local municipalities – ethics commissions of each municipal council. State or municipal institutions usually have their own permanent or temporal ethics commissions.

²⁰ Procedures of investigations to be conducted by the COEC are prescribed by the Chapter four, The Law on the COEC; investigations to be conducted by ethics commission of municipal councils are prescribed by the Code of Conduct for State Politicians and the Law on Local Self-Government; procedural rules for investigations conducted in other institutions are prescribed by respective legal acts, e.g. Resolution Nr. 977, June 25, 2002, of the Government of Republic of Lithuania on Procedure For Imposing Disciplinary Sanctions On Civil Servants, etc.

²¹ When a person working in public service is suspected in possible conflict of interest the investigation has to be conducted by:

- the head (or body) of respective state or municipal institution on their own initiative; or

In case of violations (e.g. breaches of Code of Ethics) which were made by civil servants the applicable disciplinary sanctions²² for non-compliance with the obligations vary according to the gravity of the infraction: very serious infractions may be sanctioned with removal from service, while minor infractions will result merely in a warning. After the Civil Service Law (44 article 1 part 15 point) a dismissal from office as a disciplinary sanction may be imposed for official misconduct in office - an outrage of laws, determined the duties of civil servants also the rules of ethics, for example, abuse of office and violation of the requirements of the Law on the Adjustment and Civil Service Law, such conduct related to the responsibilities of the public servants which insults human dignity or discredits the authority of a state or municipal institution or agency, etc.

In accordance to the Law on the Adjustment of Interests there are some possible **consequences if person was recognized as violator**:

- As stated in Article 15, the mentioned Law, public servants and other persons in public service who were recognized as violators for disclosure their private interests, may not be provided with incentives for 1 year from the day when the breach came to light. If such person had breached other obligations or restrictions related with adjustment of interests, he (she) may not be provided with incentives, can't be promoted, appointed or elected to higher position for 1 year (in case of harsh violation – 3 years) from the day when the breach came to light. In case of expiration of official duties on any grounds this person may not be accepted to the public service for three years following the day the violation came to light. It should be stressed that rules of Article 15 (mentioned above) have to be applied in all cases, i.e. to every single person who was recognized as violator of respective Law;
- Person recognized as violator can be sanctioned *disciplinarily* (according to Article 29, the Law on Civil Service, possible consequences are: an admonition; a reprimand; a severe reprimand; dismissal from office) – disciplinary investigation and imposing of disciplinary sanctions depend not on COEC, but on executive officers (the heads of respective institutions). Even though the COEC doesn't have the competence to impose disciplinary sanction, it has the right to propose to the head of the state or municipal body, or the state or municipal institution or body of a higher subordination level to impose disciplinary penalties on the person who has committed the violation of the Law on the Adjustment of Interests or the Law on lobbying activities;
- *Administrative responsibility*. According to the Article 533, Code on administrative offences (which came into force only in January 1, 2017), violation of the Law on the Adjustment of Interests leads to the fine from 140 up to 300 euros (if the offence committed for the first time), from 300 up to 580 euros (if the offence is committed repeatedly). In that case the COEC makes a respective report and imposes sanction by itself.

According to the Article 505, Code on administrative offences, obstruction the activity of COEC (e.g. refusal to submit information necessary for performance of the duties of the COEC, etc.) can lead to a fine from 60 up to 600 euros for natural persons, and from 300 up to 1500 for heads of legal persons. In such case COEC has the right to make report of

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- the COEC; or
 - the COEC has the right to instruct the head (or body) of a state or municipal institution to conduct internal investigation, make a decision, submit it to the COEC, and, when the COEC disagreeing with the conclusion of the conducted investigation, the COEC may instruct to conduct investigation repeatedly or conduct investigation itself and take its own decision.

²² Decisions on disciplinary measures and notices of dismissal may be challenged in administrative courts.

administrative violation and appeal to the administrative court regarding imposition of administrative penalties on the person who has committed the violation.

- The COEC has the right to propose to a collegial state or municipal institution, the head of a state or municipal body or a state or municipal institution or body of a higher subordination level to repeal, suspend or amend the legal acts or decisions and transactions which do not meet the requirements of the Law on the adjustment of public and private interests in the public service or the Law on lobbying activities, or propose to take the measures which would prevent violations of other legal acts in the future;
- There are no *civil* and no *criminal* sanctions for violating the conflict of interest regulations. As well as not reporting known conflict of interest of co-worker or any other person. But the COEC has the right to refer collected material to a pre-trial investigation body or a prosecutor, when the elements of a criminal act have been determined, or propose to the prosecutor to appeal in accordance with the procedure laid down by law to the court regarding defence of the public interest;
- *Political responsibility* deals with politicians and public servants of political confidence mostly. Usually such responsibility related with the loss of impeccable reputation and in that case respective servant has to resign or be removed from the office. There were some situations when ministers resigned because of violation of conflict of interest regulations; or the President of Republic of Lithuania removed the head of state institution from his office because of loss of political trust on respective reason.

Furthermore, *responsibility for politicians'* is stated in the Code of Ethics for State Politicians. In accordance with Article 6, the supervising body for members of Parliament is Commission for Ethics and Procedures of the Seimas; for members of municipal councils – municipal ethics commissions. These commissions shall take one of decisions, stated in Article 9, Code of Conduct for State Politicians:

- certify that a person has violated (or not violated) the provisions of ethical policies (including conflict of interest regulations);
- give recommendation to adjust person's conduct with ethical principles and requirements (including conflict of interest regulations);
- give recommendation to apologize publicly because of non-ethical conduct;
- in case of suspicions in criminal conduct – transfer the information to pre-trial institutions or to prosecutor's office.

*Statistics*²³

Decisions of institutional investigations *conducted by the heads/bodies of state/municipal institutions* (revised by the COEC) and quantity of certified breaches of the Law on adjustment of public and private interests:

Year	Revised decisions	Certified violations
2013	42	27

²³ Statistical data provided in the Annual Report of activity of the COEC, 2017: <http://www.vtek.lt/index.php/administracine-informacija/metines-veiklos-ataskaitos> (in Lithuanian only).

2014	31	20
2015	108	76
2016	115	80
2017	760 ²⁴	564

Investigations conducted by the COEC:

Year	COEC decisions	Violations certified in COEC decisions
2013	141	53
2014	126	26
2015	69 * ²⁵	25
2016	82	34
2017	185	139

Overall statistics for the last four years (dealing with conflicts of interest only²⁶):

Year	Investigations	Certified violations
2013	183	80
2014	157	46
2015	177	101

²⁴ There were 1027 decisions in 2017 and 760 of them have been revised by the COEC till now.

²⁵ Quantity of investigations conducted by the COEC has decreased and, accordingly, quantity of investigations conducted by respective institution has increased, because the COEC changed its strategy and started to engage state/municipal institutions more often (COEC calls them to conduct investigation themselves) rather than conduct investigations itself.

²⁶ Even though the heads of state/municipal institutions are obliged to inform the COEC on their investigations and decisions, not all of them fulfil this obligation, so the COEC doesn't have full data on violations. Moreover, the COEC doesn't collect information on sanctions which were imposed on respective violators. This means that the COEC is able to submit fragmental information only.

In accordance to *the Strategic plan of activity for the 2017-2019*, the COEC intends to develop permanent monitoring on enforcement of its decisions and on sanctions imposed on respective violators.

2016	197	114
2017	945	703

Persons in public service violate obligation to avoid conflict of interests (e.g. in 2013 - 32 certified violations, in 2014 – 20 violations) and requirements for self-exclusion (in 2013 – 28 violations, in 2014 – 19 violations) mostly.

Court proceedings dealing with complaints on decisions of the COEC:

Year	Number of proceedings
2015	18
2016	26
2017	64

It should be stressed that only few decisions of the COEC were cancelled by the Court in last years.