

Standing and operational space of non-governmental organisations (NGOs) in contributing to respecting and promoting fundamental rights in EU Member States Lithuania 2017

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1 Regulatory environment for the work of non-governmental organisations

Title of legislation and reference	Topic (please make reference to categories A-F see guidelines)	Effect on civil society (positive or negative) Please include reference to source of information
1. Law on the development of non-governmental organizations (<i>Nevyriausybių organizacijų plėtros įstatymas</i>) ¹	C	Among the main strengths of the new law, feature the incorporation of the definition of NGO into the Lithuanian legal system, the distinction between public benefit and group benefit NGOs and the clear establishment of the principles of collaboration between the government and NGOs. In addition, the above mentioned elements are also key to a successful development of the sector. ²
2. Order of the Minister of Social Security and Labour on the approval of the action plan on the development of NGOs and communities for 2014-2016 (<i>Socialinės apsaugos ir darbo ministro įsakymas „Dėl</i>	C	The Action plan includes various measures for the development of NGOs and communities, namely the funding for projects on the improvement of the institutional structure of NGOs; events (seminars, conferences) for the exchange of good

¹ Lithuania, Seimas of the Republic of Lithuania (*Lietuvos Respublikos Seimas*) (2014), Law on the development of non-governmental organizations (*Nevyriausybių organizacijų plėtros įstatymas*), No. XII-717, 19 December 2013, available in Lithuanian at: <https://www.e-tar.lt/portal/lt/legalAct/d1e6be90747611e3b675ad30753d4b1b>. All hyperlinks were accessed on 28 February 2017.

² Lithuania, NGO Law institute (*NVO teisės institutas*) (2013), Lithuania adopted a new Law on NGO's Development (*Lietuvoje priimtas naujas nevyriausybių organizacijų plėtros įstatymas*).

<i>Nevyriausybinių organizacijų ir bendruomenių plėtros 2014–2016 metų veiksmų plano patvirtinimo”³</i>		practices between NGOs; trainings for the members of NGOs, etc.
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2 EU Member State government funding for non-governmental organisations – trends and developments 2011-2016

2.1 Overall amount of government funding

Information on the overall amount of government funding for non-governmental organizations working on fundamental rights is not available in Lithuania. The Statistics Lithuania provides information on the funding of membership organizations, which include political parties, trade unions, business and employers’ associations and other associations. NGOs are covered by the last group together with other organizations. It should be noted, that until 1 April 2014 when the Law on the development of non-governmental organizations entered into force, there was no definition of NGOs in the legislation of Lithuania. The table below demonstrates that the funding for various associations, including NGOs, has slightly increased recently, however, still did not reach the level of 2011.

Other associations (societies, unions, clubs, non-governmental organizations and other membership organizations) EUR thousand	
2011	15,025.2
2012	10,141.7
2013	11,499.8
2014	11,525.1
2015	13,391

³ Lithuania, Ministry of Social Security and Labour (*Socialinės apsaugos ir darbo ministerija*) (2014), Order on the approval of the action plan on the development of NGOs and communities for 2014-2016 (*Įsakymas „Dėl Nevyriausybinių organizacijų ir bendruomenių plėtros 2014–2016 metų veiksmų plano patvirtinimo”*), No. A1-179, 2 April 2014, available in Lithuanian at: <https://www.e-tar.lt/portal/lt/legalAct/562ae970b97211e3ad2eed5a4e1b7108/YDhSPBdUjr>.

Source: Statistics Lithuania⁴

2.2 Distribution of government funding

Information on the distribution of government funding is not available. Usually, government funding for NGOs is based on thematic sectors, for instance, youth, culture, sports, education, etc. Main government funding sources for NGOs are thematic programs and support funds, coordinated by the ministries or instructions subordinated by them. In the majority of cases, funding based on these programs is small-scale and/or only partial funding for the projects or activities is provided⁵.

2.3 Restrictions (or other changes) on NGO funding from other sources

Restrictions are not applicable on the NGO funding from other sources.

3 Access to the decision-making process for non-governmental organisations working on fundamental rights

Title of legislation/policy	Reference	Short summary (max 500 characters)
Order of the Minister of Social Security and Labour on the approval of guidelines for the	No. A1-755, 17 December 2015 ⁶	The order partly requires the NGOs who implement projects, have to pay salaries to their

⁴ Lithuania, Statistics Lithuania (2016), Funds of membership organizations (*Narystės organizacijų lėšos*), 23 September 2016, available in English at: <http://osp.stat.gov.lt/en/rodikliai19>.

⁵ Lithuania, Non-Governmental Organisation Information and Support Centre (2014), *Nevyriausybių organizacijų ir valstybinio sektorių bendradarbiavimas. Studija* (Cooperation of NGOs and Public Sector. Research Study), available in Lithuanian at: http://www.3sektorius.lt/docs/NVOdalyvavimasSFVPstudija_2014-03-20_15:31:07.pdf.

⁶ Lithuania, Ministry of Social Security and Labour (*Socialinės apsaugos ir darbo ministerija*) (2015), Order on the approval of guidelines for the selection of projects for the strengthening the NGO sector to be funded in 2016 and for the formation of the evaluation and selection commission (*Įsakymas „Dėl Nevyriausybių organizacijų sektoriaus stiprinimo projektų finansavimo 2016 metais atrankos konkurso organizavimo nuostatų patvirtinimo ir Projektų vertinimo ir atrankos komisijos sudarymo“*), No. A1-755, 17 December 2015, available in Lithuanian at: <https://www.e-portal.lt/portal/lt/legalAct/3d4486b0a49d11e5be7f919a1ebe/WKfMiHNWyx>.

<p>selection of projects for strengthening the NGO sector to be funded in 2016 and for the formation of the evaluation and the selection of the commission</p> <p><i>(Socialinės apsaugos ir darbo ministro įsakymas „Dėl Nevyriausybinų organizacijų sektoriaus stiprinimo projektų finansavimo 2016 metais atrankos konkurso organizavimo nuostatų patvirtinimo ir Projektų vertinimo ir atrankos komisijos sudarymo“)</i></p>		<p>employees who are working under a contract, in order to be in line with the rules applicable to the employees of the budgetary institutions and organizations. However, such a requirement is against the nature of NGOs and limits their ability to make decisions.</p>
<p>Order of the State Data Protection Inspectorate (<i>Valstybinė duomenų apsaugos inspekcija</i>) on the data administration.</p>	<p>No. 2R-7346, 17 November 2016⁷</p>	<p>State Data Protection Inspectorate (<i>Valstybinė duomenų apsaugos inspekcija</i>) decided to consider emails, which contain invitations to join civil initiatives, without prior consent of the recipient as direct marketing. Therefore, NGOs who send emails which contain invitations to public events or information on civil initiatives,</p>

⁷ Lithuania, State Data Protection Inspectorate (*Valstybinė duomenų apsaugos inspekcija*) (2016), Order on the data administration, No. 2R-7346, 17 November 2016, available in Lithuanian at: http://www.transparency.lt/wp-content/uploads/2016/12/VDAI_nurodymas_2R-7346.pdf.

		could be fined by up to €3000. A group of NGOs addressed this issue to the Minister of Justice (<i>Teisingumo ministerija</i>) ⁸ .
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4 Further information

No further information is relevant.

⁸ Lithuania, Transparency International Lithuania (2017), NGOs expressed concern regarding limitations on their activities (*NVO reiškia susirūpinimą dėl jų veiklos suvaržymo*), Press release, 1 February 2017, available in Lithuanian at: <http://www.transparency.lt/nvo-reiskia-susirupinima-del-ju-veiklos-suvarzymo/>.