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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## Regulatory environment for the work of non-governmental organisations

<table>
<thead>
<tr>
<th>Title of legislation and reference</th>
<th>Topic (please make reference to categories A-F see guidelines)</th>
<th>Effect on civil society (positive or negative)</th>
<th>Please include reference to source of information</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Law on the development of non-governmental organizations (<em>Nevyriausybinių organizacijų plėtros įstatymas</em>)&lt;sup&gt;1&lt;/sup&gt;</td>
<td>C</td>
<td>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.&lt;sup&gt;2&lt;/sup&gt;</td>
<td></td>
</tr>
</tbody>
</table>

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 (*Socialinės apsaugos ir darbo ministro įsakymas „Dėl įstatymo“*) | 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 | 

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

<sup>2</sup> Lithuania, NGO Law institute (*NVO teisės institutas*) (2013), Lithuania adopted a new Law on NGO’s Development (*Lietuvoje priimtas naujas nevyriausybinių organizacijų plėtros įstatymas*).
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.

<table>
<thead>
<tr>
<th>Other associations (societies, unions, clubs, non-governmental organizations and other membership organizations)</th>
<th>EUR thousand</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011</td>
<td>15,025.2</td>
</tr>
<tr>
<td>2012</td>
<td>10,141.7</td>
</tr>
<tr>
<td>2013</td>
<td>11,499.8</td>
</tr>
<tr>
<td>2014</td>
<td>11,525.1</td>
</tr>
<tr>
<td>2015</td>
<td>13,391</td>
</tr>
</tbody>
</table>

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 provided.

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

<table>
<thead>
<tr>
<th>Title of legislation/policy</th>
<th>Reference</th>
<th>Short summary (max 500 characters)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Order of the Minister of Social Security and Labour on the approval of guidelines for the</td>
<td>No. A1-755, 17 December 2015⁵</td>
<td>The order partly requires the NGOs who implement projects, have to pay salaries to their</td>
</tr>
</tbody>
</table>


⁶ Lithuania, Ministry of Social Security and Labour (Socialinės apsaugos ir daarbo 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 Nevyriausybinių organizacijų sektoriaus stiprinimo projektyų finansavimo 2016 metais atrankos konkurso organizavimo nuostatų patvirtinimo ir Projektyų vertinimo ir atrankos komisijos sudarymo“), No. A1-755, 17 December 2015, available in Lithuanian at: https://www.etar.lt/portal/lt/legalAct/3d4486b0a49d11e5be7fbe3f919a1ebe/WKfMiHNWyx.
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 (Socialinės apsaugos ir darbo ministro įsakymas „Dėl Nevyriausybinių organizacijų sektoriaus stiprinimo projektų finansavimo 2016 metais atrankos konkurso organizavimo nuostatų patvirtinimo ir Projektų vertinimo ir atrankos komisijos sudarymo“)

Order of the State Data Protection Inspectorate (Valstybinė duomenų apsaugos inspekcija) on the data administration.

No. 2R-7346, 17 November 2016  

State Data Protection Inspectorate (Valstybinė duomenų apsaugos inspekcija) 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,

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.

could be fined by up to €3000. A group of NGOs addressed this issue to the Minister of Justice (Teisingumo ministerija).  

4 Further information

No further information is relevant.

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