

END-TERM SELF-ASSESSMENT REPORT ON 2021-2023 ACTION PLAN FOR LITHUANIA'S PARTICIPATION IN THE INTERNATIONAL INITIATIVE 'OPEN GOVERNMENT PARTNERSHIP'

2023
Vilnius

On 16 June 2021, the Government of the Republic of Lithuania approved the fifth 2021-2023 Action Plan for Lithuania's participation in the international initiative 'Open Government Partnership' (hereinafter 'the Open Government Plan'). The Action Plan provides for the main initiatives of the Open Government, the guidelines for their implementation, actions, implementing bodies and expected results. Openness in public governance is an aspiration outlined in many other country's strategic documents. One of the objectives of the 2021-2030 National Progress Plan (hereinafter 'the National Progress Plan') is to improve public governance framework, enhance its efficiency and transparency. It serves as the basis for the 2022 Public Governance Development Programme and its progress measure 'Enabling the development of openness in the public sector'. The aspiration for openness has certainly found a place in the Programme of the Eighteenth Government of the Republic of Lithuania, which highlights key operating principles (open data, accountability, discussion- and knowledge-based decisions, cooperation, interest adjustment, building reputation, and government's open communication), which reflected in the 2021-2023 Open Government Plan and serve as a roadmap for continuing Open Government initiatives.

The Open Government Plan provides for 3 commitments:

1. Ensuring public access to beneficial ownership data;
2. Opening up public procurement data;
3. Assessing impact of draft decisions and making the results publicly available.

To strengthen the focus on openness in public governance, the Government has additionally committed to implement the following actions from 2021 to 2023 as part of the plan for implementing the provisions of the Programme, while ensuring that these actions are conducted innovatively, openly, and in accordance with the principles of inclusive consultation:

1. Building a platform for monitoring NGO funding, and developing an NGO database;
2. Introducing participatory democracy instruments of the Organisation for Economic Co-operation and Development (OECD);
3. Providing for a possibility to observe court hearings remotely;
4. Facilitating universal, standardized, and evidentiary electronic communication between the government and its citizens through e-delivery.

These commitments are in line with the values of transparency, public involvement, and accountability, and they cover the following guidelines for development:

- developing the digitalisation of the public sector,
- implementing the public policy for open data,
- increasing confidence in the justice system,
- zero tolerance for corruption,
- quality and inclusive legislation,
- an innovative public sector that is responsive to the needs of society,
- development of e-Government and other e-services, etc.

The Action Plan was drawn up by an inter-institutional Working Group set up through Order No V-18 of the Chancellor of the Government of 21 February 2014 (hereinafter 'the Working Group'), which brought together members from academic community, associations, non-governmental organisations, public institutions, the public sector, etc.

In line with the requirements of the international initiative 'Open Government Partnership', society was consulted about the preparation of the Action Plan through a public consultation on the e-citizen portal. To pinpoint the most appropriate ideas, consultations were held with representatives of ministries and other institutions. The Working Group discussed priority measures and systemic tools.

The Action Plan progress was self-assessed in midterm report, which was published as Midterm Self-Assessment Report on the Action Plan for Lithuania's participation in the International Initiative 'Open Government Partnership': <https://epilietis.lrv.lt/lt/naujienos/ipusejo-5-tojo-tarptautines-iniciatyvos-atviros-vyriausybes-partneryste-veiksmu-plano-igyvendinimas>. Carrying out the Plan entailed ongoing communication with the implementing bodies, active participation in working group meetings, and staying informed about the latest status of actions.

All the information pertaining to Lithuania's participation in the International Initiative 'Open Government Partnership' is available at the Government website <https://epilietis.lrv.lt/atviros-vyriausybes-partneryste>.

RESULTS OF THE ACTION PLAN

Implementation of the commitments under the Action Plan

		Not started	Started	Half-way through	Completed
1.	Ensuring public access to beneficial ownership data				X
2.	Opening up public procurement data				X
3.	Assessing impact of draft decisions and making the results publicly available				X

Implementation of Government's additional commitments

		Not started	Started	Half-way through	Completed
1.	Building a platform for monitoring NGO funding, and to develop an NGO database			X	
2.	Introducing participatory democracy instruments of the Organisation for Economic Co-operation and Development (OECD) ¹				X
3.	Providing for a possibility to observe court hearings remotely				X
4.	Facilitating universal, standardized, and evidentiary electronic communication between the government and its citizens through e-delivery			X	

¹ **Note.** In the revised plan for implementing the provisions of the programme of the 18th Government, the title of this action will be changed to 'Introducing a participatory democracy instrument to enhance public and NGO involvement in decision-making processes'.

1. ENSURING PUBLIC ACCESS TO BENEFICIAL OWNERSHIP DATA	
1 January 2021 - 31 December 2021	
Lead implementing agency	State Enterprise Centre of Registers (hereinafter 'the Centre of Registers')
Commitment description	
Status quo and problem addressed through the commitment	<p><i>Status quo:</i> Directive (EU) 2015/849 obligates Member States to ensure that beneficial ownership information is stored in a central register of each Member State. This requirement is transposed into Lithuania's national law through the Law on Prevention of Money Laundering and Terrorist Financing, which provides for obligation for legal entities to obtain, update and store accurate information on their beneficial owners and submit this information to the Information System of Participants of Legal Entities (<i>Lithuanian:</i> JADIS) Although Article 25(1) stipulating this obligation entered into force on 1 January 2019, Lithuania has failed to put in place JADIS Subsystem of Beneficial Ownership to date, as no public funds have been allocated to this effect.</p> <p>The problem: absence of JADIS Subsystem of Beneficial Ownership to collect beneficial owners' data needed to prevent money laundering and terrorist financing and to combat informal economy; Directive (EU) 2015/849 is not implemented, and public access to beneficial ownership data is not ensured.</p>
Problem solution/commitment	Put in place the JADIS Subsystem of Beneficial Ownership to handle data of beneficial owners of legal entities.
Main objective	Up and running JADIS Subsystem of Beneficial Ownership.
How will the commitment contribute to address the public problem?	The JADIS Subsystem of Beneficial Ownership will provide for the collection of beneficial owners' data needed to prevent money laundering and terrorist financing and to combat informal economy; Directive (EU) 2015/849 will be implemented and public access to beneficial ownership data will be ensured.
How is the commitment relevant to the values of transparency, accountability and civic participation?	<p>This commitment will open up data and increase public access to information:</p> <p>Once the commitment has been fulfilled and the Information System of Participants of Legal Entities (JANGIS) has become operational, any interested party will be able to access a very wide range of information regarding beneficial owners of legal entities (such as legal entity code, name, head office; date of</p>

	<p>last revision; beneficial owner's given name and surname, year and month of birth, country of residence, nationality, ownership and/or control rights; scope of ownership rights (shares or voting rights) held by the direct owner (percentage).</p> <p>The commitment will improve conditions for civil society.</p> <p>The commitment will improve conditions in terms of increasing public sector accountability for their actions. Once the commitment has been fulfilled, the beneficial owners' data will be accessible to society, whose active citizens will be able to better judge the interests of those involved in public administration and make a direct influence when electing representatives of state institutions.</p>			
Completion stage	Not started	Started	Half-way through	Completed
				X
Description of concrete results	<p>The JADIS Subsystem of Beneficial Ownership was launched on 3 January 2022. From the beginning of January 2022, legal persons whose beneficial owners are direct owners or natural persons who otherwise control or have other control rights over the legal person and who do not control the legal person through joint ownership, could start submitting data on their beneficial ownership to the JADIS Subsystem of Beneficial Ownership. Starting from 1 August 2022, the JADIS Subsystem of Beneficial Ownership became accessible, and it now can be used in its entirety for the submission and retrieval. Starting from October 2022, data retrieval from the JADIS Subsystem of Beneficial Ownership became available for data retrieval requests at the customer service units of the Centre of Registers. The availability of data is subject to the ECJ's judgment of 22 November 2022 in joined cases C 37/20 and C 601/20.</p>			
Next steps	<p>the JADIS Subsystem of Beneficial Ownership will continue to undergo improvement through the following steps: adapting the subsystem for use by foreigners, enhancing both the functional and visual components of the ADIS Subsystem of Beneficial Ownership;</p> <p>other necessary functional changes resulting from legislative changes and customer needs.</p>			
Milestone status		Start date	End date	Completion stage
Drawn up designing documentation, architectural documentation, etc.		29 March 2021	9 July 2021	Completed
Transfer of analysis results to the task management system, agreeing on the		5 April 2021	9 July 2021	Completed

prototype, procurement of development competencies			
Software ready for installation. Programming and software configuration works carried out to functional and non-functional requirements	12 July 2021	29 October 2021	Completed
The new software introduced in a testing environment; preparation of acceptance testing scenarios and testing methodology as well as a plan; successful completion of acceptance testing	23 July 2021	10 December 2021	Completed
The new software introduced in field environment	1 December 2021	31 December 2021	Completed
System launched to be used by consumers	1 January 2022	3 January 2022	Completed
Contact information			
Lead implementing agency	Centre of Registers		
Persons in charge	Viktorija Gegžnaitė-Iljina		
Title, department	Product Manager, the JADIS Subsystem of Beneficial Ownership, Business IS Division, Centre of Registers		
email and phone	email: Viktorija.Gegznaite-Iljina@registrucentras.lt , Phone: +370 660 73458		

2. OPENING UP PUBLIC PROCUREMENT DATA	
1 January 2021 - 30 November 2022	
Lead implementing agency	Public Procurement Office
Commitment description	
Status quo and problem addressed through the commitment	The Public Procurement Office publishes public procurement notices, reports, annual procurement plans and contracts through the tools of the Central Public Procurement Information System (hereinafter 'the CPPIS'). Public procurement data are not conveniently displayed for analysis of efficient and transparent use of funds. To change this situation, data on public procurement notices, reports, annual procurement plans and contracts will be opened up.
Problem solution/commitment	<p>The problem will be addressed through the development of technological capabilities for publishing public procurement data.</p> <ul style="list-style-type: none"> • Compiling raw public procurement data sets and their metadata. • Publishing public procurement data on the Open Public Procurement Data Portal. <p>Generating data from raw data in the <i>Open Contracting Data</i> format.</p>
Main objective	Opening up public procurement data on the Open Public Procurement Data Portal.
How will the commitment contribute to address the public problem?	The creation of an open Public Procurement Data Portal will provide access for procurement promoters, citizens and businesses to cross-cutting public procurement data, and publicity is the most effective tool to achieve transparency in public procurement.
How is the commitment relevant to the values of transparency, accountability and civic participation?	<p>Opening up public procurement data is one way to increase the transparency and accountability in public procurement:</p> <ul style="list-style-type: none"> • it will improve the value added of procurement and help the state to save public finances; • it will help create a fairer business environment; • it will provide for better communication with the public and increase trust; <p>it will reduce circumstances conducive to corruption.</p>
Additional information	The Public Procurement Office is implementing data opening through its own efforts. The data will be later transferred to the

	Information Society Development Committee in the framework of the project 'Implementation of open data platforms enabling effective public-sector information reuse for business and creation of data management tools'.			
Completion stage	Not started	Started	Half-way through	Completed
				X
Description of concrete results	Merging of existing data according to the OCDS standard structure.			
Next steps	Data will be published when the Saulė (Sun) IS project starts.			
Milestone status		Start date	End date	Completion stage
Compiling public procurement data sets (international, simplified procedure and low value procurement reports and contracts) and their metadata		1 June 2020	31 December 2020	Compiled
Compiling data sets for concessions and defence sector reports and their metadata		1 June 2020	31 March 2021	Compiled
Publishing public procurement data on the Open Public Procurement Data Portal		1 June 2020	31 December 2020	Completed. Prepared
Opening up data in Open Contracting Data format		1 January 2021	31 December 2022	Completed. Prepared. Data will open up with the start of the Saulė IS project.
Contact information				
Lead implementing agency	Public Procurement Office			
Persons in charge	Marius Žemaitis			
Title, department	Head of Electronic Procurement Unit			
email and phone	email: marius.zemaitis@vpt.lt , tel: +370672.30.615.			
Other actors involved				

Ministries, departments/agencies	
Civil society organisations, private sector, multilaterals, working groups	The opening of data in the Open Contracting Data format involves procurement of a public consultation.

3. ASSESSING IMPACT OF DRAFT DECISIONS AND MAKING THE RESULTS PUBLICLY AVAILABLE	
<i>31 January 2021 - 1 October 2022</i>	
Lead implementing agency	The Office of the Government
Commitment description	
Status quo and problem addressed through the commitment	<p>Under Article 15 of the Law on Legislative Framework, when drawing up a draft legal act, which provides for the regulation of previously unregulated relations, also whereby legal regulation is substantially amended, impact assessment must be carried out. The comprehensiveness of this assessment must be proportionate to the likely consequences of the envisaged legal regulation.</p> <p>According to Article 15(3) of the Law on Legislative Framework, the results of assessment of the effect of envisaged legal regulation provided for in a draft law or another draft legal act of the Seimas shall be presented in an explanatory note or a separate document, e.g., following the Regulatory impact assessment guidelines, the results of the impact assessment may be presented in a regulatory impact assessment certificate. Also, following Articles 21.2 and 38.1 of the Rules of Procedure of the Government of the Republic of Lithuania, the letter submitting a draft proposal for feedback or for Government's consideration must specify the problem addressable through this legislative proposal, the merits of the regulation proposed through the legislative proposal: solution of the issue (solution measures), solution costs, benefits and/or expected outcomes. Information must be concise, the problem to be addressed must be substantiated by data, the costs and benefits of the implementation of the proposed solution must be substantiated by quantitative and/or qualitative assessments.</p> <p>All draft legislation and accompanying documentation (submission, explanatory note, regulatory impact assessment certificate, etc.) must be published in the Legal Acts Information System (<i>in Lithuanian</i>: TAIS), which is free and accessible to all the people and stakeholders. Hence, impact assessment of legislative proposals is available to the public at large, including academic and business communities and all the stakeholders. However, such publication of results of the assessment of the potential regulatory impact is not always acceptable to the public, so there is a need to publicise certain Government decisions in a more publicly acceptable and comprehensible form.</p>

	<p>The Government can annually approve up to 1,400 different decisions, which greatly differ in terms of their scope and diversity of matters to be regulated but also in terms of their importance (as legislation is improved and amended both in editing as well as technical terms) and the extent of possible consequences. For example, on average, out of the 1,400 Government-approved decisions per year, only about 170 are related to the approval of respective legislative project packages. As we know, all the key provisions of state-regulated societal relations must be consolidated in law, hence, presumably it would be best to find ways to inform the public in simple and clear language about positive and/or negative consequences of key laws that are or will be deliberated by the Government.</p> <p>Every six months, the Government selects, from its legislative plan, draft legislation that can potentially have higher impact. Projects are selected on the basis of higher impact criteria agreed by the Government. The number of such projects ranges on average from 8 to 10 in six months. If higher impact legislation is selected, it is appropriate that during public consultations and/or adoption of such legislation the public is informed in greater detail and in a more comprehensible and accessible manner about the expected benefits and consequences.</p> <p>It would also be appropriate to store and publicise the results of impact assessments of the selected higher-impact legislation in one place making them accessible to the general public and academia, as well as to all the stakeholders.</p>
<p>Problem solution/commitment</p>	<p>Develop a mechanism for presenting the expected benefits and potential consequences of Government decisions that may have a considerable impact on society, in full or in part, or on certain specific target groups in a comprehensible and publicly acceptable manner.</p>
<p>Main objective</p>	<p>Provide clear and comprehensible public information about the expected benefits and costs of potentially higher-impact legislation under Government's consideration, and underlying reasons for the specific decisions.</p>
<p>How will the commitment contribute to address the public problem?</p>	<p>The mechanism for presenting the expected benefits and potential consequences of Government decisions that may have a considerable impact on society in a simple and publicly accessible and convenient manner will enable public access to and better understanding of Government decisions and their expected benefits and consequences after enactment.</p> <p>The introduction of standardised publicity of the benefits and consequences of the proposed regulation is expected to lead to a more cautious approach by law-drafting civil servants in</p>

	<p>their assessment and documentation of potential benefits and consequences for the general public or certain target groups.</p>			
<p>How is the commitment relevant to the values of transparency, accountability and civic participation?</p>	<p>The commitment will increase the dissemination of information on the expected benefits and consequences of higher-impact legislation under Government’s deliberation to the public and certain target groups, and it will directly contribute to increasing public accountability and transparency in decision-making.</p> <p>Simpler and clearer information to the public about potential benefits and costs of Government decisions will help the public to better understand and judge decisions and discuss their reasonableness.</p> <p>The implementation of the commitment can encourage civil servants, who draft legislation on publicly relevant issues, to carry out public consultations during the decision-making phase, which would contribute to public involvement in public governance and public policy solutions.</p>			
<p>Completion stage</p>	<p>Not started</p>	<p>Started</p>	<p>Half-way through</p>	<p>Completed</p>
				<p>X</p>
<p>Description of concrete results</p>	<p>In 2022, Resolution of the Government amending Resolution No 728 of the Government of the Republic of Lithuania of 11 August 1994 ‘On the approval of the Rules of procedure of the Government of the Republic of Lithuania’ approved significant changes to the Rules of procedure of the Government of the Republic of Lithuania, thereby contributing to the implementation of the action:</p> <ol style="list-style-type: none"> 1. The requirements for the submission of draft legislation for feedback (paragraph 21) have been elaborated. They provide that the letter should contain essential information on the problem addressed by the legislative act, its causes, the solution to the problem and its rationale, and the mechanism for the implementation of the legislative act. Information must be concise, the problem to be addressed must be substantiated by data, the costs and benefits of the implementation of the proposed solution must be substantiated by quantitative and/or qualitative assessments. 2. The principles underlying the relationship between the public and the Government have been expanded (114’). Main principles: public, planned Government operation through increased scope, availability and use of public information and of open data to help the public better understand 			

	<p>Government decisions; accountability through information on government decisions, work completed, results achieved, resources allocated and used, etc. made public in an acceptable form for the people; public engagement in the public consultation process and submitting proposals to the Government; and cooperation with stakeholders from different sectors. Decisions taken must be communicated to the public in a consistent manner and in a form acceptable to the public.</p> <p>E-citizen website on My Government portal contains Government's lawmaking plan, which lists all the legislation to be adopted, the expected timelines, also highlighting the higher-impact legislation.</p> <p>3. To ensure the quality in decision-making, a consistent effort is being made to embed the principle of data-driven decision-making. Starting on 1 January 2023, an amendment to the Law on Official Statistics and State Data Governance came into effect. It now mandates that when proposing new laws to the Government for consideration, any actions or measures must be backed up with data. This law also outlines the State Data Governance Programme for 2023, which includes various tasks like a data lake, data integration, administration of the State Data Governance platform, organizing and coordinating its use, and more.</p>		
Next steps	<p>The amended Rules of Procedure will serve as the basis for building best practices in the provision of information on draft legislation.</p> <p>2024-2025 Open Government Plan provides for the implementation of actions to ensure the quality and publicity of lawmaking ('Streamlining the legislative decision-making process at the institutional and Government levels and establishing a common framework for legislative oversight', responsible bodies – the Ministry of Justice, and the Office of the Government). The objective is to establish well-structured and high-quality legislative processes that facilitate public consultation and evidence-based decision-making.</p>		
Milestone status	Start date	End date	Completion stage
Developing a mechanism (process) for informing the public about expected benefits and consequences of potentially higher-impact legislation under Government's deliberation. The	1 March 2021	1 May 2021	Completed

mechanism should cover the responsibilities and duties of the participants in the process (Office of the Government and ministries), deadlines, ways of sharing information, etc.			
Developing a template for a press release (or other chosen method) to provide information to the public in a uniform manner. The template should set out the requirements and clearly structure the content of the information to be published. Public relations staff should be involved in the development of the template	1 May 2021	1 July 2021	Completed
Presenting the results of steps 1 and 2 to decision makers	1 July 2021	1 September 2021	Completed
Publishing the results of the assessment of higher-impact legislation on My Government portal. Publish structurally in one place the results of impact assessments	31 January 2021	31 January 2022	Completed
Contact information			
Lead implementing agency	The Office of the Government		
Persons in charge	Daiva Žaromskytė-Rastėnė		
Title, department	Head of Strategic Management Group		
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Other actors involved			
Ministries, departments/agencies	Public Relations Unit, Office of the Government Open Government Group, Office of the Government Ministerial units in charge of public relations Ministerial sector-specific units involved in drafting of higher-impact legislation		