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REPORT ON POLITICAL PARTICIPATION OF MOBILE EU CITIZENS: LITHUANIA

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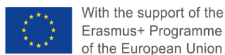
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Report on Political Participation of Mobile EU Citizens

Lithuania

Ramutė Ruškytė¹

Abstract:

In Lithuania, EU citizens and permanently resident third-country nationals have the right to vote in and stand for local elections. Furthermore, EU citizens enjoy the active and passive electoral rights for European Parliament (EP) elections held in Lithuania. Lithuanian citizens, who are either temporarily or permanently resident abroad, also have the right to vote in national and EP elections. Despite Lithuania having a number of measures in place, which significantly facilitate the casting of the ballot, the turnout of resident non-national EU citizens and non-resident Lithuanian nationals remains low. Possible facilitators would be to provide information regarding elections in more EU languages, and to disseminate that information more widely and effectively.

Rezumė:

Lietuvoje ES piliečiai ir nuolat gyvenantys trečiųjų šalių piliečiai turi teisę balsuoti ir kandidatuoti savivaldos rinkimuose. Be to, Lietuvoje vykstančiuose rinkimuose į Europos Parlamentą ES piliečiai naudojami pasyviaja ir aktyviaja rinkimų teise. Lietuvos piliečiai, kurie laikinai ar nuolat gyvena užsienyje, taip pat turi teisę balsuoti nacionaliniuose rinkimuose ir rinkimuose į Europos Parlamentą. Nors Lietuva taiko keletą priemonių, kurios gerokai palengvina balsavimą, Lietuvoje gyvenantys ES (ne Lietuvos) piliečiai ir Lietuvoje negyvenantys Lietuvos piliečiai rinkimuose menkai dalyvauja. Paskatinti dalyvauti rinkimuose būtų galima informaciją, susijusią su rinkimais, skelbiant daugiau ES kalbų, taip pat šią informaciją skleidžiant plačiau ir veiksmingiau.

¹ Lithuania country expert.

1. Introduction

Non-resident Lithuanian citizens have the right to vote in national legislative and European Parliament (EP) elections held in Lithuania (see Table 1). Citizens are automatically registered and may vote by post or in diplomatic missions. The right to stand as a candidate in national and EP elections is more limited. Only civil servants at diplomatic missions and their families, as well as at EU and international institutions, and the military personnel, who are considered to be temporarily abroad and still qualify as in-country residents may stand as candidate.

Non-citizen residents enjoy some voting rights in Lithuania. EU citizens generally have the right to vote and stand as candidates in EP and local elections held in Lithuania. Furthermore, third-country nationals who have a permanent residence permit (after five years of lawful residence) also have the right to vote and stand as candidates in local elections. EU citizen and permanently resident third-country national voters are automatically registered to vote.

Table 1. Conditions for electoral rights of non-resident citizens and non-citizen residents in Lithuania

Type of voter	Election type	Right Voting	Right Candidacy	Automatic registration	Remote voting
Non-resident citizens	National Legislative	YES	NO ¹	YES	YES ²
Non-resident citizens	European Parliament	YES	NO ³	YES	YES ⁴
Non-citizen residents	Local Legislative	YES ⁵	YES ⁶	YES	YES ⁷
Non-citizen residents	Local Mayoral	YES	NA	⁸ YES	YES ⁹
Non-citizen residents	European Parliament	YES ¹⁰	YES ¹¹	YES	YES ¹²

¹ Except for civil servants at diplomatic missions and their families, as well as at EU and international institutions and the military personnel, who are considered to be temporarily abroad and qualify as in-country residents; only citizens of Lithuania who are not bound by an oath or pledge to a foreign state can be elected.

² Personal voting at diplomatic missions and postal voting are available.

³ Except for civil servants at diplomatic missions and their families, as well as at EU and international institutions and the military personnel, who are considered to be temporarily abroad and qualify as in-country residents; only citizens of Lithuania who are not bound by an oath or pledge to a foreign state can be elected

⁴ Personal voting at diplomatic missions and postal voting are available.

⁵ EU citizens residing in the municipality where the election is held; third-country nationals and stateless persons who hold a permanent residence permit, usually granted after five years of continuous and lawful residence in Lithuania.

⁶ EU citizens residing in the municipality where the election is held; third country nationals and stateless persons who hold a permanent residence permit, usually granted after five years of continuous and lawful residence in Lithuania.

⁷ Postal voting is available.

⁸When a person declares his/her place of residence 90 days before polling day in the territory of that municipality. .

⁹ Postal voting is available.

¹⁰ Only EU citizens resident in Lithuania.

¹¹ Only EU citizens resident in Lithuania.

¹² Voting at diplomatic missions and postal voting are available if he has declared place of residence 65 days before polling day in Lithuania..

1.1. Demographic Characteristics of Non-citizen Residents and Non-resident Citizens

At the beginning of 2018, the estimated total resident population of Lithuania was 2,808,900, which represents a decrease of 39,000 residents (1.4%) in comparison to the population measured at the beginning of 2017. This decline in the resident population was caused by negative net migration and natural decrease; net migration was the predominant cause and accounted for 71% of the total resident population decline, natural decrease accounted for 29%.¹³

Non-citizen residents

The Lithuanian Department of Statistics publishes statistical information on the citizens of EU Member States who are permanently resident in the Republic of Lithuania only in relation to their spread by sex and age group.

According to the data published at the beginning of 2018, the total number of EU permanent residents in Lithuania was 6 129, of which the highest number comprised Polish nationals (1 417), Latvian nationals (1 067), German nationals (614), Romanian nationals (500) and Italian nationals (385).

The number of nationals of other countries in Lithuania was less than 300, i.e. ranging from 2 Luxembourg citizens to 288 British citizens. The highest number is in the group aged from 25 to 29 years (854); 820 persons aged 30 to 34; 720 persons aged 35 to 39; and 606 persons aged 40 to 44 years. In other groups, the number does not reach 500 persons.

The highest total number of immigrants (not only EU citizens) resides in Vilnius County, Kaunas County and Klaipėda County, i.e. in the counties of Lithuania's largest cities. The number of male immigrants is higher than for female immigrants. In some age groups, there are 5 times more men than women, for example, in the 40–44 age group¹⁴.

The number of non-national EU citizens resident in Lithuania who were entitled to participate in the last EP elections was 3,993 in total. The number of citizens from other EU Member States who live in Lithuania for longer than half a year is very small.¹⁵ According to the data from the Migration Department under the Ministry of the Interior of the Republic of Lithuania of 1 July 2018, 3,368 EU citizens had the right of temporary residence (up to five years) in Lithuania, while 2,271 EU citizens had the right of permanent residence there, altogether totalling 5,639.¹⁶ The Lithuanian Labour Exchange accumulates data only of persons who apply for jobs. There were only a few EU citizen applicants: a number of Bulgarian citizens were provided with employment. According to Lithuanian legislation, in the employment contract the employer does not have the duty to indicate a state whose national they have employed; therefore, there are no precise data on the number of EU citizens employed in Lithuania.

¹³ <https://osp.stat.gov.lt/statistikos-leidiniu-katalogas>.

¹⁴ https://osp.stat.gov.lt/statistikos-leidiniu-katalogas?eventId=177983/tarptautin%u0117s_migracijos_srautai.

¹⁵ http://ec.europa.eu/eurostat/statistics-explained/index.php/Migration_and_migrant_population_statistics_explained/index.php/Migration_and_migrant_population_statistics

¹⁶ <https://www.migracija.lt/index.php?717361067>

Non-resident citizens

The number of Lithuanian citizens resident in other EU Member States has been constantly growing; in Lithuania, emigrants have for many years outnumbered immigrants (in 2017, 45,289 Lithuanian nationals left Lithuania and went to live abroad); hundreds of thousands of Lithuanian citizens have the right to vote and stand as a candidate in elections in other EU Member States where they are resident.¹⁷ Precise data on the number of Lithuanian citizens who have gone abroad and in which Member State they reside are not collected in Lithuania, since the Lithuanian Department of Statistics does not prepare information on citizens of the Republic of Lithuania who reside abroad. On a voluntary basis, EU Member States provide the EU statistics service (Eurostat) with statistical data on nationals of other states who are permanently resident in their territory. According to the database of the Eurostat¹⁸ the highest number of citizens of the Republic of Lithuania permanently resident in EU countries in December 2018 was as follows: in the United Kingdom (207 410), Germany (44 658), Ireland (38 279), Spain (17 216) and Denmark (12 363).

Over the past thirteen years (2005–2017), 392 625 more people emigrated from Lithuania than immigrated to Lithuania. Since 2015, with the exception of 2008 and 2014, annually over 20 000 more residents emigrated from (left) Lithuania than immigrated and 77 944 more people emigrated than immigrated in 2010. In 2017, 47 925 people emigrated, while 20 368 immigrated, i.e. 27 557 more people emigrated from Lithuania than immigrated to Lithuania.

1.2. Summary of the Electoral Rights of Non-citizen Residents and Non-resident Citizens*EP elections*

The Law (No IX-1837)¹⁹ of the Republic of Lithuania on Elections to the European Parliament, adopted on 20 November 2003 (last amended on 30 June 2016, No XII-2583) (hereinafter ‘Law on EP elections’), provides for the right to vote in EP elections.

Voting rights and candidacy rights. Citizens of the Republic of Lithuania, as well as citizens of other EU Member States who are permanently resident in the Republic of Lithuania and have reached 18 years of age on the polling day have the right to vote in EP elections. Persons who have been declared to be legally incompetent by a court, or have been deprived of their voting rights in their home Member State are excluded from exercising this right. Those who fail or refuse to declare that they have not been deprived of their voting rights in their home Member State, and that they will only exercise their right to vote in the EP election held in Lithuania, may also not participate in the elections.

A Lithuanian citizen or any other citizen of an EU Member State who is permanently resident in the Republic of Lithuania, is at least 21 years of age on polling day, and does not stand as a candidate in EP elections in any other EU Member State, may be elected in the Republic of Lithuania as a member of the European Parliament (‘MEP’). A Lithuanian citizen

¹⁷https://www.vrk.lt/statiniai/puslapiai/2014_ep_rinkimai/output_lt/rezultatai_daugiamand_apygardose/apygardos_rezultatai7567.html
¹⁸https://www.vrk.lt/statiniai/puslapiai/2009_ep_rinkimai/output_lt/rezultatai_daugiamand_apygardose/apygardos_rezultatai7060.html

¹⁸ <https://ec.europa.eu/eurostat/web/population-demography-migration-projections/population-data/database>

¹⁹<https://www.e-tar.lt>

or any other citizen of an EU Member State is considered to be permanently resident in the Republic of Lithuania if he/she has declared his/her place of residence in the Republic of Lithuania, and these data have been entered in the Population Register of the Republic of Lithuania prior to the reference date (i.e. 65 days before the elections).

The following persons may not be elected as MEPs:

- persons who, by the reference date, have not yet served their sentence imposed by a court;
- persons with regard to whom the application of compulsory medical measures imposed by a court has not ended by the reference date;
- persons who have been declared by a court to be legally incompetent; persons who are in mandatory military service on the polling day, also servicemen of professional military service who have not retired to reserve forces not later than 65 days before the elections;
- officials of statutory institutions who are not allowed to participate in political activities according to laws.²⁰

Persons who, following the request of electoral commissions, refuse to declare whether they satisfy the above indicated requirements may not vote or stand as candidates. The Central Electoral Commission verifies mandatory information in the documents submitted by candidates according to the data entered in the national registers. Candidates who do not fulfil the requirements established by law and thus are not eligible to stand as candidates are removed from the lists of candidates by a decision of the Central Electoral Commission.

General voter registration system. For the organisation and conduct of EP elections, the following electoral rolls are compiled:

- (1) the electoral roll of the Republic of Lithuania;
- (2) the electoral rolls of municipalities;
- (3) the electoral rolls of polling districts.

The rolls are compiled twice before each election: initially, preliminary electoral rolls are drawn up and, then, final electoral rolls are produced.

Every person who is eligible to vote (whether a citizen of the Republic of Lithuania or of another EU Member State) is entered on the electoral roll of the Republic of Lithuania. The electoral roll of the Republic of Lithuania drawn up according to the data of the Population Register of the Republic of Lithuania is preliminary. Drawing up, updating and keeping electoral rolls is organised by the Central Electoral Commission on the basis of the information furnished by state institutions and polling district electoral commissions. The Law²¹ provides for a finite list of specific cases in which persons are struck off from the electoral roll of the Republic of Lithuania.

Preliminary electoral rolls with changes made therein and acknowledged under the procedure established by the Central Electoral Commission are approved as final electoral rolls no later than seven days before the elections. Changes in final electoral rolls may be

²⁰ Law on EP Elections, article 3.

²¹ Law on EP Elections, article 26.3

made (due to a voter's death, request to vote abroad, measures pertaining to the avoidance of double voting, the change of a voter's address after a roll has been drawn up, etc.) only in the manner prescribed by the Central Electoral Commission through the institution authorised to keep electoral rolls. A change in the final electoral roll is made upon the receipt of the consent of the chairman of the Central Electoral Commission or a member (members) of the Commission authorised by the chairman.

Electoral rolls of municipalities. The electoral roll of a municipality shall be drawn up by the Central Electoral Commission according to the electoral roll of the Republic of Lithuania and shall be delivered to the municipal electoral commission at least 39 days before the EP elections.

Electoral rolls of polling districts. The electoral roll of a polling district is drawn up by the municipal electoral commission according to the electoral roll of the municipality and the place of voters' residence indicated therein and is delivered in the printed form to the electoral commission of the polling district at least 26 days prior to the EP elections.

A roll of citizens who have not declared their place of residence is drawn up according to the electoral roll of the Republic of Lithuania and the last known address of the place of the citizen's residence or the address indicated in the electoral roll of the last elections or referendum. It should be noted that voters, such as ship crew members and passengers who are unable to return to Lithuania during the period of voting by post or on the polling day, are, according to the procedure established by the Central Electoral Commission, entered on the electoral roll of the polling district in the territory where the administration of the ship's registration port is located. Lithuanian citizens who are staying in other states (including those who are temporarily abroad) are entered on electoral rolls based on the electoral roll of the Republic of Lithuania and information furnished by the diplomatic missions and consular offices of the Republic of Lithuania. These rolls are electronically updated by the diplomatic missions and consular offices of the Republic of Lithuania, in accordance with the procedure established by the Central Electoral Commission. Before each election the Central Electoral Commission by a decision (see the decision (No Sp-72) of the Central Electoral Commission of 14 June 2018) approves the form of application by voters for registration to vote abroad, which must be filled in by electronic means by all Lithuanian citizens residing abroad who are eligible to vote if they have no possibility or wish of arriving to the respective embassy of the Republic of Lithuania. These data are verified by the embassies of the Republic of Lithuania and submitted to the Central Electoral Commission.

Lithuanian citizens who are resident abroad are entered on the electoral roll of the municipality of the city of Vilnius. Under Article 33 of the Law on EP Elections, votes cast by Lithuanian citizens residing abroad in elections to the EP and elections to the Lithuanian Parliament are counted in constituency of the city of Vilnius, as the number of votes cast in these elections does not reach 20,000; therefore, the spread of votes across all constituencies would provide no real benefit to foreign voters and would have no impact on voting results.

Diplomatic missions and consular posts must, at least 15 days before an election, submit the electoral rolls that they have compiled to the Central Electoral Commission, as well as any information necessary to update the electoral roll. This roll may be supplemented with the names of voters who cannot return to Lithuania during the period of voting by post or be present on the polling day and who must vote in a diplomatic mission or a consular post. Voters performing active military service, civil service or working under employment contracts in international military operations abroad are entered on the electoral rolls of the polling district in the territory where they have declared their place of residence. Voters who are aboard a ship and cannot return to Lithuania during the period of voting by post or be

present on polling day are entered on the additional electoral roll of the polling district on whose electoral roll the ship's crew is entered.

A polling district electoral commission, a diplomatic mission and a consular post must, at least 25 days prior to an election, provide access for the voters to electoral rolls of the polling district. The electoral roll of the Republic of Lithuania and electoral rolls of municipalities are not made public; however, information on the entry of the voter's name on an electoral roll may be provided by telephone to the voter concerned.

Local elections

The regulation of elections of municipal councillors of the Republic of Lithuania is provided under the Law of the Republic of Lithuania on Elections to Municipal Councils (hereinafter 'Law on Municipal Elections'), first adopted on 7 July 1994 (No I-532), with a new wording on 26 June 2014 (No XII-966), last amended on 14 June 2018 (No XIII-1274).

The right to elect municipal councillors is granted to permanent residents²² of the respective municipality who are 18 years old on the polling day, except for those who have been recognised by a court to be legally incompetent.

Permanent residents of a particular municipality are considered to be such if they are Lithuanian citizens, citizens of another EU Member State, or any other person (i.e. from a third country) with a right to reside in the Republic of Lithuania and holding a document confirming this right. A permanent resident must have, at least 90 days before the polling day, declared his/her place of residence in the territory of that municipality, or has, at least 90 days before polling day, been included in that municipality in the records of persons who do not have a place of residence.

Any permanent resident of a municipality who is at least 18 years of age on the polling day may be elected as a member of the council of that municipality; a person who has, at least 90 days before the polling day, declared his or her place of residence in the territory of a municipality may be elected as a member of the council of that municipality. A person may not stand as a candidate in municipal council elections if he or she has, at least 65 days before the elections, not yet served his or her sentence imposed by a court, or he or she has been declared by a court to be legally incompetent (contrary to the Law on EP Elections – this law does not prohibit persons from standing as a candidate if the application of compulsory medical measures imposed by a court has not ended on the polling day). In addition, a person may not stand for municipal council elections if, on the polling day, he or she is in the active or alternative national defence service, or if he or she is in the professional military service or is an officer of a statutory institution and has not been transferred to reserve forces or has not retired at least 65 days before the elections and whose participation in political activities is restricted under special laws or statutes. A citizen of a foreign state whose passive electoral right has been restricted by a court in the state of which he or she is a citizen may also not stand for municipal council elections.

It should be noted that, if a candidate for municipal or mayoral elections is a citizen of another state, he or she must indicate in the application form, whether his or her passive electoral right has been restricted in his or her state of nationality. There are no other special conditions established for citizens of third countries who participate in municipal elections.

²² Law on Municipal Elections', article 2; <https://www.e-tar.lt/portal/lt/legalAct/TAR.336A4B109EBC/jacnDOWSHg>

The main three types of electoral rolls for municipal elections are similar to those compiled for EP elections:

- (1) the electoral roll of the Republic of Lithuania;
- (2) electoral rolls of municipalities;
- and (3) electoral rolls of polling districts.

There are preliminary electoral rolls, which are compiled on the basis of the data of the Population Register of the Republic of Lithuania, and final electoral rolls. If, following the approval of final electoral rolls, but not later than 6 pm on the polling day, a polling district electoral commission is addressed by a voter who has not been entered on the electoral roll but who submits his or her passport, identity card or permanent residence permit and the document certifying the declared place of residence in that polling district, the electoral commission must enter the voter on the additional electoral roll of the polling district and allow him/her to vote according to the procedure established by the Central Electoral Commission.

Voting methods

The laws provide for the following methods of voting in EP and municipal elections: early voting in municipalities; voting at home; voting in diplomatic missions and consular posts of the Republic of Lithuania; voting on ships; voting at special post offices; and voting on the polling day.

Early voting. Only voters who are unable to come to the polling district to vote on the polling day may vote in advance. This regulation is provided for in Article 68 of the Law on EP Elections and Article 65 of the Law on Municipal Elections. A voter is not obliged to give reasons for why he or she is unable to vote on the polling day. Municipal electoral commissions organise early voting. Early voting must be conducted from 8 am to 8 pm on the Wednesday and Thursday preceding a polling day in premises prepared beforehand, suitable for voting, and situated in the building of the workplace of the municipality's mayor (director of the administration). Early voting is supervised by the chairperson of the municipal electoral commission or, on his or her instruction, a member of the municipal electoral commission.

Voting at home. Only the following persons may vote at home: disabled voters; voters with temporary working incapacity; voters aged 70 and over if, due to a health condition, they are unable to reach a polling station on the polling day and if they fill out a form established by the Central Electoral Commission for voting at home (Article 68(1) of the Law on EP Elections and Article 65(1) of the Law on Municipal Elections).

Voting in diplomatic missions and consular posts of the Republic of Lithuania. Voters who have gone abroad either temporarily or permanently are entitled to vote in diplomatic missions or consular posts of the Republic of Lithuania during their working hours. No less than four hours must be allotted for voting during the working day of said institutions. Voting ends on the polling day according to the local time of Lithuania. Voting commissions set up by the diplomatic missions or consular posts of the Republic of Lithuania hand election documents to voters who have notified the said institutions about their place of residence, or, at the request of voters, deliver the documents by post and accept them.

Voting on ships. Voters who are aboard a ship (crew and passengers), if they have left from a Lithuanian port at least four days before the polling day and have not returned by the polling day, or in the event of other circumstances preventing them from voting in their

polling district, by post, or in a diplomatic mission or consular post of the Republic of Lithuania, have the right to vote on the ship. Upon the recommendation of the Minister of Transport and Communications, the Central Electoral Commission draws up a list of ships sailing under the flag of the State of Lithuania whose crew members include no less than five voters and on which voting takes place; radio communication is maintained during voting. Upon the recommendation of the Minister of Transport and Communications, the Central Electoral Commission fixes a time for voting on a ship so that each voter who is aboard the ship is given the opportunity to vote.

Organisation of voting in diplomatic missions, consular posts and on ships of the Republic of Lithuania. Voting commissions are set up in diplomatic missions, consular posts and on ships of the Republic of Lithuania to organise voting and count the votes cast. Voting commissions are composed of a chairperson and at least two members. A voting commission is set up in diplomatic missions or consular posts by their heads from among the employees of the diplomatic mission or consular post or from other Lithuanian citizens resident in a foreign country. The procedure for giving written pledges by voting commission members is established by the Central Electoral Commission. Voting commissions on ships are set up by ship captains who are Lithuanian citizens, taking into account the decision of a meeting of the members of the ship's crew who are Lithuanian citizens.

Postal Voting. All persons entitled to vote may vote by post if they fall within the circle of persons specified in Articles 67, 72-74 of the Law on EP Elections and Articles 64, 66-68 of the Law on Municipal Elections. The said articles prescribe the following: voting by post is made possible for voters who are in healthcare (except outpatient healthcare), institutions or social care institutions due to their health condition or age, or carry out mandatory military service and, therefore, are unable to arrive at a polling station, or carry out active military service or civil service, or work under employment contracts in international military operations abroad, or serve a sentence of arrest or imprisonment, or are in arrest houses or remand prisons (detention facilities). Postal voting is possible at post offices set up especially for postal voting (hereinafter referred to as 'special post offices') during their working hours on the last Wednesday, Thursday or Friday before the polling day. In military units deployed abroad, postal voting is conducted on the recommendation of the Minister of National Defence and in accordance with the procedure laid down by the Central Electoral Commission. The head of the post office is responsible for the organisation of postal voting. The chairperson of the electoral commission of a polling district in whose territory a post office is situated is responsible for organising the supervision of the post office's work related to postal voting.

Voting in healthcare (except outpatient healthcare) institutions and social care institutions. Voters who are in healthcare (except outpatient) facilities or social care institutions, because of their health condition or age, are entitled to vote in these institutions. The heads of said institutions draw up the lists of voters voting in special post offices. Not later than 15 days before the polling day and on the recommendation of the heads of the above-mentioned institutions, a municipal electoral commission draws up a list of special post offices and, on the recommendation of the head of the post office, sets working hours of the post offices.

Voting in military units. Voters performing mandatory military service are entitled to vote in the military units where they serve. Voters performing active military service or civil service or working under employment contracts in international military operations abroad are entitled to vote in the military units deployed abroad and involved in those international military operations. The procedure for and the time of voting in military units deployed

abroad is laid down by the Central Electoral Commission on the recommendation of the Minister of National Defence.

Voting in Penitentiary Institutions. Voters who serve an arrest or imprisonment sentence are entitled to vote in an institution where they serve their sentence. The heads of penitentiary institutions draw up a list of voters voting in special post offices.

2. Non-national EU citizens' franchise in EP and local elections

2.1. Overview of Relevant Administrative Regulations

The laws of the Republic of Lithuania, that regulate the franchise of EU citizens in EP and local elections are the Law on EP Elections, the Law on Municipal Elections, and the Law on the Central Electoral Commission and the Law on Political Parties. There are no separate legal acts that regulate specifically the electoral participation of EU nationals (non-national EU citizens) resident in the Republic of Lithuania or Lithuanian nationals resident abroad. The legal norms governing these relationships are set out in the legal acts regulating the exercise of electoral rights by all residents.

The Central Electoral Commission has adopted a number of legal acts, among which the following should be mentioned: the Description of the Procedure for Outfitting Polling Premises, as adopted by the decision (No Sp-6) of 14 January 2014; the Description of the Procedure for Compiling Reports by the Constituency Electoral Commissions, Counting Votes and Early Votes, the Delivery of Ballot Papers and Other Documents to Municipal Electoral Commissions, as approved by the decision (No Sp-21) of 12 February 2014.

Early voting was conducted in accordance with the Recommendations on Organising and Conducting Early Voting, as approved by the decision (No Sp-258) of the Central Electoral Commission of 4 November 2014 (these Recommendations are not registered in the Register of Legal Acts); the Recommendations on Organising and Conducting Voting at Home and the Recommendations on Organising and Conducting Early Voting, as approved by the decision (No Sp-19) of the Central Electoral Commission of 12 February 2014. The Description of the Procedure for Early Voting, as approved by the decision (No Sp-68) of the Central Electoral Commission of 26 May 2016, applies to conducting early voting in all elections (presidential and parliamentary elections, elections to municipal councils, EP elections) and referendums. By its decision (No Sp-70) of 2 June 2016, the Central Electoral Commission approved the new Recommendations on Organising and Conducting Voting at Home as well as the Recommendations on Organising and Conducting Early Voting (in Municipalities); these acts are accessible on the website of the Central Electoral Commission at the address www.vrk.lt.

Voting in diplomatic missions and consular posts is organised and conducted pursuant to the Description of the Procedure for Voting in Diplomatic Missions and Consular Posts of the Republic of Lithuania, as approved by the decision (No Sp-151) of the Central Electoral Commission of 11 August 2016. By the same decision, the Central Electoral Commission also approved the forms of additional and final electoral rolls of diplomatic missions (consulates) of the Republic of Lithuania. Voting on ships in elections to the EP is regulated in greater detail by the Description of the Procedure for Voting on Ships in the Elections of the

President of the Republic of Lithuania and Elections to the European Parliament and the Description of the Procedure for Counting Preference Votes, as approved by the decision (No Sp-109) of the Central Electoral Commission of 7 April 2014, also the Description of the Procedure for the Organisation of Voting on Ships, as approved by the decision (No 189) of the Central Electoral Commission of 7 September 2016.

With reference to the Commission Recommendation (EU) 2018/234 on enhancing the European nature and efficient conduct of the 2019 European Parliament elections of 14 February 2018, the Central Electoral Commission, by its decision (No Sp-61) of 24 May 2018, approved the form of a notice informing voters about affiliation between national parties and European political parties and their lead candidates.

The Central Electoral Commission adopted the decision (No Sp-72) of 14 June 2018 on application by voters for registration to vote abroad, and the decision (No Sp-60) of 24 of May 2018 on approving the forms of application documents for candidates in EP elections. By the latter decision, the Central Electoral Commission approved the following forms: a list of candidates nominated by a party or public electoral committee; a joint (coalition) list of candidates; consent to be nominated as a candidate; the form of a candidate in EP elections; the commitment to abide by the prohibition to bribe voters; a notice informing about the cash in the settlement account (accounts) with a bank and in hand, received during the period from 1 January of the ongoing year to the first day of the month when the documents are submitted.

As a rule, prior to every election, the Central Electoral Commission amends the legal acts related to the process of conducting elections and usually sets out the descriptions of relevant procedures in a new wording.

2.2. Voter Registration

The main differences between compiling the electoral rolls of voters for national elections and EP elections are related to the conditions created for nationals of EU Member States to participate in elections in Lithuania while ensuring the principle of the impossibility of double voting.

Therefore, electoral rolls for EP elections must include information about the home Member State of the EU citizen, the EU citizen's length of residence in Lithuania, the locality or constituency of the Member State in which the person was last included in the electoral roll, his or her address of residence, and the date of the entry of this address into the Population Register of the Republic of Lithuania.

Furthermore, the following voters are struck from the electoral rolls for EP elections: Lithuanian citizens who have confirmed that they will exercise (or have exercised) their right to vote in EP elections held in another EU Member State; Lithuanian citizens with respect to whom there are reasonable grounds (a notification about their entry on the electoral roll or a list of candidates of another EU Member State; their permanent residence in another EU Member State, etc.) to hold that they will exercise (or have exercised) their right to vote in EP elections held in another EU Member State but refuse to confirm or have not confirmed this fact; also EU citizens who are permanently resident in Lithuania who have refused to declare or have not declared that they will exercise their right to vote in EP elections held in Lithuania, or that they have not been deprived of the right to vote in their home Member State.

All voters entitled to vote are automatically registered on the electoral rolls according to the data of the document proving their citizenship (passport or identity card) and data from the Population Register of the Republic of Lithuania. The names of permanently resident EU citizens who have reached the age of 18 on the polling day are also automatically entered on the electoral rolls based on data from the Population Register.

Lithuanian citizens or permanently resident EU citizens are automatically put on the electoral rolls, if they have declared (65 days²³ before the EP elections and 90 days before the municipal elections) their place of residence in Lithuania and the data relating to the place of residence have been entered in the Population Register of the Republic of Lithuania prior to the reference date. The place of residence is declared (registered) at the respective local eldership authorities. In municipalities where elderships are not established or in municipal territories that are not assigned to any elderships, the function of a declaration institution where the place of residence can be declared is carried out by another municipal administration unit assigned to perform this task. At the request of a person, the respective declaration institution issues a document certifying the declared place of residence; upon the request of a person who does not have a place of residence but, in accordance with the procedure established by the institution authorised by the Government of the Republic of Lithuania, is registered in the records of persons with no place of residence, the declaration institution issues a certificate confirming that the person has been registered in the records of persons with no place of residence. This certificate specifies the municipality in which the person lives. The place of residence can be declared online on the website ‘E-Government Gateway’ at www.epaslaugos.lt.

As mentioned before, electoral rolls are drawn up twice before each election– there are preliminary and final electoral rolls. The electoral roll of the Republic of Lithuania and the electoral rolls of municipalities are drawn up and kept electronically by the Central Electoral Commission in conjunction with the management body of the Population Register of the Republic of Lithuania. The electoral rolls of polling districts are held in electronic information media and are printed as the preliminary electoral rolls of polling districts, which are used for issuing poll cards and for voters to familiarise themselves with.

Before the final electoral rolls are drawn up, permanently resident EU citizens must produce a declaration stating that they wish to exercise their right to vote in the EP elections held in Lithuania, and that they have not been deprived of the right to vote in their home Member State. EU citizens have to make this declaration before every EP election. Under the procedure established by the Central Electoral Commission, they must also provide details of the locality or constituency of the Member State in which their name was last entered on the electoral roll.

A poll card is the document proving information about an election to a voter and is a nominal invitation to participate in an election. Poll cards are issued and delivered after the electoral rolls are updated. Poll cards are handed to EU citizens only after they confirm (declare) in writing that they have the right to vote in their home Member State and that they will only exercise their right to vote in the EP election held in Lithuania.

The final printed electoral roll of a polling district is used for voting on the polling day. Annexes to the final electoral roll of a polling district are printed together with the electoral roll, indicating the changes made therein. For drawing up electoral rolls, the following personal data is used:

²³ Law on EP elections, article 2.6; 3.4. <https://www.e-tar.lt/portal/lt/legalAct/TAR.336A4B109EBC/jacnDOWSHg>

- 1) on the electoral roll of the voters of the Republic of Lithuania: name, surname, personal number, date of birth, home EU Member State, number of the identity document confirming citizenship of the Republic of Lithuania or another EU Member State, date of the document confirming the period of time lived in the Republic of Lithuania by an EU citizen, locality or constituency of the EU Member State where the person was last included on an electoral roll (in accordance with the procedure established by the Central Electoral Commission, an EU citizen must indicate the details of the locality or constituency of an EU Member State where his/her name was last entered on the electoral roll), address of the declared place of residence and the date of the entry of this address into the Population Register of the Republic of Lithuania;
- 2) on the electoral roll of a municipality: name, surname, personal number, date of birth, address of the declared place of residence, home EU Member State;
- 3) on the electoral roll of a polling district: name, surname and address of the place of residence.

For voters who have indicated that their address should not be included in the electoral roll of a polling district, the address is indicated in the annex to the electoral roll and on the poll card.

An EU citizen who is permanently resident in Lithuania, but has refused or failed to declare that they will only exercise their right to vote in the EP election held in Lithuania, or that they have not been deprived of the right to vote in their home EU Member State, must be struck off from the electoral roll of the Republic of Lithuania. The EU delegations and associations have not indicated any practical obstacles encountered in the registration of EU voters.

2.3. Information during Election Campaigns

All information concerning elections (EP or national) is provided on the official website of the Central Electoral Commission at the address www.vrk.lt (part of the information is available in English). The information provided in English includes the names and contact details of all members of the Central Electoral Commission, and the contact details and duties of the employees, including a contact person who may be consulted on all matters related to elections. The website also contains links to the Constitution of the Republic of Lithuania translated into English and ten legal acts (or excerpts) passed by the Parliament that regulate or are directly related to elections. Under the heading ‘My polling district’, upon entering their address, voters can find out which polling district they are registered in.

The Central Electoral Commission also provides information electronically on the website *Rinkėjo puslapis* (“voter’s page”)²⁴ and via a hotline in Lithuanian and English (reachable under the telephone number 1885). In addition, information concerning elections is posted on the Facebook accounts of the Central Electoral Commission, the portal ‘Global Lithuania’, and Lithuanian communities abroad. Other participants involved in the dissemination of information related to elections include social organisations and civil initiatives such as ‘Baltosios pirštinės’ (‘The White Gloves’), ‘Žinau, ką renku’ (‘Learn Before You Vote’), and ‘Man ne dzin’ (‘I Do Care’), whose main activities are aimed at strengthening democracy and civil society, as well as achieving a transparent election process.

²⁴ www.rinkejopuslapis.lt

The association ‘The White Gloves’ was only established in 2014 and currently has no permanent staff members; other civil initiatives mentioned above are not registered as legal entities (see www.registrucentras.lt).

Given the fact that there is a small number of non-national EU citizens in Lithuania, during the elections period the Central Electoral Commission sends letters to each of them at their declared place of residence and invites them to participate in the elections. In conducting the 2014 EP election, the Central Electoral Commission sent individually-addressed letters by post to all 3,993 EU citizens entitled to participate in the EP election in Lithuania, informing them about the possibility of participation in the election and asking them to submit the enclosed declarations if they wish to be included on the final electoral roll of voters in Lithuania. These letters, with the enclosed declaration forms, were sent by the Central Electoral Commission to the addresses that EU citizens had declared as their place of residence in Lithuania and were drawn up in English, German, French, Latvian, Polish and Italian.

During the 2014 EP election, the Central Electoral Commission also provided information (which is still currently accessible) on its webpage²⁵ on the requirement of EU citizens, who wished to be able to vote, to fill in and submit to the Central Electoral Commission an official declaration stating their decision to vote in the EP elections held in Lithuania on 25 May 2014. Furthermore, the Central Electoral Commission clarified that, upon receipt of said declarations from EU citizens, it would enter their names on the electoral rolls of voters of the Republic of Lithuania and would send requests to the respective home Member States so that they would be struck off from the electoral rolls in those Member States. The citizens were required to send their declarations by post or deliver them directly to the Central Electoral Commission by 30 April 2014. If it was not possible to submit the documents by the requested means, EU citizens were recommended to call the voters’ information number 1855 and register their applications. The Central Electoral Commission also explained that these applications would be forwarded to the respective municipal electoral commissions, which would contact the EU citizens concerned.

2.4 Political Parties and Candidacy Rights

According to data compiled by the Ministry of Justice of the Republic of Lithuania, which collects information on political parties, the 29 political parties operating in Lithuania (five of which are currently subject to liquidation proceedings) currently only include a total of four non-nationals on their membership lists. No cases have been found in relation to information campaigns and/or electoral campaigns carried out by political parties which have been directed specifically or exclusively at EU citizens. Therefore, it is not possible to state that there is any tendency among political parties in Lithuania to invite non-national citizens to take part in EP or municipal elections.

²⁵ <https://www.vrk.lt/es-valstybiu-nariu-pilieciams-del-dalyvavimo-rinkimuose-i-europos-parlamenta-lietuvos-respublikoje>

EP elections

The total number of Lithuanian citizens who were put on the lists of Lithuanian candidates for the European Parliament in the 2014 election was 215, and 262 in the 2009 election. No non-national EU citizens were on the lists of candidates for the EP elections held in Lithuania; therefore, also no non-national candidates were elected. The candidacy conditions for EU citizens are similar to those established for Lithuanian citizens, with the exception that EU citizens may not vote or stand as candidates if they have been deprived of these rights in their home Member State. There has not been a case of refusal by the Central Electoral Commission to grant an application by an EU citizen to be registered as a candidate for EP elections; no such applications have been received (in the 2014 elections, Lithuania was allocated 11 seats at the European Parliament).

A person nominated as a candidate for EP elections must fill out a questionnaire²⁶ with his or her surname, first name, number of the passport or any other identification document, personal number, date of birth, permanent place of residence, whether or not his or her sentence, if any, imposed by a court has been served, whether or not he or she is in mandatory military service or alternative national defence service, whether or not he or she is in professional military service or is an officer of a statutory institution and has not been transferred to reserve forces at least 65 days before the elections, and whether his or her right of participation in political activities is restricted under special laws or statutes. The candidate must also answer the questions indicated in Article 96 of the Law on EP Elections and sign the questionnaire. It should be noted that a non-national EU citizen, in addition to these data, must indicate the place of birth, citizenship, the address of the last place of residence in the home Member State, whether he or she has been deprived of the right to stand as a candidate in his or her home Member State, and the locality or constituency of the Member State in the electoral roll in which he or she was last included. Other questions, additionally defined by the Central Electoral Commission, may also be included in the questionnaire of a MEP candidate, to which the person is not obliged to give answers. When checking the application documents filled in by a candidate who is an EU citizen, the Central Electoral Commission informs the competent authority in the home Member State of the candidate about the received application documents, and asks whether or not the candidate has been deprived of the right to stand as a candidate in his or her home Member State.

Local elections

It should be noted that, in the 2015 elections to municipal councils, two non-national EU citizens were elected.²⁷ In the last municipal elections (2015), nationals from 14 foreign states stood as candidates; the total number of these candidates was 39. The larger part of non-nationals participating in the elections were Russian (17), Ukrainian (5) and German (4) nationals; the number of non-nationals from other states varied from one to two.

Under Article 34 of the Law of the Republic of Lithuania on Elections to Municipal Councils,²⁸ candidates for municipal councillor may be nominated by the election committees, as well as parties which are registered in compliance with the Republic of

²⁶ See :

https://www.vrk.lt/statiniai/puslapiai/rinkimai/426_lt/Kandidatai/Kandidatas70745/Kandidato70745Anketa.html

²⁷ https://www.vrk.lt/statiniai/puslapiai/rinkimai/440_lt/Kandidatai/Kandidatas76936/Kandidato76936Anketa.html;

https://www.vrk.lt/statiniai/puslapiai/rinkimai/440_lt/Kandidatai/Kandidatas83197/Kandidato83197Anketa.html

²⁸ <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/>

Lithuania Law on Political Parties at least 185 days before an election and which meet the requirements set by the Law on Political Parties regarding the number of party members.

A person may declare himself or herself to be a candidate for municipal councillor and mayor or may be declared by a party or election committee to be a candidate for municipal councillor and mayor. A candidate (for municipal councillor and mayor) may be nominated once they are registered as participants of a political campaign in compliance with the Republic of Lithuania Law on Funding of and Control Over Funding of Political Campaigns, but no later than 65 days before an election. A party or election committee shall nominate candidates by presenting a general list of candidates for municipal councillor. In total the candidates on the list of candidates submitted by the party may not make up less than a half and more than twice the councillors to be elected in that municipality.

A list of candidates for municipal councillors must be supported in a relevant municipality by no less than 20% of voters of that municipality counting for one mandate of a municipal councillor, but no less than 100 voters of that municipality. The number of signatures to be collected, which is fixed according to the results of the last elections and rounded to the first two significant digits, shall be announced by the Central Electoral Commission at least 110 days before an election.

2.5. Turnout

No radio or television debates or broadcasts devoted to the franchise of EU citizens resident in Lithuania have been heard or seen so far. This issue received only a passing mention in information broadcasts in the general context of elections. Statistics on the number of non-national candidates for the 2014 EP elections are not publicly available on the website of the Central Electoral Commission, but these candidates could be found based on their filled-in public questionnaires. After a look at all the candidates' questionnaires²⁹ that are publicly available on the website of the Central Electoral Commission, it is clear that there was no candidate in the 2014 EP elections who replied that they had another (not Lithuanian) nationality.

3. Non-resident citizens franchise in national and EP elections when residing in other EU Member States

Casting votes by non-resident citizens is identical in national and EP elections (except for municipal elections for which voting abroad is not organised). There is one difference in drawing up of electoral rolls for EP elections, as non-national EU citizens and Lithuanian citizens may take part in those elections, provided that both non-national EU citizens and Lithuanian citizens ~~they~~ deliver declarations about not having voted abroad. There are very few such persons, who delivered declarations about not having voted abroad.

²⁹ https://www.vrk.lt/statiniai/puslapiai/rinkimai/426_lt

3.1. Overview of Relevant Administrative Regulations

The legal acts applicable to Lithuanian citizens who live abroad are specified in section 2.1 above.

3.2. Voter Registration

EP elections

Voters who have declared their departure from Lithuania retain the right to vote in EP elections held in Lithuania. All citizens entitled to vote are automatically registered on the electoral roll according to the data of the issue of their document proving their citizenship (passport or identity card) and data from the Population Register of the Republic of Lithuania.

The electoral rolls of citizens of the Republic of Lithuania residing abroad are compiled based on the electoral roll of the Republic of Lithuania and information supplied by the diplomatic missions and consular posts of the Republic of Lithuania. However, pursuant to Article 27(2) of the Law on EP Elections, persons entered on these rolls are required to confirm that they will elect only MEP candidates standing in Lithuania. Electoral rolls of citizens of the Republic of Lithuania residing abroad are revised by the diplomatic missions and consular posts of the Republic of Lithuania by electronic means of communication in accordance with the procedure established by the Central Electoral Commission.

Consequently, Lithuanian citizens residing abroad (i.e. voting in an EU Member State) are subject to an additional requirement obliging them, once they are entered on the preliminary electoral roll of the Republic of Lithuania, to confirm that they will only participate in the EP elections held in Lithuania.

Eligible voters resident abroad register themselves in the registration system for voters of the Republic of Lithuania voting abroad (hereinafter referred to as ‘the e-registration system’) by indicating by which means they intend to vote: (1) by post (in this case, ballot papers are sent to a voter) or (2) in person at the respective diplomatic mission or consular post of the Republic of Lithuania on a determined day and at a fixed time. A voter is entered in the rolls of voters voting from abroad based on their indicated place of residence in a foreign country after this information is verified by an officer of the diplomatic mission or consular post. The above-mentioned procedure implies that a voter is entered on the electoral roll of the Republic of Lithuania prior to their registration in the electronic system but is not assigned to any specific polling district, because their address of the place of residence is not known (citizens of the Republic of Lithuania who have declared their departure from the country are not required to inform the relevant institutions of changes to their place of residence abroad or where they plan to live following their departure); according to the address of their place of residence, voters are assigned to specific polling districts. After a voter makes their intention to vote abroad known, they are assigned to a specific polling district according to the indicated address of their place of residence. This e-registration system is designed to provide the Central Electoral Commission with information about the state where a particular person is residing and their address to which ballot papers should be sent.

If a voter has declared their departure from the Republic of Lithuania but has returned to the Republic of Lithuania on a temporary basis and, before the final electoral rolls are

drawn up, has submitted an application to the electoral commission of the polling district according to their actual place of residence at that time, such a voter is entered on the electoral roll of the polling district (according to his/her actual place of residence) once their application is approved by the municipal electoral commission. In this case, the voter's polling district is automatically specified in the electronic electoral roll.

Voters registered in the e-registration system have the right to vote by post or in person at their respective diplomatic mission or consular post of the Republic of Lithuania. If these voters return to the Republic of Lithuania on polling day and submit an application stating that they have not yet voted at the diplomatic mission or consular post of the Republic of Lithuania or any other polling district, they are entered on the electoral roll of the polling district according to their actual place of residence with the consent of the Central Electoral Commission of the Republic of Lithuania. A poll card is handed to a voter or it can be printed from the website www.vrk.lt; information about a prepared poll card can be received by calling the information number 1855.

Those voters not registered in the e-registration system but who wish to vote on polling day may either (1) come to their respective diplomatic mission or consular post of the Republic of Lithuania at the fixed time and, upon the approval of the Central Electoral Commission of the Republic of Lithuania, are entered on the electoral rolls of voters voting abroad, or (2) come to the respective polling district in the Republic of Lithuania and, after submitting an application stating that they have not yet voted at their respective diplomatic mission or consular post of the Republic of Lithuania or any other polling district, as well as an application for the entry of their names on the electoral roll of the polling district, are entered on the electoral roll of the polling district according to their actual place of residence.

National elections

The electoral roll of the Republic of Lithuania and electoral rolls of municipalities are compiled and maintained electronically by the Central Electoral Commission in conjunction with the management body of the Population Register of the Republic of Lithuania. The manner of compiling electoral rolls is similar in all elections. In all elections, there are electoral commissions of three levels, which carry out analogous work and differ among themselves only in terms of their names and the territory in which they operate (see more in section 2.2).

Under the Law on Elections to the Seimas of the Republic of Lithuania, for the organisation and conduct of elections, the territory of the Republic of Lithuania is divided into 71 single-member constituencies, taking into consideration the number of voters in the constituency. A constituency is formed from polling districts that have common boundaries. In addition, one multi-member constituency is formed where all citizens of the Republic of Lithuania eligible to vote cast their votes (70 members of the Seimas are elected according to the proportional system of elections in this constituency). In view of this, the electoral rolls of single-member constituencies, the electoral rolls of polling districts and the electoral roll of the Republic of Lithuania are drawn up (Articles 25 and 27 of the Law on Elections to the Seimas).

Lithuanian citizens who are resident abroad are entered on the electoral roll of the single-member constituency in the territory whereof the Seimas of the Republic of Lithuania is situated (Article 33).

Voting abroad is not organised for local elections.

3.3. Turnout

EP elections

The assessment of voting by non-resident Lithuanian citizens during the EP elections in 2009 and 2014 shows that the electoral rolls for the EP elections on 7 June 2009 comprised 19,530 voters, of which 8,676 participated in the elections; and the electoral rolls for the EP elections on 25 May 2014 comprised the names of 17,815 voters, while the turnout was 13,902.

The data provided by diplomatic missions shows that, although the electoral rolls of the 2009 elections to the EP comprised a greater number of voters compared to the electoral rolls of the 2014 elections, turnout in the 2009 elections was lower than in the 2014 elections; and, conversely, while there were 1,715 fewer voters on the electoral rolls in the 2014 elections than in the 2009 elections, 5,226 more voters cast their votes in the EP elections in 2014.³⁰

National elections

In the 2016 elections to the Lithuanian Parliament, 19,207 non-resident citizens registered to vote (under Article 56 of the Constitution of the Republic of Lithuania, only a citizen of the Republic of Lithuania may stand for election as a member of the Lithuanian Parliament), while only 16,401 actually participated in the election,³¹ i.e. 85.39% of those registered. It is estimated that from 500,000 to one million Lithuanian citizens are resident abroad, of whom a large part has the right to participate in the elections of the Lithuanian Parliament.

4. Conclusion

Non-national EU citizens and Lithuanian citizens resident abroad are properly informed about elections. Prior to elections, non-national EU citizens resident in Lithuania are encouraged to vote by answering letters (drawn up in English, German, French, Latvian, Polish or Italian) that are sent to them by post by the Central Electoral Commission to the addresses at which they have declared their place of residence.

Given that the number of non-national EU citizens resident in Lithuania is not large, there is no indication that there are certain groups among them that would need specific help to have a greater incentive to vote. It may be appropriate to increase the range of languages in which the said pre-election letters are drawn up and sent to non-national EU citizens. There may be persons who speak none of the six offered languages and they could have problems with understanding information provided in English on the website of the Central Electoral Commission.

³⁰ The voting results at diplomatic missions can be accessed here. EP elections in 2009: http://www.vrk.lt/statiniai/puslapiai/2009_ep_rinkimai/output_lt/rezultatai_daugiamand_apygardose/balsavimas_atstovybese1turas.html. EP elections in 2014: http://www.vrk.lt/statiniai/puslapiai/2014_ep_rinkimai/output_lt/rezultatai_daugiamand_apygardose/balsavimas_atstovybese1turas.html

³¹ https://www.vrk.lt/2016-seimo/rezultatai?srcUrl=/rinkimai/102/1/1304/rezultatai/lt/rezultataiVienmRpgUzsienio_rpgId-18770.html

The activity of social organisations operating in Lithuania and civil initiatives should be promoted to encourage persons to exercise their electoral rights. Greater attention on the part of the media would also be desirable in encouraging EU citizens resident in Lithuania to vote. No radio or television debates or broadcasts devoted to voting by EU citizens resident in Lithuania have been heard or seen so far. This issue received only a passing mention in information broadcasts in the general context of elections.

The conclusion can be made that more active participation in elections, in particular the exercise of the right to stand as a candidate in EP elections or municipal council elections, could be encouraged by amending the Law of the Republic of Lithuania on Political Parties and thereby reducing the established five-year period of permanent residence in Lithuania, which is required to become a member of a political party. Such a draft amendment to the Law on Political Parties (No I-606) (with the envisaged date of entry into force on 1 July 2018) was submitted to the Parliament this year, but the proposed amendment was not adopted. On the other hand, there is a strong possibility that, even in the event of the adoption of the said amendment, it would not lead to considerable changes in the exercise by EU citizens of their right to stand as a candidate in EP elections or municipal council elections, since the legal regulation currently in force in Lithuania does not make it obligatory for persons to be a member of a political party if they wish to stand as a candidate in EP elections or municipal council elections.

Particular consideration should be given to the fact that the number of non-national EU citizens resident in Lithuania who were entitled to participate in elections during the last EP election in 2014 was only 3,993 in total. The recent years have seen the general tendency for the number of immigrants coming to Lithuania from other EU Member States to gradually decrease. For instance, an estimated 11,113 people from other EU countries immigrated to Lithuania in 2016; whereas, in 2017, only 8,709 EU citizens immigrated to Lithuania. It should also be noted that the majority of those indicated immigrants were Lithuanian citizens returning to Lithuania. The group of persons who immigrated to Lithuania between January and May 2018 was 65.9% Lithuanian citizens.

The number of Lithuanian citizens voting abroad has been remarkably low, despite the efforts by the Central Electoral Commission and embassies of the Republic of Lithuania to create the possibility of voting for persons not registered in the e-electoral system. With a view to encouraging these persons to vote, several initiatives have been undertaken by Parliament in an attempt to adopt legislation providing for electronic voting; however, these legislative amendments were not approved. Nevertheless, as the recent activity by Lithuanian citizens' communities in other EU states has been growing and the relationships among these communities have been strengthening, including the rapidly expanding use of social networks, it may be expected that there will be a higher number of EU-resident Lithuanian citizens voting in the next EP elections. In this respect, it is likely that a contribution will be made by 'Global Lithuania' – the Facebook portal created and administered by the Ministry of Foreign Affairs – to provide a platform for communication among members of the Lithuanian diaspora. In addition to news on the activity of Lithuanians' organisations abroad, this portal contains relevant information provided by various Lithuanian institutions, as well as information about EP elections.

It should be noted that Lithuanian communities abroad have for over a decade been particularly active in seeking to amend the Constitution of the Republic of Lithuania so that all persons of Lithuanian descent could have dual citizenship. The initiatives undertaken for this purpose have included amendments to the Law on Referendums (vetoed by the President of the Republic in summer 2018) and amendments to the Law on Citizenship. However, with

the exception of political parties, no other groups of persons (either Lithuanian citizens or citizens of other EU Member States) have been actively engaged over the last decade in the activity related to the exercise of electoral rights in EP elections.

Considering the small number of EU citizens and the comparatively small number of third-country citizens living in Lithuania, there are no separate specific groups distinguished which should be given special attention in EP or municipal elections.

No substantial political or legal reforms in connection to electoral rights have been envisaged to take place in the near future. The Central Electoral Commission has started preparation for the next elections by amending the relevant legal acts assigned to its competence. The dissemination of information related to elections could be ensured to a greater extent if all relevant regulatory acts (beside the enacted laws) pertaining to separate voting methods were accessible in Lithuanian and foreign languages on the website of the Central Electoral Commission.

The applicable legal acts which are published in the Register of Legal Acts of Lithuania were used for the purpose of the Report, and all legal acts adopted by the Central Electoral Commission since the beginning of 2014 to 1 July 2018 (a total of 1,205) and published on its website were evaluated.

Recommendations

1. The activity of NGOs/social organisations operating in Lithuania and civil initiatives should be promoted by the government to encourage persons to exercise their electoral rights.
2. The range of languages in which pre-election letters are drawn up and sent to non-national EU citizens should be increased, i.e. these letters should be drawn up in more than the six languages that are already available.
3. If the five-year period of permanent residence in Lithuania, which is required under the Law on Political Parties to become a member of a political party, were reduced, it is likely that the number of persons participating in elections would increase.
4. The Facebook portal ‘Global Lithuania’ could be more actively engaged in disseminating information about elections to the EP and the Seimas of the Republic of Lithuania.
5. The legal norms governing these relationships are set out in the legal acts regulating the exercise of electoral rights by all residents. Given this, the absence of separate legal acts aimed to regulate the implementation of electoral rights specifically by EU nationals (non-national EU citizens) resident in the Republic of Lithuania or Lithuanian nationals resident abroad may render the exercise of electoral rights by the said categories of persons more difficult.
6. The dissemination of information related to elections could be ensured to a greater extent if all relevant regulatory acts (beside the enacted laws) pertaining to separate voting methods were accessible both in Lithuanian and other languages on the website of the Central Electoral Commission.

