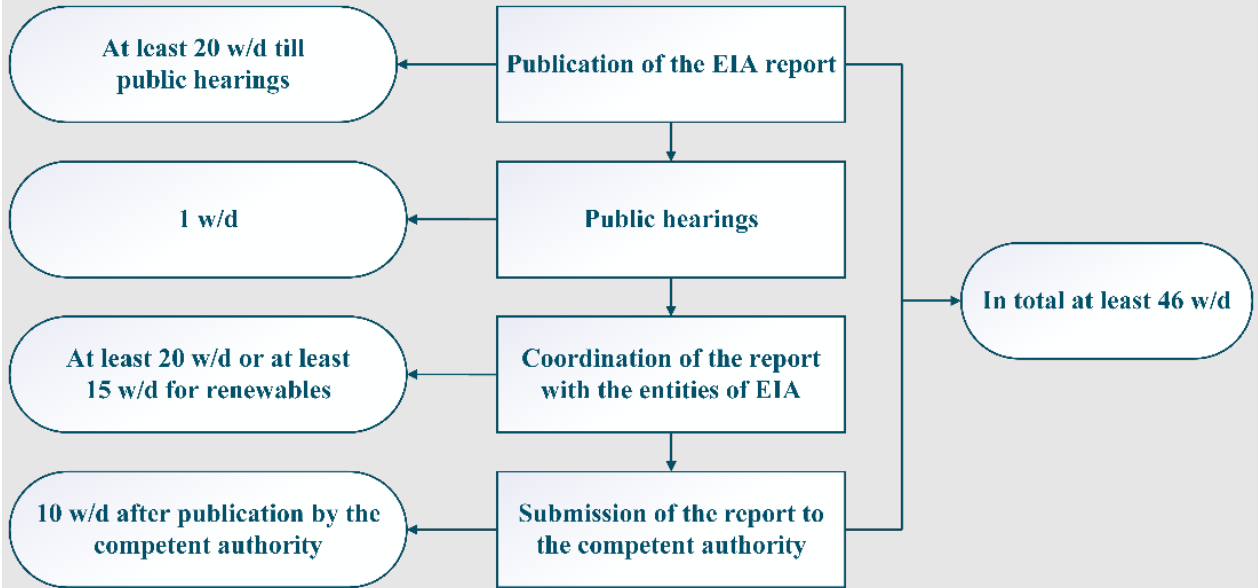


CONCLUSION	RECOMMENDATION	LEGAL IMPLEMENTATION
<p>1. Endorses the findings of the Committee that:</p>	<p>2. Recommends that the Party concerned take the necessary legislative, regulatory and administrative measures to ensure that:</p> <p>(a) Regarding decisions on whether to permit specific activities subject to article 6 of the Convention:</p>	<p>Overall description of public participation in the process of EIA in Lithuania</p> <p>Opportunities for the public to participate in the process of EIA in Lithuania are ensured via two pieces of legislation, <u>both of which are already in force</u> (see the attached translations): Law on Environmental Impact Assessment of the Proposed Economic Activity of the Republic of Lithuania (hereinafter referred to as the “Law on EIA”) and</p> <p>Order of the Minister of the Environment of the Republic of Lithuania of 23 May 2023, No. D1-157 “On the Amendment of Order of 31 October 2017 D1-885 “On the Approval of the Descriptions of the Procedure for the Assessment of Environmental Impact of the Proposed Economic Activity” (hereinafter referred to as the “Order on the Procedures of EIA”).</p> <p>Please note, that the Order on the Procedures of EIA <u>consists of four separate Descriptions of Procedures</u>:</p> <ol style="list-style-type: none"> 1. A description of the procedure for carrying out environmental impact assessment for the proposed economic activity; 2. A description of the procedure for drawing up documents for environmental impact assessment of the proposed economic activity; 3. A description of the procedure for carrying out transboundary environmental impact assessment for the proposed economic activity; 4. A description of the procedure for informing the public and participating in the environmental impact assessment process of the proposed economic activity. <p>The Law on EIA provides general legal framework of the EIA process and a background for further procedural details to be approved by the Minister of Environment.</p> <p>Below are provided some relevant provisions to be mentioned in the context of Recommendations. The Law defines:</p> <p>- the public concerned (Art. 2.15): ‘Public concerned’ means the public affected or likely to be affected by the taking of decisions, acts or omissions in the area of environmental impact assessment or having an interest in the process of screening for environmental impact assessment and/or environmental impact assessment. For the purposes of this definition, the public legal</p>

CONCLUSION	RECOMMENDATION	LEGAL IMPLEMENTATION
		<p>persons (with the exception of the legal persons established by the State or a municipality or institutions thereof) promoting environmental protection shall in any case be deemed the public concerned;</p> <p>- the public (Art. 2.17): ‘Public’ means one or more natural and/or legal persons, their associations, organisations or groups.</p> <p>Also, Art. 2.8. ensures that the public participation (including the provision of information to the public and taking into account their proposals) is an integral part of the EIA.</p> <p>The public concerned is further entitled as a full participant of the screening for EIA and the process of EIA (Art. 5.1.5).</p> <p>Public participation is ensured from the very beginning of the process of the screening for EIA and EIA.</p> <p>Screening for EIA. Art. 7.4 states that “4. The competent authority shall, in accordance with the procedure established by the Minister of Environment, <i>inform</i> entities of environmental impact assessment and <i>the public</i> about the receipt of the screening information and <i>the possibility of submitting proposals</i> regarding the screening information and/or the environmental impact assessment of the proposed economic activity <i>not later than within three working days</i> from the receipt of such information. <i>Proposals</i> regarding the screening information and/or the environmental impact assessment of the proposed economic activity <i>shall be submitted to the competent authority</i> by the entities of environmental impact assessment within ten working days from the receipt of such information or, <i>by the public concerned, within ten working days from the publication of the information.</i>”</p> <p>Art. 7.6 ensures that the public is informed about the screening conclusion within a certain time frame: “6. The competent authority <i>shall make the adopted screening conclusion available to the public</i> in accordance with the procedure established by the Minister of Environment <i>not later than within three working days from the adoption thereof.</i>”</p> <p>Further articles set the opportunities for public participation in the process of EIA and the time frames. Art. 8.3 requires that “3. The drafter of documents of environmental impact assessment shall submit the programme prepared in accordance with the procedure established by the Minister of Environment to entities of environmental impact assessment for conclusions and <i>shall inform the public</i> and the competent authority <i>about the programme.</i>” Note, that the details of this procedure of informing the public are further defined in the Order on the Procedures of EIA, or to be more exact, in the “Description of the procedure for informing the public and participating in</p>

CONCLUSION	RECOMMENDATION	LEGAL IMPLEMENTATION
		<p>the environmental impact assessment process of the proposed economic activity”, approved by this Order of the Minister.</p> <p>Additionally, Art. 8.4 ensures that the public is also informed about the EIA programme by the competent authority: “4. The competent authority <i>shall publish the information on the programme</i> in accordance with the procedure established by the Minister of Environment <i>not later than within three working days</i> from the receipt thereof.”</p> <p>Art. 8.7 ensures that the public has the right to submit proposals on the programme and sets the time frame for it: “7. The public concerned shall have the right to <i>submit proposals on the programme to the competent authority</i> and to the organiser of the proposed economic activity or to the drafter of documents of environmental impact assessment <i>within a set time limit</i> for submission of proposals, <i>which must be at least ten working days</i> from the publication of the information on the programme as received by the competent authority.”</p> <p>Art. 8.10 ensures that the public is informed about the outcome of the approval of the EIA programme: “10. <...> The approved programme and <i>information thereon</i> shall be <i>published by the competent authority</i> in accordance with the procedure established by the Minister of Environment.”</p> <p>If the EIA programme is not being prepared (the organizer is allowed to skip the scoping stage), then it is ensured that the public is informed about the start of the EIA, Art. 9.3 and 9.4: “3. The organiser of the proposed economic activity or the drafter of documents of environmental impact assessment shall, <i>not later than 15 working days prior to the provision of information to the public on the presentation of the report to the public</i> in accordance with the procedure laid down in Article 11(3) of this Law, submit a notice of the commencement of environmental impact assessment to entities of environmental impact assessment and the competent authority, which shall publish the received information <i>within three working days from the receipt of the notice of the commencement of environmental impact assessment</i> in accordance with the procedure established by the Minister of Environment and inform the public in accordance with the procedure established by the Minister of Environment. <...></p> <p>4. <...> The <i>public concerned</i> shall have the right to submit proposals to the competent authority and to the organiser of the proposed economic activity or to the drafter of documents of environmental impact assessment <i>within ten working days</i> from the publication of the received notice of the commencement of environmental impact assessment by the competent authority. The drafter of documents of environmental impact assessment shall, together with the organiser of the</p>

CONCLUSION	RECOMMENDATION	LEGAL IMPLEMENTATION
		<p>proposed economic activity, present an evaluation of the received proposals in a report.”</p> <p>After the approval of the EIA programme (or after informing the public and other participants of the EIA process about the start of the EIA), the EIA report is being prepared. The main public event during this stage of the EIA is public presentation of the EIA report (public hearings). Art. 11.3 ensures that the public is informed about the upcoming public hearings in advance by setting an exact time frame: Art. 11.3 “3. Having prepared the report, the drafter of documents of environmental impact assessment shall <i>organise presentation of the report to the public</i> in accordance with the procedure established by the Minister of Environment, providing to the public the information on the public presentation <i>not later than 20 working days before it</i>. The public <i>shall have the right to access the report and to submit proposals to the competent authority</i> and the drafter of documents of environmental impact assessment prior to granting access to the public, at the time of the <i>public presentation</i> and prior to the expiry of the time limit referred to in paragraph 10 of this Article.”</p> <p>Art. 11.10 sets the time frame for an additional public procedure after the public hearings – the opportunity to submit further comments after the EIA report is submitted to the competent authority: “10. The competent authority shall, within three working days from the receipt of the report, <i>publish a notice on the report and access thereto</i> in accordance with the procedure established by the Minister of Environment. The public concerned shall have the right to submit to the competent authority, <i>within ten working days from the publication of the notice</i>, written proposals on the environmental impact assessment of the proposed economic activity and on the report.”</p> <p>It is important to note that in case the EIA report is substantially amended (the scope of the economic activity is changed, new technological and/or location alternatives are planned) or substantially revised (where the report has not appropriately or adequately assessed potential environmental impact), the drafter of documents of environmental impact assessment shall, placed by the competent authority under the obligation to do so or on the initiative of the organiser of the proposed economic activity, repeatedly perform the procedures of informing the public about the report and the public presentation, i. e. public hearings (Art. 11.11).</p> <p>The next procedure of EIA is decision making by the competent authority. It should be noted that the competent authority, prior to making the decision not only takes into account the proposals of the public, but also, if further proposals are received after the public hearings, “the competent authority shall, prior to adopting a decision on the environmental impact of the proposed economic activity, <i>organise</i>, in accordance with the procedure established by the Minister of Environment, a</p>

CONCLUSION	RECOMMENDATION	LEGAL IMPLEMENTATION
		<p><i>meeting</i> to which the organiser of the proposed economic activity, the drafter of documents of environmental impact assessment and <i>representatives of the public concerned who have submitted proposals</i> shall be invited to consider proposals of the public concerned” (Art. 12.9). The decision itself, inter alia, shall contain “information on the provision of information to and participation of the public, including a summary of the reasons on the basis of which proposals of the public were accepted and/or rejected” (Art. 12.13). After the decision is made, “the competent authority shall, in accordance with the procedure established by the Minister of Environment, <i>publish the decision on the environmental impact of the proposed economic activity within three working days from the adoption thereof</i>” (Art. 12.14).</p> <p>As illustrated in the figure below, the total time frame of the public participation procedures amounts to at least 46 working days:</p> 
<p>(a) By not correctly notifying the public concerned about the time frames during which relevant</p>	<p>(i) The public is notified about all time frames for opportunities for public participation, including the period during which relevant</p>	<p>The recommendation is implemented by specific provisions in the “Description of the Procedure for Informing the Public and Participating in the Environmental Impact Assessment Process of the Proposed Economic Activity” (attached), included in the Order on the Procedures of EIA. This legal document provides requirements to notify the public about the time frames for their participation.</p>

CONCLUSION	RECOMMENDATION	LEGAL IMPLEMENTATION
<p>documentation would be available and in which comments could be submitted, the Party concerned failed to comply with the requirements in article 6 (2) (d) (ii) to adequately inform the public concerned about the envisaged procedure, including the opportunities for the public to participate;</p>	<p>documentation will be available and in which comments can be submitted;</p>	<p>When informing the public during the scoping phase, i.e. about the <i>EIA programme</i>, it is ensured that the public is informed, inter alia, <u>about the time frame to provide proposals</u>: Para.12. “The information to be made available to the public is prepared by filling out on the form set out in Annex 1 to the Schedule and shall include: <...> 12.5. to whom, <i>by when</i> and at what address proposals, including the opportunity to ask questions and obtain information, on the EIA programme and the EIA being carried out may be submitted. It shall be specified that the concerned public shall submit proposals on the EIA programme to the Agency and shall have the right to submit them to the preparer of the EIA documentation or to the organiser of the proposed economic activity. The deadline for submitting proposals <i>shall be specified as at least 10 working days from the date of publication of the information</i> on the EIA programme received by the Agency, starting from the day following the publication”.</p> <p>Also, after providing proposals, the public is <u>informed by the recipient of the proposals about the time frame of evaluation of their proposals</u>: Para. 14. “The Agency, having received the concerned public's proposals on the EIA programme within its competence directly from the representatives of the concerned public, shall reply to them in writing within 10 working days. The Agency, having received the concerned public's proposals on the EIA programme that are not within its competence, shall, within 5 working days, submit a depersonalized (anonymized) copy of the proposals to the preparer of the EIA documentation and inform the representatives of the concerned public who submitted the proposals <i>that the proposals have been received, that they shall be forwarded to the preparer of the EIA documentation and that an evaluation of the concerned public's proposals will be prepared and published on the Agency's website, together with the approved EIA programme</i>” and Para. 16 “The preparer of the EIA documentation, having received the proposals of the concerned public on the EIA programme directly from the representatives of the concerned public or from the organiser of the proposed economic activity, shall inform the representatives of the concerned public in writing that the proposals have been received and <i>that an evaluation of the proposals of the concerned public will be prepared and published on the Agency's website together with the approved EIA programme.</i>”</p> <p>The public is informed <u>about the time frame to provide proposals</u> also in those cases when EIA programme is not required. In such cases, <i>notice of the commencement of the EIA process</i> is published – Para. 21” <...> the organiser of the proposed economic activity or the preparer of the EIA documents, has to prepare a notice on the commencement of the EIA according to the form specified in the Description of the Procedures of Environmental Impact Assessment of the Proposed Economic Activity, and to publish it <...>”. The notice shall include the following: “The public shall submit proposals for the environmental impact assessment (including the possibility to</p>

CONCLUSION	RECOMMENDATION	LEGAL IMPLEMENTATION
		<p>ask questions and obtain information) to the Environmental Protection Agency and shall have the right to submit proposals to the drafter of environmental impact assessment documents or the organiser of the proposed economic activity <i>within 10 working days from the date of publication of the notice of the commencement of the environmental impact assessment on the website of the Environmental Protection Agency, counting from the publication of the following day</i>” (Annex 1 to the Description of the Procedures of Environmental Impact Assessment of the Proposed Economic Activity, included in the Order on the Procedures of EIA).</p> <p>As noted before, after the approval of the EIA programme (or after informing the public and other participants of the EIA process about the start of the EIA), the EIA report is being prepared. The main public event during this stage of the EIA is public presentation of the EIA report (public hearings). Provisions of Para. 29 ensure that <u>the public is provided with a clear time frame to get acquainted with the report and provide their proposals</u>: The information about the public hearings on the EIA report, which shall be made available to the public by using in the form set out in Annex 4 to the Description of the procedures, shall include: <...> 29.7. to whom, <i>by when</i> and at what address proposals, including the opportunity to ask questions and obtain information, may be made concerning the EIA report and the EIA being carried out. <i>It shall be specified</i> that the concerned public shall submit proposals to the Agency and shall have the right to submit proposals to the preparer of EIA documents. <i>The deadline for submission of proposals shall be specified, which shall be at least 20 working days before and during the public hearings on the EIA report;</i></p> <p>29.8. where and <i>when</i> the public hearings on the EIA report will take place and the live webcast video link, taking into account the requirements of points 30, 31 and 32 of the Description of the procedures <...>.”</p> <p>Additionally, it is defined that “The public concerned has the right to submit proposals on the EIA report and the EIA process: <...> <i>within the time limit provided in the information on public hearings on the EIA report published by the EIA document preparer, which shall be at least 20 working days prior to the public hearings on the EIA report</i>” <...>.</p> <p>After the EIA report is submitted to the competent authority, the public is again <u>informed about the time frame for opportunity to provide proposals by a special notice</u>, which shall include (Para. 46.5) “the time limit for the submission of proposals to the Agency, which will take a decision on the environmental impact of the proposed economic activity; the proposals will be discussed with representatives of the public concerned before the Agency takes a decision on the environmental impact of the proposed economic activity. The deadline for submitting proposals – 10 working days from the date of publication of the notice. <...>”</p>

CONCLUSION	RECOMMENDATION	LEGAL IMPLEMENTATION
		<p>If further public proposals are received after the public hearings, the competent authority invites representatives of the public concerned who have submitted proposals to a meeting and <u>informs them about the time frame to participate</u>: “If the Agency receives proposals from the concerned public during the time period for submission of proposals referred to in sub-point 46.5 of the Description of the procedures, after the deadline it shall organise a meeting to discuss the proposals, <i>inviting in writing the representatives of the concerned public who have submitted the proposals</i>, the organiser of the proposed economic activity, and the preparer of the EIA documentation <i>to a meeting at least 5 working days before the meeting</i>” (Para. 49).</p>
<p>(b) By limiting the options in practice for the location of the border crossing point for the overhead power line by setting that location through inter-State consultations before the public participation procedures had been concluded, the Party concerned precluded the possibility for the public to participate when all options on the crossing point were open and thus failed to comply with article 6 (4) of the Convention;</p>	<p>(ii) Any international consultations concerning a specific cross-border activity by a public authority of the Party concerned prior to completion of the public participation procedure under article 6 must not, in law or in fact, preclude all options being open during the public participation procedure;</p>	<p>In order to implement this recommendation, a specific provision was formulated and included in Article 15(1) of the Law on Environmental Protection (full text of this Law is attached), which came into force in 2022. This provision ensures that no planning decisions will be made prior to the processes of SEA and / or EIA, which include extensive public participation procedures (giving the right and opportunity to the interested public to participate in decision-making, to advocate for preferred alternatives) and the procedures of transboundary environmental impact assessment, which are in line with the requirements of the EIA Directive and Espoo Convention. The provision states: “When planning to carry out an economic activity for which the procedures laid down in the Law on Environmental Impact Assessment of Planned Economic Activities are to be carried out, <i>decisions restricting the choice of alternatives in advance may not be adopted in relation to this activity – the possible alternatives are examined and the most appropriate is (are) chosen in the during the strategic environmental impact assessment and/or environmental impact assessment of the proposed economic activity</i> (hereinafter referred to in this Article as ‘environmental impact assessment’) Art. 15(1).</p> <p>It must be stressed that the information to be provided to the public on the range of options open at each stage includes information on the zero-option and the possibility for the public to submit comments regarding the zero-option.</p> <p>As required by the Law on EIA and the Description of the Procedure for Informing the Public and Participating in the Environmental Impact Assessment Process of the Proposed Economic Activity” (attached), included in the Order on the Procedures of EIA, the public has access to all EIA documents (EIA scoping document, program and EIA Report), which are required to include information about the zero alternative.</p>
<p>(c) By failing to ensure that all options regarding the choice of technology for the power line were not just legally open but also</p>	<p>(iii) The range of options open at each stage of decision-making is adequately reflected in the information provided to the public at each stage;</p>	<p>The requirements to analyse the zero alternative are specified in the Description of the Procedure for Drawing up Documents for Environmental Impact Assessment of the Proposed Economic</p>

CONCLUSION	RECOMMENDATION	LEGAL IMPLEMENTATION
<p>could clearly be seen to be open by the public concerned, the Party concerned failed to comply with article 6 (4) of the Convention;</p>		<p>Activity”, which, as explained before, is also included in the Order on the Procedures of EIA. It states that:</p> <p>“The EIA Program shall contain:</p> <p><...> 12.2. Information on the reasonable alternatives to be considered (e.g. location, timing, technical and technological solutions, measures to mitigate environmental impacts), including the 'zero' alternative (where no activity is carried out); <...>”</p> <p>“The EIA Report shall contain:</p> <p><...> 17.6. information on the existing state of the environment and the likely natural changes to it in the absence of the activity ("zero" alternative). <...>”</p> <p>Also, Annex I of the Description of the Procedure for Drawing up Documents for Environmental Impact Assessment of the Proposed Economic Activity states that the EIA report should include “149. Description of the reasonable alternatives (e.g. location, scale, technical and technological solutions, timing, mitigation measures) examined by the EIA document preparer, including the "zero" alternative. The reasonable alternatives must be relevant to the proposed planned economic activity and its specific characteristics. They should contribute to the achievement of the objectives pursued and be feasible on the basis of technical, economic, environmental, political and other relevant criteria.”</p>
<p>(d) By establishing a system whereby comments submitted by the public during the environmental impact assessment procedure are to be in the first instance submitted to an entity not required to be independent from the developer, and not to the competent public authority itself, the Party concerned is in non-compliance with</p>	<p>(iv) A clear requirement is established that comments submitted by the public are sent to the competent public authority itself;</p>	<p>First of all it must be noted that the definition of comments of the public is very wide and does not restrict any type of comments or questions, or even opinions.</p> <p>Paragraph 6 of the Description of the Procedure for Informing the Public and Participating in the Environmental Impact Assessment Process of the Proposed Economic Activity (attached), included in the Order on the Procedures of EIA states that the public can submit “<i>proposals, questions, comments, information, analyses, or opinions on the proposed economic activity and its EIA</i>”.</p> <p>Law on EIA and Description of the Procedure for Informing the Public and Participating in the Environmental Impact Assessment Process of the Proposed Economic Activity establishes that the public should provide their proposals and comments to the competent authority, but also has the right to submit them directly to the developer/consultant. If these proposals are within the competence of the authority, they are obliged to reply directly to the concerned public. However, some proposals may relate to the need for technological changes, impact mitigation measures or other decisions that are strictly within the competence of the developer/consultant and cannot be replied to by the competent authority. In any case, the competent authority is obliged both to take</p>

CONCLUSION	RECOMMENDATION	LEGAL IMPLEMENTATION
<p>article 6 (7) of the Convention;</p>		<p>due account of the proposals and to evaluate how these proposals were taken into account by the developer/consultant.</p> <p>Specific provisions, establishing that comments of the public are submitted to the competent authority are provided in the following Articles and Paragraphs:</p> <p>Law on EIA – Art. 7.4 (during the screening for EIA); Art 8.7 (during preparation of the EIA programme); Art. 9.4 (publishing of the notice regarding the start of the EIA); Art. 11.3 (regarding the draft EIA report); Art. 11.10 (regarding the EIA report, submitted to the competent authority).</p> <p>Description of the Procedure for Informing the Public and Participating in the Environmental Impact Assessment Process of the Proposed Economic Activity – Para. 12.5 and Para.13 (regarding the EIA programme); Para. 29.7, Para. 34, Para. 34.3 (before the public hearings, regarding the draft EIA report); Para. 46.5, Para. 47 (after the EIA report is submitted to the competent authority and before the competent authority makes the decision on EIA).</p>
<p>(e) By not ensuring that the competent public authority is required to take due account of the outcomes of the public participation, the Party concerned fails to comply with article 6 (8) of the Convention;</p>	<p>(v) The obligation to take due account of the comments, information, analysis or opinions submitted by the public during the environmental impact assessment procedure is placed on the competent public authority;</p>	<p>According to the Law on EIA and Description of the Procedure for Informing the Public and Participating in the Environmental Impact Assessment Process of the Proposed Economic Activity, the competent authority is obliged to take due account of the proposals of the public and additionally, to evaluate how these proposals were taken into account by the developer/consultant.</p> <p>Specific provisions, establishing this obligation are provided in the following Articles and Paragraphs:</p> <p>Law on EIA – Art. 7.5 (competent authority examines the proposals of the public received during the screening for EIA. Please take note, that the proposals of the public are considered of the same importance as the proposals from the state institutions - proposals submitted by entities of environmental impact assessment, and the term “examines” means take into account); Art. 8.10 (before approval of the EIA programme); Art. 12.1 (before the competent authority makes the decision on EIA).</p> <p>Description of the Procedure for Carrying out Environmental Impact Assessment for the Proposed Economic Activity – Para. 20 (regarding the EIA programme); Para. 55.2 (when the competent authority receives the EIA report and before the competent authority makes the decision on EIA), Annex 3.</p> <p>Description of the Procedure for Informing the Public and Participating in the Environmental Impact Assessment Process of the Proposed Economic Activity – Para. 18</p>

CONCLUSION	RECOMMENDATION	LEGAL IMPLEMENTATION
		<p>(before approval of the EIA programme, “<i>When approving the EIA programme, the Agency shall evaluate the proposals of the public concerned <...></i>”) and Para. 47 (“<i>The concerned public shall have the right to submit proposals to the Agency, which shall be discussed with representatives of the concerned public before the Agency takes a decision on the environmental impact of the proposed economic activity</i>”).</p>
<p>(f) By failing to demonstrate, either in or along with the decision, how due account was taken of the outcome of the public participation, the Party concerned failed to comply with article 6 (9) of the Convention regarding the decision on the overhead power line;</p>	<p>(vi) When publishing the decision, the competent public authority provides evidence to the public, either in or along with the decision, of how due account was taken of the outcome of the public participation;</p>	<p>According to the Law on EIA (Art. 12.13), the decision of the competent authority shall contain, <i>inter alia</i>, “<i>information on the provision of information to and participation of the public, including a summary of the reasons on the basis of which proposals of the public were accepted and/or rejected</i>”, i. e. information about the outcome of the public participation.</p> <p>Description of the Procedure for Carrying out Environmental Impact Assessment for the Proposed Economic Activity – Para. 71 and Annex 3.9 (defines the required format and content of the decision of the competent authority, i.e. the decision shall include “<i>9. <u>Public information and participation (where, when and how the public has been informed and participated, summary of the proposals of the public concerned, sorted by the thematic profile, the reasons on the basis of which the public proposals were accepted and/or rejected)</u></i>”).</p> <p>It should be noted, that the decision of the competent authority, which is published, provides a link to the EIA Report (which, in itself is a public document and always available online, on the homepage of the competent authority), and the Annexes to the EIA Report contain full information about the public participation, Para. 18.4 of the “Description of the Procedure for Drawing up Documents for Environmental Impact Assessment of the Proposed Economic Activity” (attached), included in the Order on the Procedures of EIA. According to this Paragraph, the Annex to the EIA Report shall contain, <i>inter alia</i>, “<i>18.4. Public information and participation in the EIA process: 18.4.1. documents proving that the information has been sent for publication on notice boards and websites, copies of all notices; 18.4.2. copy(s) of the newspaper(s) where the notices were published; 18.4.3. a completed form of registration of proposals of the public concerned, which is defined in the Description of the Procedure for Informing the Public and Participating in the Environmental Impact Assessment Process of the Proposed Economic Activity; 18.4.4. evaluation of the proposals of the public concerned, prepared together with the organiser of the proposed economic activity (the form provided in the Description of the Procedure for Informing the Public and Participating in the Environmental Impact Assessment Process of the Proposed Economic Activity); 18.4.5. a copy of the minutes of public presentation of the EIA report (public hearings)</i>”.</p>

CONCLUSION	RECOMMENDATION	LEGAL IMPLEMENTATION
<p>(g) The telephoning and visiting of persons linked to the communicant, in the context of the communicant's opposition to the overhead power line, by the State Security Department "to clarify the issues in the Rudamina community related to the electricity power line" constituted harassment, penalization and persecution by the Party concerned in noncompliance with article 3 (8) of the Convention;</p>	<p>(b) The State Security Department receives clear instructions to refrain from activities that could be perceived as harassment, penalization or persecution of persons seeking to exercise their rights to participate or seek access to justice under the Convention;</p>	<p>In July of 2021 the Ministry of Environment has sent a letter to the State Security Department, informing that the Compliance Committee, in its findings, stated that there were grounds for a conclusion that Article 3(8) of the Aarhus Convention had not been complied with and recommended measures to ensure compliance with Article 3(8) of the Aarhus Convention. Hereby, the Ministry of Environment instructed the State Security Department that in the light of the recommendation received from the Compliance Committee, national security services should refrain from activities that may be perceived as persecuting, penalising or harassing persons seeking to exercise their rights to participate in decision-making or to seek access to justice under the Aarhus Convention. The said letter is attached.</p> <p>Additionally, amendments to Law on Intelligence and a new Law on Intelligence Controllers (approved on 2021-12-23), amended the procedure for handling complaints about intelligence officers conducting intelligence and counter-intelligence operations. The amendments established a new, independent Office of the Intelligence Controller, who, in accordance with article 23 on the Law on Intelligence, is mandated to receive complaints, as well as to investigate on its own initiative, alleged violations of human rights and freedoms, and in accordance with article 11 of Law on Intelligence Controllers make recommendations to intelligence institutions. On 21 March 2023, the Parliament of the Republic of Lithuania appointed for a 5 year term a new Intelligence Controller. The Ministry of Environment will contact the Intelligence Controller requesting that additional instructions to refrain from activities that could be perceived as harassment, penalization or persecution of persons seeking to exercise their rights to participate or seek access to justice under the Aarhus Convention should be provided to the State Security Department. The translations of the Law on Intelligence and Law on Intelligence Controllers are attached.</p>