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- Remedies against the silence of the administration (the administrative passivity).

According to Article 7 (8) of the Law on Environmental Protection, one or more natural or legal persons and the public concerned shall have the right, in accordance with the procedure laid down by laws of the Republic of Lithuania, to file a complaint/application demanding that appropriate action be taken to prevent or minimise environmental damage or restore the environment to its baseline condition, and that the persons guilty of causing a harmful effect on the environment and the officials whose decisions or acts/failure to act have violated the rights of citizens, the public concerned, other legal and natural persons or the interests protected under law be punished.

If the entity of public administration fails to perform its duties or delays the consideration of a certain issue and fails to resolve it by the due date, a complaint about such failure to act (delay in performance) may be lodged within two months from the day of expiry of the time limit set by a law or any other legal act for settlement of the issue (Article 29 (2) of the Law on Administrative Proceedings).

Personal standing rules are the same as for any other administrative or judicial review procedure. Only those persons whose rights are being breached have standing to challenge the failure to act, whereas standing is granted for environmental NGOs in cases related to their aims and activities.

- Penalties that the judiciary or any other independent and impartial body (information commissioner, ombudsman, prosecutor, etc.) can impose on the public administration for failing to provide effective access to justice.

According to Article 99 of the Law on Administrative Proceedings, after the court decision whereby the complaint/application/petition is met becomes effective, the approved copy (transcript) thereof shall be sent for enforcement by the entity of public administration or other persons whose legal acts or actions (inactions) or delay to perform actions were appealed, or to the entity of public administration representing the State (Government) in the case, as well as the claimant. If the entity of public administration or any other person fails to perform the decision within 15 calendar days or within the time limit set by the court, at the request of the claimant the administrative court which adopted the decision issues a letter of enforcement by also ordering the enforcement thereof by the bailiff according to the location of the seat of the respondent in accordance with the procedure laid down by the Code of Civil Procedure. Where the sums are recovered to the state budget, or in the case of recovery of damage resulting from illegal actions of entities of public administration, as well as in the case of recovery of sums associated with Office-related legal relations or payment of pensions, the court shall issue a letter of enforcement to the recovering entity without the request thereof.

The Seimas Ombudsman shall investigate complainants' complaints about the abuse of office by and bureaucracy of officials or other violations of human rights and freedoms in the sphere of public administration (Article 12 of the Law on the Seimas Ombudsman). When performing his duties, the Seimas Ombudsman shall have the right to draw up a record of administrative violations of law for failure to comply with the demands of the Seimas Ombudsman or for interfering in any other way with fulfilment by the Seimas Ombudsman of the rights granted to him (Article 19 (9) of the Law on the Seimas Ombudsman).

The state control of environmental protection and utilisation of natural resources shall be exercised by officials of the system of the Ministry of Environment – state inspectors of environmental protection. According to Article 18 of the Law on Environmental Protection, state inspectors of environmental protection in the cases, and in accordance with the procedure, specified by the Law on State Control of Environmental Protection shall have the right to issue mandatory instructions; draw up statements, acts and other documents in the specified format; hear cases of administrative offences and impose administrative penalties; hear cases of economic sanctions and impose economic sanctions.

The state control of environmental protection and utilisation of natural resources shall be exercised by officials of the system of the Ministry of Environment – state inspectors of environmental protection. According to Article 31 of the Law on Environmental Protection, state inspectors of environmental protection shall have the right to suspend the construction or reconstruction of objects of economic and other activities, suspend or restrict the activities of legal and natural persons where laws on environmental protection are being violated or where these activities do not comply with the normative standards, rules, limits and other conditions established in respect of environmental protection; in the cases, and in accordance with the procedure specified by the Law on State Control of Environmental Protection and other laws, to issue mandatory instructions, draw up statements, acts and other documents in the specified format; hear cases of administrative offences and impose administrative penalties; hear cases of economic sanctions and impose economic sanctions.

A state or municipal institution or agency which has compensated for damage caused by a civil servant shall have the right of recourse against said civil servant to the amount paid by it, but not in excess of 9 average salaries of the civil servant. If the civil servant caused the damage deliberately, a state or municipal institution or agency which has compensated for the damage caused by a civil servant shall have the right of recourse against said civil servant to the full amount paid by it (Article 39 of the Law on Civil Service).

- Penalties for the de-facto contempt of the court, e.g. when the judgment of the court is not followed and respected.

There are no penalties for the competent body in the event that it does not follow and respect the judgment of the court.

The execution of the court decision is regulated by the Law on Administrative Proceedings and the Code of Civil Procedure. If the court revokes the contested act (or part thereof) and/or obligates the appropriate entity of administration to remedy the committed violation or carry out other orders of the court (e.g. to guarantee access to justice), the claimant can request that the court issue a letter of enforcement. The claimant can also initiate a new suit challenging this omission/failure and/or asking the court to award damages caused by unlawful actions of public administration entities.

According to Article 83 of the Law on Administrative Proceedings, the judge or the court which hears an administrative case shall be entitled to impose fines if:

1. officers and persons fail to meet, by the set time and without good reason, the requests by the judge or the court for a reply to the complaint/application/petition, documents and other material, or fail to comply with other requirements laid down by the judge/court related to the hearing of the case;
2. a witness, specialist or expert fails to appear, without good reason, before the judge preparing the case for hearing or at the court hearing;
3. after having been given a warning, persons participating in the proceedings again speak out of turn or insult other persons participating in the court proceedings;
4. persons present in the courtroom fail to observe order or disregard the demands of the presiding judge that order be observed;
5. persons abuse the right of disqualification;
6. persons abuse the administrative proceedings. The administrative court may recognise the submission of a clearly unreasoned procedural document, or an objectively unfair action or inaction directed against cost-efficient, expedient and fair examination or resolution of the case as abuse of administrative proceedings.

The court which hears the administrative case shall have the right to impose on natural persons and legal persons and their representatives a fine in the amount of up to 300 EUR, and on officers or representatives of institution or agencies in the amount of up to 600 EUR for each case of violation, except for the case referred to in paragraph 1 subparagraph 5 of this Article. The court shall have the right to impose a fine on a person abusing the right of disqualification in the amount of up to 1,500 EUR. A separate appeal may be filed against the order of the court of first instance concerning the imposition of a fine.

There are several special norms:

- If a person summoned to court fails to appear, they may be brought to the court upon the order of the court or judge. Failure to appear in court or refusal to give evidence, explanations or opinions in the court may be punishable by a fine in the amount of up to 300 EUR or detention in custody for the term of up to one month

(Article 58 (1) of the Law on Administrative Proceedings);

- Where injunctions applied as provisional measures are not complied with, the guilty persons shall be given a fine by court order in the amount of up to 300 EUR. A separate appeal may be filed against the order of the court concerning the imposition of a fine (Article 70 (12) of the Law on Administrative Proceedings);
- The court shall have the right to impose a fine of up to 60 EUR on participants in the proceedings for failure to perform the obligation to inform the court of changes in address, email address, telephone and fax numbers, as well as addresses of other means of electronic communication if they are necessary in order to receive the procedural documents by means of electronic communication, where such failure to notify results in deferral of the hearing of the case (Article 76 (2) of the Law on Administrative Proceedings).

According to Article 72 of the Law on the Constitutional Court, a law (or part thereof) or other act (or part thereof) of the Seimas, an act of the President of the Republic, or an act (or part thereof) of the Government may not be applied from the day of the official publication of the ruling of the Constitutional Court that the act in question (or part thereof) is in conflict with the Constitution of the Republic of Lithuania. The same consequences shall arise where the Constitutional Court gives a ruling that an act of the President of the Republic or an act (or part thereof) of the Government is in conflict with laws. All state institutions, as well as their officials, must annul the substatutory acts adopted by them, or provisions of these substatutory acts, if they are based on a legal act that has been ruled to be unconstitutional. Decisions based on legal acts that have been ruled to be in conflict with the Constitution or laws must not be executed if they had not been executed before entry into force of the respective ruling of the Constitutional Court. The legal force of a ruling of the Constitutional Court to declare a legal act or part thereof unconstitutional may not be overruled by the repeated adoption of a like legal act or part thereof.

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