SEMINAR ORGANISED BY THE GREEK COUNCIL OF STATE IN COLLABORATION WITH ACA-EUROPE

Athens, 10-11 November 2025

Climate change-crisis / Overtourism
Questionnaire

Introduction

In keeping with the Guiding Principle [Leitmotiv] of the Greek presidency of ACA-Europe, the first seminar, which will be held in Athens in November 2025, will focus on the role of the administrative judge when confronted with current challenges related to the climate crisis and the harmful effects of overtourism. The following questionnaire focuses on the six points outlined in the Guiding Principle. The presentation of the regulatory framework in the various countries [international law, European law and national law] and the application of this normative framework by judges in each country will enable us to address questions relating to the effectiveness and relevance of the traditional tools and methods available to judges when they are called upon to rule on disputes concerning the aforementioned challenges.

.....

Part A: Climate change-crisis

I. The regulatory framework

I.A. Supranational rules

I.A.1. Rules of international law

➥ What international instruments [treaties/conventions] relating to climate change are in force in your country?

Kyoto Protocol ☒

Paris Accords ☒

Aarhus Convention (procedural matters) ☒

Other (please specify) ☒

The Vienna Convention for the Protection of the Ozone Layer; The Montreal Protocol on Substances that Deplete the Ozone Layer; The London and Copenhagen Amendments of the Montreal Protocol; Montreal and Beijing Amendments to the Montreal Protocol; Kigali Amendment to the Montreal Protocol; Convention on Long-Range Transboundary Air Pollution; Protocol on Long-Term Financing of the Cooperative Program for Monitoring and Evaluation of the Long-Range Transmission of Air Pollution in Europe (EMEP); Protocol to Abate Acidification, Eutrophication and Ground-level Ozone; Protocol on Heavy Metals; Protocol on Further Reduction of Sulphur Emissions; Protocol concerning the Control of Emissions of Nitrogen Oxides or Their Transboundary Fluxes; Protocol on Persistent Organic Pollutants; Protocol on the Reduction of

Co-funded by the European Union

Sulphur Emissions or Their Transboundary Fluxes by at Least 30 per cent; Protocol Concerning the Control of Emissions of Volatile Organic Compounds or Their Transboundary Fluxes.

- What is the formal validity of the aforementioned rules of international law in your country's legal system? (please describe briefly the procedure for incorporating international rules into the legal system)

Under Paragraph 3 of Article 138 of the Constitution of the Republic of Lithuania, international treaties ratified by the Seimas are part of the country's legal system. Article 11(2) of the Law on International Treaties further states that if a ratified treaty introduces legal norms that differ from those in national laws or other legal acts—whether in force at the time of ratification or adopted later— the provisions of the treaty of the Republic of Lithuania shall prevail. The Government of the Republic of Lithuania shall ensure the implementation of international treaties of the Republic of Lithuania (Article 12 of the Law on International Treaties).Where the implementation of an international treaty of the Republic of Lithuania requires the adoption of a law or other legal act, the Government of the Republic of Lithuania shall, in accordance with the established procedure, submit to the Seimas a draft of the relevant law or adopt an appropriate resolution of the Government or ensure, within its remit, the adoption of another legal act (Article 11(3) of the Law on International Treaties.

I.A.2. EU rules

- Which are the main EU climate change rules that have been incorporated into your national legislation?

The Regulation on the Governance of the Energy Union and Climate Action (Regulation (EU) 2018/1999) entered into force on 24 December 2018. It establishes a common framework for the planning, reporting, and monitoring of national climate and energy policies in line with the EU's 2030 climate and energy targets.

In accordance with this regulation, the Ministry of Energy of the Republic of Lithuania, on 3 October 2024, submitted the final update of the latest notified Integrated National Energy and Climate Plan (NECP) to the European Commission. This document was prepared and approved by the Government of the Republic of Lithuania and outlines the national contributions towards achieving the EU targets of:

- At least 32% renewable energy share,
- At least 32.5% energy efficiency improvements, and
- A reduction of greenhouse gas emissions by at least 55% by 2030 (compared to 1990 levels).

The NECP is available at the following link:

https://commission.europa.eu/publications/lithuania-final-updated-necp-2021-2030-submitted-2024_en

In addition to the Governance Regulation, the following EU climate-related instruments have also been incorporated into Lithuania's national legal system:

- EU Emissions Trading System (EU ETS) – Implemented through national legal acts regulating GHG emissions, installation permits, and trading procedures.
- Effort Sharing Regulation (EU) 2018/842 – Sets binding annual greenhouse gas emission targets for sectors not covered by the EU ETS (e.g., transport, buildings, agriculture).

- Land Use, Land-Use Change and Forestry Regulation (LULUCF, EU) 2018/841 – Incorporated through forest management and land use regulations.
- Renewable Energy Directive (EU) 2018/2001 – Transposed into Lithuania's Law on Energy from Renewable Sources.
- Energy Efficiency Directive (EU) 2018/2002 – Implemented via the Law on Energy Efficiency and national energy saving programmes.
- Regulation (EU) 2021/1119 – European Climate Law – Sets the binding target of climate neutrality by 2050 and reinforces the implementation of all other EU climate laws in Lithuania's long-term strategies.

These legal acts constitute the foundation of Lithuania's climate action policy and are complemented by national strategic documents, such as the National Climate Change Management Agenda, which outlines Lithuania's pathway toward climate neutrality by 2050.

☒ Has your country been the subject of proceedings for failure to fulfil its obligations under EU legislation in this area?

Yes.

↳ If so, please indicate what stage has been reached in the proceedings (warning letters, Commission appeals, rulings by EU courts)

- Two letters of formal notice concerning Directive (EU) 2023/959 of the European Parliament and of the Council of 10 May 2023, amending Directive 2003/87/EC establishing a system for greenhouse gas emission allowance trading within the Union, and Decision (EU) 2015/1814 on the establishment and operation of a market stability reserve for the Union's greenhouse gas emission trading scheme – non-transfer.
- A letter of formal notice concerning Directive (EU) 2023/958 of the European Parliament and of the Council of 10 May 2023 amending Directive 2003/87/EC as regards the contribution of the aviation sector to the Union's economy-wide emission reduction target and the appropriate implementation of a global market-based measure – non-transfer**.**
- A reasoned opinion concerning Directive (EU) 2016/2284 of the European Parliament and of the Council of 14 December 2016 on the reduction of national emissions of certain atmospheric pollutants, amending Directive 2003/35/EC and repealing Directive 2001/81/EC (Text with EEA relevance).

I.B. Rules of national law

I.B.1.1. Does your country have any principles or provisions at constitutional level:

for the protection of the environment in general	☒
for climate change	☐
for the protection of health	☒

for the protection of young people or other population groups ☒

1.B.1.2. If so, do these provisions:

Contain only substantive rules? ☒

Or do they also establish procedural guarantees? ☐

Do they make explicit reference to: solidarity between generations? ☐

the rights of future generations? ☐

vulnerable groups? ☒

Please refer to the relevant provisions of the Constitution of the Republic of Lithuania

Article 54

The State shall take care of the protection of the natural environment, wildlife and plants, individual objects of nature, and areas of particular value, and shall supervise the sustainable use of natural resources, as well as their restoration and increase.

The destruction of land and subsurface, the pollution of water and air, radioactive impact on the environment, as well as the depletion of wildlife and plants, shall be prohibited by law.

Article 53

The State shall take care of the health of people and shall guarantee medical aid and services for a person in the event of sickness. The procedure for providing medical aid to citizens free of charge at state medical establishments shall be established by law.

The State shall promote the physical culture of society and shall support sport.

The State and each person must protect the environment from harmful influences.

Article 38

The family shall be the basis of society and the State.

Family, motherhood, fatherhood, and childhood shall be under the protection and care of the State.
(…)

The duty of children shall be to respect their parents, to take care of them in their old age, and to preserve their heritage.

I.B.2. Has the national legislator adopted specific legal instruments to address climate change issues, apart from the legislation necessary to comply with secondary EU law?

yes ☒
no ☐

If so, please briefly mention this legislation, as well as the main content of the relevant substantive and procedural rules.

Yes, Lithuania has adopted specific legal instruments to address climate change, in addition to secondary EU law. On 30 June 2021, the Seimas of the Republic of Lithuania approved the National Climate Change Management Agenda, which aims to guide the country towards climate neutrality by 2050. This strategic framework outlines goals for both climate change mitigation and adaptation.
Additionally, the Law of the Republic of Lithuania on Financial Instruments for Climate Change Management and its associated regulations. The law integrates financial and regulatory tools to support Lithuania's climate objectives. This law includes specific provisions on both substantive and procedural aspects of climate change management in Lithuania, focusing on greenhouse gas emissions, financial mechanisms, and regulatory frameworks.

1. Emission Monitoring and Reporting: The law requires the establishment of a Greenhouse Gas Registry and procedures for monitoring and reporting emissions, in compliance with Lithuania's international obligations (such as those under the Kyoto Protocol and the EU regulations on climate action).
2. Application and Allocation of Financial Instruments: The law stipulates mechanisms for funding climate action through the GHG Emission Allowance Trading Scheme, with proceeds directed to projects aimed at reducing emissions and improving sustainability (such as energy efficiency and renewable energy projects).
3. Project Approval and Oversight: It includes provisions for the administration and oversight of climate-related projects under the Special Programme for Climate Change. The procedural rules for the approval and oversight of these projects ensure compliance with the law's objectives.
4. Roles and Responsibilities: The law defines the roles and responsibilities of various state authorities and institutions involved in climate change mitigation efforts, including the Ministry of Environment and other relevant bodies.

I.B.3. Does your country have a specific action plan to address climate change?

yes ☒
no ☐

If so:

↳ What is the level of planning (national, regional, etc.)?

Please refer to the response to question I.A.2 and I.B.2.

☒ Please specify whether this planning is limited to defining policy guidelines (for example: limits on the use of fossil fuels; favouring other forms of energy; support for 'green' investments; improvement of infrastructure, buildings and vehicles - in the public or private sectors; cost sharing for the 'green' transition; special measures for vulnerable population groups; management of climate change-related crises, etc.),

☐ or whether it also contains binding rules?

Yes, Lithuania has a specific action plan to address climate change, outlined in the National Climate Change Management Agenda. This agenda provides a comprehensive framework for addressing climate change through both strategic planning and binding legal provisions.

The plan covers a wide range of areas, including:

1. Policy Guidelines:
    - Promoting a transition to renewable energy sources, including wind, solar, and biomass.
    - Reducing reliance on fossil fuels by improving energy efficiency and encouraging the use of cleaner energy alternatives.
    - Supporting 'green' investments through financial mechanisms and programs, such as the Special Programme for Climate Change.
    - Modernizing infrastructure, particularly in the energy sector, including building energy-efficient buildings and retrofitting existing ones.
    - Facilitating the transition to low-emission transport options, such as electric vehicles and public transport improvements.
2. Support for Vulnerable Populations:
    - Addressing social aspects of the green transition by ensuring that vulnerable groups are not disproportionately impacted by climate change policies. This includes measures to ensure affordable access to clean energy and improving resilience to climate-related events.
3. Climate Crisis Management:
    - Establishing a Climate Crisis Response Framework to deal with the impacts of climate change, such as extreme weather events, floods, and droughts.
4. Binding Rules:
    - The National Climate Change Management Agenda is primarily a strategic document that outlines Lithuania's approach to achieving climate neutrality. However, while the Agenda itself provides strategic guidelines, it is supported by binding legal rules established through other related legislation. These rules are designed to ensure the effective implementation of the climate action plan. For example, the Law on Financial Instruments for Climate Change Management establishes binding legal provisions for climate change mitigation. It creates financial mechanisms, such as an emissions trading system, and outlines funding channels for projects aimed at energy efficiency and renewable energy.

Thus, Lithuania's climate change action plan integrates both non-binding policy guidelines and binding legal instruments to ensure a comprehensive and enforceable approach to addressing climate change.

I.B.4. In your legal system [in the Constitution and/or in the laws] is there an explicit obligation for the State and/or other public-sector bodies to adopt positive measures or avoid certain actions in relation to climate change?

In Lithuania's legal system, there are several explicit provisions in the Constitution and laws that impose obligations on the State and other public-sector bodies to adopt positive measures or avoid certain actions in relation to climate change. These obligations are embedded in both constitutional and specific environmental and climate change legislation.

1. Constitution of the Republic of Lithuania: The Constitution of the Republic of Lithuania does not directly mention climate change, but it sets the foundation for environmental protection and sustainable development, which implicitly includes addressing climate change. According to Article

54 of the Constitution, the State is responsible for protecting the environment and ensuring that natural resources are used in a way that promotes sustainable development.

- Article 54: "The State shall take care of the protection of the natural environment, wildlife and plants, individual objects of nature, and areas of particular value, and shall supervise the sustainable use of natural resources, as well as their restoration and increase (…)".

This broad provision can be interpreted as an obligation for the State to take active steps to protect the environment, which includes addressing climate change.

1. Law on Financial Instruments for Climate Change Management: This law outlines positive measures that the State must take to address climate change, including:
   - Financial mechanisms such as emissions trading schemes and incentives for projects that aim to reduce greenhouse gas emissions.
   - The Special Programme for Climate Change established under this law is dedicated to financing projects that promote energy efficiency, renewable energy, and other climate mitigation and adaptation measures.

The law sets the framework for positive actions by public institutions, requiring the State to allocate resources and support climate action programs.

2. National Climate Change Management Agenda: The National Climate Change Management Agenda lays out specific, binding measures for the State and public bodies to adopt. It sets Lithuania on a path toward climate neutrality by 2050, with clear objectives for mitigation (reducing emissions) and adaptation (adjusting to climate impacts). This agenda, together with the supporting laws, places a clear obligation on the State to take active steps to mitigate and adapt to climate change.
3. Other Legal Instruments:
   - Energy Law and Environmental Protection Law: These laws include provisions related to energy efficiency, renewable energy development, and overall environmental protection, which indirectly support the country's efforts to address climate change by regulating energy production, consumption, and emissions.

In conclusion, Lithuania's legal system imposes an explicit obligation on the State and public-sector bodies to take positive actions to mitigate and adapt to climate change. This includes supporting green investments, promoting renewable energy, reducing emissions, and ensuring the long-term sustainability of the country's environmental policies.

➥ If so, what is the nature of these measures?

(a) preventive measures

(b) repressive measures

(c) restitution measures

In Lithuania's legal system, the majority of climate change measures are preventive, focused on reducing emissions, promoting sustainability, and ensuring the country's adaptation to climate impacts. Repressive measures may apply in specific cases of non-compliance, while restitution measures are more likely to be associated with adaptation projects that seek to remedy the effects of climate change.

Below is a breakdown of the nature of these measures:

(a) Preventive Measures:

The predominant approach taken by Lithuania to address climate change is through preventive measures. These aim to mitigate climate change by reducing greenhouse gas emissions, promoting energy efficiency, and encouraging the use of renewable energy. Some key preventive measures include:

- National Climate Change Management Agenda: This strategic framework outlines specific goals for reducing emissions and adapting to climate impacts, including measures such as promoting green investments and renewable energy.
- Financial Instruments for Climate Change Management Law: This law establishes mechanisms for supporting the reduction of greenhouse gas emissions, such as emissions trading schemes and funding for climate projects, which are all aimed at preventing climate change by reducing emissions.
- Energy Law and Environmental Protection Law: These laws enforce the use of sustainable energy sources and regulate emissions from industries, which serve as preventive measures to reduce future climate risks.

(b) Repressive Measures:

Repressive measures are less common in the context of climate change, but they may be applied if entities fail to comply with environmental and climate-related regulations. Examples of repressive measures may include:

- Penalties and fines: For non-compliance with laws related to emissions or failure to adhere to environmental protection standards.
- Regulation Enforcement: Non-compliant organizations or individuals can face enforcement actions if they do not meet the required emissions reductions or fail to implement energy-efficient practices.

However, the focus is on encouraging compliance rather than punishment, as most of the legal provisions focus on promoting positive actions rather than imposing punitive actions.

(c) Restitution Measures:

Restitution measures in the context of climate change would typically involve compensating or remedying past environmental harm. While there is no direct restitution mechanism in place for past climate-related damages, some measures can be considered restitution-related:

- Climate adaptation projects: These projects, aimed at addressing the impacts of climate change (e.g., flood protection, water management), indirectly serve as a form of restitution by remedying the harm caused by climate change.
- Funding for reforestation or renewable energy projects: This can be seen as a way of addressing past environmental degradation by restoring ecosystems and promoting long-term sustainability.

➥ Do individuals have any rights to ensure that this obligation is met? If so, under what conditions?

Yes, in Lithuania, individuals have certain rights to ensure that the obligations related to climate change are met, although these rights are generally framed within broader environmental law principles. Here are the main points that could form the answer to this question:

1. Right to Access to Information:
   Under Lithuanian law and in accordance with the Aarhus Convention (which Lithuania has ratified), individuals have the right to access environmental information, including information related to climate change, emissions, and government measures to address it. This enables citizens to monitor and ensure that the state is fulfilling its obligations in relation to climate change mitigation and adaptation.
2. Right to Participate in Decision-Making:
   Lithuanian citizens have the right to participate in decision-making processes related to environmental matters. This includes public consultations on legislation, policies, and projects that have an impact on the environment. The National Climate Change Management Agenda is a key national document that outlines Lithuania's strategy for addressing climate change and ensuring

long-term sustainability. As part of its implementation, public consultations are required for the development of climate-related policies and projects. This ensures transparency and public involvement, allowing citizens to express concerns and provide feedback on measures that will affect the environment, such as climate action plans, energy policies, and sustainable development goals. This participation allows individuals to voice concerns and ensure that measures to address climate change are being implemented effectively.

3. Right to Access to Justice:
   Under the Aarhus Convention, individuals in Lithuania also have the right to challenge public decisions or actions that may be in violation of environmental law, including climate change-related regulations. If a public authority fails to comply with its climate obligations, individuals can challenge these failures in court. This ensures that individuals can hold the state accountable for its climate actions.
4. Legal Standing for Environmental Protection:
   Lithuanian law allows individuals and non-governmental organizations to bring cases to court concerning breaches of environmental regulations, including those related to climate change. This is relevant in cases where individuals believe that the state is not fulfilling its obligations under national or EU climate laws or if they suffer harm from climate-related issues.

The conditions for exercising these rights typically involve following the appropriate legal procedures, such as submitting requests for information, participating in consultations, or initiating legal action in cases where an individual or a group believes there has been non-compliance with climate regulations. Legal standing may be granted to citizens, organizations, or entities that demonstrate a direct interest or harm resulting from environmental or climate-related issues.

In summary, individuals in Lithuania do have rights to ensure that the state's obligations regarding climate change are met, primarily through access to information, participation in decision-making, and the ability to challenge non-compliance in court.

➥ Is the legal pursuit of this right regulated?

Yes, the legal pursuit of this right is regulated through general administrative and constitutional legal frameworks in Lithuania. While there is no specific law dedicated exclusively to climate litigation or a direct individual right to climate protection, individuals and organizations can rely on existing legal mechanisms to challenge actions or omissions of public authorities that potentially violate environmental or climate-related obligations.

Such legal options include:

- The Law on Environmental Protection, which grants individuals the right to participate in environmental decision-making and to appeal against actions that may negatively affect the environment;
- Law on Administrative Proceedings, which allow individuals to challenge administrative acts or inaction of state authorities, that violate environmental or climate-related obligations in courts;
- Access to justice, as provided by national law and international instruments such as the Aarhus Convention, to which Lithuania is a party.

➥ Do individuals have any rights to ensure that private persons comply with similar obligations?

Yes, individuals in Lithuania do have certain rights to ensure that private persons (such as companies or individuals) comply with obligations related to environmental and climate protection, although these rights are more limited compared to those against public authorities.

Under the Law on Environmental Protection and Law on Pollution Taxes, individuals can:

- Notify the Environmental Protection Department about suspected violations by private entities (e.g., illegal emissions, pollution, failure to follow permit conditions);
- This can lead to inspections, fines, or sanctions against the private person.

2. Participate in public environmental decision-making

Based on Aarhus Convention (ratified by Lithuania) and national laws:

- Citizens and NGOs can participate in planning processes (e.g., construction of industrial facilities or energy projects);
- They have the right to submit comments, request information, and challenge approvals or permits in court if environmental standards are not met.

3. Bring claims in court

According to the Code of Civil Procedure, individuals or environmental NGOs may:

- File civil lawsuits against private persons for damage to the environment or public health;
- Demand compensation, cessation of harmful activity, or restoration of the previous state (restitution measures);
- Environmental associations may act in the public interest, not just personal harm.

↳ Are there specific regulations for the ecological damage caused by climate change?

In Lithuania, there are no separate, specific regulations that deal exclusively with ecological damage caused by climate change. However, such damage can be addressed through a combination of general environmental protection laws and EU-based legal instruments, which indirectly apply to climate-related harm.
Existing Legal Framework:
1. Law on Environmental Protection
- Establishes general obligations for public authorities, private persons, and legal entities to prevent environmental harm, including air pollution and GHG emissions.
- Allows for liability (including financial responsibility) for ecological damage, including restoration of the environment where possible.
- Covers both intentional and negligent harm to the environment.
- Implements the "polluter pays" principle.
- Applies to environmental damage (or imminent threat of it) to water, soil, protected species and habitats.
- While not climate-specific, it could be used to address certain consequences of climate-related ecological damage (e.g., habitat loss due to drought or floods).

2. Law on Financial Instruments for Climate Change Management
- Provides for climate action funding (e.g., adaptation, mitigation, reforestation).
- Does not create liability for specific climate-caused damage, but aims to prevent it through proactive measures.

I.B.5. In your country, is the allocation of public responsibilities in the field of climate change subject to regulation?

yes ☒

no ☐

↳ If so, which are the authorities responsible for managing issues related to the climate crisis [protection against the effects of the crisis and/or disaster management]?

Special Ministry ☒

Legal entity under public law ☒
Other organisational unit ☐

Yes, in Lithuania, the allocation of public responsibilities in the field of climate change is subject to regulation and is clearly defined by national laws and strategic policy documents. The Law on Financial Instruments for Climate Change Management and the National Climate Change Management Agenda outline the roles and responsibilities of various institutions, including:

- The Ministry of Environment, which plays a central role in coordinating climate change policy and implementation.
- The Ministry of Energy, responsible for energy-related climate goals and for preparing and submitting the National Energy and Climate Plan (NECP).
- Other ministries and governmental bodies contribute within their respective areas (transport, agriculture, etc.) to ensure cross-sectoral climate action.

These responsibilities are further structured by the National Strategy for Climate Change Management Policy and monitored through established governance mechanisms, including reporting, evaluation, and oversight, in line with Regulation (EU) 2018/1999 on the Governance of the Energy Union and Climate Action.

- Is there a body responsible for: the collection and processing of scientific data? yes ☒ no ☐
- conducting comparative studies and surveys? yes ☒ no ☐
- monitoring the implementation of measures and the achievement of objectives? yes ☒ no ☐
- evaluating research carried out on climate change? yes ☒ no ☐

- If so, please describe the composition and the operating rules of the competent bodies (participation of elected representatives, scientists, guarantees of independence)?

In Lithuania, several bodies are responsible for climate change-related tasks, including the collection of scientific data, conducting surveys, monitoring implementation, and evaluating progress. These bodies include government ministries, specialized institutes, research centres, and universities.

1. Government Ministries (e.g., Ministry of Environment, Ministry of Energy): These bodies have decision-making powers and are responsible for setting policies, implementing climate measures, and reporting to the European Commission. They work closely with other institutions and monitor the achievement of climate objectives.
2. Specialized Institutes (e.g., Lithuanian Environmental Protection Agency): These institutes focus on collecting and processing scientific data, conducting research, and developing methodologies for monitoring climate change impacts. They also support the implementation of national climate policies.
3. Research Centres (e.g., Lithuanian Energy Institute): These centres conduct studies, comparative research, and provide scientific insights on climate change, its effects, and

possible mitigation strategies. They collaborate with government bodies to ensure the latest scientific data informs policy.

4. Universities (e.g., Vilnius University, Kaunas University of Technology): Universities are key players in climate change research and education. They conduct independent scientific research, produce climate-related studies, and educate future professionals. Universities also collaborate with governmental bodies and provide expert advice on climate policies.
5. Statistical Bodies (e.g., Statistics Lithuania). Statistics Lithuania plays a crucial role in collecting, analyzing, and providing reliable data on environmental indicators, including those related to climate change, emissions, and energy use. Their work ensures that accurate and up-to-date data is available for climate monitoring, policy development, and reporting.

These bodies are composed of civil servants, experts, scientists, and academics, with a mix of decision-making and advisory powers. While scientific bodies like research institutes and universities operate with a high degree of independence, ministries and statistical bodies work within the framework of government policies.

➥ What is the nature of power allocated to these bodies (purely advisory power, decision-making power)?

The nature of power allocated to the bodies responsible for climate change in Lithuania varies depending on their role and mandate:

1. Ministry of Environment, Ministry of Energy: Have decision-making power in formulating and implementing national climate change policies. They are responsible for setting strategic directions, regulations, and legislative initiatives.
2. Environmental Protection Agency: Primarily holds monitoring and regulatory enforcement power. While its role is mainly advisory, it also has decision-making authority when it comes to implementing and ensuring compliance with environmental laws and standards.
3. Lithuanian Energy Institute and Research Institutions: These bodies have advisory power, providing scientific research, analysis, and recommendations. They do not have decision-making authority but support policymakers with data and expertise.
4. Universities: Universities hold advisory power through research and expertise. They contribute to climate change knowledge but do not hold formal decision-making powers in policy implementation.
5. Bank of Lithuania's Climate Change Centre: This institution has advisory power in terms of integrating climate-related financial risks into national financial policies, supporting decision-makers in the financial sector.

➥ Is prior consultation with a court or other independent bodies provided for when adopting a regulation concerning climate change?

In general, while consultation with independent bodies may not be explicitly required by law before adopting climate-related regulations, there are mechanisms in place that allow for input from stakeholders and the potential for legal challenge through the judicial system.

- Public Consultation: Before adopting climate change-related regulations or laws, public consultation is often conducted, including consultations with stakeholders such as NGOs, experts, and industry representatives.

- Legal Drafting Process: When new regulations or laws are proposed, they go through a process of legal and regulatory impact assessments, which may involve consultations with relevant governmental bodies, legal experts, and other stakeholders.
- Judicial Review: While courts may not be consulted beforehand, once a regulation is adopted, it can be subject to judicial review. Courts have the power to assess whether the regulation is in line with the Constitution or other existing laws.
- Environmental Protection Agencies: Consultations might also take place with independent bodies such as the Environmental Protection Agency or other relevant institutions responsible for monitoring and ensuring environmental standards.

➥ Is there a provision for public participation in the development of climate action plans or legislation? If so, what form of participation (consultation, other)?

Yes, in Lithuania, there is a provision for public participation in the development of climate action plans and legislation. This participation primarily takes the form of public consultations, which are integral to the policy-making process.
Public Consultation Process:

- National Energy and Climate Action Plan (NECP): The process involved integrating objectives, targets, and measures from various strategic documents, including the National Energy Independence Strategy and the National Strategy for Climate Change Management Policy. While the specific details of public consultation during the NECP's development are not extensively documented, such plans typically undergo public scrutiny to gather feedback and ensure transparency.
- Public Engagement Initiatives: Beyond formal consultations, Lithuania encourages public engagement through various initiatives. These include workshops, informational campaigns, and collaborative projects aimed at raising awareness and involving citizens in climate action. Such activities foster a sense of ownership and responsibility towards environmental sustainability.

Additionally, Lithuania's alignment with EU climate policies necessitates adherence to directives that promote public participation. This ensures that the development of climate-related legislation and plans incorporates diverse perspectives and expertise, enhancing the effectiveness and acceptance of climate actions.

➥ Is access to relevant information guaranteed? yes ☒ no ☐

In Lithuania, access to relevant information regarding climate change and related policies is guaranteed by law. Key provisions ensuring public access to such information include:

1. Constitutional Right to Information: The Constitution of the Republic of Lithuania guarantees the right to access public information (Article 25). This includes information on environmental matters, which encompasses climate change, government policies, and strategies.
2. Law on Environmental Protection: The law serves as the primary legal framework governing environmental matters, including public access to environmental information. This law outlines the principles of environmental protection, the responsibilities of various institutions, and the rights of individuals concerning environmental information. Lithuania is also bound by the European Union's directives on access to environmental information (Directive 2003/4/EC).
3. National Legislation and EU Regulations: Lithuania's climate-related documents, such as the NECP, and other climate action strategies, are made publicly available. The government and relevant authorities ensure that these documents are accessible through official channels like websites and public portals.
4. Public Participation and Consultation: As mentioned earlier, Lithuania's climate policy development involves public consultations, which require the dissemination of relevant information. The public is

informed about draft documents and policies, enabling them to participate meaningfully in decision-making.

II. The application of the regulatory framework by the judge

II.A. Have any disputes been brought before the courts in your country that involve, directly or indirectly (as a result of the claims, allegations and arguments of the parties to the dispute), issues related to climate change?

If so:

-Please mention the main categories of cases in which issues related to climate change arise:

(a) cases related to energy sources (conventional/renewable),

(b) cases related to the improvement of infrastructure (buildings/vehicles),

(c) cases related to environmental impact assessment during project authorisation.

- Please mention the important cases brought before the courts in your country and the judgments handed down.

Yes, Lithuanian administrative courts have addressed disputes involving climate change, in most cases climate issues were involved only indirectly. These cases often touch upon climate-related concerns, such as emissions, environmental degradation and public participation in environmental decision-making.

Main Categories of Climate-Related Cases in Lithuania:

- Environmental Impact Assessment (EIA) in Project Authorization. Many disputes arise from the adequacy and legality of EIAs for large infrastructure projects.
- Infrastructure Development (Buildings, Roads). Legal challenges often focus on whether infrastructure projects comply with environmental standards.
- Energy Projects (Conventional and Renewable Sources). Disputes in this category involve the development of energy facilities and their compliance with environmental regulations.
- Cases concerning projects financed by the Climate Change Programme.

For example, a recently decided case involved a dispute over a permit to extract oil, which the Ministry of the Environment refused to issue due to the area's protected status, cultural heritage concerns, recreational land use designation, and alignment with the Green Deal policy. The Supreme Administrative Court of Lithuania emphasized that decisions on the development of economic activities must take into account the risks posed by climate change and the national Green Deal objectives, which serve as guiding principles of state policy. The court found that the ministry had appropriately balanced legitimate private interests with the public interest, and therefore its decision was deemed lawful (case No. eA-920-1188/2025).

II.B. Organisation of the judicial system: Does the system of dual jurisdiction (civil courts for private disputes, administrative courts for administrative disputes) apply in your country?

yes ☒

no ☐

↳ If so, are issues related to climate change dealt with:

-mainly by the administrative courts, when they examine the legality of the actions or omissions of the State and other public entities;

-mainly by the administrative courts, when they examine compensation claims against the State and other public entities;

-mainly by the civil courts (in disputes aimed at protecting the applicant against actions by individuals)?

In Lithuania, issues related to climate change are dealt with mainly by the administrative courts, particularly when examining the legality of actions or omissions by the State and public authorities. Most climate-related legal disputes in Lithuania, such as challenges to environmental impact assessments, land use planning, infrastructure development, state-issued permits or licenses, are brought before administrative courts. While administrative courts could hear cases related to state liability, compensation claims are rare in the climate change context in Lithuania. The administrative courts primarily focus on annulling unlawful acts or ensuring procedural compliance, not awarding damages for environmental harm caused by the state. Climate-related litigation in civil courts is not common in Lithuania. Civil courts might handle cases involving private property damage or contractual disputes, but they rarely involve climate change as the central legal issue.

II.B.1. In your country, does the legislation provide for a specific remedy for cases relating to the climate crisis? If so:

- Which courts have jurisdiction to hear such cases?

In Lithuania, there is no specific remedy established exclusively for cases relating to the climate crisis in domestic legislation. Climate-related issues are addressed through existing legal frameworks and are heard within the general court system, especially in administrative courts.

- What is the composition of these courts?

N/A

- What are the main features of the relevant remedies?

N/A

II.B.2. If the answer to the previous question is no [: if your legal system does not provide for a special remedy]:

- Among the remedies generally provided for, which remedies deal mainly with disputes involving issues related to the climate crisis?

actions for annulment against acts or omissions of the State and other public entities	☒
full jurisdiction remedies for the recognition of a right	☒
actions for damages	☐
remedies for the protection of the applicant's personality	☐

procedures for requesting interim measures ☒

II.B.3. If your legal system does not provide for a special remedy, are disputes relating to the climate crisis examined:

- by specialised divisions of the courts and/or according to a special procedure yes ☐ no ☒

II.B.4. According to existing practice, what is the main legal remedy for disputes relating to climate change?

In Lithuania, according to existing judicial practice, the main legal remedy for disputes relating to climate change is an action for annulment against acts or omissions of the State and other public entities. This remedy is used to challenge acts or omissions of public authorities, permits, Environmental Impact Assessments (EIAs), planning or development decisions (e.g., energy infrastructure, land use projects), etc.

II.B.5. In your country, are there seminars or other organised training courses for judges, specifically aimed at issues related to climate change?

To our knowledge, there are currently no dedicated national seminars or training programmes exclusively for judges on climate change issues. However, Lithuanian judges have opportunities to engage with climate-related legal education through various European and international initiatives.

II.C. In your legal system, does the judicial review of laws and regulations:

- is exclusively an ultra vires review (review of legality)?
- or can it also be the subject of a full jurisdiction control?
- If so, under what conditions?

In Lithuania, judicial review of laws and regulations is generally understood as an ultra vires review—that is, a review of legality, assessing whether laws or subordinate legal acts conform to higher-ranking legal norms. Courts examine whether laws, governmental regulations, ministerial decrees or municipal legal acts comply with the Constitution and higher-ranking national laws. Such ultra vires review is carried out by: - administrative courts in individual cases where secondary legislation is challenged. - the Constitutional Court, when laws are challenged for unconstitutionality. Full jurisdiction control is possible in administrative proceedings. Administrative courts may reassess both facts and legal justification of an administrative act.

This happens particularly in cases involving:

- discretionary decisions by authorities (e.g., environmental permits, planning approvals),
- complex administrative procedures (e.g., EIA, licensing).

Administrative courts can annul the administrative act, order the authority to re-assess the situation or to settle the dispute in any other manner provided for by law.

Conditions for full jurisdiction control:

- Applicable legal basis in the Law on Administrative Proceedings.
- Challenge involves individual administrative acts (e.g., decisions affecting specific persons or rights).
- The dispute allows reassessment of discretion, not just legality.
- The claim is properly substantiated and admissible under administrative law rules.

II.D. Access to justice and admissibility of appeals:

- Does your legislation provide for specific rules of procedure for disputes relating to climate change?

yes ☐
no ☒

If so:

- which special rules of procedure apply?
- Please indicate the reasons which, according to the legislator, justify the differentiation from the generally applicable rules of procedure.

In Lithuania, the legislation does not provide for specific rules of procedure that apply exclusively to disputes relating to climate change. Such disputes are processed using the general procedural rules.
While not climate-specific, some general rules are particularly relevant for climate-related cases:

Rule	Description	Relevance
Standing for NGOs	Recognized under environmental law and Aarhus Convention	Allows environmental organizations to bring cases involving climate concerns
Right to challenge administrative acts	Provided under Art. 5 of the Law on Administrative Proceedings	Often used to challenge EIA decisions, permitting, policy omissions
Right to request interim measures	Can suspend implementation of potentially harmful decisions	Important in urgent environmental or climate-related projects
Judicial review of discretionary power	Administrative courts can examine factual and legal reasoning	Useful in contesting how public authorities address environmental/climate risks

Since there are no special procedural rules for climate disputes, there is no official legislative justification for treating climate-related disputes differently. The general approach is to:

- handle climate issues under existing environmental, administrative, and EU law frameworks,

- incorporate climate concerns through the application of substantive environmental law, rather than through a distinct procedural path.

➥ If the legislation does not provide for specific rules of procedure, please mention any special rules of procedure developed by case-law in your country?

In Lithuania, although the legislation does not provide for specific procedural rules for climate change disputes, certain procedural nuances have been developed through case-law, particularly in the context of environmental and administrative law. These judicially developed principles can indirectly support climate-related litigation, even though they are not specific to climate change itself.

Special procedural principles developed by case-law (relevant to climate issues):

1. Broad interpretation of standing (*locus standi*) for NGOs.
Lithuanian administrative courts, following the principles of the Aarhus Convention and EU law, have developed a broad interpretation of legal standing in environmental cases:
- Environmental NGOs do not have to prove direct personal harm;
- Standing is granted if the organization's mission includes environmental protection;
- This principle allows NGOs to challenge permits, development projects, or EIA decisions with climate implications.

2. Enhanced judicial review of administrative discretion in environmental cases.
Courts apply more intensive scrutiny where public authorities exercise discretion in matters with serious environmental impact (e.g., issuing permits for high-emission activities).
- Judges can assess whether climate-related factors (such as GHG emissions or long-term sustainability) were properly considered;
- Authorities must provide reasoned justifications showing they complied with both national and EU environmental obligations.

3. Interim Measures in Environmental Cases.
Courts in environmental cases may apply interim measures when there is a risk of causing irreversible harm to the environment. In such cases, upon receiving a reasoned application of the participants in the proceedings or on its own initiative, the court or the judge can take provisional measures to ensure the claim. Although not limited to climate issues, this practice allows courts to suspend the effects of the contested decisions until full judicial review is completed. This practice ensures effective legal protection and helps preserve the status quo in environmentally significant situations, especially when the consequences of the decision may be irreversible.

If special rules of procedure developed by case-law exist:

➥ what are the conditions of admissibility according to case-law rules (legal capacity, legitimate interest in bringing an application before the court, conditions of admissibility linked to the nature of the contested acts or omissions, time limit for lodging an appeal, etc.)

➥ Please indicate the reasons which, according to the case-law, justify the differentiation from the generally applicable rules of procedure.

In Lithuania, although there are no formal special procedural rules for climate change disputes, case-law has developed important clarifications and flexible interpretations of general procedural rules—particularly in the environmental and administrative law context, which indirectly facilitate climate-related litigation.

Below are the main admissibility conditions as developed by Lithuanian case-law, along with the judicial rationale for applying more flexible or differentiated standards in environmental (and therefore climate-relevant) cases.

1. Legal Capacity.

- General rule: only legal or natural persons with legal capacity can bring a case.
- No differentiation in environmental/climate cases.
- NGOs must have legal personality (registered organization).

2. Legitimate Interest.

- Differentiated by case-law for environmental disputes:
    - Individuals usually need to show personal harm.
    - Environmental NGOs can bring claims in the public interest if:
        - Their statutes include environmental protection objectives;
        - They operate in the affected area;
        - They act in line with the Aarhus Convention and relevant EU environmental directives.

  Reason for differentiation:
    - Environmental harm affects public goods, not just private rights.
    - Based on international (Aarhus Convention) and EU law, which aim to guarantee broad access to justice in environmental matters.

3. Contested act or omission.

Admissible acts include:

- Final administrative decisions (e.g., EIA approvals, permits),
- Omissions or inaction by public authorities (e.g., failure to conduct proper assessment),
- Strategic plans or policies (if they have legal effects or implementation consequences).

Case-law reasoning:

- The courts recognize that inaction can be just as harmful as action in environmental contexts, especially in climate-sensitive matters.
- The legal act must produce direct legal effects for admissibility, but this is interpreted flexibly in environmental disputes.

4. Time limits for appeal.

- Standard rule: 1 month from the date of the contested act or knowledge thereof (Law on Administrative Proceedings).

- No specific extension for environmental/climate cases, but:
  - Courts may flexibly interpret when the claimant became aware of the act.
  - If authorities failed to ensure public access to information, the clock may be deemed to start later.

Justification:

- Public participation and transparency are foundational principles in environmental law.
- Courts consider that deficient notification or lack of transparency may hinder timely access to justice.

II.D.1. More specifically, with regard to legitimate interest in bringing an application before the court:

➥ Does your legal system recognize the actio popularis (as a constitutional principle or rule, by legislation or case-law)?

In the Lithuanian legal system, *actio popularis*—that is, the general right of any person to bring a legal action solely in the public interest without needing to show personal or direct legal injury—is not recognized as a general constitutional or legislative principle.

How is the legitimate interest in bringing an application before the court, as a condition for the admissibility of an appeal, defined:

➥ in relation to certain groups or categories of the population [minors, the elderly or other vulnerable groups more exposed to the effects of climate change];

➥ in relation to legal persons [public law legal entities, private law entities: associations, etc]?

In Lithuania, the concept of legitimate interest as a condition for admissibility of an appeal is defined broadly. Lithuanian courts apply contextual interpretations depending on whether the applicant is a natural person (including vulnerable groups) or a legal person (including associations and NGOs). While climate change-specific case-law is limited, relevant principles from environmental and administrative jurisprudence are often applied.

Legitimate interest: natural persons, including vulnerable populations (e.g., minors, elderly, persons with disabilities)

General Rule:

- A person has a legitimate interest when the administrative act or omission may directly affect their rights, legal status or interests.

In the context of environmental or climate-related matters:

- Courts may interpret interest more broadly, particularly when the health, quality of life, or living environment of the person could be affected.
- Vulnerable groups (e.g., minors, elderly) are not granted automatic standing, but their increased sensitivity to climate risks may be argued to reinforce the existence of a legitimate interest.

Legitimate interest: legal persons

Public law entities:

- These include municipalities, state institutions, and regulatory bodies.
- They may have standing in climate-related matters only when acting within their legal competence or to protect delegated functions (e.g., planning, health, environment).

Private legal persons (especially associations, NGOs):

- Must demonstrate:
  - That the case relates to their purpose (as stated in their bylaws),
  - That they are legally established,
  - That the matter falls within their geographical and subject-matter area of activity.
- Environmental NGOs typically do not need to show personal harm, and can bring cases in the public interest—a functional equivalent to *actio popularis* in environmental and climate protection.

➥ Concerning the allegations made by the parties to substantiate their interest in bringing proceedings in the disputes in question, what degree of specification is required?

Allegations must be specific enough to establish a plausible connection between the applicant and the act or omission.

The courts do not require detailed evidence at the admissibility stage, but the interest must be more than hypothetical or abstract.

In climate-related and environmental cases, Lithuanian courts tend to apply a flexible, proportional approach, favoring access to justice in line with international and EU norms.

➥ What standards of proof are required for the allegations made?

In Lithuania, the standards of proof for allegations made—particularly in environmental and climate-related disputes—depend on the stage of the proceedings and the type of claim (procedural or substantive). The courts apply general administrative or civil procedural rules, but in practice, there is some flexibility in environmental matters, especially due to obligations under the Aarhus Convention and EU environmental law.

II.D.2. Nature of the contested acts or omissions:

➥ What are the categories of cases brought before the courts in disputes concerning climate change?

In Lithuania, although climate litigation is still emerging, there is a growing number of cases where climate-related issues are raised directly or indirectly, especially in the context of environmental protection, land use planning, and energy policy. The contested acts or omissions typically involve state authorities, municipal institutions, or regulatory bodies, and are examined by administrative courts.

See also the answer to question II.A.

- What are the admissibility requirements for taking legal action against omissions in disputes concerning climate change?

In Lithuania, taking legal action against omissions (i.e., failure to act) in disputes concerning climate change before administrative courts follows the general rules under the Law on Administrative Proceedings and is informed by constitutional principles, EU law, and the Aarhus Convention.
• For legitimate interest see answer to question II.D.1.
• Omissive act by a public authority. To be admissible, the omission must be:
  ○ Attributable to a public administrative body (e.g., Ministry of Environment, municipalities),
  ○ Required by law to act, e.g., adopt regulations, enforce compliance, issue permits, or conduct assessments.
  ○ Purely political or legislative omissions (e.g., Parliament failing to enact laws) are non-justiciable before administrative courts.
• Nature of the remedy sought. In the cases relating to omission by an entity of public administration, i.e., failure to perform official duties or in the cases regarding delay in performing actions, the administrative court may adopt a decision obligating the appropriate entity of administration to make a relevant decision or comply with any other court order within the prescribed time limits (Law on Administrative Proceedings, Art. 92).
• Time limits. 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 the settlement of the issue (Law on Administrative Proceedings, Art. 29).

- Have the courts in your country been asked to examine questions of cross-border interest [parties to the dispute resident or headquartered in another country, acts or omissions with environmental impacts in another country]?
- If so, how were these disputes handled [limitation of liability only for actions or omissions within the borders of the State or recognition of liability also for actions outside the borders]?

N/A

II.E. Nature, extent and intensity of judicial review:

- In matters of climate change, how does the judge consider the delimitation of jurisdictional control in relation to:

  -the political choices made by the legislator or the administration?

  -the balancing of contradictory interests?

  -assessments of an essentially technical nature?

In Lithuania, the nature, extent, and intensity of judicial review in climate change-related disputes are influenced by the judicial role in balancing constitutional principles, legal certainty, and the separation of powers between the judiciary, legislature, and executive. Lithuanian courts exercise judicial restraint when it

comes to political decisions but do not shy away from scrutinizing administrative actions if they affect the environment and fundamental rights.

1. Political Choices Made by the Legislator or Administration.

   Judicial Restraint: Lithuanian courts respect the separation of powers and generally refrain from interfering with political choices made by the legislator or the administration unless there is a clear violation of constitutional rights or international obligations (e.g., EU law or international treaties).

2. Balancing of Contradictory Interests.

   Judges are required to balance competing interests in climate-related disputes, such as:

   - Economic development vs. environmental protection,
   - Public health vs. industry interests,
   - State sovereignty vs. international obligations.

   The courts apply a proportionality test, ensuring that the decision is not excessively burdensome to any one party while still protecting the environment and respecting human rights. In the climate change context, economic interests (e.g., industry or energy production) are balanced against environmental rights (e.g., right to a healthy environment, rights protected under the Charter of Fundamental Rights of the EU).

3. Assessments of an Essentially Technical Nature.

   When dealing with disputes that require technical assessments—such as environmental impact or climate change assessments—Lithuanian judges typically do not substitute their own expert judgment for that of specialized bodies (e.g., environmental experts or scientific committees). However, they do have several tools to review the correctness and legality of such technical assessments:

   - Review of Legal Process: Judges focus on whether the administrative authority followed the proper legal procedures for environmental assessments. They evaluate whether:
     - Relevant scientific data and expert reports were considered,
     - Public consultation processes were properly conducted,
     - There was compliance with national and EU law (such as the EIA Directive).
   - Access to Experts: If the technical issue is too complex or controversial, courts may appoint experts to assist in assessing whether the administration's decision was reasonable.

II.E.1. On the balancing of conflicting interests, please give examples from the case-law in your country when the conflict concerns:

-environmental protection, and in particular protection against the effects of climate change, on the one hand;

-the protection of private assets and interests, on the other hand.

An example from Lithuanian case-law is the decision of the Supreme Administrative Court of Lithuania of 8 January 2025 (case No. eA-920-1188/2025), where the Court examined a dispute between a private company and the Ministry of Environment regarding the refusal to issue a permit for the extraction of hydrocarbons (oil). The Court emphasized that the Green Deal constitutes a consistent position and policy direction of the Lithuanian State, as reflected in the Government's programmes and the development of European Union law, and that the principles of the Green Deal must be integrated into decisions on the development of economic

activities. In balancing the private interest in expanding environmentally hazardous activities against the public interest in protecting environmental and constitutional values, the Court concluded that the Ministry properly assessed and balanced these interests, taking into account the risks related to climate change, and that its decision was lawful and justified.

- Can the judge limit the temporal effects of an annulment decision [example: limitation of the retroactive effects of an annulment decision] based on the balancing of conflicting interests?
- If so, under what conditions?

Yes, judges in Lithuania can limit the temporal effects of annulment decisions based on a balancing of conflicting interests. The conditions under which this happens include concerns about legal certainty, private rights, public interest, and practical implications of retroactive annulment. The court typically ensures that the annulment does not result in disproportionate harm while still fulfilling its role in correcting unlawful administrative actions.

II.E.2. Technical and scientific judgments:

- Please give examples from case-law concerning the criteria and methods used by judges to rule on disputes involving technical and scientific judgments.

In Lithuania disputes involving technical or scientific judgments are often challenging for courts because they require the judges to assess complex scientific data and expert opinions. When deciding such cases, courts typically:

- Rely on expert testimony and scientific reports to understand complex technical issues,
- Consult established standards, such as EU regulations, environmental impact assessments, etc.,
- Balance conflicting interests, such as between public policy goals (e.g., renewable energy, climate adaptation) and individual rights (e.g., property rights, health).

The court typically does not make its own technical decisions but relies heavily on scientific experts and external reports to inform its judgments, ensuring that legal decisions are based on sound technical and scientific reasoning.

For example, the dispute in the case concerned the adjustment of the State Forest Cadastre of the Republic of Lithuania on the basis of data provided by an independent expert. The Court acknowledged the necessity of the assessment of these data (case No. A-3447-662/2021, eA-490-502/2023).

In another case, the court rejected an expert's report submitted by the applicant, because it did not meet the requirements of reliability and relevance to the subject-matter of the dispute: the clarity of the origin of the subject-matter of the study, the transparency of the selection and the relevance of the subject-matter to the circumstances of the dispute were not ensured (case No. eA-344-525/2023).

- Does the judge have the specific tools required to exercise the above mentioned control effectively and efficiently [assistance from specialised scientists, appointment of experts, amicus curiae]?

In Lithuania, judges do have specific tools to effectively and efficiently exercise control over disputes involving technical and scientific matters, including those related to climate change and environmental

protection. These tools are designed to ensure that the court has access to specialized knowledge and expertise when dealing with complex scientific, technical, and environmental issues.

Lithuanian courts have the ability to appoint expert or seek assistance from specialized scientists in cases where technical or scientific matters are critical. These experts provide specialized knowledge and help the court understand complex issues that go beyond general legal knowledge. The process is governed by specific provisions in Lithuanian law regarding expertise in judicial proceedings.

In some complex cases, particularly those with public interest, courts in Lithuania may allow *amicus curiae* (friends of the court) to submit opinions or additional information. Although not a common practice, amicus curiae briefs can be especially relevant in cases that involve human rights, public policy, or climate change issues where third parties may provide expertise or perspective on the matter. For example, environmental organizations may be invited to the proceedings to provide opinions and additional information. This can be important, especially if the organization has specialized knowledge and human resources on environmental issues.

To sum up, there are various tools available, such as:

- Appointment of experts: Judges can appoint scientific and technical experts to assist in understanding complex issues.
- *Amicus curiae* submissions: Courts may allow third parties, such as NGOs or research institutions, to provide opinions on the matter.
- Specialized scientific databases: Judges can consult scientific reports and international climate guidelines to inform their decisions.
- Specialists in environmental law: The court may consult specialists in EU law or international environmental treaties.

II.E.3. In the judicial review, how is the diversity and complexity of the factors contributing to the phenomenon of climate change evaluated?

In judicial review, the evaluation of the diversity and complexity of factors contributing to the phenomenon of climate change is a challenging but crucial aspect. In Lithuania courts rely on scientific evidence, expert testimony, and international guidelines to understand and assess the diverse and complex factors related to climate change.

II.F. Civil liability of the State

- With regard to compensation claims, has your country's case-law considered disputes involving the civil liability of the State for damage attributed by applicants to climate change? yes ☐ no ☒
- If so: to address the relevant issues, does the judge simply apply the standard provisions and methods, for example with regard to proof of damage, causal links or methods of compensation for damage,
- or does he apply specific rules?

There is no known case-law in Lithuania concerning the civil liability of the State for damage attributed to climate change.

➥ What is the content of the specific rules and their legal basis?

N/A

➥ With regard to ecological damage, how are questions of causality dealt with?

In Lithuania the issue of causality in cases involving ecological damage is a complex matter. However, in general, questions of causation in cases involving environmental damage are assessed according to the general principles of liability.

➥ Is monetary compensation recognised regarding compensation for non-material damage caused by ecological damage? yes ☒ no ☐

Yes, in Lithuania, monetary compensation for non-material damage caused by ecological harm is recognized. According to the Civil Code of the Republic of Lithuania (Article 6.250), non-material (moral) damage may be compensated by monetary means when a person's non-material values, such as health, emotional well-being, or quality of life, are negatively affected. Although case-law specifically addressing non-material damage in environmental cases is limited, the legal framework allows individuals to claim such compensation if they can prove that ecological damage caused significant non-material harm to them.

➥ Does the 'polluter pays' principle apply to disputes concerning climate change?

In Lithuania, the "polluter pays" principle is recognized as a general environmental law principle and applies broadly to environmental protection matters. It is established both in national legislation, such as the Law on Environmental Protection, and in Lithuania's obligations under European Union law. However, so far there is no specific case-law directly applying the "polluter pays" principle in disputes solely concerning climate change. The principle would in theory guide the allocation of responsibility, but its practical application to climate-specific damage has not yet been extensively tested in Lithuanian courts.

II.G. Provisional judicial protection [interim measures]

➥ How are requests for provisional judicial protection in climate change cases handled? What parameters are taken into account by the courts?

In Lithuania, requests for provisional judicial protection (interim measures) in environmental cases are assessed under the general rules of the Law on Administrative Proceedings and the Code of Civil Procedure. Courts apply interim measures if it is substantiated that failure to grant them could cause serious, difficult-to-repair harm, including environmental harm. In deciding whether to grant interim measures, courts take into account: (i) the urgency and risk of irreversible damage, (ii) the proportionality between the requested measure and the potential harm, (iii) the likelihood of success of the applicant's claim (prima facie assessment), and (iv) the public interest, especially when environmental protection is at stake. Although climate change is not yet a frequent standalone ground for interim measures in Lithuanian case-law, environmental protection concerns — including risks to protected areas or ecosystems — are generally considered important in assessing the need for urgent judicial protection.

➥ Please mention the measures that the judge may order.

The judge may order various interim measures, such as:

- Suspension of the effects of an administrative decision (e.g., suspension of construction or extraction permits);
- Prohibition of certain activities (e.g., temporarily halting works that may cause environmental harm);
- Obligation to take preventive measures to avoid environmental degradation.
- Etc.

➥ How does the judge consider the ecological damage alleged by the parties?

When considering ecological damage, judges in Lithuania look for a clear causal link between the alleged damage and the defendant's actions. They rely heavily on scientific and technical evidence, expert assessments, and the legal principles set out in national and EU law. Judges also need to balance ecological protection with other interests and may order monetary compensation or remedial action to address the damage. The complexity of such cases often requires a detailed assessment of both the immediate and long-term environmental consequences.

II.H. Regarding the enforcement of a court decision:

➥ Is there a procedure for checking whether the legislator and/or the administration have adopted the necessary measures to comply with a court decision?

In Lithuania, there is no special separate procedure dedicated solely to systematically checking whether the legislator or the administration has adopted the necessary measures to comply with a court decision. However, general mechanisms exist to ensure enforcement. Under the Law on Administrative Proceedings, if a public authority fails to voluntarily comply with a final court judgment, the applicant may apply to the court for enforcement measures. The court may issue binding orders requiring the authority to act within a specified time. Failure to comply can lead to the imposition of fines. In practice, courts may also monitor compliance through follow-up proceedings (e.g., repeated judicial review or complaints about non-execution), but systematic supervision over legislative or regulatory changes required by a judgment is not formally established.

When legislative amendments are required following a judgment (for example, after a finding of unconstitutionality), political and institutional mechanisms, rather than judicial enforcement, are typically relied upon.

➥ In case-law, what are the most striking examples of the methods used to monitor the enforcement of judgments in disputes relating to acts or omissions linked to climate change?

Currently, Lithuanian case-law does not provide striking examples specifically addressing methods used to monitor the enforcement of judgments in disputes directly linked to acts or omissions concerning climate change. Climate litigation is still at an early stage in Lithuania, and cases explicitly concerning the State's or administration's obligation to act on climate change are rare. No specialized mechanisms or notable case-law examples focused on climate change-related enforcement monitoring have yet been developed.

III.A. In your country:

- Are there any court decisions that have explicitly recognised the obligation of the State [and/or other public entities] to take positive measures to address climate change?

No, in Lithuania there are currently no court decisions that have explicitly recognised the obligation of the State or other public entities to take positive measures specifically to address climate change. Although Lithuanian courts, particularly the Supreme Administrative Court, have acknowledged the importance of environmental protection, the principles of the green course and the need to integrate climate considerations into decision-making processes, they have not yet directly established a clear, legally binding duty for the State to undertake specific positive actions solely to combat climate change.

- Are there any court decisions recognising a right to ensure compliance with this obligation?

No, Lithuanian case-law has not yet explicitly recognised a subjective right of individuals or groups to demand that the State or public authorities ensure compliance with an obligation to take positive measures specifically to address climate change. While the courts do acknowledge the State's duty to protect the environment as part of constitutional and legal obligations, this has been framed in general terms and mainly in the context of balancing public and private interests, without explicitly establishing an enforceable right related to positive climate action.

- If a relevant case-law rule has been formulated, on what legal basis?

N/A

III.B. If the courts in your country have already considered issues relating to climate change:

- Do the relevant decisions refer to existing practice in another legal system, for example to the case-law of national judges in other countries or to the case-law of judges in supranational bodies:

  -dialogue between the national courts of different countries

  -dialogue between the courts of your country and the European Union judge

  -dialogue between the courts in your country and the ECtHR

  -dialogue between the courts in your country and the bodies of other international organisations [for example the UN]?

In Lithuania, courts that have considered issues relating to climate change generally rely on national constitutional principles, domestic legislation, and the development of European Union law. In their reasoning, courts primarily engage in dialogue with the Court of Justice of the European Union (CJEU) and, where relevant, refer to the case-law of the European Court of Human Rights (ECtHR) regarding environmental protection and human rights.

However, direct references to the case-law of national courts of other countries or to decisions by bodies such as the UN are not typical in Lithuanian judicial practice related to climate change.

The dialogue mainly occurs through interpreting and applying EU law and fundamental rights under the Charter of Fundamental Rights of the EU and the European Convention on Human Rights.

III.C. In your country's case-law, is the obligation to act against climate change considered mainly:

- as an obligation based on national law
- or as an obligation under international law?

In Lithuania's case-law, the obligation to act against climate change is considered primarily as an obligation based on national law. Courts emphasize the duty to protect the environment as a constitutional value enshrined in the Constitution of the Republic of Lithuania and reflected in national legislation and policy documents (such as the national Green Deal strategy).

At the same time, international and European Union law — especially EU climate and environmental policy — serve as important contextual elements that reinforce and guide the interpretation of national obligations, but the courts primarily ground their reasoning in national constitutional and legislative provisions.

➥ Within the case-law, can we find decisions aimed at harmonising the rules of international law, European law and national law?

Yes, in Lithuania's case-law, courts strive to harmonise the rules of international law, European Union law, and national law when addressing environmental protection issues, including those related to climate change.

Courts consistently emphasize that national law must be interpreted and applied in light of Lithuania's international obligations and European Union law requirements. This approach ensures the coherence of the national legal system with the commitments arising from EU environmental law, international treaties, and constitutional principles, notably the duty to protect the environment for present and future generations.

➥ In your country, have any court decisions considered the Paris Agreement to be a legally binding instrument?

So far, there are no known court decisions in Lithuania where the courts would have explicitly assessed or confirmed the Paris Agreement as a legally binding instrument directly applicable in national law.

III.D. Does the approach of the courts in your country align with the approach of the ECtHR in *Verein Klimaseniorinnen Schweiz v. Switzerland*? [please mention any differences]

The approach of the courts in Lithuania does not entirely align with the approach of the European Court of Human Rights (ECtHR) in the case of *Verein Klimaseniorinnen Schweiz v. Switzerland*, but there are some similar elements in terms of environmental protection and human rights considerations.

Similarities:

Both the Lithuanian courts and the ECtHR recognize the importance of climate change as a significant issue with profound implications for human rights and environmental protection. In the *Verein Klimaseniorinnen Schweiz* case, the ECtHR emphasized the state's positive obligation to protect the environment, particularly when there are threats to human rights, such as the right to life (Article 2 of the European Convention on Human Rights) and the right to private life (Article 8 of the ECHR). Similarly, Lithuanian courts consider environmental protection as an essential constitutional value and refer to it when balancing private interests with public and ecological interests.

Differences:

National Jurisdiction vs. Supranational Context:

The ECtHR in *Verein Klimaseniorinnen Schweiz* took an active role in affirming that climate change constitutes a serious threat to human rights, and that states must do more to address it in a manner that does not disproportionately harm vulnerable groups. The ECtHR extended its interpretation of human rights law to require stronger action from states on climate change.

Lithuanian courts have not yet developed such a direct link between climate change and specific human rights obligations in the same manner. Lithuanian case law mainly deals with balancing environmental protection within the context of national legislation and EU obligations, and while it considers climate change risks, it has not yet been tasked with a case where the positive obligations under human rights law (like in the *Verein Klimaseniorinnen Schweiz* case) were the central issue.

Binding Nature of International Agreements:

In the *Verein Klimaseniorinnen Schweiz v. Switzerland* case, the ECtHR acknowledged international climate agreements (like the Paris Agreement) as influencing the state's duty to address climate change. Lithuanian courts generally reference international agreements but do not yet explicitly engage with international law as a binding, self-executing source in national legal claims. Lithuanian courts typically refer to EU law and constitutional principles, whereas the ECtHR takes a broader, supra-national view of how international agreements can inform national duties under human rights law.

III.E. Have the courts in your country referred questions to the CJEU or the ECtHR for a preliminary ruling on matters directly or indirectly related to climate change?

As of now, courts in Lithuania have not referred questions to the Court of Justice of the European Union (CJEU) or to the European Court of Human Rights (ECtHR) for a preliminary ruling or advisory opinion specifically on matters directly or indirectly related to climate change.

Part II: Overtourism

I. The regulatory framework [the rules of law]

I.A. Have the negative effects of the excessive development of tourist activity been adressed by the legislator and the courts of your country, following concerns discussed in the public debate?

yes ☒
no ☐

↳ If so, what are the problems envisaged in the legislation and case-law on this subject?

saturation capacity of urban and non-urban space ☒

deterioration of living conditions in urban areas (increase in housing prices, lack of properties to rent especially for younger generations and/or families with low and medium incomes - particularly in city centres, on islands and in other tourist destinations, deterioration of traffic conditions, insufficient infrastructure, increase in energy consumption, etc.) ☒

overexploitation of natural resources (increased density due to the construction of hotels and other buildings for tourism in extra-urban areas, intensification of land use - particularly in coastal areas and the islands, insufficient infrastructure in small villages, effects on protected landscapes and/or on historical sites and/or archaeological sites and monuments) ☒

other problems ☐

In Lithuania, the issue of excessive tourism development and its negative effects, such as environmental degradation, overburdened infrastructure, and disruption of local communities, has been addressed both through legislation and public debate.

Legislative Measures: Lithuania has incorporated various environmental and urban planning regulations that aim to manage and mitigate the impacts of tourism development. These include the Law on Environmental Protection, the Law on Territorial Planning, and the Law on Protected Areas, which set guidelines for the sustainable development of tourism in ecologically sensitive and culturally significant areas. These laws emphasize the protection of natural resources and historical sites from overexploitation due to tourist activity.

Additionally, in response to growing environmental and social concerns, Lithuania's National Sustainable Development Strategy sets out measures to balance tourism growth with environmental protection and community well-being. Originally adopted in 2003, the Strategy was updated in 2009 and 2011.

Long-term planning documents such as "Lithuania 2030" and the National Progress Plan (NPP) 2021-2030 emphasize sustainable development as a key national priority.

The government has also implemented regulations for sustainable tourism practices and promoted eco-tourism initiatives, focusing on reducing the carbon footprint and encouraging responsible tourism.

Judicial Actions: While courts in Lithuania have not been heavily involved in addressing tourism overdevelopment directly, there have been cases related to land use, zoning disputes, and environmental protections in areas where tourism development may have caused harm. Lithuanian courts have, in certain cases, ruled on issues where tourism developments conflicted with environmental or zoning regulations, thereby ensuring that development projects comply with sustainability principles.

Moreover, there is public discussion in Lithuania about balancing tourism with environmental protection, and various initiatives have been introduced to encourage local governments and businesses to adopt more sustainable practices.

I.B. Has your country taken an initiative/participated in a collective initiative for the establishment, within the EU, of a regulatory framework to address the adverse effects of 'hypertourism'?

If so, what is the content of the proposed measures?

Yes, Lithuania has actively participated in both national and EU-level initiatives to establish regulatory frameworks addressing the adverse effects of 'hypertourism'.

National Initiatives:

- Lithuania's Tourism Roadmap: Approved in 2024, this strategy aims to position Lithuania as a green, sustainable tourist destination. It focuses on creating a favourable ecosystem for sustainable tourism, promoting innovative and data-driven tourism, and enhancing resilience and competitiveness in the tourism sector.

International level Participation:

- Collaboration with the World Tourism Organization (WTO): Lithuania has strengthened its cooperation with the WTO, encouraging global startups to develop tailored solutions for Lithuania's tourism industry. Plans include hosting a WTO tourism event in Lithuania to bolster the country's role in regional tourism and address challenges related to tourism overdevelopment.

EU-Level Participation:

- Lithuania's involvement in European tourism efforts is primarily channeled through organizations such as the European Travel Commission (ETC). Additionally, Lithuania participates in networks like NECSTouR (Network of European Regions for Sustainable and Competitive Tourism)
- European Tourism Manifesto Alliance: Lithuania actively engages in initiatives under the European Tourism Manifesto Alliance, which published a strategic vision for the European tourism industry for

the 2024-2029 EU mandate. The document emphasizes sustainable tourism practices, aiming to balance tourism growth with environmental and societal well-being.

- EU Regulatory Developments: Lithuania supports EU initiatives like the Short-Term Rental Regulation, aiming to enhance transparency and ensure fair competition in the tourism sector. This regulation obligates platforms to share data with authorities, addressing issues arising from unregulated tourism accommodations.

I.C. Are there any relevant principles and guidelines at international level?

➥ If so, have they been recorded:

-in binding texts?

-in non-binding texts?

➥ Could non-binding texts serve as a basis for regulations [please give examples]?

Yes, Lithuania recognizes and aligns with international principles and guidelines on climate change and sustainable development, which are reflected in both binding and non-binding texts.

Binding Texts:

Lithuania, as an EU Member State and a signatory to international agreements, is bound by several key documents:

- The Paris Agreement – Lithuania has ratified this treaty and is committed to reducing greenhouse gas emissions and achieving climate neutrality by 2050.
- EU Climate Law (Regulation (EU) 2021/1119) – This binding regulation establishes the EU's climate neutrality objective and is implemented nationally.
- EU Directives and Regulations, such as:

Renewable Energy Directive (2018/2001)

Energy Efficiency Directive (2018/2002)

Regulation (EU) 2018/1999 on the Governance of the Energy Union, which mandates the preparation of National Energy and Climate Plans (NECPs). Lithuania submitted its final updated NECP in October 2024.

Non-Binding Texts:

Lithuania also takes guidance from several non-binding international frameworks, which shape its policy direction:

- UN Sustainable Development Goals (SDGs) – Particularly SDG 13 (Climate Action) and SDG 11 (Sustainable Cities and Communities).
- UNWTO Global Code of Ethics for Tourism – Although non-binding, it influences national tourism policy toward sustainability and ethical practices.
- European Tourism Manifesto – While Lithuania does not formally participate as an individual country, it supports EU-wide tourism sustainability strategies that draw from this Manifesto.

Can non-binding texts influence Lithuanian law?

Yes. Non-binding documents often inform and inspire national and EU policy, which in turn becomes binding for Lithuania. For example:

- Lithuania's National Climate Change Management Agenda reflects commitments and best practices outlined in non-binding international frameworks.

- Sustainable tourism development is shaped by EU-wide strategies, which align with the European Tourism Manifesto and SDG guidelines.

I.D. In your country, are there any constitutional principles or provisions that can serve as a basis for dealing with issues related to overtourism?

Yes, in Lithuania, there are several constitutional principles and legal provisions that can serve as a basis for addressing issues related to overtourism, particularly in terms of environmental protection, sustainable development, and public interest:

1. Constitution of the Republic of Lithuania

- Article 54(1): "The State shall take care of the protection of the natural environment, wildlife, and plants, individual objects of nature, and areas of particular value, and shall supervise the sustainable use of natural resources their restoration and increase."
  → This article provides a constitutional foundation for implementing policies and regulations aimed at preventing the negative environmental impacts of overtourism.
- Article 46 (3): "The State shall regulate economic activity so that it serves the general welfare of the Nation."
  → This principle may be interpreted as allowing for regulation of tourism to prevent it from harming public interests, such as housing availability, infrastructure, and quality of life.

2. Law on Environmental Protection

Although not in the Constitution, this law is based on constitutional provisions and requires that development, including tourism, must not exceed environmental limits or compromise natural and cultural values.

3. Principle of Sustainable Development

Embedded in national planning documents, this principle supports balanced and rational land use, protecting resources from overuse — a key concern in overtourism.

I.E.1. Has the national legislator established a regulatory framework specifically designed to address the problems resulting from excessive tourist activity?

yes ☐

no ☒

↳ If so, please summarise the legislation adopted and the main content of the relevant regulations (for example preventive and/or repressive measures, other provisions)

Lithuania does not have a regulatory framework specifically designed to address the problems of overtourism. However, various general environmental and territorial planning laws — such as those on environmental protection, impact assessment, territorial planning and construction, protected areas and tourism — provide mechanisms that can mitigate tourism-related impacts. These laws include preventive and control measures but are not targeted at overtourism per se.

While these laws contain preventive and protective measures (e.g., zoning restrictions, Environmental Impact Assessments, permits), they are not tailored specifically to overtourism or the saturation of tourist areas. Municipalities, however, may adopt local planning rules or restrictions in response to specific tourism pressures.

I.E.2. Does your country have a special action plan to address the problems resulting from excessive tourist activity?

yes ☐

no ☒

↳ If so, does this plan establish guidelines for the policies to be followed or does it also contain binding rules?

Lithuania currently does not have a dedicated national action plan specifically aimed at tackling the negative effects of excessive tourism or overtourism. While tourism is addressed in broader strategies such as sustainable development, regional planning, or cultural heritage protection, there is no specific plan targeting overtourism issues with detailed guidelines or binding rules.

➥ What is the level of planning [national, regional, etc.] ?

N/A

I.E.3. In your country, are there any regulations concerning:

-the allocation of responsibilities for the management of 'hypertourism'? ☐

-other provisions concerning the organisation of the competent authorities?

☐

The allocation of responsibilities for the management of 'hypertourism'?
No specific regulation
While various public authorities (e.g., Ministry of Economy and Innovation, municipalities, Tourism department) are involved in tourism development and regulation, there are no legal provisions specifically allocating responsibilities for the management of overtourism or 'hypertourism'.

Other provisions concerning the organisation of the competent authorities?
General governance of the tourism sector is regulated through national tourism laws and municipal legal acts, which outline the competence of authorities in tourism planning, infrastructure development, and cultural heritage protection, but again, not specifically with regard to overtourism.

➥ What are the responsibilities assigned to the various bodies (advisory, decision-making)?

N/A

➥ Are there any provisions for public participation in the adoption of action plans or laws?

yes ☐
N/A ☒

II. The application of the regulatory framework by the judge

II.A. Have issues related to 'hypertourism' been the subject of litigation in your country?

yes ☐
no ☒

➥ If so, what points were raised in the arguments of the parties to the dispute?

yes ☐
no ☐

To our knowledge, issues related to 'hypertourism' have not been directly litigated in Lithuanian courts.

➥ Please summarise the landmark cases heard by the courts in your country and the decisions handed down.

N/A

II.B. According to legal practice, what is currently the main channel through which the relevant disputes are brought before the courts?

-litigations concerning control of the legality of administrative acts or omissions? ☐

-litigations concerning compensation for damage caused by acts or omissions of the administration? ☐

-other categories of litigations? ☐

As it was mentioned before, Lithuanian courts have not directly addressed 'hypertourism' in their rulings.

However, distancing ourselves from 'hypertourism' in particular, it can be noted that in Lithuania the main legal channel through which disputes related to environmental protection, cultural heritage, or issues potentially linked to phenomena like hypertourism are brought before the courts is litigation concerning control of the legality of administrative acts or omissions. This is the primary route in the administrative courts where individuals or organizations can challenge:

- administrative decisions that authorize or fail to regulate activities (e.g., tourism-related construction or development in sensitive areas),
- omissions by public authorities to act where there is a legal obligation (e.g., failure to implement environmental protections or heritage preservation measures).

Litigations concerning compensation for damage are less frequently pursued.

II.C. Please cite any court decisions:

-that have expressly recognised the obligation of the State and/or other public entities to take positive measures in order to address the phenomenon of 'hypertourism'? ☐

-that have recognised a right of individuals to ensure compliance with this obligation? ☐

↳ Have case-law rules been formulated in this regard? If so, on what legal basis?

As of now, Lithuanian courts have not issued decisions that explicitly recognize an obligation of the State or public entities to take positive measures specifically to address 'hypertourism' or 'overtourism'. However, existing legal frameworks and case law establish general obligations for environmental protection and public participation, which can be relevant in contexts where tourism impacts the environment and communities.

The combination of the Law on Environmental Protection and the Aarhus Convention provides a legal framework that can be invoked when tourism-related activities harm the environment or cultural heritage. Courts have recognized the importance of public participation and the state's duty to prevent environmental degradation, which can be applied to cases where tourism is a contributing factor.

II.D. Do issues linked to overtourism:

-mainly concern the administrative courts, when they monitor the actions of the State and public entities,

or do they mainly concern the civil courts called upon to judge appeals against the actions of individuals?

administrative courts ☐

civil courts ☐

both ☒

Bearing in mind what has been said above about the cases exclusively related to 'hypertourism', it should be noted that in Lithuania issues potentially linked to overtourism primarily concern the administrative courts, not the civil courts.

Administrative courts are the main forum when:

- actions or omissions of public authorities (e.g., municipalities, heritage departments, environmental agencies) are challenged,
- residents or NGOs seek to annul urban planning or construction decisions in tourism-heavy areas (e.g., Vilnius Old Town, Curonian Spit),
- the State's failure to prevent environmental or cultural damage is at issue.

Civil courts would typically become relevant if:

- a private party sues another private party (e.g., a neighbour suing a hotel for nuisance or damage),
- there are claims for compensation for damages caused by tourism-related activities (noise, pollution, etc.),
- a private contractual dispute arises (e.g., between tour operators, property owners, or renters).

However, these are secondary compared to the systemic and regulatory issues overseen by administrative courts.

II.E. Can examples be found in your country's legislation and case-law that highlight the relationship between climate change and overtourism?

yes ☐

no ☒

➥ If so, please present the main content of the relevant legislation or court decisions.

As of now, Lithuanian legislation and case law do not explicitly link climate change and overtourism.