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Whistleblower in Lithuanian special services

According to information provided by Vytautas Bakas, a member of Lithuanian Seimas, the State Security Department (*Valstybės saugumo departamentas*, VSD) in 2018–2019 allegedly gathered information about the entourage of the then presidential candidate Gitanas Nausėda and about Vygaudas Ušackas, a candidate for nomination in the presidential primaries in the opposition Homeland Union-Lithuanian Christian Democrats (TS-LKD) party. Although the leadership of VSD denies it, and leading politicians emphasize their confidence in the services, the scandal that erupted will probably become one of the main topics of the upcoming campaign before the Seimas elections.

Alleged illegal activities of VSD. The source of information about the activities of the services is a VSD officer who has been given the status of whistleblower. His identity has not been disclosed. In April 2019 (one month before the presidential election), he reported about the details of the case to Vytautas Bakas, who was then the chairman of the parliamentary Committee on National Security and Defence (*Nacionalinio saugumo ir gynybos komitetas*, NSGK). The officer was to receive orders to conduct actions from the deputy director of VSD Remigijus Bredkis. The orders included checking persons supporting Gitanas Nausėda's presidential candidacy, who were included on two lists handed out in July 2018 and January 2019. In addition, in September 2018, the officer was instructed to gather information that would confirm the statement of one of the politicians of TS-LKD Žygimantas Pavilionis that Vygaudas Ušackas "is pro-Russian". The officer was to inform the head of VSD Darius Jauniškis about the results of his work. The whistleblower turned to Bakas, considering that the leadership of VSD violated the principles of the rule of law and political neutrality.

After receiving information from a VSD officer, Bakas turned to the Special Investigations Service (STT) and the General Prosecutor's Office to determine whether the abovementioned actions constituted an infringement. He found the answers he had received only in January 2020 to be unsatisfactory. On February 4, Bakas, who in the meantime lost his position as chairman of NSGK, forwarded this information to the chairman of the Seimas. However, the presidium of the parliament decided not to initiate an investigation based on the negative opinion of NSGK. Following the disclosure of the case in the media, VSD management denied that it had carried out any illegal activities. Also the office of President Gitanas Nausėda announced that he had full confidence in the security services and warned against dissemination of any information that could discredit state institutions. The president had been previously reassured by the representatives of the STT and the General Prosecutor's Office that there was no breach of the law. Bakas confirmed that he would seek to initiate a commission to investigate the matter.

Consequences of the case for Lithuanian political life. There are several issues to note. Firstly, there is an ongoing discussion in Lithuania about the powers of special services. On the one hand, the chancellery of the president has recently come out with an initiative to amend the legislation which would sanction, among other things, the procedure for officers to carry out 'preventive talks'. On the other hand, in February this year, the Ombudsman presented a report containing a number of recommendations regarding the provision of appropriate civil rights standards when conducting operations by VSD (e.g. the time of storage of collected information). A governmental working group was set up at the beginning of March to prepare appropriate legislative changes. The subject of the discussion is also the issue of increasing parliamentary control over services, e.g. in the form of establishment of an ombudsman institution for services. The case of alleged illegal actions of the VSD can be used as an additional argument in favour of increasing supervision. The re-appointment of VSD head Darius Jauniškis, whose first five-year term expires this year (the director of VSD is appointed by the president with the consent of the Seimas), is also questionable.

Secondly, the disclosure of the alleged influence on the election campaign, and in particular the collection of information about Gitanas Nausėda's entourage, can be seen as an attempt to influence the president. As shown by the behaviour of the head of state, who did not support the allegations against VSD, this manoeuvre failed. The public disclosure of the information possessed by Bakas sparked speculations that the ruling party – the Lithuanian Union of Farmers and Greens (LVŽS) – might have been interested in causing the scandal. This case could serve LVŽS as one of the topics before the parliamentary elections scheduled for October this year, and at the same time as an excuse to try to take control of the services. The reactions of LVŽS politicians – the Prime Minister Saulius Skvernelis, the party leader Ramūnas Karbauskis and the current NSGK chairman Dainius Gaižauskas, expressing confidence in the leadership of VSD, do not seem to confirm this. All of them, however, drew attention to the need to clarify the doubts caused by the disclosure of the Department's operations. The question remains whether NSGK will deal with the explanation or a separate inquiry committee will be set up.

Thirdly, the motives for the actions of Vytautas Bakas and his links with LVŽS may raise doubts; he used to belong to the party faction but is not currently affiliated. Officially, the MP only wants to determine whether VSD has not exceeded its powers and principles of political neutrality. It is worth noting, however, that Bakas, although no longer a member of the LVŽS faction, served as chief of staff for Saulius Skvernelis' campaign during the presidential election and is still considered closely associated with the Prime Minister. Meanwhile, the case of the VSD operation was made public the day after the announcement that Ingrida Šimonytė – the former candidate of TS-LKD in the presidential election – will lead this party electoral list (putting her at the top of the list means that she will probably also aspire to become the Prime Minister). Such a coincidence could suggest that disclosure of the case at this moment is a part of the pre-election campaign. The behaviour of leading LVŽS politicians, dissociating themselves from Bakas' actions, indicates that they are trying to oppose such interpretations.

Fourthly, the question arises who could have authorised this type of activities. Voices appeared in the Lithuanian media pointing to the then President Dalia Grybauskaitė, along with suggestions that she discreetly supported the above-mentioned Ingrida Šimonytė in the campaign. It cannot be ruled out that LVŽS, which is adverse towards both Grybauskaitė and Šimonytė, will use such a narrative in the election campaign. However, it is contradicted by the behaviours of Grybauskaitė herself, who – although she did not refer directly to the revelation about her alleged impact on the services – was in favour of the need to clarify the whole case. What also speaks in favour of the former president is the fact that it was during her term of office that the legislation covering procedures for the activities of secret services and supervision over them was brought into order. At that time, public confidence in VSD also increased (63% according to a survey of the Baltijos tyrimai agency in June 2019). The social and political significance of services increased particularly after 2014, along with the increase of awareness about the threats arising, inter alia, from the aggressive actions of Russia and China.

Conclusions. Regardless of whether the services actually took the alleged actions, this topic will probably become one of the most popular in the upcoming pre-election campaign. Initial reactions suggested the alleged interest of the ruling party in this topic. However, the subsequent statements of its representatives rather prove that they do not want to be directly linked to this scandal. In this context, it is important that in the face of falling support for LVŽS in party polls, there is a risk of losing power after the election. Further developments will depend on what strategy the party leadership finds more beneficial: whether to cut off from Bakas' actions and try to silence the scandal, or to escalate the situation by making the scandal the theme of his campaign, e.g. by attempting to link VSD activities with Grybauskaitė and Šimonytė. In a situation where allegations would be confirmed, it can seriously damage the reputation of VSD and lead to less favourable perception of this institution by the society. The indictment of the services will compromise politicians who have tried to use this case for particular purposes. In turn, the President's subdued reaction shows that he will first seek to protect special services – an extremely important and sensitive segment of the Lithuanian security system – against any attempts to politicize them.