NEW CORRUPTION CHALLENGES IN THE CONTEXT OF DIGITAL TRANSFORMATION

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Abstract

The role of law enforcement institutions in the fight against corruption is important and indisputable. However, legal mechanisms for the fight against corruption are not enough. The issue of increasing the integrity and transparency of law enforcement institutions themselves is increasingly being raised. Today, new manifestations of corruption are becoming especially important when rapidly developing innovative digital technologies are used and new types of corruption appear. There are gaps in the existing system that hinder the fight against corruption. Therefore, it is necessary to raise the issue of strengthening the effectiveness of supervision and control of this criminal activity – from changes in legal regulation to strengthening institutional resources. The purpose of the study is to reveal the concept of corruption and judicial practice in combating the most advanced manifestations of corruption. The following research methods were applied: analysis of scientific literature and legal acts, data collection, systematization and generalization. The article presents criminal acts of a corrupt nature using data collection and systematization methods. In the Lithuanian Courts Information System, the public search system for court decisions and legal acts e.teismai.lt, available criminal case rulings for 2020–2025 were found, which allowed us to analyze the composition of corruption-related criminal acts in the practice of Lithuanian courts (Supreme Court of Lithuania, Klaipėda and Kaunas Regional Courts). Cases were selected that allowed us to reveal corruption-related criminal acts under Articles 225–228 of the Criminal Code of the Republic of Lithuania, to confirm or deny the signs of crimes, as well as to confirm or deny corruption-related acts related to the use of advanced technologies. Based on the results obtained, generalizing conclusions were formulated. Corruption is also characteristic of law enforcement institutions themselves, when law enforcement officers commit crimes for personal gain, disregard ethical norms, moral duties, the principles of honesty and transparency. 2020–2025 The analysis of case law has shown that corruption-related criminal acts are committed by civil servants holding different positions. Law enforcement officers themselves are also punished for bribery under Article 225 of the Criminal Code of the Republic of Lithuania, for trading in influence under Article 226 of the Criminal Code of the Republic of Lithuania, for bribery under Article 227 of the Criminal Code of the Republic of Lithuania and for abuse under Article 228 of the Criminal Code of the Republic of Lithuania. When making decisions in corruption cases, courts take into account whether the bribery was committed only with direct intent, whether the necessary elements of a criminal act are present, and whether the intermediaries being bribed are aware of the danger of the actions being taken and want to act in this way. The analysis of the fight against corruption by law enforcement institutions has led to the conclusion that corruption is multifaceted and undermines the rule of law and its security. The rule of law promotes equality of all citizens before the law, ensuring that no one, including leaders or other individuals, is above the law, and the law operates on the principles of accountability, transparency of government institutions and independence of the judiciary. However, after conducting an analysis of the case law in criminal acts of a corruption nature for 2020–2025, it was not possible to identify a single case where acts of a corruption nature were committed using advanced digital technologies.

KEY WORDS: corruption, digital transformation, advanced technologies, case law
JEL classification: K1, K10, K19

Introduction

The issue of corruption remains relevant and needs to be addressed. According to the Corruption Perceptions Index (CPI), Lithuania ranked 12th among EU countries in 2023 and 35th in the world (Transparency International CPI research data, 2024). Every year, the Special Investigation Service (STT) of the Republic of Lithuania initiates a study entitled "Lithuanian Corruption Map" showed that corruption ranks fifth among the most pressing problems in Lithuania (after inflation, low wages, healthcare problems, and drug use).

The United Nations Convention against Corruption (UNCAC) (Valstybės žinios, 2006-12-14, No. 136-5145, current version effective from 2007-01-20) defines corruption as a threat to the stability and security of society, democratic institutions, ethical values, and justice, posing a danger to the rule of law.

The novelty of the article lies in the fact that it analyzes the judicial practice of criminal offenses of a corrupt nature in Lithuania in the context of digital transformation, with particular attention paid to the possible use of advanced technologies in committing corrupt acts. In recent years, global scientific literature has been paying increasing attention to new forms of corruption related to the development of digital technologies, electronic payments, the use of cryptocurrencies, decentralized financial systems, and anonymous online platforms. Such technologies create the conditions for new mechanisms of corrupt activities, which are becoming more difficult to identify and prove for law enforcement agencies.

The innovative nature of this study is also linked to the fact that it analyzes whether these global digitalization trends are reflected in Lithuanian court practice. An analysis of criminal cases from 2020 to 2025 allows us to assess whether criminal acts of a corrupt nature in Lithuania are already linked to the use of advanced technologies or whether traditional forms of corruption still dominate. Such an analysis helps to identify possible gaps in legal regulation, law enforcement practice, or investigation methods related to the impact of technology on corruption.

The novelty of the article is also supported by significant events and trends in the fight against corruption in recent years. One of the most important events in Lithuania was the final decision of the Supreme Court of Lithuania in 2024 in the so-called MG Baltic political corruption case, which became one of the most significant precedents in assessing criminal acts of a corrupt nature and their proof in court practice. This case revealed complex mechanisms of corruption involving the interaction of politics, business, and interest groups, and showed that modern corruption often manifests itself not in direct bribery, but in complex financial schemes, intermediary relationships, and disguised transactions.

Corruption causes significant damage to society and undermines institutions by reducing trust in them and weakening their ability to implement public policy and provide high-quality public services. Preventing and combating corruption is essential to protecting EU values and the effectiveness of its policies, and to preserving the rule of law and trust in institutions and those in power (Joint Communication to the European Parliament, the Council, and the Lithuanian Economic and Social Committee on the fight against corruption, 2023).

The world and Lithuania have become accustomed to fighting everyday corruption and its manifestations, but new advanced technologies are creating new challenges in the fight against corruption in the context of digital transformation. As Zhang (2024) states, new manifestations of corruption are becoming relevant when advanced technologies are used (payments in the digital currency Bitcoin, red envelopes in WeChat groups, the Pay for Me system) and new, more difficult to detect types of corruption are emerging. The decentralization and anonymity of digital currencies facilitate illegal activities and provide a cover for bribery. There are gaps in the current system that hinder the fight against corruption. Therefore, it is necessary to raise the issue of strengthening the effectiveness of the supervision and control of this criminal activity, from changes in legal regulation to the strengthening of institutional resources.

Scientific sources examine forms of corruption, prevention, and discuss the role of law enforcement agencies in this prevention (Kratcoski, 2018; Ibodullaevich & Kholmomin, 2021; Singh, 2022; Hidayat et al., 2023; Suber, 2024; Mahendra et al., 2024). Saputra & Saputra (2021) discussed the factors of corruption, highlighting the needs, opportunities, and rationalization of this phenomenon. Zhang (2024) examined the manifestations and characteristics of new corruption, highlighting the influence of advanced technologies. Singh (2022) analyzed corruption among police officers and concluded that it is multifaceted and undermines the rule of law and security. According to this author, the rule of law promotes equality before the law by ensuring that no one, including rulers or other private individuals, is above the law, which functions with accountability, the transparency of open government, fair laws, and accessible and honest justice. Lytvyn et al. (2023, p. 154) stated in their study that "almost all states and all citizens face corruption, but in real life, most corrupt officials go unpunished, therefore, society has a false impression about the inevitability of punishment and about ways of solving problems that negate any measures and efforts to combat corruption". Zaksaitė (2024)

analyzed in more detail the reflection of criminal policy for corruption-related crimes in the practice of law enforcement. The author discussed the MG Baltic case, the ambiguous assessment of the courts (in the first instance, all defendants were acquitted, and in the second, all were convicted) and stated that this case "could symbolize most of the problems in investigating corruption-related crimes: the complexity of the case, the intertwined connections between politics, business, and the media, and the changing concept of a 'bribe'" (Zaksaitė, 2024, p. 7).

The role of law enforcement agencies in the fight against corruption is important and indisputable. However, legal mechanisms alone are not sufficient to combat corruption. The question arises whether, in the last 2020–2025, there have been any corruption cases related to the most advanced digital technologies examined in court practice, and whether this has become a challenge for courts when examining cases related to the latest digital technologies. Therefore, it is appropriate to examine in more detail the composition of criminal offenses of a corrupt nature in Lithuanian court practice over the last 2020–2025 and to assess what measures could be implemented in the future to reduce corruption in Lithuania.

The aim of this paper is to reveal the concept of corruption and court practice in combating the most advanced manifestations of corruption.

The main objectives of the article are to analyze the concept and forms of corruption. To analyze court practice in criminal cases of a corrupt nature in the context of the most advanced technologies.

Methods: The concept and forms of corruption were examined by analyzing scientific literature and legal acts, and court practice was analyzed in order to identify the most advanced manifestations of corruption in the context of digital technologies. Data collection and systematization methods were used to analyze the composition of criminal acts of a corrupt nature in Lithuanian court practice in the context of advanced technologies. The summarization method was used to present summary insights and form conclusions.

Theoretical Background

The concept and forms of corruption are regulated in legal documents and examined in scientific works by Lithuanian and foreign authors, but there is no single universally accepted definition of corruption. In addition, attempts are being made to define the concept of corruption in the context of advanced technologies.

According to the Law on Corruption Prevention of the Republic of Lithuania (TAR, 2021-07-14, No. 15850, current version effective from 2022-01-01), a corruption-related violation of the law is "an administrative offense, a violation of work duties, or a misconduct committed by abusing authority and directly or indirectly seeking benefits for oneself or another person, as well as a criminal act of a corrupt nature". The 2022-2033 National Agenda for Corruption Prevention (TAR, 2022-07-07, No. 14816, current version effective from 2022-07-08) stipulates that not only civil servants but also natural and legal persons are liable for criminal acts of a corrupt nature. Several acts

falling under the category of criminal offences of a corrupt nature are specified (Fig. 1).
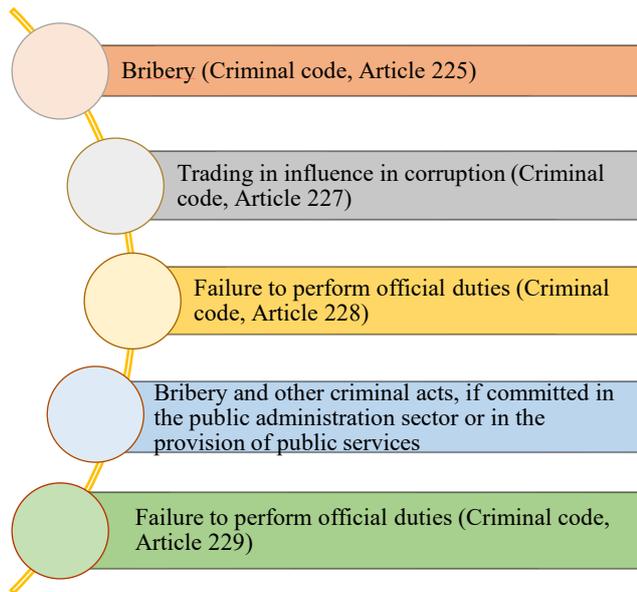

Fig. 1. Acts classified as criminal acts of a corrupt nature

Responsibility for acts of a corrupt nature is regulated by the Criminal Code of the Republic of Lithuania (Valstybės žinios, 2000-10-25, No. 89-2741, current version effective from 2000-10-25) Chapter XXXIII "Crimes and criminal offenses against public service and public interests". The following forms of corruption are distinguished:

- bribery (Article 225 of the Criminal Code of the Republic of Lithuania),
- trafficking in influence (Article 226 of the Criminal Code of the Republic of Lithuania),
- bribery (Article 227 of the Criminal Code of the Republic of Lithuania),
- abuse of office (Article 228 of the Criminal Code of the Republic of Lithuania),
- unlawful registration of rights to property (Article 2281 of the Criminal Code of the Republic of Lithuania),
- failure to perform official duties (Article 229 of the Criminal Code of the Republic of Lithuania).

The concept and forms of corruption are widely discussed in academic literature. According to D. Singh (2022), the word "corruption" comes from the Latin term "corruptus", meaning to disrupt, break, damage, or pollute. It is bribery, abuse of power for personal gain, even if the return is not achieved. Other benefits (maintaining support, loyal supporters, clients, political support, not just personal gain) may also be sought from the person in office.

Kratcoski (2018) describes corruption as a situation in which a person responsible for performing specific duties seeks an improper or unfair advantage by performing certain actions or failing to act as required by their position. Corruption can occur in all sectors of society, including public and private institutions, specific professional groups (e.g., lawyers, doctors), and private individuals. Forms of corruption include bribery, extortion, intimidation, gratitude payments, theft, etc.

Ibodullaevich & Kholmomin (2021) describe corruption as a cause of contradictions with the laws and moral norms that regulate public life. The authors distinguish the following types (kinds) of corruption: corruption in everyday life. This arises from interactions between ordinary citizens and officials. This includes various gifts and services provided by citizens to officials and their family members; corruption in business. This arises from the interaction between the government and business (e.g., in a business dispute, the parties may ask a judge for help in ruling in their favor); Corruption in the highest echelons of power. This is related to political leadership and the highest courts in a democratic system. The implementation of policies to the extent that a group of dishonest people in power pursue their own interests and harm the interests of voters (Fig. 2).

Fig. 2. Types (kinds) of corruption

Authors Saputra & Saputra (2021) argue that corruption takes various forms: bribery, extortion, dishonest practices, abuse of position and power, and embezzlement. Some of these forms of corruption are common in government agencies, private institutions, organizations, and communities. Most people justify these actions by personal or group interests. However, their actions are criminal and corrupt.

Factors contributing to corruption:
- needs,
- opportunities, and
- rationalization.

Rationalization stands out as an action where the act is wrong or inappropriate, but the perpetrator does not want to be blamed or accused for their actions.

Other factors that encourage corruption:
- greed,
- lifestyle,
- lack of moral values, etc.

According to Suber (2024, p. 66), corruption can be understood as "a synonym for bribery, embezzlement, conflict of interest, or any inappropriate behavior within an organization. Economists have narrowed this definition by conceptualizing corruption as the abuse of public power for private gain. In both cases, these definitions indirectly indicate that corruption involves a shift in the balance of power relations".

The public service sector is one of the most common areas of corruption, and this phenomenon is influenced by low employee salaries, poor internal control or complex administration, and failure to comply with a code of ethics that sets standards of conduct for civil servants based on the principles of anti-corruption, integrity, and transparency (Mahendra et al., 2024). Suramin (2021) argues that corruption is influenced by the abuse of power for personal gain, economic and political factors, moral aspects, and the exploitation of one's position.

Zaksaitė (2024, p. 6) provides the following definition of corruption: it is "a profit-maximizing change through the use (or creation) of an additional (illegal) market. Corruption is treated as a consequence of market imperfection, thus violating free competition and further distorting it through corruption. Individuals act rationally, calculating that under certain conditions they could maximize their personal benefit".

According to Zhang (2024, p. 170), the most common manifestation of conventional corruption is the exchange of power for monetary gain, sometimes referred to as direct power-for-money transactions or the acceptance of bribes to perform certain tasks. According to this author, a new form of corruption is emerging, which is "a facade for traditional corruption, changing the way classic corruption manifests and is presented." The new corruption is "an improved and transformed version of traditional corruption." It is characterized by: concealment of criminal activity, indirect participation, multiple objectives, and the use of advanced technologies.

Cryptocurrency is becoming a new means of bribery and allows corrupt officials to conceal criminal activity, making it more difficult to detect. Courier services used to send gifts and shopping platforms with a "Pay for me" function, which allows others to pay on behalf of the user, are becoming a cover for bribery. Individual officials, when shopping online, receive electronic red envelopes as gifts of gratitude from the recipients of the relevant services, which contributes to bribery. Family corruption is a distinct form of corruption characterized by the involvement of relatives in corrupt activities, the use of power, bribes paid, and the pursuit of personal gain. The subjects of corruption are not only individual corrupt officials who directly accept bribes, but also relatives, family members, and surrounding employees who can accept bribes and conceal corrupt activities between officials and interested parties. Therefore, new forms of corruption are not limited to direct connections, but create numerous intermediate connections (Zhang, 2024).

The concepts of corruption presented by different authors are summarized in the table, which shows that corruption is interpreted differently (Table 1).

Table 1. Concept of corruption (compiled by the authors)

P. C. Kratcoski (2018)	A situation in which a person responsible for specific duties seeks improper or unfair advantage by acting or failing to act as required by his/her position.
K. K. Ibodullaevich and U. G. Kholmomin (2021)	A cause of contradictions with the legal acts and moral norms regulating social life.
F. Saputra and E. B. Saputra (2021)	A criminal act whose actions people justify by personal or group interests, occurring in state institutions, private organizations, and communities.
S. Zaksaitė (2024, p. 6)	A "profit-maximizing change through the use (or creation) of an additional (illegal) market."
D. L. Suber (2024, p. 66)	A "synonym for bribery, embezzlement, conflict of interest, or any improper behavior within an organization."
T. Zhang (2024)	Concealment of criminal acts, indirect participation, multiple goals, and the use of advanced technologies.

In summary, it can be said that there is no universally defined concept of corruption. In the laws of the Republic of Lithuania and in academic literature, corruption is defined as the direct or indirect solicitation, offering, giving, or accepting of a bribe (remuneration, promise, gift), i.e. when a person responsible for performing specific duties within an organization acts dishonestly in exchange for a promise. Forms of corruption include bribery, influence peddling, bribery, abuse of power, illegal registration of rights to property, and failure to perform official duties. Also, the use of advanced technologies (cryptocurrencies, Bitcoin digital currency payments, red envelopes in WeChat groups, the Pay for Me system) to conceal corrupt activities.

Results

This section presents criminal offenses of a corrupt nature, using data collection and systematization methods. The Lithuanian court information system and the public court decision and legislation search system e.teismai.lt were used to find available rulings (decisions) for the period 2020-2025, which allowed for an analysis of the composition of criminal offences of a corrupt nature in the practice of Lithuanian courts (the Supreme Court of Lithuania, Klaipėda and Kaunas Regional Courts). Cases were selected that revealed criminal acts of a corrupt nature under Articles 225-228 of the Criminal Code of the Republic of Lithuania, the characteristics of the crimes, and confirmed or refuted the use of advanced technologies in connection with corrupt activities. Based on the results obtained, general conclusions were formulated.

Corrupt criminal acts in court practice. Digital technologies also have a significant impact on the assessment of evidence in criminal cases. Courts are increasingly dealing with digital evidence, such as electronic payments, social media communications, electronic documents, and financial transaction data. Such data can help to reveal the mechanism of a criminal offense, but at the same time poses new challenges related to determining its authenticity, reliability, and proper procedural assessment.

In addition, digital transformation promotes greater transparency in the work of the courts and better public information. Publicly available databases of court decisions allow for the analysis of court practice, the identification of certain trends, and the assessment of the consistency of court decisions. This contributes to strengthening the principle of the rule of law and increasing public confidence in the court system. At the same time, technological developments also pose new challenges, as the use of digital technologies in criminal activities can make it more difficult to detect and prove them in court proceedings.

An analysis of court practice in 2020-2025 shows that cases deal with issues related to criminal offenses of a corrupt nature (bribery (under Article 225 of the Criminal Code of the Republic of Lithuania), influence peddling (Article 226 of the Criminal Code of the Republic of Lithuania), bribery (Article 227 of the Criminal Code of the Republic of Lithuania), abuse of office (Article 228 of the Criminal Code of the Republic of Lithuania), as well as the reduction and revocation of penalties.

Bribery (Article 225 of the Criminal Code of the Republic of Lithuania). In cases examined in court practice, problematic issues arise regarding the classification of the crime of bribery under Article 225 of the Criminal Code of the Republic of Lithuania. The Supreme Court of Lithuania (in its ruling in criminal case No. 2K-4-511/2025), when deciding on bribery, overturned the previous court ruling and referred the case back for retrial on appeal. In the case, a man was convicted under Article 225(1) of the Criminal Code for being a person equivalent to a civil servant, acting with another person, directly demanding a bribe for his own benefit, promising and agreeing to accept a bribe, and indirectly accepted a bribe for lawful actions in the exercise of his powers. The man agreed to take a bribe for his lawful actions in the exercise of his powers as the head of a polyclinic (i.e. that, in performing his duties as the director of the polyclinic, he selected one company as a partner of the polyclinic to provide public medical services, concluded a service provision contract for services financed by the Territorial Health Insurance Fund, and created conditions for medical specialists at the polyclinic he managed to provide the agreed public medical services on the premises and send patients to the company to receive medical services. In return, he indirectly agreed, through another person, to accept a bribe in the form of money transferred in installments. Later, continuing his criminal activity, the man urged (provoked) the company representative to give a bribe of several thousand euros each month. Later, additional money was agreed upon – for each patient sent to the company. The Supreme Court of Lithuania raised the issue of the different decisions taken by the courts of first and second instance. In the first court's decision, the conversations between the convicted person and the company representative were assessed as not constituting bribery (no bribe was agreed upon, no provocation or encouragement to give a bribe). The conversations were assessed as an opportunity to discuss ways and circumstances of cooperation and the financial success it would bring, therefore it was stated that such conversations with such overall content cannot be artificially criminalized. The Supreme Court of Lithuania

noted that it was not at all clear from the judgment of the court of appeal what specific actions of the convicted person the court considered to be a demand for a bribe and what evidence supported this. It was not stated what actions the court considered to be provocation of a bribe. The circumstances of the acceptance of the bribe were also not set out in the circumstances established by the court. According to the court, existing practice shows that an agreement to accept a bribe is considered to be an agreement between the recipient and the giver of the bribe on the time, manner, and place of acceptance of the bribe, joint actions to coordinate and implement the agreement, or other relevant circumstances. When incriminating an agreement to accept a bribe, it is necessary to reveal the essence and content of this agreement, which would correspond to the characteristics of bribery established in Article 225 of the Criminal Code. Provocation to give a bribe is usually recognized as actions where a civil servant or a person equivalent to a civil servant does not openly demand a bribe, but by their actions (inaction) creates a situation where a person, in order to protect their legitimate interests or ensure their implementation, is forced to give a bribe, and it is made sufficiently clear to the person, albeit indirectly, that if the bribe is not given, action will be taken (or not taken) against their interests. A demand for a bribe is usually recognized as actions where a bribe is demanded or even threatened, if the bribe is not given, to perform illegal actions, cause damage to the legitimate interests of a person, or fail to perform legitimate actions that the perpetrator can and must perform in the exercise of his or her powers. A bribe may also be demanded by threatening to perform lawful actions (for example, to initiate a pre-trial investigation or report a criminal offense) if the bribe is not given. The forms of bribery demands may vary; they may be made openly, directly or covertly, through third parties, etc. A bribe demand can only be incriminated if the initiative to give the bribe comes from a civil servant or equivalent person, and not from the bribe giver. If it is established that such an initiative originated from the bribe giver, the demand to give a bribe to a civil servant (or a person equivalent to a civil servant) is not incriminated. The demand to give a bribe must be real (genuine), i.e. related to the genuine intention of the civil servant (or equivalent person) to receive a bribe for their actions or inaction. The case raised questions about criminal intelligence activities (the intelligence measures used were disproportionate because, given the degree of danger and nature of the criminal acts that these persons might have committed, their rights were restricted for a disproportionately long period of time (almost a year) and too intensively, and the criminal intelligence measures were used not only as a means of investigating possible criminal acts, but also as a means of finding evidence of criminal acts in the actions of the person and his accomplice) (Supreme Court of Lithuania ruling of March 6, 2025, in criminal case No. 2K-4-511/2025).

In another case (No. 2K-16-628/2024), the Supreme Court of Lithuania, ruling on bribery, also overturned the previous court ruling and referred the case back for retrial on appeal. According to the case file, the man was convicted under Article 225(1) of the Criminal Code for, as a person equivalent to a civil servant, directly demanding a bribe for his own benefit and accepting it in

exchange for lawful action – favor in the exercise of his powers: he demanded that part of the salary for the additional 0.25 driver position be transferred to him from the drivers of the gymnasium. The man is a person equivalent to a civil servant and works in a public legal entity – a gymnasium as deputy director for economic affairs and has the administrative powers of the school director. The man unlawfully demanded that the drivers give him part of their wages, demanded and accepted a total bribe of €354.78 for his own benefit. In the court's opinion, the man's criminal actions were incorrectly classified under Article 225(1) of the Criminal Code: the circumstances of the case were not properly assessed, contradictory conclusions were presented, and the unlawful instruction to hand over part of the wages in a relationship of subordination cannot in itself be considered bribery. According to the court, it is important to properly reveal the convicted person's intent, i.e., how the man himself perceived the illegal instruction and the money received from employees, which was not done in the case in question. The court of appeal based the man's guilt on how the school drivers perceived (could have perceived) the illegal instruction to transfer part of their wages, namely that they were interested in the favor of their immediate superior, although the drivers themselves did not indicate such circumstances. It was concluded that the conclusions of the court of appeal regarding the convicted person's guilt in demanding and accepting a bribe were unfounded and contrary to the circumstances established in the case.

Trafficking in influence (Article 226 of the Criminal Code of the Republic of Lithuania). In judicial practice, when examining cases of trading in influence, there is a clear intention to influence law enforcement officials by using connections and influence over a civil servant. In Criminal Case No. 2K-83-719/2024 of the Supreme Court of Lithuania, a man was convicted under Article 226(3) of the Criminal Code because he sought to influence another person, using his connections and other likely influence on a civil servant, influence the relevant civil servant to act unlawfully in the exercise of his powers, directly offered, promised, and agreed to give a bribe worth more than 250 MGL to that person. The convicted person sought to have the person to whom the bribe was given influence a judge of the Criminal Division of the Lithuanian Court of Appeal to uphold the appeals of the convicted persons in a certain case, overturn part of the judgment in the case, and acquit the persons. In the case, the court stated that trading in influence is manifested by at least one of the following alternative actions: offering a bribe, promising to give it, agreeing to give a bribe, or giving it. A bribe is offered, promised, agreed to be given, or given for influence on a relevant institution, agency, or organization, a civil servant, or a person equivalent to a civil servant, by taking advantage of one's social position, service, powers, kinship, acquaintances, or other likely influence on them to act or refrain from acting, lawfully or unlawfully, in the exercise of their powers. According to the court, the essence of the prohibition of trading in influence under Article 226 of the Criminal Code is a person's commitment to use (likely or alleged) influence in exchange for a bribe and to influence the relevant institution (institution, organisation) or specific persons with the necessary powers

to take a decision of interest to the briber, to perform certain desired actions or, conversely, not to take an undesired decision or not to perform undesired actions. Criminal acts of trading in influence are characterized by direct intent, so it must be established that both the briber and the bribed intermediary were aware of the dangerous nature of their actions and wanted to act in this way. **Bribery** (Article 227 of the Criminal Code of the Republic of Lithuania). In its ruling in criminal case No. 2K-74-594/2024, the Supreme Court of Lithuania, examining a case of bribery, stated that this criminal offense can only be committed with direct intent. In the case, three persons were convicted for giving a bribe with a total value of EUR 1,695.59 (including food products, alcoholic beverages, and three envelopes containing EUR 500 each) to persons equivalent to civil servants for the desired lawful exercise of their powers. They sought to ensure that, in the implementation of the ESO investment project, a decision would be taken to lay an underground electricity cable around the land plot belonging to their company, and that, in the implementation of this project, the underground electricity cable would be laid around the company's land plot. Article 227 of the Criminal Code was applied. The Court of Cassation agreed with the conclusion of the lower courts that one of the convicted persons, who put money into the relevant gift bags in order to achieve certain goals (the favor of ESO employees and his superiors), acted with direct intent, i.e. he was aware that he was giving illegal remuneration to persons equivalent to civil servants – cash for certain actions in the interests of the company. However, attention was drawn to the behavior of the other two company employees, stating that there was no evidence in the case to confirm that these convicted persons were aware that the gift bags also contained money, and therefore there was no direct intent to bribe persons equivalent to civil servants. The Supreme Court overturned the conviction of two company representatives by the court of appeal, leaving in force the part of the first instance court's judgment acquitting them, as no act constituting a crime or criminal offense had been committed. The part of the appellate court's judgment concerning another employee who had given a bribe was also amended, removing the circumstance that the criminal act had been committed as part of a group of accomplices.

The Supreme Court of Lithuania (decision in criminal case No. 2K-281-1073/2024) ruled on a cassation appeal challenging the conviction of a man, M., under Article 227(1) of the Criminal Code and requesting his acquittal, arguing that the court of appeal had unjustifiably found that the convicted person had intentionally attempted to bribe a person equivalent to a civil servant (an emergency medical services (EMS) employee), i.e. to give him a bribe for performing his lawful duties. According to the case file, M. was convicted under Article 227(1) of the Criminal Code because he directly offered and gave a bribe to a person equivalent to a civil servant for the desired lawful action in the exercise of his powers in the following circumstances: after a paramedic and a driver arrived at the scene of the call, examined M. and administered medication, while he was intoxicated (a blood alcohol level of 2.46 was detected), he directly offered a bribe for the desired lawful performance of her duties (i.e., as compensation for administering the medication), and when the employees

refused and were not looking, he gave a bribe of EUR 100 by placing a single EUR 100 banknote in the GMP car between the driver's and passenger's seats. The Supreme Court of Lithuania noted that bribery (Article 227 of the Criminal Code) is objectively manifested by at least one of the following alternative actions: offering a bribe, promising to give it, agreeing to give a bribe, or giving it. The composition of bribery is formal, therefore the criminal act is considered complete from the moment any of the above-mentioned alternative actions are performed. The completion of bribery is not determined by the reaction of the person being bribed, their consent (or refusal) to accept the bribe, the level of understanding of the briber's intentions, or whether the civil servant (or equivalent) being bribed has already performed the desired actions, etc. It is noted that the court of appeal, having assessed the actions of the convicted person in offering and giving a bribe, their intensity and purposefulness, made a reasonable conclusion that the convicted person's behavior was adequate. Although he was intoxicated, the man understood the nature of his criminal act, that he was offering and giving a bribe to a GMP paramedic for administering medication, and he wanted to act in this way. The fact that the convicted person understood his actions as giving a bribe to GMP employees was confirmed by his behavior – calling the Emergency Response Center and telling police officers about giving the bribe. The Supreme Court of Lithuania saw no reason to reach conclusions other than those reached by the court of appeal.

Abuse of office (under Article 228 of the Criminal Code of the Republic of Lithuania) and the criminal acts discussed above. It is relevant to mention the famous MG Baltic political corruption case, in which three individuals were found guilty of bribery (under Article 225 of the Criminal Code of the Republic of Lithuania), influence peddling (Article 226 of the Criminal Code of the Republic of Lithuania), bribery (Article 227 of the Criminal Code of the Republic of Lithuania), and abuse of office (Article 228 of the Criminal Code of the Republic of Lithuania). At the same time, unlawful enrichment (under Article 1891 of the Criminal Code of the Republic of Lithuania) was also proven. The Supreme Court of Lithuania's decision (ruling in criminal case No. 2K-7-119-719/2024) that concluded this case upheld the previous convictions. At the time of the criminal offense, the convicted persons were members of the Seimas of the Republic of Lithuania and abused their public authority for personal gain for themselves, the party they represented, and political and private organizations. This case is complex because different courts issued inconsistent decisions, and some of the information gathered was superfluous, which complicated the work of prosecutors and courts. The complexity was compounded by the fact that bribes were disguised as support and transferred not directly to the legal entities (parties). Many fictitious transactions and connections between legal entities and individuals were created to obscure the true beneficiary and the purpose of the transferred funds (Mastenica, 2024; Zaksaitė, 2024).

According to the case (No. 2K-7-119-719/2024), the court of first instance made an incorrect decision because: it did not analyze and evaluate the circumstances related to the policy pursued by the MG Baltic concern, its operating mechanism, its influence on political processes, specific political parties, and the connections between the persons acquitted in the case; it improperly and selectively assessed the evidence gathered in the case, unjustifiably overemphasizing the testimony of the acquitted persons regarding the content of the recorded conversations and the actions taken by each of them; failed to assess the evidence collected as a whole, did not compare the recorded meetings and conversations with the legislative adoption procedures; did not take into account the interest of individuals in the adoption of the relevant legislation; assessed the actions of individual persons separately from the illegal remuneration received. These aspects prevented the court of first instance from thoroughly examining the criminal case and reaching a fair decision. According to S. Zaksaitė (2024), this extraordinary case dealt with the difference between corruption and bribery, with the court of appeal distinguishing bribery from lobbying. The case "gathered sufficient evidence and revealed sufficient logical connections to conclude that there was a criminally dangerous and clearly illegal relationship of active and passive bribery, rather than merely morally questionable economic and political activity" (Zaksaitė, 2024, p. 10).

The cases examined in court practice reveal instances of criminal acts of a corrupt nature – bribery under Article 225 of the Criminal Code of the Republic of Lithuania, trading in influence (Article 226 of the Criminal Code of the Republic of Lithuania), bribery (Article 227 of the Criminal Code of the Republic of Lithuania), and abuse of office (Article 228 of the Criminal Code of the Republic of Lithuania). In these cases, the convicted persons, being persons equivalent to civil servants, directly demanded bribes for their own benefit and accepted them for lawful actions. Among those convicted of bribery were heads of state institutions, police officers, politicians, and a person who, through an intermediary, intended to give a bribe to a judge for a favorable decision in a criminal case. In most cases, the Supreme Court of Lithuania upheld the decisions of lower courts in its rulings on criminal cases. However, between 2020 and 2025, there were no cases where individuals committing or participating in corrupt activities used advanced digital technologies.

Conclusions

Corruption is understood as a situation in which a person responsible for performing/not performing specific duties seeks an improper or unfair advantage: by performing/failing to perform certain actions, committing offences, abusing their powers and directly/indirectly seeking benefits for themselves/another person. One of the most common areas of corruption is the public service sector. Low employee salaries, poor internal control, and failure to comply with the code of ethics, standards of conduct, and principles of integrity and transparency have a significant impact on the emergence of corruption. The Criminal Code of the Republic of Lithuania regulates the following forms of corruption: bribery (Article 225 of the Criminal Code of the Republic of Lithuania), influence peddling (Article 226 of the Criminal Code of the Republic of Lithuania), bribery (Article 227 of the Criminal Code of the Republic of Lithuania), abuse of office (Article 228 of the Criminal Code of the Republic of Lithuania), illegal registration of rights to property (Article 2281 of the

Criminal Code of the Republic of Lithuania), and failure to perform official duties (Article 229 of the Criminal Code of the Republic of Lithuania). With the continuous development of advanced digital technologies, corruption is also evolving and taking on new forms when advanced technologies are used, giving rise to new types of corruption that are more difficult to detect. The decentralization and anonymity of digital currencies facilitate corrupt activities and provide a cover for bribery.

An analysis of court practice in 2020-2025 in rulings (decisions) on corruption-related offenses shows that criminal acts of a corrupt nature are committed by civil servants in various positions. Law enforcement officials themselves are prosecuted in cases of bribery under Article 225 of the Criminal Code of the Republic of Lithuania, trading in influence under Article 226 of the Criminal Code of the Republic of Lithuania, solicitation under Article 227 of the Criminal Code of the Republic of Lithuania, and abuse of office under Article 228 of the Criminal Code of the Republic of Lithuania. When deciding on corruption cases, courts take into account whether bribery is committed with direct intent, whether the essential elements of a criminal offense are present, and whether the intermediaries being bribed are aware of the dangerous nature of their actions and wish to act in this way. One of the most complex corruption cases is a political one involving the MG Baltic concern, which was concluded in October 2024. In this case, bribes were disguised as support, and recipients were not paid directly, but through fictitious transactions. The individuals were found guilty of bribery, influence peddling, corruption, and abuse of power. Courts of different instances issued inconsistent decisions and interpreted the concept of corruption differently. However, after analyzing court practice in criminal cases of a corrupt nature between 2020 and 2025, it was not possible to identify a single case in which acts of a corrupt nature were committed using advanced digital technologies.

Digital transformation is having an increasing impact on the work of courts and the development of judicial practice. Technological developments are changing both the organization of criminal proceedings and the possibilities for gathering and evaluating evidence. Electronic case management systems, remote court hearings, the use of digital documents, and electronic means of communication make it possible to organize court proceedings more efficiently and increase their speed and accessibility. The court information system operating in Lithuania allows court decisions to be published, making it possible to analyze court practice and thus contribute to greater transparency in the activities of the courts.

Therefore, in order to respond more effectively to possible changes in the phenomenon of corruption, it is advisable to strengthen the capacity to investigate and assess corruption-related crimes in the context of digital technologies, and to pay more attention to the possible use of electronic financial transactions, digital payment instruments, or cryptocurrencies in criminal schemes. It is also important to develop research analyzing the impact of technology on the transformation of corruption and to assess whether existing legal regulations and practices are sufficient to prevent new forms of corruption in the digital environment. Such measures could contribute to more effective corruption prevention and detection in the future. It is recommended to strengthen the competencies of investigators in the field of digital financial technologies and electronic payment systems in order to more effectively identify possible new forms of corruption related to digital technologies. Further research should also be conducted to analyze the interaction between corruption and digital technologies, as technological developments may lead to the emergence of new forms of corruption that have not yet been sufficiently explored in national legal doctrine.

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