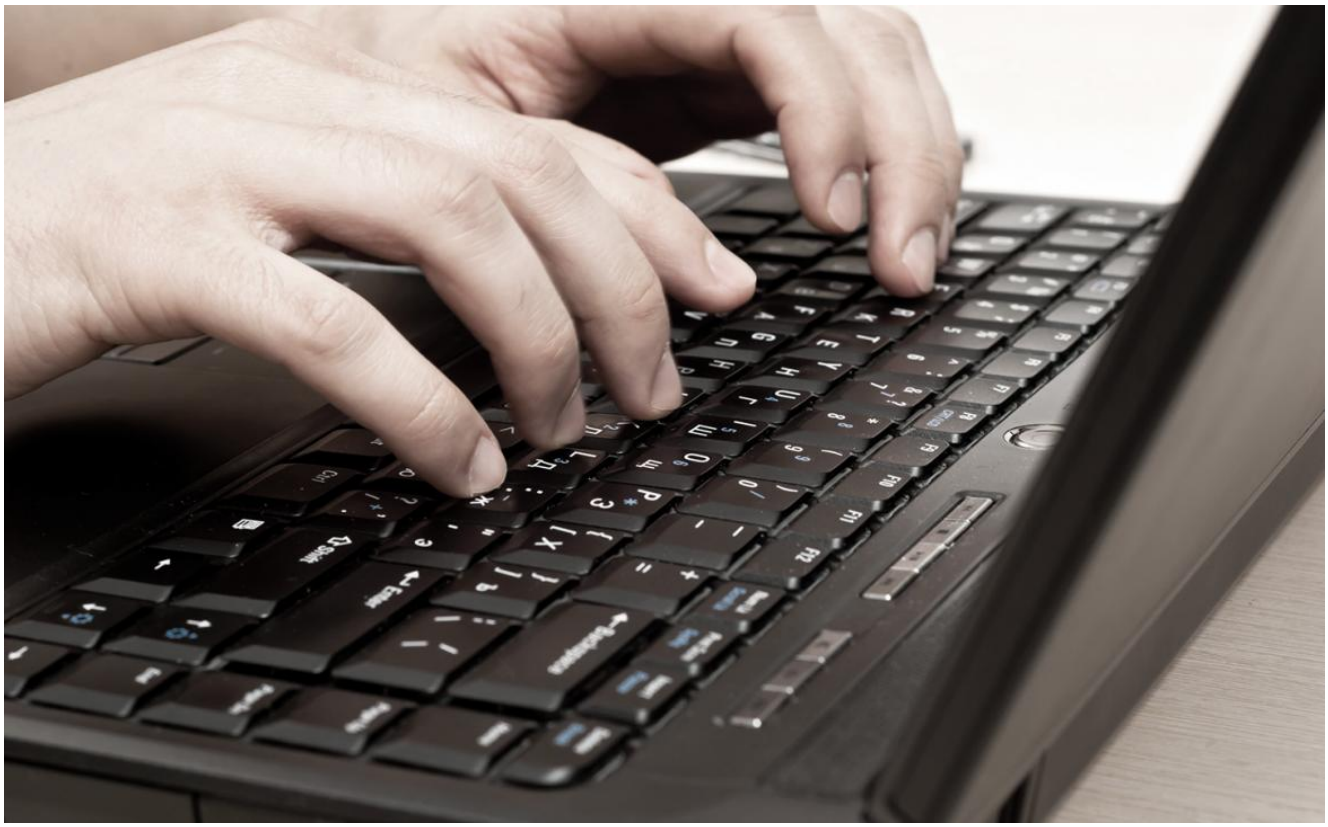
The Supreme Court of Lithuania is developing practice in international cases related to possible violation of personal honour and dignity

The Supreme Court of Lithuania on 14 April 2021 heard a case in which a Ukrainian citizen residing in Lithuania sued a person living in Russia (the defendant) for allegedly untrue, degrading information which was made public on the defendant's Twitter account about the plaintiff and also for the illegal use of plaintiff's picture.



The Court of First Instance held that the plaintiff's claims fell within the jurisdiction of the courts of the Russian Federation because the statements about the plaintiff were made by a Russian resident and addressed to a Russian-speaking audience, which exists in both Russia and Ukraine.

The Court of Appeal upheld the judgment of the Court of First Instance, emphasising that the fact that the defendant's Twitter account on the social network is public, i.e., is also accessible in the Republic of Lithuania. But the fact that the Twitter account is available in Lithuania does not substantiate the fact that the information disseminated by the defendant also reached the residents of Lithuania. Also, the Court of Appeal decided that the possibility of the damage caused to the plaintiff in the Republic of Lithuania was only hypothetical.

Taking into account that the defendant is domiciled in Russia, the Supreme Court held that in this situation, the international agreement between the Republic of Lithuania and the Russian Federation on Legal Assistance and Legal Relations in Civil, Family and Criminal Cases applies.

The Supreme Court emphasised that due to the information transmitted via the Internet in an unlimited information space and the weak links between such torts and geographical location, disputes over defamation are very favourable for the legal phenomenon called “forum shopping”. For this reason, the plaintiff may seek to choose the court that is most favourable to him or her and in such cases, it is particularly important to distinguish between cases in which one exercises one’s right to a fair hearing and cases where one seeks to obtain the most favourable legal treatment or for other purposes.

Therefore, to determine jurisdiction, it is important to assess the following two aspects:

1) whether the plaintiff has a connection to the Republic of Lithuania (i.e., whether his / her connections with Lithuania are not accidental or episodic)

2) whether sufficient dissemination of information has been achieved in Lithuania so that the relevant information would harm the rights and legitimate interests of the plaintiff.