

CONSTITUTION OF THE REPUBLIC OF LITHUANIA

THE LITHUANIAN NATION

- having created the State of Lithuania many centuries ago,
- having based its legal foundations on the Lithuanian Statutes and the Constitutions of the Republic of Lithuania,
- having for centuries staunchly defended its freedom and independence,
- having preserved its spirit, native language, writing, and customs,
- embodying the innate right of the human being and the Nation to live and create freely in the land of their fathers and forefathers—in the independent State of Lithuania,
- fostering national concord in the land of Lithuania,
- striving for an open, just, and harmonious civil society and State under the rule of law,

by the will of the citizens of the reborn State of Lithuania, adopts and proclaims this

CONSTITUTION

CHAPTER I THE STATE OF LITHUANIA

Article 1

The State of Lithuania shall be an independent democratic republic.

Article 2

The State of Lithuania shall be created by the Nation. Sovereignty shall belong to the Nation.

Article 3

No one may restrict or limit the sovereignty of the Nation or make claims to the sovereign powers belonging to the entire Nation.

The Nation and each citizen shall have the right to resist anyone who

encroaches on the independence, territorial integrity, and constitutional order of the State of Lithuania by force.

Article 4

The Nation shall execute its supreme sovereign power either directly or through its democratically elected representatives.

Article 5

In Lithuania, State power shall be executed by the Seimas, the President of the Republic and the Government, and the Judiciary.

The scope of power shall be limited by the Constitution.

State institutions shall serve the people.

Article 6

The Constitution shall be an integral and directly applicable act.

Everyone may defend his rights by invoking the Constitution.

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Article 10

The territory of the State of Lithuania shall be integral and shall not be divided into any State-like formations.

The State boundaries may be altered only by an international treaty of the Republic of Lithuania after it has been ratified by 4/5 of all the Members of the Seimas.

Article 11

The administrative units of the territory of the State of Lithuania and their boundaries shall be established by law.

Article 12

Citizenship of the Republic of Lithuania shall be acquired by birth and other grounds established by law.

With the exception of individual cases provided for by law, no one may be a citizen of both the Republic of Lithuania and another state at the same time.

The procedure for the acquisition and loss of citizenship shall be established by law.

Article 13

The State of Lithuania shall protect its citizens abroad.

It shall be prohibited to extradite a citizen of the Republic of Lithuania to another state unless an international treaty of the Republic of Lithuania establishes otherwise.

Article 14

Lithuanian shall be the State language.

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CHAPTER II

THE HUMAN BEING AND THE STATE

Article 18

Human rights and freedoms shall be innate.

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Article 25

The human being shall have the right to have his own convictions and freely express them.

The human being must not be hindered from seeking, receiving and imparting information and ideas.

Freedom to express convictions, to receive and impart information may not be limited otherwise than by law, if this is necessary to protect the health, honour and dignity, private life, and morals of a human being, or to defend the constitutional order.

Freedom to express convictions and to impart information shall be incompatible with criminal actions—incitement of national, racial, religious, or social hatred, violence and discrimination, with slander and disinformation.

The citizen shall have the right to receive, according to the procedure established by law, any information concerning him that is held by State institutions.

Article 26

Freedom of thought, conscience and religion shall not be restricted.

Each human being shall have the right to freely choose any religion or belief and, either alone or with others, in private or in public, to profess his religion, to perform religious practices, to practice and teach his belief.

No one may compel another person or be compelled to choose or profess any religion or belief.

Freedom of a human being to profess and spread his religion or belief may not be limited otherwise than by law and only when this is necessary to guarantee

the security of society, the public order, the health and morals of the people as well as other basic rights and freedoms of the person.

Parents and guardians shall, without restrictions, take care of the religious and moral education of their children and wards according to their own convictions.

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Article 29

All persons shall be equal before the law, the court, and other State institutions and officials.

The rights of the human being may not be restricted, nor may he be granted any privileges on the ground of gender, race, nationality, language, origin, social status, belief, convictions, or views.

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Article 32

A citizen may move and choose his place of residence in Lithuania freely and may leave Lithuania freely.

These rights may not be restricted otherwise than by law and if it is necessary for the protection of the security of the State, the health of the people as well as for administration of justice.

A citizen may not be prohibited from returning to Lithuania.

Everyone who is Lithuanian may settle in Lithuania.

Article 33

Citizens shall have the right to participate in the governance of their State both directly and through their democratically elected representatives as well as the right to enter on equal terms in the State service of the Republic of Lithuania.

Citizens shall be guaranteed the right to criticise the work of State institutions or their officials and to appeal against their decisions. Persecution for criticism shall be prohibited.

Citizens shall be guaranteed the right of petition; the procedure for implementing this right shall be established by law.

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Article 35

Citizens shall be guaranteed the right to freely form societies, political parties and associations, provided that the aims and activities thereof are not contrary to the Constitution and laws.

No one may be compelled to belong to any society, political party, or association.

The founding and activities of political parties and other political and public

organisations shall be regulated by law.

Article 36

Citizens may not be prohibited or hindered from assembling unarmed in peaceful meetings.

This right may not be limited otherwise than by law and only when it is necessary to protect the security of the State or society, public order, people's health or morals, or the rights and freedoms of other persons.

Article 37

Citizens belonging to ethnic communities shall have the right to foster their language, culture, and customs.

CHAPTER III SOCIETY AND THE STATE

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Article 43

The State shall recognise the churches and religious organisations that are traditional in Lithuania, whereas other churches and religious organisations shall be recognised provided that they have support in society and their teaching and practices are not in conflict with the law and public morals. The churches and religious organisations recognised by the State shall have the rights of a legal person.

Churches and religious organisations shall be free to proclaim their teaching, perform their practices, and have houses of prayer, charity establishments, and schools for the training of the clergy.

Churches and religious organisations shall conduct their affairs freely according to their canons and statutes.

The status of churches and other religious organisations in the State shall be established by agreement or by law.

The teaching proclaimed by churches and religious organisations, other religious activities and houses of prayer may not be used for purposes which are in conflict with the Constitution and laws.

There shall not be a State religion in Lithuania.

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Article 45

Ethnic communities of citizens shall independently manage the affairs of their ethnic culture, education, charity, and mutual assistance.

Ethnic communities shall be provided support by the State.

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Article 78

A Lithuanian citizen by origin, who has lived in Lithuania for not less than the last three years, if he has reached the age of not less than 40 prior to the election day, and if he may be elected a Member of the Seimas, may be elected President of the Republic.

The President of the Republic shall be elected by the citizens of the Republic of Lithuania for a five-year term by universal, equal, and direct suffrage by secret ballot.

The same person may not be elected President of the Republic for more than two consecutive terms.

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Article 112

In Lithuania, only citizens of the Republic of Lithuania may be judges.

Justices of the Supreme Court as well as its President chosen from among them shall be appointed and dismissed by the Seimas upon the submission of the President of the Republic.

Judges of the Court of Appeal as well as its President chosen from among them shall be appointed by the President of the Republic upon the assent of the Seimas.

Judges and presidents of local, regional, and specialised courts shall be appointed, and their places of work shall be changed by the President of the Republic.

A special institution of judges provided for by law shall advise the President of the Republic on the appointment, promotion, transfer of judges, or their dismissal from office.

A person appointed judge shall take an oath, according to the procedure established by law, to be faithful to the Republic of Lithuania and to administer justice only according to law.

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Article 117

In all courts, the consideration of cases shall be public. A closed court hearing may be held in order to protect the secrecy of private or family life of the human being, or where public consideration of the case might disclose a State, professional or commercial secret.

In the Republic of Lithuania, court proceedings shall be conducted in the State

language.

Persons who have no command of Lithuanian shall be guaranteed the right to participate in investigation and court acts through a translator.

CHAPTER X

LOCAL SELF-GOVERNMENT AND GOVERNANCE

Article 119

The right to self-government shall be guaranteed to administrative units of the territory of the State, which are provided for by law. It shall be implemented through corresponding municipal councils.

The members of municipal councils shall be elected for a four-year term, as provided for by law, from among citizens of the Republic of Lithuania and other permanent residents of the administrative unit by the citizens of the Republic of Lithuania and other permanent residents of the administrative unit, on the basis of universal, equal and direct suffrage by secret ballot.

The procedure for the organisation and activities of self-government institutions shall be established by law.

For the direct implementation of the laws of the Republic of Lithuania, the decisions of the Government and the municipal council, the municipal council shall form executive bodies accountable to it.

Vilnius

6 November 1992