

CONSTITUTION OF THE REPUBLIC OF LITHUANIA

(Approved by the citizens of the Republic of Lithuania

in the Referendum on 25 October 1992)

(as amended by 20 March 2003, No. IX-1379)

THE LITHUANIAN PEOPLE

having established 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 defended its freedom and independence,

having preserved its spirit, native language, writing, and customs,

embodying the innate right of each person and the People 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 governed under the rule of law, by the will of the

citizens of the re-established State of Lithuania, approves and declares this CONSTITUTION

CHAPTER 1

THE STATE OF LITHUANIA

Article 1

The State of Lithuania is an independent and democratic republic.

Article 2

The State of Lithuania is created by the People. Sovereignty is vested in the People.

Article 3

No one may limit or restrict the sovereignty of the People or make claims to the sovereign powers of the People. The People and each citizen have the right to oppose anyone who encroaches on the independence, territorial integrity, or constitutional order of the State of Lithuania by force.

Article 4

The People shall exercise the supreme sovereign power vested in them either directly or through their democratically elected representatives.

Article 5

(1) In Lithuania, State authority is exercised by the Seimas, the President of the Republic and Government, and the Court.

(2) The powers of authority are limited by the Constitution. Institutions of power serve the people.

Article 6

(1) The Constitution is an integral and directly applicable act.

(2) Every person can defend their rights on the basis of the Constitution.

Article 7

(1) Any law and any legal act which violates the Constitution is invalid.

(2) Only laws which are promulgated are valid.

(3) Ignorance of the law does not exempt a person from responsibility.

Article 8

The forced seizure of State power or any of its institutions is considered an anti-constitutional action, which is illegal and invalid.



Article 9

- (1) The most significant issues concerning the life of the State and the People are decided by referendum.
- (2) In the cases established by law, referendums are announced by the Seimas.
- (3) Referendums also are announced if no less than 300,000 citizens having the right to vote so request.
- (4) The procedure for the announcement and execution of a referendum is established by law.

Article 10

- (1) The territory of the State of Lithuania is integral and indivisible into any state territories.
- (2) The State borders can only be realigned by an international treaty of the Republic of Lithuania which has been ratified by four-fifths of all the Seimas members.

Article 11

The administrative divisions of the territory of the State of Lithuania and their boundaries are determined by law.

Article 12

- (1) Citizenship of the Republic of Lithuania is acquired at birth or on any other bases established by law.
- (2) Except for the particular cases established by law, no person may be a citizen of the Republic of Lithuania and another state at the same time.
- (3) The procedure for the acquisition and loss of citizenship of the Republic of Lithuania is determined by law.

Article 13

- (1) The State of Lithuania protects its citizens abroad.
- (2) It is prohibited to extradite a citizen of the Republic of Lithuania to another state unless an international agreement to which the Republic of Lithuania is a party establishes otherwise.

Article 14

Lithuanian is the State language.

Article 15

- (1) The colours of the State flag are yellow, green, and red.
- (2) The coat of arms is a white Vytis on a red background.
- (3) The State flag and coat of arms and their use is established by laws.

Article 16

The national anthem is Vincas Kudirka's "Tautiška Giesmė".

Article 17

The capital of the Republic of Lithuania – the city of Vilnius, the long-standing historical capital of Lithuania.

CHAPTER 2

THE INDIVIDUAL AND THE STATE

Article 18

The rights and freedoms of individuals are innate.

Article 19

The right to life of individuals are protected by law.



Article 20

- (1) Individual freedom is inviolable.
- (2) No individual may arbitrarily be arrested or detained. No person may be deprived of freedom except on the bases, and according to the procedures, which have been established in law.
- (3) An individual detained in place of the criminal act must, within 48 hours, be brought to court for the arraignment, in the presence of the detainee, the reasonableness of the detention. If the court does not adjudicate, the detainee shall be released immediately.

Article 21

- (1) The person is inviolable.
- (2) Human dignity is protected by law.
- (3) It is prohibited to torture, injure, degrade, or maltreat an individual, as well as to establish such punishments.
- (4) No individual may be subjected to scientific or medical testing without the knowledge and consent of individual.

Article 22

- (1) The private life of an individual is inviolable.
- (2) Personal correspondence, telephone conversations, telegraph messages, and other forms of communication are inviolable.
- (3) Information concerning the private life of an individual may be collected only upon properly / duly reasoned court order and only in accordance with the law.
- (4) The law and the court protect individuals from arbitrary or unlawful interference in their private or family life, and from encroachment upon their honour and dignity.

Article 23

- (1) Property is inviolable.
- (2) The rights of ownership are protected by law.
- (3) Property may be seized for the needs of society only in accordance with the law and must be justly compensated for.

Article 24

- (1) A person's dwelling place is inviolable.
- (2) Without the consent of the resident(s), entrance into a dwelling place is only permitted with a court order, or in accordance with the law when it is required to guarantee public order, apprehend a criminal, or save a person's life, health, or property.

Article 25

- (1) The individual has the right to have their own convictions and freely express them.
- (2) The individual must not be hindered from seeking, obtaining, or disseminating information or ideas.
- (3) Freedom to express convictions, as well as to obtain and disseminate information, may not be restricted in any way other than as established by law, when it is necessary for the safeguard of the health, honour and dignity, private life, morals, or for the protection of constitutional order.
- (4) Freedom to express convictions or disseminate information is incompatible with criminal actions – the instigation of national, racial, religious, or social hatred, violence, or discrimination, slander, or misinformation.
- (5) Citizen has the right to obtain any available information concerning themselves from State agencies in the manner established by law.

Article 26

- (1) Freedom of thought, conscience, and religion may not be restricted.



- (2) Every person has the right to freely choose any religion or belief and, either individually or with others, in private or in public, to manifest or practice the religion or religious rituals, practice or teaching.
- (3) No person is to coerce another person or be subject to coercion to adopt or profess any religion or belief.
- (4) A person's freedom to profess and propagate his or her religion or belief cannot be limited unless otherwise prescribed by law and only when such restrictions are necessary to protect the safety of society, public order, health or morals, or the fundamental rights and freedoms of other persons.
- (5) Parents and legal guardians without restriction undertake the religious and moral education of their children in conformity with their own convictions.

Article 27

A person's convictions, religious practice or belief may not be a crime or the violation of law.

Article 28

While exercising their rights and freedoms, persons must observe the Constitution and the laws of the Republic of Lithuania, and not impair the rights and freedoms of others.

Article 29

- (1) All people are equal under the law, the court, and other State institutions and officers.
- (2) A person may not have his or her rights restricted in any way, or be granted any privileges, based on his or her sex, race, nationality, language, origin, social status, religion, convictions, or opinions.

Article 30

- (1) Any person whose constitutional rights or freedoms are violated has the right to appeal to court.
- (2) The law establishes the procedure for compensating pecuniary and moral damage inflicted on a person.

Article 31

- (1) Every person is presumed innocent until proven guilty according to the procedure established by law and until declared guilty by an effective court sentence.
- (2) Every indicted has the right to a fair and public hearing by an independent and impartial court.
- (3) Persons cannot be compelled to give evidence against themselves or against their family members or close relatives.
- (4) Punishments are only administered or applied on the basis of law.
- (5) No person may be punished for the same offence twice.
- (6) From the moment of arrest or first interrogation, persons suspected or accused of a crime are guaranteed the right to defence and legal counsel.

Article 32

- (1) Every citizen can freely move and choose their place of residence in Lithuania, and leave Lithuania.
- (2) This right may not be restricted except as provided by law and if it is necessary for the protection of State security or the health of the people, or to administer justice.
- (3) A citizen may not be prohibited from returning to Lithuania.
- (4) Every Lithuanian may settle in Lithuania.

Article 33

- (1) Citizens have the right to participate in the government of their State both directly and through their freely elected representatives, and have the equal opportunity to serve in a State office of the Republic of Lithuania.
- (2) Each citizen is guaranteed the right to criticize the work of State institutions and their officers, and to appeal against their decisions. It is prohibited to persecute people for criticism.
- (3) Citizens are guaranteed the right to petition and the procedure for implementing this right is established by law.

Article 34

- (1) Citizens who, on the day of election, attained the age of 18, have the right to vote.
- (2) The right to be elected shall be established by the Constitution of the Republic of Lithuania and by election laws.
- (3) Citizens who are declared legally incapable by court may not participate in elections.

Article 35

- (1) Citizens are guaranteed the right to freely form societies, political parties, and associations, provided that the aims and activities thereof do not contradict the Constitution and laws.
- (2) No person may be forced to belong to any society, political party, or association.
- (3) The founding and functioning of political parties and other political and societal organisations are regulated by law.

Article 36

- (1) Citizens are not prohibited or hindered from assembling in unarmed peaceful meetings.
- (2) This right cannot be subjected to any restrictions except those which are provided by law and are necessary to protect the security of the state or the community, public order, people's health or morals, or the rights and freedoms of other persons.

Article 37

Citizens who belong to ethnic communities have the right to foster their language, culture, and customs.

CHAPTER 3

SOCIETY AND THE STATE

Article 38

- (1) The family is the basis of society and the state.
- (2) Family, motherhood, fatherhood, and childhood are under the care and protection of the state.
- (3) Marriage is entered into by free consent of man and woman.
- (4) The state registers marriage, birth, and death. The state also recognises marriage registered in church.
- (5) In the family, spouses have equal rights.
- (6) The right and duty of parents is to bring up their children to be virtuous individuals and loyal citizens, as well as to support them until adulthood.
- (7) The duty of children is to respect their parents, to care for them in old age, and to preserve their heritage.

Article 39

- (1) The state cares for families raising and educating children at home, and renders them support in the manner established by law.
- (2) The law provides for paid maternity leave until and after childbirth, as well as for favourable working conditions and other privileges.
- (3) Underage children are protected by law.

Article 40

- (1) State and local government institutions of teaching and education are secular. Upon request of parents, religion is taught.
- (2) Non-governmental teaching and educational institutions may be established according to the procedure established by law.
- (3) Institutions of higher learning are granted autonomy.
- (4) The state supervises the activities of teaching and educational institutions.

Article 41

- (1) Education is compulsory for persons until the age of 16.
- (2) Education at state and local government primary and secondary schools, vocational, and colleges is for free.
- (3) Higher education is accessible to all according to their individual abilities. Citizens who demonstrate good learning are guaranteed tuition at governmental institutions of higher education for free.

Article 42

- (1) Culture, science, research and teaching are unrestricted.
- (2) The state supports culture and science, and cares for the protection of Lithuanian history, art, and other cultural monuments and values.
- (3) The law protects and defends the spiritual and pecuniary interests of authors which are related to scientific, technical, cultural, and artistic work.

Article 43

- (1) The state recognises traditional churches and religious organisations in Lithuania, as well as other churches and religious organisations provided that they have a support in society and their teaching and rituals do not contradict the law and morality.
- (2) Churches and religious organisations recognised by the state have the rights of legal person.
- (3) Churches and religious organisations freely proclaim their teaching, perform their rituals, have houses of prayer, charity institutions, and educational institutions for the training of their clergy.
- (4) Churches and religious organisations organise themselves freely according to their canons and statutes.
- (5) The status of churches and other religious organisations in the state are established by agreement or by law.
- (6) The teachings proclaimed by churches and other religious organisations, other religious activities, as well as houses of prayer must not be used for purposes which contradict the Constitution and the law.
- (7) There is no state religion in Lithuania.

Article 44

- (1) Censorship of mass media is prohibited.
- (2) The state, political parties, political and societal organisations, other institutions or persons must not monopolise the means of mass media.

Article 45

- (1) Ethnic communities of citizens independently administer their ethnic cultural affairs of education, charity and mutual assistance, autonomously.
- (2) The state gives support to ethnic communities.

CHAPTER 4

NATIONAL ECONOMY AND LABOUR

Article 46

- (1) Lithuania's economy is based on the right to private ownership, freedom of individual economic activity, and initiative.
- (2) The state supports economic efforts and initiative that are useful to the society.
- (3) The state regulates economic activity so that it serves for the common good of the nation.
- (4) The law prohibits monopolisation of production and the market, and protects freedom of fair competition.
- (5) The state protects consumers' interests.

Article 47

- (1) The Republic of Lithuania has the exclusive ownership rights to: depths of the earth, as well internal waters of national significance, forests, parks, roads, historical, archaeological, and cultural objects .



- (2) The Republic of Lithuania has the exclusive ownership right to the airspace over its territory, its continental shelf, and the economic zone in the Baltic Sea.
- (3) In the Republic of Lithuania foreign entities may acquire ownership of land, internal waters and forests under constitutional law.
- (4) In accordance with the procedure and conditions defined by law plots of land may belong to a foreign state by the right of ownership for the establishment of its diplomatic missions and consular offices.

Amendments to the Article:

No. I-1390, 20.06.96, Valstybės žinios (Official Gazette), 1996, No. 64-1501 (05.07.96).

No. IX-1305, 23.01.2003, Valstybės žinios (Official Gazette), 2003, No. 14-540 (07.02.2003).

Article 48

- (1) Every person may freely choose an occupation or business, and has the right to sufficient, safe and healthy working conditions, sufficient compensation for work, and social security in the event of unemployment.
- (2) The employment of foreigners in the Republic of Lithuania is regulated by law.
- (3) Forced labour is prohibited.
- (4) Military service or alternative service that substitutes for it, as well as labour of its citizens which is executed during war, natural disaster, epidemic, or other conditions of emergency, is not deemed as forced labour.
- (5) Labour which is performed by convicts that is regulated by law is to be deemed as forced labour.

Article 49

- (1) Every person has the right to rest and leisure, as well as to annual paid holidays.
- (2) Working hours are established by law.

Article 50

- (1) Trade unions may establish freely and function independently. They defend the professional, economic, social rights and interests of employees.
- (2) All trade unions have equal rights.

Article 51

- (1) Employees have the right to strike to protect their economic and social interests.
- (2) The restrictions of this right, and the conditions and procedures for the implementation thereof are established by law.

Article 52

The state guarantees the right of citizens to receive pension of retirement age and disability, as well as to social support in the event of unemployment, sickness, widowhood, loss of earner, and other cases established by law.

Article 53

- (1) The state cares for the people's health and guarantees medical aid and services in the event of illness. The procedure for providing medical aid to citizens free of charge at public healthcare facilities is established by law.
- (2) The state promotes physical culture of the society and supports sports.
- (3) The state and each individual must protect the environment from harmful hazards.

Article 54

- (1) The state cares for the protection of the natural environment, its fauna and flora, specific objects of nature and particularly valuable terrain, and supervises the moderate utilization of natural resources as well as their restoration and augmentation.



(2) It is prohibited by law to devastate the land, depths of the earth, waters, to pollute waters and air, to make radioactive impact to the environment, as well as to ravage flora and fauna.

CHAPTER 5

THE SEIMAS

Article 55

- (1) Seimas consists of representatives of the People: 141 Seimas members, who are elected for a four-year term on the basis of universal, equal, and direct voting by secret ballot.
- (2) Seimas is deemed elected when at least three-fifths of Seimas members have been elected.
- (3) The electoral procedure of Seimas members is established by law.

Article 56

- (1) Any citizen of the Republic of Lithuania who is not bound by an oath or pledge to a foreign state, and who, on the election day, is not younger than 25 years of age and is permanently residing in Lithuania, may be elected a Seimas member.
- (2) Persons who have not finished serving their court-imposed sentence, as well as persons declared legally incapable by the court, cannot be elected members to Seimas.

Article 57

- (1) Regular elections to the Seimas are held on second Sunday of October in the final year of the expiration of the powers of the Seimas members.
- (2) Following pre-term elections regular elections to Seimas are held at a time stipulated in part one of this article.

Amendments to the Article:

No. IX-2344, 13.07.2004, Valstybės žinios (Official Gazette), 2004, No. 111-4124 (17.07.2004).

Article 58

- (1) Pre-term elections to the Seimas may be held on the decision of Seimas adopted by no less than three-fifth majority vote of all Seimas members.
- (2) The President of the Republic of Lithuania may also announce pre-term elections to the Seimas:
 - 1) if the Seimas fails to adopt a decision on the new programme of the Government within 30 days of its presentation, or if Seimas twice in succession disapproves of the Government programme within 60 days of its initial presentation; or
 - 2) on the proposal of the Government, if Seimas expresses direct non-confidence in the Government.
- (3) The President of the Republic may not announce pre-term elections to Seimas if the term of office of the President of the Republic expires within six months, also if less than six months have passed since the pre-term elections to Seimas.
- (4) The day of elections to Seimas is specified in the resolution of Seimas or in the decree of the President of the Republic concerning the pre-term elections to the Seimas. The election to new Seimas must be organised within three months from the adoption of the decision on the pre-term elections.

Article 59

- (1) The term of office of Seimas members commences from the day when the newly elected Seimas convenes for the first sitting. From the opening of this sitting the powers of the previously elected Seimas members expire.
- (2) Newly elected Seimas member acquires all the rights of representative of the People only after swearing in Seimas to be faithful to the Republic of Lithuania.

(3) Seimas member who either does not take an oath in the manner prescribed by law, or who take a conditional oath, loses the mandate as a Seimas member. Seimas adopts a corresponding resolution thereof.

(4) In office, Seimas members act in accordance with the Constitution of the Republic of Lithuania, the interests of the state, as well as their own consciences, and may not be restricted by any mandates.

Article 60

(1) The duties of Seimas member, except for their duties to Seimas, are incompatible with any other duties in state institutions or organisations, as well as with work in business, commerce and other private institutions or enterprises. During the term of office, Seimas member is exempt from the duty to perform national defence service.

(2) Seimas member can be appointed only Prime Minister or Minister.

(3) The work of Seimas member is remunerated, and all expenses incurred from parliamentary activity are reimbursed from the state budget. Seimas member cannot receive any other remuneration, except for remuneration for creative activities.

(4) The duties, rights and guarantees of the activities of Seimas members are established by law.

Article 61

(1) Seimas member has the right to submit inquiries to the Prime Minister, the individual Ministers, and the heads of other state institutions formed or elected by Seimas. The aforementioned must respond orally or in writing at a Seimas session in the manner established by Seimas.

(2) At sessions of the Seimas, a group of no less than one-fifth of the Seimas members may file interpellation to the Prime Minister or a Minister.

(3) Upon deliberation of the response of the Prime Minister or Minister to the interpellation, Seimas may decide that the response is not satisfactory, and, by a majority vote of all the Seimas members, express non-confidence in the Prime Minister or a Minister.

(4) The voting procedure is established by law.

Article 62

(1) The person of a Seimas member is inviolable.

(2) Seimas members may not be prosecution, may not be arrested, and may not be subjected to any other restriction of personal freedom without the consent of the Seimas.

(3) Seimas members may not be persecuted for voting or speeches in the Seimas. However, legal actions may be instituted against Seimas members according to the general procedure if they are guilty of personal insult or defamation.

Article 63

The powers of a Seimas member are terminated:

1) on the expiration of the term of office or when a pre-term elected Seimas convenes for the first sitting;

2) upon death;

3) upon resignation;

4) when declared legally incapable by the court;

5) when the Seimas revokes a mandate in accordance with impeachment proceedings;

6) when the elections are recognised as invalid, or if the law on election is grossly violated;

7) if one takes up, or does not resign from, employment which is incompatible with the duties of a Seimas member;

8) if one loses citizenship of the Republic of Lithuania.

Article 64

(1) Every year, the Seimas convenes for two regular sessions one in spring and one in fall. The spring session commences on March 10th and ends on June 30th. The fall session commences on September 10th and ends on December 23rd. The Seimas may decide to prolong a session.



(2) Extraordinary sessions are convened by the Seimas Speaker upon the proposal of at least one-third of all the Seimas and by the President of the Republic in cases provided for in the Constitution.

Article 65

The President of the Republic shall convene the first sitting of the newly elected Seimas which must be held within 15 days of the Seimas election. If the President of the Republic fails to convene the sitting of the Seimas, the Seimas members assemble the day following the expiration of the 15-day period.

Article 66

(1) The Seimas Speaker or Deputy Speaker preside over sittings of the Seimas.

(2) The sitting directly following elections of the Seimas shall be opened by the most aged Seimas member.

Article 67

The Seimas:

- 1) deliberates and adopts amendments to the Constitution;
- 2) enacts laws;
- 3) adopts resolutions regarding referendums;
- 4) declares elections of the President of the Republic of Lithuania;
- 5) establishes state institutions as provided by law, and appoints and dismisses their chief officers;
- 6) approves or rejects the President's nominee for Prime Minister ;
- 7) considers the programme of the Government submitted by the Prime Minister, and decides whether to approve it or not;
- 8) on the recommendation of the Government, establishes or abolishes ministries of the Republic of Lithuania;
- 9) monitors the activities of the Government, and may express non-confidence in the Prime Minister or individual Ministers;
- 10) appoints judges and chief judges to the Constitutional Court and the Supreme Court;
- 11) appoints to, and dismiss from, the Auditor General and the Chairperson of the Board of the Bank of Lithuania;
- 12) announces local government Council election;
- 13) forms the Central Electoral Committee and change its composition;
- 14) approves the state budget and monitors the implementation thereof;
- 15) determines state taxes and other obligatory payments;
- 16) ratifies or denounces international treaties whereto the Republic of Lithuania is a party, and considers other issues of foreign policy;
- 17) establishes administrative divisions of the Republic;
- 18) establishes state awards of the Republic of Lithuania;
- 19) issues acts of amnesty;
- 20) introduces direct rule, martial law and declares states of emergency, calls for the mobilisation and adopts decisions to use the armed forces.

Article 68

(1) The right of legislative initiative in the Seimas belongs to the members of the Seimas, the President of the Republic, and the Government.

(2) Citizens of the Republic of Lithuania also have the right of legislative initiative. A draft law may be submitted to the Seimas by 50,000 citizens of the Republic of Lithuania who have the right to vote and the Seimas must deliberate on this draft law.

Article 69

(1) Laws are enacted in the Seimas pursuant to the procedure established by law.

- (2) Laws are deemed adopted if the majority of the Seimas members participating in the sitting vote in favour thereof.
- (3) Constitutional laws of the Republic of Lithuania are deemed adopted if more than half of the members of the Seimas votes in favour, while constitutional laws are amended by no less than three-fifths majority vote of all the members of the Seimas. The Seimas establishes a list of constitutional laws by a three-fifths majority vote of the Seimas members.
- (4) Provisions of the laws of the Republic of Lithuania may also be adopted by referendum.

Article 70

- (1) The laws enacted by the Seimas are enforced after the signing and official promulgation by the President of the Republic unless the laws themselves establish a later enacted date.
- (2) Other acts adopted by the Seimas and the Statute of the Seimas are signed by the Speaker of the Seimas. Said acts become effective the day following the promulgation, unless the acts themselves provide for another procedure of enactment.

Article 71

- (1) Within ten days of receiving a law passed by the Seimas, the President of the Republic either signs and officially promulgates it, or returns it with motives for a repeated deliberation by the Seimas.
- (2) In the event that the law enacted by the Seimas is not returned back or signed by the President of the Republic within the established period, the law becomes effective upon the signing and official promulgation by the Speaker of the Seimas.
- (3) The President of the Republic must, within five days, sign and officially promulgate laws and other acts adopted by referendum.
- (4) In the event that the President of the Republic does not sign and promulgate such laws within the established period, said laws become effective upon being signed and officially promulgated by the Speaker of the Seimas.

Article 72

- (1) The Seimas may re-deliberate and enact laws which have been returned by the President of the Republic.
- (2) After repeated deliberation by the Seimas, a law is deemed enacted if the modifications and amendments submitted by the President of the Republic were adopted, or if more than half of all the Seimas members vote in favour, and if it is a constitutional law if at least three-fifths of all the Seimas members vote in favour.
- (3) The President of the Republic must, within three days, sign and officially promulgate afore-mentioned laws by the Seimas.

Article 73

- (1) Seimas ombudsmen examine complaints of citizens concerning the abuse of powers by, and bureaucracy of, state and local government officers (except for judges). Ombudsmen have the right to file inquiries to the court to dismiss officers from their posts if they are found guilty.
- (2) The powers of the Seimas ombudsmen are established by law.
- (3) As necessary, the Seimas may also establish other institutions of control. The system and powers of said institutions are established by law.

Article 74

For gross violation of the Constitution, breach of oath, or upon the finding of a criminal offense, the Seimas may, by three-fifths majority vote of all the Seimas members, remove from office the President of the Republic, the Chief judge and judges of the Constitutional Court, the Chief judge and judges of the Supreme Court, the Chief judge and judges of the Court of Appeals, as well as Seimas members, or may revoke the mandate of Seimas member. Such actions are carried out in accordance with impeachment proceedings which are established by the Statute of the Seimas.

Article 75

Officers appointed or confirmed by the Seimas except for persons specified in Article 74 are removed from office when the Seimas, by majority vote of all the members, expresses non-confidence in that officer.

Article 76

The structure of the Seimas and its working procedure are determined by the Statute of the Seimas. The Statute of the Seimas has the force of law.

CHAPTER 6

THE PRESIDENT OF THE REPUBLIC

Article 77

- (1) The President of the Republic is the head of state.
- (2) The President represents the state of Lithuania and performs all the duties which he or she is charged with by the Constitution and laws.

Article 78

- (1) Any person who is a citizen of the Republic of Lithuania by birth, who has resided in Lithuania for at least the past three years, who has reached the age of 40 prior to the election day, and who is eligible to be elected as Seimas member may be elected President of the Republic.
- (2) The President of the Republic is elected by the citizens of the Republic of Lithuania based on universal, equal, and direct vote by secret ballot for a term of five years.
- (3) The same person may not be elected President of the Republic of Lithuania for more than two consecutive terms.

Article 79

- (1) Any citizen who meets the requirements set forth in Part 1 of Article 78 and has collected the signatures of at least 20,000 voters can be registered as a presidential candidate.
- (2) The number of presidential candidates is not limited.

Article 80

Regular presidential elections are held on the last Sunday two months before the expiration of the term of office of the President of the Republic.

Article 81

- (1) The candidate for the post of President of the Republic who, during the first election round in which at least a half of the voters participate, receives the votes of more than half of all the voters who voted in the election, is deemed the elected candidate. If less than a half of the registered voters participate in the election, the candidate who receives most of the votes, but no less than one-third of votes of all the voters, is deemed the elected candidate.
- (2) If, during the first election round, no single candidate gets the required number of votes, a follow-up election is organised after two weeks between the two candidates who received the most of the votes. The candidate who receives more votes is deemed the elected candidate.
- (3) If no more than two candidates take part in the first election round, and none of them receives the required number of votes, a follow-up election is held.

Article 82

- (1) The elected President of the Republic begins his or her duties on the day following the expiration of the term of office of the President of the Republic, in Vilnius and in the presence of the representatives of the People – members of the Seimas, after taking an oath to the People, swearing to be faithful to the

Republic of Lithuania and the Constitution, to conscientiously fulfil the duties of President, and to be equally just to all. The President of the Republic upon being re-elected takes the oath as well.(2) The act of oath of the President of the Republic is signed by the President and by the Chief Judge of the Constitutional Court, or, in the absence of the Chief Judge, by a judge of the Constitutional Court.

Article 83

(1) The President of the Republic may not be a Seimas member or hold any other office and may not receive any remuneration other than the salary established for the President as well as compensation for creative activities.

(2) A person elected President of the Republic must suspend his or her activities in political parties and political organisations until the beginning of a new presidential election campaign.

Article 84

The President of the Republic:

- 1) decides basic foreign policy issues and together with the Government implements foreign policy;
- 2) signs international treaties of the Republic of Lithuania and submits them to the Seimas for ratification;
- 3) appoints or recalls, upon the recommendation of the Government, diplomatic representatives of the Republic of Lithuania in foreign states and international organisations; receives letters of credentials and recalls diplomatic representatives of foreign states; confers highest diplomatic ranks and special titles;
- 4) appoints, upon approval of the Seimas, the Prime Minister, charges him or her to form the Government, and approves its composition;
- 5) removes, upon approval of the Seimas, the Prime Minister from office;
- 6) accepts the powers returned by the Government upon the election of a new Seimas, and charges it to continue exercising its functions until a new Government is formed;
- 7) accepts resignations of the Government and, as necessary, charges it to continue exercising its functions or charges one of the Ministers to exercise the functions of the Prime Minister until a new Government is formed; accepts resignations of individual Ministers and charges them to continue in office until a new Minister is appointed;
- 8) submits to the Seimas, upon the resignation of the Government or after it returns its powers and no later than within 15 days, the nomination of a new Prime Minister for deliberation;
- 9) appoints or dismisses individual Ministers upon the recommendation of the Prime Minister;
- 10) appoints or dismisses, according to the established procedure, state officers provided by law;
- 11) proposes Supreme Court judge nominees to the Seimas, and, upon the appointment of all the Supreme Court judges, recommends from among them the Chief Judge of the Supreme Court to the Seimas; appoints, with the approval of the Seimas, Court of Appeals judges, and from among them the Chief Judge of the Court of Appeals; appoints judges and chief judge of district and local courts, and changes their places of office; in cases provided by law, proposes the dismissal from office of judges to the Seimas; appoints and dismisses from office Prosecutor General of the Republic of Lithuania, with the consent of the Seimas;
- 12) proposes to the Seimas the nominees of three Constitutional Court judges, and, upon appointing all the judges of the Constitutional Court, proposes, from among them, a nominee for Chief Judge of the Constitutional Court to the Seimas;
- 13) proposes to the Seimas nominees for Auditor General and Chairperson of the Board of the Bank of Lithuania; if necessary, proposes to the Seimas to express non-confidence in said officials;
- 14) appoints or dismisses, upon the approval of the Seimas, the Chief of Defense and the head of the security service;
- 15) confers highest military ranks;
- 16) adopts, in the event of an armed attack which threatens state sovereignty or territorial integrity, decisions concerning defence against such armed aggression, the imposition of martial law, and mobilisation, and submits these decisions to the next sitting of the Seimas for approval;
- 17) declares states of emergency according to the procedures and situations established by law, and submits these decisions to the next sitting of the Seimas for approval;

- 18) makes annual reports in the Seimas about the situation in Lithuania and the domestic and foreign policies of the Republic of Lithuania;
- 19) calls, in cases provided in the Constitution, extraordinary sessions of the Seimas;
- 20) announces regular elections to the Seimas, and, in cases set forth in part 2 of Article 58 of the Constitution, announces pre-term elections to the Seimas;
- 21) grants citizenship of the Republic of Lithuania according to the procedure established by law;
- 22) confers state awards;
- 23) grants pardons to sentenced persons; and
- 24) signs and promulgates laws enacted by the Seimas or refers them back to the Seimas according to the procedure provided for in Article 71 of the Constitution.

Amendments to the Article:

No. IX-1378, 20.03.2003, Valstybės žinios (Official Gazette), 2003, No. 32-1315 (02.04.2003).

Article 85

The President of the Republic, implementing the powers vested in him or her, issues acts – decrees. Decrees of the President, specified in subparagraphs 3, 15, 17, and 21 of Article 84 of the Constitution, are valid only if they bear the signature of the Prime Minister or an appropriate Minister. Responsibility for such decrees lies with the Prime Minister or the Minister who signed it.

Article 86

- (1) The person holding the position of the President of the Republic is inviolable: while in office, the President may neither be arrested nor charged with criminal or administrative sanctions.
- (2) The President of the Republic may be prematurely removed from office only for gross violation of the Constitution, breach of the oath of office, or conviction of a criminal offence. The Seimas resolves issues concerning the dismissal of the President of the Republic from office according to impeachment proceedings.

Article 87

- (1) When, in cases specified in paragraph 2 of Article 58 of the Constitution, the President of the Republic announces pre-term elections to the Seimas, the newly elected Seimas may, by three-fifths majority vote of all the Seimas members and within 30 days of the first sitting, announce a pre-term election of the President of the Republic.
- (2) If the President of the Republic wishes to compete in the election, he or she must immediately be registered as a candidate.
- (3) If the President of the Republic is re-elected in such an election, he or she is deemed elected for a second term, provided that more than three years of the first term had expired prior to the election. If the expired period of the first term is less than three years, the President of the Republic is only elected for the remainder of the first term, which is not considered a second term.
- (4) If a pre-term election for the President of the Republic is announced during the President's second term, the current President of the Republic may only be elected for the remainder of the second term.

Article 88

The powers of the President of the Republic is terminated:

- 1) upon the expiration of the term of office;
- 2) after pre-term presidential election takes place;
- 3) upon resignation from office;
- 4) upon the death of the President of the Republic;
- 5) when the Seimas removes the President from office according to impeachment proceedings;
- 6) when the Seimas, taking into consideration the conclusion of the Constitutional Court and by three-fifths majority vote of all the Seimas members, adopts a decision stating that the President of the Republic is unable to fulfil the duties of office for reasons of health.

Article 89

(1) In the event that the President dies or is removed from office according to impeachment proceedings, or if the Seimas resolves that the President of the Republic is unable to fulfil the duties of office for reasons of health, the duties of President are temporarily passed over to the Speaker of the Seimas. In such a case, the Speaker of the Seimas loses his or her powers in the Seimas, while the duties of Speaker of the Seimas are temporarily carried out by the Deputy Speaker. In said cases, the Seimas announces, within 10 days, elections for the President of the Republic which must be held within two months. If the Seimas cannot convene and announce the elections for the President of the Republic, the elections are announced by the Government.

(2) The Speaker of the Seimas performs as acting President when the President of the Republic is temporarily abroad or has fallen ill and therefore is unable to fulfil the duties of office.

(3) While acting as President of the Republic, the Speaker of the Seimas may neither announce pre-term elections of the Seimas nor dismiss or appoint Ministers without consent of the Seimas. During the said period, the Seimas may not consider the issue of lack of confidence in the Speaker of the Seimas.

(4) The powers of the President of the Republic may not be executed in any other circumstances, or by any other persons or institutions.

Article 90

The President of the Republic is provided a residence. The President of the Republic and the residence of the President is financed as established by law.

CHAPTER 7

THE GOVERNMENT OF THE REPUBLIC OF LITHUANIA

Article 91

The Government of the Republic of Lithuania consists of the Prime Minister and Ministers.

Article 92

(1) The Prime Minister, with the approval of the Seimas, is appointed or dismissed by the President of the Republic.

(2) The Ministers are appointed by the President of the Republic on the nomination of the Prime Minister.

(3) The Prime Minister, within 15 days of being appointed, presents the Government that has formed and which has been approved by the President of the Republic to the Seimas and submits its programme to the Seimas for consideration.

(4) The Government returns its powers to the President of the Republic after the Seimas elections or upon electing the President of the Republic.

(5) A new Government is empowered to act after the Seimas approves its programme by majority vote of the Seimas members participating in the sitting.

Article 93 On commencing their duties, the Prime Minister, and the individual Ministers, in the Seimas, take an oath to be faithful to the Republic of Lithuania and to uphold the Constitution and laws. The text of the oath is established by the Law on the Government.

Article 94

The Government of the Republic of Lithuania:

1) administers the affairs of the country, protects the inviolability of the territory of the Republic of Lithuania, and ensures state security and public order;

2) executes laws and resolutions of the Seimas concerning the implementation of laws, as well as the decrees of the President;

3) coordinates the activities of the ministries and other governmental institutions;

4) prepares the draft budget of the state and submits it to the Seimas; executes the state budget and reports on the use of the budget to the Seimas;

- 5) drafts laws and submits them to the Seimas for consideration;
- 6) establishes diplomatic relations and maintains relations with foreign countries and international organisations; and
- 7) executes other duties proscribed to the Government by the Constitution and other laws.

Article 95

- (1) The Government of the Republic of Lithuania resolves the affairs of state administration at its meetings by adopting resolutions which must be passed by a majority vote of all members of the Government. Auditor General may also participate in the sittings of the Government.
- (2) Government resolutions are signed by the Prime Minister and appropriate minister.

Article 96

- (1) The Government of the Republic of Lithuania in its entirety is responsible to the Seimas for the general activities of the Government.
- (2) The ministers, in directing areas of administration entrusted to them, are responsible to the Seimas, the President of the Republic, and are directly subordinate to the Prime Minister.

Article 97

- (1) The Prime Minister represents the Government of the Republic of Lithuania and directs its activities.
- (2) In the absence of the Prime Minister, or when the Prime Minister is unable to fulfil one's duties, the President of the Republic of Lithuania, upon the recommendation of the Prime Minister, charges one of the ministers to substitute for the Prime Minister for a period not exceeding 60 days, and when there is no recommendation, the President of the Republic charges one of the ministers to substitute for the Prime Minister.

Article 98

- (1) Minister directs their respective ministry, resolves issues assigned to the competence of that ministry, and also executes other functions prescribed by laws.
- (2) A minister may be temporarily substituted only by another member of the Government appointed by the Prime Minister.

Article 99

The Prime Minister and ministers may not hold any other office subject to nomination or election, may not be employed in business, commercial or other private institutions or companies, and may not receive any remuneration other than the salary established for their respective Government office and remuneration for creative activities.

Article 100

The Prime Minister and ministers may not be prosecuted, arrested, or have their freedoms restricted in any other way without the preliminary consent of the Seimas, or, if the Seimas is not in session, of the President of the Republic.

Article 101

- (1) Upon the request of the Seimas, the Government or individual ministers must give an account of their activities to the Seimas.
- (2) When more than half of the ministers are changed, the Government must receive renewed authority from the Seimas. Otherwise, the Government must resign.
- (3) The Government must also resign if:
 - 1) the Seimas disapproves two times in succession of the programme of the newly formed Government;
 - 2) the majority of all the Seimas members express a lack of confidence in the Government or in the Prime Minister in a secret ballot vote;
 - 3) the Prime Minister resigns or dies; or
 - 4) after Seimas elections when a new Government is formed.

- (4) A minister must resign if more than a half of all the Seimas members express a lack of confidence in a secret ballot vote.
- (5) The President of the Republic accepts resignations of the Government or minister.

CHAPTER 8

THE CONSTITUTIONAL COURT

Article 102

- (1) The Constitutional Court decides whether the laws and other legal acts by the Seimas does not violate Constitution and legal acts adopted by the President and the Government, does not violate the Constitution or laws.
- (2) The status of the Constitutional Court and the procedure for the execution of powers are established by the Law on the Constitutional Court of the Republic of Lithuania.

Article 103

- (1) The Constitutional Court shall consist of 9 judges appointed for an unrenovable term of 9 years. Every three years, one-third of the Constitutional Court is reconstituted. The Seimas approves 3 candidates for Constitutional Court judges from the candidates nominated by the President of the Republic of Lithuania, by the Speaker of the Seimas, and by the Chief Judge of the Supreme Court; the Seimas appoints the candidates that they choose as judges.
- (2) The Seimas approves the Chief Judge of the Constitutional Court from among the judges on the nomination of the President of the Republic of Lithuania.
- (3) Citizens of the Republic of Lithuania who have an impeccable reputation, who have matriculated higher legal education, and who have at least 10 years of experience in the legal profession or in an area of academic work related to their qualifications as a lawyer, are eligible for appointment as judges of the Constitutional Court.

Article 104

- (1) In fulfilling their duties, judges of the Constitutional Court are independent of any other state institution, person or organisation, and adhere only with the Constitution of the Republic of Lithuania.
- (2) Before entering office, judges of the Constitutional Court, in the Seimas, swear to be faithful to the Republic of Lithuania and the Constitution.
- (3) The restrictions on work and political activities which are imposed on court judges also apply to judges of the Constitutional Court.
- (4) Judges of the Constitutional Court have the same rights concerning the inviolability of their person as members of the Seimas.

Article 105

- (1) The Constitutional Court considers and adopts decisions on whether the laws of the Republic of Lithuania and legal acts adopted by the Seimas do not conflict with the Constitution of the Republic of Lithuania.
- (2) The Constitutional Court also considers whether the following do not conflict with the Constitution and laws:
- 1) acts of the President;
 - 2) acts of the Government.
- (3) The Constitutional Court presents conclusions on:
- 1) whether there was the violation of election laws during the elections of the President of the Republic or members of the Seimas;
 - 2) whether the state of health of the President of the Republic of Lithuania's allows him or her to continue in office;
 - 3) whether international agreements of the Republic of Lithuania do not conflict with the Constitution;
- and

4) whether explicit actions of Seimas members or other state officials, against whom an impeachment case has been instituted, conflict with the Constitution.

Article 106

(1) The Government, no less than one-fifth of all the members of the Seimas, and the courts have the right to address the Constitutional Court concerning legal acts specified in part 1 of Article 105.

(2) No less than one-fifth of all the members of the Seimas and the courts have the right to address the Constitutional Court concerning the conformity of acts of the President with the Constitution and the laws.

(3) No less than one-fifth of all the members of the Seimas, the courts, and the President of the Republic of Lithuania have the right to address the Constitutional Court concerning the conformity of an act of the Government with the Constitution and the laws.

(4) Every person has the right to address the Constitutional Court concerning the acts specified in the first and second paragraphs of Article 105 if a decision adopted based on these acts has violated the constitutional rights or freedoms of the person and the person has exhausted all legal remedies. The procedure for implementing this right is established under the Law on the Constitutional Court.

(5) An application by the President of the Republic to the Constitutional Court, or the resolution of the Seimas to investigate the conformity of an act with the Constitution suspends the validity of the act.

(6) The conclusions of the Constitutional Court may be requested by the Seimas or, in cases concerning elections to the Seimas or international agreements, by the President of the Republic.

(7) The Constitutional Court has the right to refuse to accept cases for investigation or to prepare conclusions if the appeal is not based on legal grounds.

Amendments to the Article:

No. XIII-2004, 21-03-2019, published in the Register of Legal Acts, 02-04-2019, identification code 2019-05330.

Article 107

(1) Law (or part thereof) of the Republic of Lithuania or any other act (or part thereof) of the Seimas, act of the President of the Republic of Lithuania, and act (or part thereof) of the Government may not be applied from the day of official promulgation of the decision of the Constitutional Court that the act in question (or part thereof) contradicts the Constitution of the Republic of Lithuania.

(2) The decisions of the Constitutional Court on issues assigned to its jurisdiction by the Constitution are final and not appealable.

(3) In the case heard subsequent to an application by a person referred to in the fourth paragraph of Article 106 of the Constitution, the decision of the Constitutional Court that a law (or part thereof) of the Republic of Lithuania or another act (or part thereof) of the Seimas, an act of the President of the Republic, or an act (or part thereof) of the Government is in conflict with the Constitution constitutes a basis for reassessing, according to the procedure established by law, the proceedings regarding the implementation of the violated constitutional rights or freedoms of the person.

(4) On the basis of the conclusions of the Constitutional Court, the Seimas makes a final decision on the issues set forth in part 3 of Article 105 of the Constitution.

Amendments to the Article:

No. XIII-2004, 21-03-2019, published in the Register of Legal Acts, 02-04-2019, identification code 2019-05330.

Article 108

The powers of a judge of the Constitutional Court are terminated:

- 1) at the expiration of the term of office;
- 2) upon the death of the judge;
- 3) upon voluntary resignation;
- 4) when the judge is incapable to fulfil their duties for health reasons; and
- 5) upon being removed from office by the Seimas pursuant to impeachment proceedings.

CHAPTER 9 THE COURT

Article 109

- (1) In the Republic of Lithuania, only the courts are administering justice.
- (2) While administering justice, judges and courts are independent.
- (3) While investigating cases, judges obey only the law.
- (4) The court adopts decisions on behalf of the Republic of Lithuania.

Article 110

- (1) Judges cannot apply a law which contradicts the Constitution.
- (2) In cases when there are grounds to consider that a law or another legal act that could be applicable in a certain case contradicts the Constitution, the judge suspends the investigation and appeals to the Constitutional Court to decide whether the law or other legal act in question complies with the Constitution.

Article 111

- (1) The courts of the Republic of Lithuania are the Lithuanian Supreme Court, the Lithuanian Court of Appeals, district courts, and local courts.
- (2) For the investigation of administrative, labour, family and other litigations, specialised courts may be established pursuant to law.
- (3) Courts with special powers may not be established in the Republic of Lithuania in times of peace.
- (4) The formation and competence of courts are determined by the Law on Courts of the Republic of Lithuania.

Article 112

- (1) In Lithuania, only citizens of the Republic of Lithuania may be judges.
- (2) Supreme Court judges, as well as from them the Chief Judge of the Supreme Court, are appointed and dismissed by the Seimas upon the recommendation of the President of the Republic of Lithuania.
- (3) Judges of the Court of Appeals, as well as from them the Chief Judge, are appointed by the President of the Republic of Lithuania upon the approval of the Seimas.
- (4) Judges and chairpersons of district courts, local courts, and other specialised courts are appointed, and if necessary, transferred to other places of office, by the President of the Republic of Lithuania.
- (5) A special institution of judges provided by law submits recommendations to the President concerning the appointment of judges, as well as their promotion, transference, or dismissal from office.
- (6) A person appointed as judge swears, according to the procedure established by law, to be faithful to the Republic of Lithuania and to administer justice only pursuant to law.

Article 113

- (1) Judge cannot hold any other elected or appointed posts, and cannot be employed in any business, commercial, or other private institution or company. The judge is also not permitted to receive any remuneration other than the salary established for judges as well as payments for academic or creative activities.
- (2) Judge cannot participate in the activities of political parties and other political organisations.

Article 114

- (1) State and administrative institutions, members of the Seimas and other officials, political parties, societal organizations, and citizens are prohibited from interfering with the activities of a judge or the court, and violation of this incurs liability.

(2) Judges cannot be prosecuted, nor arrested or their personal freedom restricted without the consent of the Seimas, or in the period between sessions of the Seimas, without the consent of the President of the Republic of Lithuania.

Article 115

Court judges of the Republic of Lithuania may be dismissed from office according to the procedure established by law in the following cases:

- 1) at their own will;
- 2) upon expiration of their powers or upon reaching retirement age as determined by law;
- 3) for health reasons;
- 4) upon election to another office or upon consensual transference to another place of office;
- 5) when their behaviour discredits their reputation as judge; and
- 6) when the court judgement against them come into force.

Article 116

If the Chief Judge or judges of the Supreme Court or of the Court of Appeals grossly violate the Constitution, break their oath, or are found guilty of an offence, the Seimas may remove them from office pursuant to impeachment proceedings.

Article 117

- (1) In all courts, the investigation of cases are public. Closed court sittings may be held to protect the secrecy of citizen's or the citizen's family private life, or to prevent the disclosure of state, professional, or commercial secret.
- (2) In the Republic of Lithuania, court trials are conducted in the national language.
- (3) Persons who do not know Lithuanian are guaranteed the right to participate in investigative and court proceedings through an interpreter.

Article 118

- (1) The prosecutor organises and directs pre-trial investigation and prosecutes criminal cases on behalf of the state.
- (2) The prosecutor, in the cases prescribed by law, defends rights and lawful interests of an individual, society and the state.
- (3) When discharging their function, the prosecutor is independent and observes only the law.
- (4) The Prosecutor's Office of the Republic of Lithuania is comprised of the Office of the Prosecutor General and territorial prosecutor's offices.
- (5) Prosecutor General is appointed and dismissed from office by the President of the Republic, with the consent of the Seimas.
- (6) The procedure for the appointment and dismissal from office of prosecutors, as well as their status is established by law.

Amendments to the Article:

No. IX-1379, 20.03.2003, Valstybės žinios (Official Gazette), 2003, No. 32-1316 (02.04.2003).

CHAPTER 10

LOCAL GOVERNMENTS AND ADMINISTRATION

Article 119

- (1) Administrative units provided by law on state territory are entitled to the right of self-governance. This right is implemented through local government councils.
- (2) Citizens of the Republic of Lithuania and other permanent residents of an administrative unit are elected according to the law to local government councils for a four-year term on the basis of universal,

equal and direct vote by secret ballot by the citizens of the Republic of Lithuania and other permanent residents of the administrative unit.

(3) The procedure for the organisation and activities of self-governance institutions is established by law.

(4) Local government councils form executive bodies which are accountable to them for the direct implementation of the laws of the Republic of Lithuania and the decisions of the Government and the local government council.

Amendments to the Article:

No. VIII-32, 12.12.1996, Valstybės žinios (Official Gazette), 1996, No. 122-2863 (18.12.1996).

No. IX-959, 20.06.2002, Valstybės žinios (Official Gazette), 2002, No. 65-2629 (28.06.2002).

Article 120

(1) The state supports local governments.

(2) Local governments act freely and independently within the limits of their competence which are established by the Constitution and laws.

Article 121

(1) Local governments draft and approve their own budget.

(2) Local government councils have the right within the established limits and according to the procedure provided by law to establish local levies, and to provide for the exemption of taxes and duties at the expense of their own budget.

Article 122

Local government councils have the right to appeal to court regarding the violation of their rights.

Article 123

(1) In higher level administrative units, the administration is organised by the Government according to the procedure established by law.

(2) Representatives appointed by the Government supervise that the Constitution and the laws are observed, and that the decisions of the Government are implemented.

(3) The powers of Government representative and the procedures of their implementation are established by law.

(4) In cases and according to procedures provided by law, the Seimas may introduce direct administration on local government territory.

Article 124

Acts and deeds of local government councils as well as of their executive bodies and officers which violate the rights of citizens and organisations may be appealed in court.

CHAPTER 11

FINANCES, THE STATE BUDGET

Article 125

(1) In the Republic of Lithuania, the central bank is the Bank of Lithuania, which is owned by the Lithuanian state.

(2) The procedures for the organisation and activities of the Bank of Lithuania, its powers and the legal status of the Chairperson of the Board of Lithuanian Bank and their removal established by law.

Amendments to the Article:

No. X-572, 25.04.2006, Valstybės žinios (Official Gazette), 2006, No. 48-1701 (29.04.2006).

Article 126

- (1) The Bank of Lithuania is directed by the board of the bank, which consists of the Chairperson of the board, the deputies to the Chairperson and the board members.
- (2) The Chairperson of the board of the Bank of Lithuania is appointed for a five-year term by the Seimas nominated by the President of the Republic.

Article 127

- (1) The budgetary system of the Republic of Lithuania consists of the independent state budget of the Republic of Lithuania and the independent local governments budgets.
- (2) State budget revenues are collected from taxes, compulsory payments, levies, income from state property, and other proceeds.
- (3) Taxes, other budgetary payments, and levies are established by the laws of the Republic of Lithuania.

Article 128

- (1) Decisions concerning state loans and other essential property commitments of the state are adopted by the Seimas on the proposal of the Government.
- (2) Procedures concerning the management, usage, and disposition of state property are established by law.

Article 129

The fiscal year begins on the January 1st and concludes on December 31st.

Article 130

The Government prepares a draft budget of the state, and submits it to the Seimas no later than 75 days before the end of the fiscal year.

Article 131

- (1) The draft budget of the state is considered by the Seimas, and is approved by law before the beginning of the new fiscal year.
- (2) Upon considering the draft budget, the Seimas may increase expenditures only upon specifying financial sources for such expenditures. Expenditures established by law may not be reduced as long as these laws are not amended.

Article 132

- (1) If the state budget is not approved in time, monthly budget expenditures at the beginning of the fiscal year may not exceed one-twelfth of the state budget expenditures of the previous fiscal year.
- (2) During the fiscal year the Seimas may amend the budget. It is amended according to the same procedure by which it was drafted, adopted, and approved. As necessary, the Seimas may approve an additional budget.

CHAPTER 12

NATIONAL AUDIT OFFICE

Article 133

- (1) The system and powers of the National Audit Office is established by law.
- (2) The National Audit Office is headed by the Auditor General who is appointed for a five-year term by the Seimas upon the nomination of the President of the Republic.
- (3) Before taking office, the Auditor General takes an oath. The oath is established by law.

Article 134

- (1) The National Audit Office supervises the legality of the possession and use of state property and how the state budget is executed.

(2) The Auditor General submits an evaluation to the Seimas on the annual execution of the state budget.

CHAPTER 13

FOREIGN POLICY AND NATIONAL DEFENCE

Article 135

(1) In implementing its foreign policy, the Republic of Lithuania follows universally recognized principles and norms of international law, upholds national security and independence, welfare of its citizens, their fundamental rights and freedoms, and contributes to the creation of international order based on law and justice.

(2) In the Republic of Lithuania, war propaganda is prohibited.

Article 136

The Republic of Lithuania participates in international organizations provided that it does not contradict the interests and independence of the state.

Article 137

Weapons of mass destruction and foreign military bases may not be stationed in the territory of the Republic of Lithuania.

Article 138

(1) The Seimas either ratifies or denounces the following international treaties of the Republic of Lithuania:

- 1) on the alteration of the state borders of the Republic of Lithuania;
- 2) on political cooperation with foreign states, mutual assistance, as well as treaties of a defensive nature related to the national defence of the state ;
- 3) on the renunciation of the use of force or threatening by force, as well as peace treaties;
- 4) on the presence and status of the armed forces of the Republic of Lithuania in the territories of a foreign states;
- 5) on the participation of Lithuania in universal international organisations or regional international organisations; and
- 6) multilateral or long-term economic treaties.

(2) Laws, as well as international treaties, may also provide for other cases when the Seimas ratifies international treaties of the Republic of Lithuania.

(3) International treaties ratified by the Seimas of the Republic of Lithuania are the constituent part of the legal system of the Republic of Lithuania.

Article 139

(1) The defence of the state of Lithuania against a foreign armed attack is the right and duty of each citizen of the Republic of Lithuania.

(2) Citizens of the Republic of Lithuania must perform military or alternative national defence service according to the procedure established by law.

(3) The organisation of national defence is established by laws.

Article 140

(1) The most important issues of national defence are considered and coordinated by the State Defence Council which, consists of the President of the Republic of Lithuania, the Prime Minister, the Speaker of the Seimas , the Minister of National Defence, and the Chief of Defence. The State Defence Council is headed by the President of the Republic. Its composition, order of activities and powers are established by law.

(2) The Chief Commander of the armed forces is the President of the Republic.

(3) The Government, the Minister of National Defence, and the Chief of Defence are responsible to the Seimas for the organisation and command of state armed forces. The Minister of National Defence may not be a military person not yet retired to the reserve.

Article 141

Persons in active military service or alternative service, officers of the national defence system, the police and the internal service, non-commissioned officers, re-enlistees who have not retired from service, and other paid officers of paramilitary and security services may not be members of the Seimas or of local government Councils. They may not hold elected or appointed office in civil state service or participate in the activities of political parties and political organisations.

Article 142

(1) The Seimas imposes a state of war, announces mobilisation or demobilisation, and adopts the decision to use the armed forces when necessary to defend the homeland or for the fulfilment of the international obligations of the state of Lithuania.

(2) In the event of an armed attack which threatens the sovereignty of the state or territorial integrity, the President of the Republic of Lithuania immediately adopts a decision concerning defence against the armed aggression, imposes martial law throughout the State or in separate parts thereof, declares mobilisation, and approve these decisions to the nearest sitting of the Seimas; in the period between sessions, the President immediately calls an extraordinary session of the Seimas. The Seimas approves or abolishes the decision of the President of the Republic of Lithuania.

Article 143

If regular elections must be held during the time of military actions, either the Seimas or the President of the Republic adopts a decision to extend the terms of the Seimas, the President of the Republic, and local government councils. In such cases, elections must be called within three months after the end of the war.

Article 144

(1) If in the State a threat arises to the constitutional system or societal peace, the Seimas may declare a state of emergency throughout the country, or in separate parts thereof, for a period not exceeding six months.

(2) In between sessions of the Seimas and in the event of urgency, the President of the Republic has the right to adopt such a decision, and at the same time, calls an extraordinary session of the Seimas to consider this issue. The Seimas approves or abolishes the decision of the President of the Republic.

(3) The state of emergency is regulated by law.

Article 145

During state of war or a state of emergency, the rights and freedoms specified in Articles 22, 24, 25, 32, 35, and 36 of the Constitution may be temporarily restricted.

Article 146

(1) The State takes care and provides for soldiers who lose their health during military service, as well as for families of soldiers who were killed or died during military service.

(2) The State also provides for citizens who lose their health defending the State, and for families of citizens who were killed or died defending of the State.

CHAPTER 14

AMENDING THE CONSTITUTION

Article 147

(1) In order to amend the Constitution of the Republic of Lithuania, a proposal must be submitted to the Seimas by either no less than one-fourth of the members of the Seimas, or by at least 300,000 voters.



(2) During a state of emergency or state of war, the Constitution cannot be amended.

Article 148

(1) The provision of Article 1 of the Constitution that "the State of Lithuania is an independent democratic republic" may only be amended by a referendum in which at least three-fourths of the Lithuanian citizens having the right to vote, vote in favour thereof.

(2) The provisions of Chapter 1 "The State of Lithuania" and Chapter 14 "Amending the Constitution" can be amended only by referendum.

(3) Amendments of other chapters of the Constitution must be considered and voted upon in the Seimas twice. There must be a period of at least three months between each vote. A draft law on constitutional amendment is deemed adopted by the Seimas if, in each of the votes, at least two-thirds of all the members of the Seimas vote in favour thereof.

(4) An amendment to the Constitution which is rejected by the Seimas can only be submitted to the Seimas for reconsideration not earlier than after a year.

Article 149

(1) The adopted law on an amendment to the Constitution is signed by the President of the Republic and officially promulgated within 5 days.

(2) If the President of the Republic does not sign and promulgate such a law in the aforementioned period, this law becomes effective when the Speaker of the Seimas signs and promulgates it.

(3) The law on an amendment to the Constitution come into force no earlier than one month after its adoption.

FINAL PROVISIONS

Article 150

Integral parts of the Constitution of the Republic of Lithuania are:

The Constitutional Law "On the State of Lithuania" of 11 February 1991;

The Constitutional Act "On the Non-Alignment of the Republic of Lithuania to Post-Soviet Eastern Unions" of 8 June 1992;

The Law "On the Procedure for the Entry into Force of the Constitution of the Republic of Lithuania" of 25 October 1992;

The Constitutional Act "On Membership of the Republic of Lithuania in the European Union" of 13 July 2004.

Amendments to the Article:

No. IX-2343, 13.07.2004, Valstybės žinios (Official Gazette), 2004, No. 111-4123 (17.07.2004).

Article 151

This Constitution of the Republic of Lithuania comes into force on the day following the official publication of the results of the referendum, provided that more than half of the citizens of the Republic of Lithuania with voting rights approve this Constitution in the referendum.

Article 152

The procedure for the enforcement of this Constitution and its separate provisions is regulated by Law of the Republic of Lithuania "On the Procedure for the Enforcement of the Constitution of the Republic of Lithuania", which, together with this Constitution of the Republic of Lithuania, is adopted by referendum.

Article 153

Upon the adoption of this Constitution in the Referendum, the Seimas of the Republic of Lithuania may, by 25 October 1993, amend by three-fifths majority vote of all the Seimas members the provisions of the Constitution of the Republic of Lithuania set forth in Articles 47, 55, 56, in item 2 of the second part of

Article 58, in Articles 65, 68, 69, in items 11 and 12 of Article 84, in the first part of Article 87, in Articles 96, 103, 118 and in the fourth part of Article 119.

Article 154

Once adopted by referendum, the Constitution of the Republic of Lithuania and the Law of the Republic of Lithuania "On the Procedure for the Enforcement of the Constitution of the Republic of Lithuania" is signed and promulgated within 15 days by the Chairman of the Supreme Council of the Republic of Lithuania.

Chairman of the Supreme Council of the Republic of Lithuania
VYTAUTAS LANDSBERGIS

Vilnius, 6 November 1992

INTEGRAL PART OF THE CONSTITUTION OF THE REPUBLIC OF LITHUANIA

THE CONSTITUTIONAL LAW OF THE REPUBLIC OF LITHUANIA ON THE STATE OF LITHUANIA

The Supreme Council of the Republic of Lithuania,

taking into account the fact that, during the general poll (plebiscite) held on 9 February 1991, more than three-quarters of the residents of Lithuania with the right to vote, voted by secret ballot that “the State of Lithuania would be an independent democratic republic”,

affirming that, by this expression of sovereign powers and will, the nation of Lithuania once again confirmed its unchanging attitude on the independent State of Lithuania,

acknowledging the results of the plebiscite as the universal determination to strengthen and defend the independence of Lithuania and to create a democratic republic, and

executing the will of the nation of Lithuania,

adopts and solemnly proclaims this Law.

Article 1

The statement “The State of Lithuania is an independent democratic republic” is a constitutional norm of the Republic of Lithuania and a fundamental principle of the state.

Article 2

The constitutional norm and the fundamental principle of the State as formulated in the first article of this Law may be altered only by a general poll (plebiscite) of the nation of Lithuania provided that not less than three-quarters of the citizens of Lithuania with the active electoral right vote in favour thereof.

CHAIRMAN OF THE SUPREME COUNCIL OF THE REPUBLIC OF LITHUANIA
VYTAUTAS LANDSBERGIS

Vilnius, 11 February 1991
No. I-1051

THE CONSTITUTIONAL ACT OF THE REPUBLIC OF LITHUANIA ON THE NON-ALIGNMENT OF THE REPUBLIC OF LITHUANIA TO POST-SOVIET EASTERN UNIONS

The Supreme Council of the Republic of Lithuania,

predicated on the 16 February 1918 and 11 March 1990 Acts on the Restoration of the Independent State of Lithuania and acting upon the will of the entire nation, as expressed on 9 February 1991, and

attesting the attempts to preserve, in any form, the former Union of Soviet Socialist Republics with all its conquered territories, and the intentions to involve Lithuania into the defensive, economic, financial, and other “spaces” of the post-Soviet Eastern bloc,

r e s o l v e s:

1. To develop mutually advantageous relations with each state that was formerly a part of the USSR, but never join, in any form, any new political, military, economic, or other unions or commonwealths of states formed on the basis of the former USSR.

2. Any activity seeking to draw the State of Lithuania into the unions or commonwealths of states specified in the first article of this Constitutional Act is regarded as hostile to the independence of Lithuania, and responsibility for it is established by laws.

3. There may be no military bases or army units of Russia, or the Commonwealth of Independent States or its member states, on the territory of the Republic of Lithuania.

CHAIRMAN OF THE SUPREME COUNCIL OF THE REPUBLIC OF LITHUANIA
VYTAUTAS LANDSBERGIS

Vilnius, 8 June 1992
No. I-2622

**THE LAW OF THE REPUBLIC OF LITHUANIA
ON THE PROCEDURE FOR THE ENTRY INTO FORCE OF THE CONSTITUTION OF THE
REPUBLIC OF LITHUANIA**

Article 1

Upon coming into force of the Constitution of the Republic of Lithuania, the Provisional Basic Law of the Republic of Lithuania becomes null and void.

Article 2

Laws, as well as other legal acts or their parts, that were in force in the territory of the Republic of Lithuania prior to the adoption of the Constitution of the Republic of Lithuania are effective inasmuch as they do not contradict the Constitution and this Law and remain in force until they are either declared null and void or conform with the provisions of the Constitution.

Article 3

The provisions of the laws of the Republic of Lithuania that regulate the status of the supreme institutions of state power and governance of the Republic of Lithuania, as well as the status of deputies and municipal councils, remain in force until the elected Seimas decides otherwise.

Article 4

- (1) The powers of the Supreme Council of the Republic of Lithuania and its deputies cease from the moment when the elected Seimas of the Republic of Lithuania convenes for its first sitting.
- (2) The Members of the Seimas of the Republic of Lithuania convene for the sitting on the third working day after the official announcement by the Central Electoral Commission of the Republic of Lithuania, following both election rounds, that not less than 3/5 of Seimas members have been elected.

Article 5

- (1) The following text of the oath for a member of the Seimas of the Republic of Lithuania is established:
"I (full name),
swear to be faithful to the Republic of Lithuania;
swear to respect and uphold its Constitution and laws and to protect the integrity of its lands;

swear to strengthen, to the best of my ability, the independence of Lithuania, and to conscientiously serve my Homeland, democracy, and the welfare of the people of Lithuania.
So help me God.”

(2) The oath may also be taken by omitting the last sentence.

Article 6

(1) During the period when there is still no President of the Republic, the legal situation is equivalent to the situation provided for in Article 89 of the Constitution of the Republic of Lithuania.

(2) When necessary, the Seimas may, by a majority vote of more than half of all the Seimas members, extend the terms provided for in Article 89, but for a period no longer than four-months.

Article 7

(1) The judges of the Constitutional Court of the Republic of Lithuania and, from among them, the Chief Judge of the Constitutional Court must be appointed not later than one month after the election of the President of the Republic.

(2) When the judges of the Constitutional Court are appointed for the first time, three of them are appointed for a three-year, three for a six-year, and three for a nine-year term.

(3) The President of the Republic, the Speaker of the Seimas, and the Chief Judge of the Supreme Court, when proposing candidates to be appointed as justices of the Constitutional Court, indicate which of them are appointed for a three-year, six-year, and nine-year terms, respectively.

(4) The judges of the Constitutional Court who will be appointed for three-year or six-year terms may hold the same office for one additional term of office after a period of absence of not less than three years.

Article 8

The provisions of the third paragraph of Article 20 of the Constitution of the Republic of Lithuania become applicable after the laws of the Republic of Lithuania on criminal procedure are conformed with this Constitution.

CHAIRMAN OF THE SUPREME COUNCIL OF THE REPUBLIC OF LITHUANIA
VYTAUTAS LANDSBERGIS

Vilnius, 25 October 1992

THE CONSTITUTIONAL ACT OF THE REPUBLIC OF LITHUANIA ON MEMBERSHIP OF THE REPUBLIC OF LITHUANIA IN THE EUROPEAN UNION

The Seimas of the Republic of Lithuania,

executing the will of the citizens of the Republic of Lithuania, as expressed in the referendum on membership of the Republic of Lithuania in the European Union, held on the 10th through the 11th of May 2003,

expressing its conviction that the European Union respects human rights and fundamental freedoms and that Lithuanian membership in the European Union will contribute to more efficient protection of human rights and freedoms,

noting that the European Union respects the national identity and constitutional traditions of its Member States,

seeking to ensure the full participation of the Republic of Lithuania in the European integration, as well as the security of the Republic of Lithuania and welfare of its citizens,

having ratified, on the 16th of September 2003, the Treaty Between the Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, the Hellenic Republic, the Kingdom of Spain, the French Republic, Ireland, the Italian Republic, the Grand Duchy of Luxembourg, the Kingdom of the Netherlands, the Republic of Austria, the Portuguese Republic, the Republic of Finland, the Kingdom of Sweden, the United Kingdom of Great Britain and Northern Ireland (Member States of the European Union) and the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia, the Slovak Republic Concerning the Accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia, the Slovak Republic to the European Union, signed on the 16th of April 2003 in Athens,

adopts and proclaims this Constitutional Act:

1. The Republic of Lithuania as a Member State of the European Union shares with or confers on the European Union the competences of its state institutions in the areas provided for in the founding Treaties of the European Union and to the extent it would, together with the other Member States of the European Union, jointly meet its membership commitments in those areas, as well as enjoy membership rights.
2. The norms of European Union law are a constituent part of the legal system of the Republic of Lithuania. Where it concerns the founding Treaties of the European Union, the norms of European Union law are applied directly, while in the event of the collision of legal norms, they have supremacy over the laws and other legal acts of the Republic of Lithuania.
3. The Government informs the Seimas about the proposals to adopt the acts of European Union law. As regards the proposals to adopt the acts of European Union law regulating the areas that, under the Constitution of the Republic of Lithuania, are related to the competences of the Seimas, the Government consults the Seimas. The Seimas may recommend to the Government a position of the Republic of Lithuania in respect of these proposals. The Seimas Committee on European Affairs and the Seimas Committee on Foreign Affairs may, according to the procedure established by the Statute of the Seimas, submit to the Government the opinion of the Seimas concerning the proposals to adopt the acts of European Union law. The Government assesses the recommendations or opinions submitted by the Seimas or its Committees and informs the Seimas about their execution following the procedure established by legal acts.
4. The Government considers the proposals to adopt the acts of European Union law following the procedure established by legal acts. As regards these proposals, the Government may adopt decisions or decrees for the adoption of which the provisions of Article 95 of the Constitution are not applicable.

The Law Supplementing the Constitution of the Republic of Lithuania with the Constitutional Act "On Membership of the Republic of Lithuania in the European Union" and Supplementing Article 150 of the Constitution of the Republic of Lithuania (No. IX-2343) of the 13th of July 2004, Valstybės žinios (Official Gazette), 2004, No. 111-4123.