



## The Constitution of the Republic of Lithuania

(Adopted by the citizens of the Republic of Lithuania in the Referendum of 25 October 1992)

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 a 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 arrogate to himself 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.

##### Article 7

Any law or other act that contradicts the Constitution shall be invalid.

Only laws that are published shall be valid.

Ignorance of the law shall exempt no one from liability.

#### **Article 8**

The seizure of state power or state institutions by force shall be considered anti-constitutional actions, which are unlawful and invalid.

#### **Article 9**

The most significant issues concerning the life of the State and the Nation shall be decided by referendum. In cases established by law, the Seimas shall call a referendum. A referendum shall also be called if not less than 300,000 citizens with the electoral right so request. The procedure for calling and conducting referendums shall be established by law.

#### **Article 10**

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

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

#### **Article 11**

The territorial administrative units 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 or on 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.

#### **Article 15**

The colours of the flag of the State shall be yellow, green, and red.

The coat of arms of the State shall be a white Vytis on a red field.

The coat of arms and flag of the State, as well as their use, shall be established by law.

#### **Article 16**

The anthem of the State shall be "Tautiška giesmė" by Vincas Kudirka.

#### **Article 17**

The capital of the State of Lithuania shall be the city of Vilnius, the long-standing historical capital of Lithuania.

### **Chapter II**

## **The Human Being and the State**

#### **Article 18**

Human rights and freedoms shall be innate.

#### **Article 19**

The right to life of a human being shall be protected by law.

#### **Article 20**

Human liberty shall be inviolable.

No one may be arbitrarily apprehended or detained. No one may be deprived of his liberty otherwise than on the grounds and according to the procedures established by law.

A person apprehended *in flagrante delicto* must, within 48 hours, be brought before a court for the purpose of deciding, in the presence of this person, on the validity of the apprehension. If the court does not adopt a decision to detain the person, the apprehended person shall be released immediately.

#### Article 21

The human person shall be inviolable.

Human dignity shall be protected by law.

It shall be prohibited to torture or injure a human being, degrade his dignity, subject him to cruel treatment, or to establish such punishments.

No one may be subjected to scientific or medical experimentation without his knowledge and free consent.

#### Article 22

Private life shall be inviolable.

Personal correspondence, telephone conversations, telegraph messages, and other communications shall be inviolable.

Information concerning the private life of a person may be collected only upon a justified court decision and only according to the law.

The law and courts shall protect everyone from arbitrary or unlawful interference with his private and family life, as well as from encroachment upon his honour and dignity.

#### Article 23

Property shall be inviolable.

The rights of ownership shall be protected by law.

Property may be taken only for the needs of society according to the procedure established by law and shall be justly compensated for.

#### Article 24

The home of a human being shall be inviolable.

Without the consent of the resident, it shall not be permitted to enter his home otherwise than by a court decision or according to the procedure established by law when this is necessary to guarantee public order, apprehend a criminal, or save the life, health, or property of a human being.

#### Article 25

Everyone shall have the right to have his own convictions and freely express them.

No one must be hindered from seeking, receiving, or imparting information and ideas.

The freedom to express convictions, as well as to receive and impart information, may not be limited otherwise than by law when this is necessary to protect human health, honour or dignity, private life, or morals, or to defend the constitutional order.

The freedom to express convictions and to impart information shall be incompatible with criminal actions—incitement to national, racial, religious, or social hatred, incitement to violence or to discrimination, as well as defamation and disinformation.

Citizens shall have the right to receive, according to the procedure established by law, any information held about them by state institutions.

#### Article 26

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

Everyone 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 ceremonies, as well as to practise and teach his belief.

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

The freedom to profess and spread religion or belief may not be limited otherwise than by law and only when this is necessary to guarantee the security of society, public order, the health or morals of people, or other basic rights or 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.

#### Article 27

Convictions, practised religion, or belief may not serve as a justification for a crime or failure to observe laws.

#### Article 28

While implementing his rights and exercising his freedoms, everyone must observe the Constitution and laws of the Republic of Lithuania and must not restrict the rights and freedoms of other people.

#### **Article 29**

All persons shall be equal before the law, courts, and other state institutions and officials.  
Human rights may not be restricted; no one may be granted any privileges on the grounds of gender, race, nationality, language, origin, social status, belief, convictions, or views.

#### **Article 30**

A person whose constitutional rights or freedoms are violated shall have the right to apply to a court.  
Compensation for material and moral damage inflicted upon a person shall be established by law.

#### **Article 31**

A person shall be presumed innocent until proved guilty according to the procedure established by law and declared guilty by an effective court judgment.

A person charged with committing a crime shall have the right to a public and fair hearing of his case by an independent and impartial court.

It shall be prohibited to compel anyone to give evidence against himself, or his family members or close relatives.

Punishment may be imposed or applied only on the grounds established by law.

No one may be punished twice for the same offence.

A person suspected of committing a crime, as well as the accused, shall be guaranteed, from the moment of his apprehension or first interrogation, the right to defence, as well as the right to an advocate.

#### **Article 32**

Citizens may move and choose their place of residence in Lithuania freely and may leave Lithuania freely.

These rights may not be restricted otherwise than by law when this is necessary for the protection of the security of the State or the health of people, or for the administration of justice.

Citizens 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 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 the implementation of this right shall be established by law.

#### **Article 34**

Citizens who, on the day of the election, have reached 18 years of age shall have the electoral right.

The right to stand for election shall be established by the Constitution of the Republic of Lithuania and by the election laws.

Citizens who are declared by a court to be legally incapacitated shall not participate in elections.

#### **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 this is necessary to protect the security of the State or society, public order, the health or morals of people, or the rights or 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**

#### **Article 38**

The family shall be the basis of society and the State.

Family, motherhood, fatherhood, and childhood shall be under the protection and care of the State.

Marriage shall be concluded upon the free mutual consent of man and woman.

The State shall register marriages, births, and deaths. The State shall also recognise the church registration of marriages.

In the family, the rights of spouses shall be equal.

The right and duty of parents shall be to bring up their children to be honest people and faithful citizens, and to support them until they reach the age of majority.

The duty of children shall be to respect their parents, to take care of them in their old age, and to preserve their heritage.

#### **Article 39**

The State shall take care of families raising and bringing up children at home, and shall render them support according to the procedure established by law.

The law shall make a provision for working mothers to be granted paid leave before and after childbirth, as well as favourable working conditions and other concessions.

Under-age children shall be protected by law.

#### **Article 40**

State and municipal establishments of teaching and education shall be secular. At the request of parents, they shall provide religious instruction.

Non-state establishments of teaching and education may be founded according to the procedure established by law.

Schools of higher education shall be granted autonomy.

The State shall supervise the activities of establishments of teaching and education.

#### **Article 41**

Education shall be compulsory for persons under the age of 16.

Education at state and municipal schools of general education, vocational schools, and schools of further education shall be free of charge.

Higher education shall be accessible to everyone according to individual abilities. Citizens who are good at their studies shall be guaranteed education at state schools of higher education free of charge.

#### **Article 42**

Culture, science and research, and teaching shall be free.

The State shall support culture and science, and shall take care of the protection of Lithuanian historical, artistic, and other cultural monuments, as well as other culturally valuable objects.

The law shall protect and defend the spiritual and material interests of an author that are related to scientific, technical, cultural, and artistic work.

#### **Article 43**

The State shall recognise the churches and religious organisations that are traditional in Lithuania; 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.

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 ceremonies, and have houses of prayer, charity establishments, and schools for the training of priests.

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 that are in conflict with the Constitution and laws.

There shall be no state religion in Lithuania.

#### **Article 44**

Censorship of mass information shall be prohibited.

The State, political parties, political or public organisations, or other institutions or persons may not monopolise the mass media.

#### 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.

### Chapter IV The National Economy and Labour

#### Article 46

The economy of Lithuania shall be based on the right of private ownership, freedom of individual economic activity, and economic initiative.

The State shall support economic efforts and initiative that are useful to society.

The State shall regulate economic activity so that it serves the general welfare of the Nation.

The law shall prohibit the monopolisation of production and the market, and shall protect freedom of fair competition.

The State shall defend the interests of the consumer.

#### Article 47

The subsurface, as well as the internal waters, forests, parks, roads, and historical, archaeological, and cultural objects of state importance, shall belong by right of exclusive ownership to the Republic of Lithuania.

The Republic of Lithuania shall have the exclusive rights to the airspace over its territory, its continental shelf, and the economic zone in the Baltic Sea.

In the Republic of Lithuania, foreign entities may acquire the ownership of land, internal waters, and forests according to a constitutional law.

Plots of land may belong to a foreign state by right of ownership for the establishment of its diplomatic missions and consular posts according to the procedure and conditions established by law.

*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

Everyone may freely choose a job or business, and shall have the right to have proper, safe, and healthy conditions at work, as well as to receive fair pay for work and social security in the event of unemployment.

The work of foreigners in the Republic of Lithuania shall be regulated by law.

Forced labour shall be prohibited.

Military service or alternative service performed instead of military service, as well as work performed by citizens in time of war, natural disaster, epidemics, or other extreme cases, shall not be considered forced labour.

In cases where persons convicted by a court perform work regulated by law, such work shall not be considered forced labour, either.

#### Article 49

Every working person shall have the right to rest and leisure, as well as to annual paid leave.

The length of working time shall be established by law.

#### Article 50

Trade unions shall be established freely and shall function independently. They shall defend the professional, economic, and social rights and interests of employees.

All trade unions shall have equal rights.

#### Article 51

While defending their economic and social interests, employees shall have the right to strike.

Limitations on this right and the conditions and procedure for its implementation shall be established by law.

#### Article 52

The State shall guarantee its citizens the right to receive old-age and disability pensions, as well as social assistance in the event of unemployment, sickness, widowhood, the loss of the breadwinner, and in other cases

provided for by law.

#### Article 53

The State shall take care of the health of people and shall guarantee medical aid and services for a person in the event of sickness. The procedure for providing medical aid to citizens free of charge at state medical establishments shall be established by law.

The State shall promote the physical culture of society and shall support sport.

The State and each person must protect the environment from harmful influences.

#### Article 54

The State shall take care of the protection of the natural environment, wildlife and plants, individual objects of nature, and areas of particular value, and shall supervise the sustainable use of natural resources, as well as their restoration and increase.

The destruction of land and subsurface, the pollution of water and air, radioactive impact on the environment, as well as the depletion of wildlife and plants, shall be prohibited by law.

### Chapter V The Seimas

#### Article 55

The Seimas shall consist of representatives of the Nation—141 Members of the Seimas, who shall be elected for a four-year term on the basis of universal, equal, and direct suffrage by secret ballot.

The Seimas shall be deemed elected when not less than 3/5 of the Members of the Seimas are elected.

The procedure for the election of the Members of the Seimas shall be established by law.

#### Article 56

Any citizen of the Republic of Lithuania who is not bound by an oath or a pledge to a foreign state, and who, on the election day, is not younger than 25 years of age and permanently resides in Lithuania, may stand for election as a Member of the Seimas.

Persons who have not served punishment imposed by a court judgment, as well as persons declared by a court to be legally incapacitated, may not stand for election as a Member of the Seimas.

#### Article 57

A regular election to the Seimas shall be held in the year of the expiry of the powers of the Members of the Seimas on the second Sunday of October.

A regular election to the Seimas following an early election to the Seimas shall be held at the time specified in the first paragraph 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

An early election to the Seimas may be held upon the decision of the Seimas adopted by not less than a 3/5 majority vote of the Members of the Seimas.

An early election to the Seimas may also be called by the President of the Republic:

1) if the Seimas fails to adopt a decision on the new programme of the Government within 30 days of its presentation, or if the Seimas twice in succession gives no assent to the programme of the Government within 60 days of its first presentation;

2) upon the proposal of the Government, if the Seimas expresses direct no confidence in the Government.

The President of the Republic may not call an early election to the Seimas if the term of office of the President of the Republic expires in less than 6 months, or if 6 months have not passed since the early election to the Seimas.

The day of election to the new Seimas shall be specified in the resolution of the Seimas or in the act of the President of the Republic on the early election to the Seimas. The election to the new Seimas must be held within 3 months of the adoption of the decision on the early election.

#### Article 59

The term of powers of the Members of the Seimas shall begin to be counted from the day on which the newly elected Seimas convenes for the first sitting. The term of powers of the previously elected Members of the Seimas shall expire at the beginning of this sitting.

An elected Member of the Seimas shall acquire all the rights of a representative of the Nation only after taking an oath at the Seimas to be faithful to the Republic of Lithuania.

A Member of the Seimas who either does not take the oath according to the procedure established by law or takes a conditional oath shall lose the mandate of a Member of the Seimas. The Seimas shall adopt a corresponding resolution thereon.

While in office, the Members of the Seimas shall follow 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**

The duties of the Members of the Seimas, with the exception of their duties at the Seimas, shall be incompatible with any other duties at state institutions or organisations, or with work in business, commercial, or other private establishments or enterprises. During their term of office, the Members of the Seimas shall be exempt from the duty to perform national defence service.

A Member of the Seimas may be appointed only either as the Prime Minister or a Minister.

The work of the Members of the Seimas, as well as all expenses relating to their parliamentary activities, shall be remunerated from the State Budget. A Member of the Seimas may not receive any other remuneration, with the exception of remuneration for creative activities.

The duties, rights, and guarantees of the activities of a Member of the Seimas shall be established by law.

#### **Article 61**

A Member of the Seimas shall have the right to submit an inquiry to the Prime Minister, the Ministers, and the heads of other state institutions formed or elected by the Seimas. The said persons must respond orally or in writing during the session of the Seimas according to the procedure established by the Seimas.

During a session of the Seimas, a group of not less than 1/5 of the Members of the Seimas may interpellate the Prime Minister or a Minister.

Upon considering the response of the Prime Minister or the Minister to the interpellation, the Seimas may decide that the response is not satisfactory, and, by a majority vote of half of all the Members of the Seimas, may express no confidence in the Prime Minister or the Minister.

The voting procedure shall be established by law.

#### **Article 62**

The person of a Member of the Seimas shall be inviolable.

The Members of the Seimas may not be held criminally liable or be detained, or have their liberty restricted otherwise, without the consent of the Seimas.

The Members of the Seimas may not be persecuted for their votes or speeches at the Seimas. However, they may be held liable according to the general procedure for personal insult or defamation.

#### **Article 63**

The powers of a Member of the Seimas shall cease:

- 1) upon the expiry of the term of powers, or when the Seimas elected in an early election convenes for the first sitting;
- 2) upon his death;
- 3) upon his resignation;
- 4) when he is declared by a court to be legally incapacitated;
- 5) when the Seimas revokes his mandate according to the procedure for impeachment proceedings;
- 6) when the election is declared invalid, or the law on election is grossly violated;
- 7) when he takes up or does not give up employment that is incompatible with the duties of a Member of the Seimas;
- 8) when he loses his citizenship of the Republic of Lithuania.

#### **Article 64**

Every year, the Seimas shall convene for two regular sessions—in spring and autumn. The spring session shall commence on the 10th of March and shall end on the 30th of June. The autumn session shall commence on the 10th of September and shall end on the 23rd of December. The Seimas may decide to prolong a session.

Extraordinary sessions shall be convened by the Speaker of the Seimas upon the proposal of not less than one-third of all the Members of the Seimas, or 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 election of the Seimas. If the President of the Republic fails to convene the Seimas, the Members of the Seimas shall assemble by themselves on the day following the expiry of the 15-day period.

#### **Article 66**

Sittings of the Seimas shall be presided over by the Speaker of the Seimas, or his Deputy.

The first sitting of the Seimas after its election shall be opened by the eldest Member of the Seimas.

#### Article 67

The Seimas:

- 1) shall consider and adopt amendments to the Constitution;
- 2) shall pass laws;
- 3) shall adopt resolutions on referendums;
- 4) shall call elections for the President of the Republic of Lithuania;
- 5) shall establish state institutions provided for by law, and appoint and release their heads;
- 6) shall or shall not give its assent to the candidate proposed by the President of the Republic for the post of the Prime Minister;
- 7) shall consider the programme of the Government, presented by the Prime Minister, and decide whether to give its assent to it;
- 8) shall, upon the proposal of the Government, establish and abolish the ministries of the Republic of Lithuania;
- 9) shall supervise the activities of the Government and may express no confidence in the Prime Minister or a Minister;
- 10) shall appoint the justices and Presidents of the Constitutional Court and the Supreme Court;
- 11) shall appoint and release the Auditor General and the Chairperson of the Board of the Bank of Lithuania;
- 12) shall call elections to municipal councils;
- 13) shall form the Central Electoral Commission and alter its composition;
- 14) shall approve the State Budget and supervise its execution;
- 15) shall establish state taxes and other compulsory payments;
- 16) shall ratify and denounce international treaties of the Republic of Lithuania and consider other issues of foreign policy;
- 17) shall establish the administrative division of the Republic;
- 18) shall establish the state awards of the Republic of Lithuania;
- 19) shall issue acts of amnesty;
- 20) shall impose direct rule and martial law, declare states of emergency, announce mobilisation, and adopt a decision to use the armed forces.

#### Article 68

The right of legislative initiative at the Seimas shall belong to the Members of the Seimas, the President of the Republic, and the Government.

The citizens of the Republic of Lithuania shall also have the right of legislative initiative. 50,000 citizens of the Republic of Lithuania who have the electoral right may submit a draft law to the Seimas, and the Seimas must consider it.

#### Article 69

Laws shall be adopted at the Seimas according to the procedure established by law.

Laws shall be deemed adopted if the majority of the Members of the Seimas participating in the sitting vote in favour thereof.

Constitutional laws of the Republic of Lithuania shall be adopted if more than half of all the Members of the Seimas vote in favour thereof, and they shall be altered by not less than a 3/5 majority vote of all the Members of the Seimas. The Seimas shall establish the list of constitutional laws by a 3/5 majority vote of the Members of the Seimas.

The provisions of laws of the Republic of Lithuania may also be adopted by referendum.

#### Article 70

Laws adopted by the Seimas shall come into force after they are signed and officially promulgated by the President of the Republic, unless the laws themselves establish a later date for their entry into force.

Other acts adopted by the Seimas, as well as the Statute of the Seimas, shall be signed by the Speaker of the Seimas. The said acts shall come into force on the day following their publication, unless the acts themselves establish another procedure for their entry into force.

#### Article 71

Within ten days of receiving a law adopted by the Seimas, the President of the Republic either shall sign and officially promulgate the law or shall, upon reasonable grounds, refer it back to the Seimas for reconsideration.

If the law adopted by the Seimas is neither referred back nor signed by the President of the Republic within the specified period, the law shall come into force after it is signed and officially promulgated by the Speaker of the Seimas.

A law or another act adopted by referendum must, within 5 days, be signed and officially promulgated by the President of the Republic.

If the President of the Republic does not sign and promulgate such a law within the specified period, the law shall come into force after it is signed and officially promulgated by the Speaker of the Seimas.

#### **Article 72**

The Seimas may consider anew and adopt a law referred back by the President of the Republic.

The law reconsidered by the Seimas shall be deemed adopted if the amendments and supplements submitted by the President of the Republic are adopted, or if more than 1/2 of all the Members of the Seimas vote for the law, or, in cases where such a law is a constitutional law—if not less than 3/5 of all the Members of the Seimas vote in favour thereof.

The President of the Republic must sign such laws within three days and promulgate them immediately.

#### **Article 73**

Complaints of citizens about the abuse of authority or bureaucratic intransigence by state and municipal officials (with the exception of judges) shall be examined by the Seimas Ombudsmen, who shall have the right to submit a proposal before a court for dismissing the guilty officials from office.

The powers of the Seimas Ombudsmen shall be established by law.

The Seimas shall also establish, when necessary, other institutions of control. Their system and powers shall be established by law.

#### **Article 74**

The President of the Republic, the President and justices of the Constitutional Court, the President and justices of the Supreme Court, the President and judges of the Court of Appeal, as well as any Members of the Seimas, who grossly violate the Constitution or breach their oath, or are found to have committed a crime, may be removed from office or have the mandate of a Member of the Seimas revoked by a 3/5 majority vote of all the Members of the Seimas. This shall be performed according to the procedure for impeachment proceedings, which shall be established by the Statute of the Seimas.

#### **Article 75**

The officials appointed or elected by the Seimas, with the exception of the persons specified in Article 74 of the Constitution, shall be dismissed from office when the Seimas expresses no confidence in them by a majority vote of all the Members of the Seimas.

#### **Article 76**

The structure and procedure of activities of the Seimas shall be established by the Statute of the Seimas. The Statute of the Seimas shall have the force of a law.

## **Chapter VI The President of the Republic**

#### **Article 77**

The President of the Republic shall be the Head of State.

The President of the Republic shall represent the State of Lithuania and shall perform everything with which he is charged by the Constitution and laws.

#### **Article 78**

A Lithuanian citizen by descent who has lived in Lithuania for not less than the last three years, provided that he has reached the age of not less than 40 prior to the election day and may stand for election as a Member of the Seimas, may stand for election as the 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 the President of the Republic for more than two consecutive terms.

#### **Article 79**

Any citizen of the Republic of Lithuania who meets the conditions set forth in the first paragraph of Article 78 and collects the signatures of not less than 20,000 voters shall be registered as a presidential candidate.

The number of candidates for the post of the President of the Republic shall not be limited.

#### **Article 80**

A regular election of the President of the Republic shall be held on the last Sunday two months before the expiry of the term of office of the President of the Republic.

**Article 81**

The candidate for the post of the President of the Republic who, during the first round of voting in which not less than half of all the voters participate, receives the votes of more than half of all the voters who participate in the election shall be deemed elected. If less than half of all the voters participate in the election, the candidate who receives the greatest number of votes, but not less than 1/3 of the votes of all the voters, shall be deemed elected.

If, during the first round of voting, no single candidate gets the requisite number of votes, the second round of voting shall be held two weeks later with the two candidates who have received the greatest number of votes standing against each other. The candidate who receives more votes shall be deemed elected.

If no more than two candidates take part in the first round, and neither of them receives the requisite number of votes, a repeat election shall be held.

**Article 82**

On the day following the expiry of the term of office of the President of the Republic, the elected President of the Republic shall take office after he, in Vilnius, in the presence of the representatives of the Nation—the Members of the Seimas, takes an oath to the Nation to be faithful to the Republic of Lithuania and the Constitution, to conscientiously fulfil the duties of his office, and to be equally just to all.

A re-elected President of the Republic shall also take the oath.

The act on taking the oath of the President of the Republic shall be signed by him and by the President of the Constitutional Court or, in the absence of the latter, by a justice of the Constitutional Court.

**Article 83**

The President of the Republic may not be a Member of the Seimas, may not hold any other office, and may not receive any remuneration other than the remuneration established for the President of the Republic and remuneration for creative activities.

A person elected the President of the Republic must suspend his activities in political parties and political organisations until the beginning of a new campaign for the election of the President of the Republic.

**Article 84**

The President of the Republic:

- 1) shall decide the basic issues of foreign policy and, together with the Government, conduct foreign policy;
- 2) shall sign international treaties of the Republic of Lithuania and submit them to the Seimas for ratification;
- 3) shall, upon submission by the Government, appoint and recall the diplomatic representatives of the Republic of Lithuania to foreign states and international organisations; shall receive the letters of credence and recall of the diplomatic representatives of foreign states; and shall confer the highest diplomatic ranks and special titles;
- 4) shall, upon the assent of the Seimas, appoint the Prime Minister; shall charge the Prime Minister with forming the Government; and shall approve the composition of the formed Government;
- 5) shall, upon the assent of the Seimas, release the Prime Minister from duties;
- 6) shall accept the powers returned by the Government upon the election of a new Seimas and charge the Government with exercising its duties until a new Government is formed;
- 7) shall accept the resignation of the Government and, when necessary, charge it with continuing to exercise its duties, or charge one of the Ministers with exercising the duties of the Prime Minister, until a new Government is formed; shall accept the resignations of Ministers and may charge them with exercising their duties until a new respective Minister is appointed;
- 8) shall, upon the resignation of the Government or after it returns its powers, within 15 days, propose the candidate for the post of the Prime Minister for consideration by the Seimas;
- 9) shall appoint and release Ministers upon submission by the Prime Minister;
- 10) shall, according to the established procedure, appoint and release state officials provided for by law;
- 11) shall propose candidates for the posts of the justices of the Supreme Court for consideration by the Seimas and, upon the appointment of all the justices of the Supreme Court, propose the candidate from among them for the post of the President of the Supreme Court to be appointed by the Seimas; shall appoint the judges of the Court of Appeal and, from among them, the President of the Court of Appeal, provided that the Seimas gives its assent to the candidates proposed; shall appoint the judges and presidents of regional and local courts and change their places of work; in cases provided for by law, shall submit that the Seimas release judges from their duties; shall, upon the assent of the Seimas, appoint and release the Prosecutor General of the Republic of Lithuania;
- 12) shall propose candidates for the posts of three justices of the Constitutional Court and, upon the appointment of all the justices of the Constitutional Court, propose the candidate from among them for the post of the President of the Constitutional Court to be appointed by the Seimas;
- 13) shall propose candidates for the posts of the Auditor General and the Chairperson of the Board of the Bank of Lithuania for consideration by the Seimas; may submit that the Seimas express no confidence in them;
- 14) shall, upon the assent of the Seimas, appoint and release the Commander of the Armed Forces and the Head of the Security Service;
- 15) shall confer the highest military ranks;
- 16) shall, in the event of an armed attack threatening the sovereignty of the State or its territorial integrity, adopt decisions concerning defence against the armed aggression, the imposition of martial law, as well as

mobilisation, and submit these decisions for approval at the next sitting of the Seimas;

17) shall declare a state of emergency according to the procedure and in cases established by law and present this decision for approval at the next sitting of the Seimas;

18) shall make annual reports at the Seimas on the situation in Lithuania and the domestic and foreign policies of the Republic of Lithuania;

19) shall, in cases provided for in the Constitution, convene an extraordinary session of the Seimas;

20) shall call regular elections to the Seimas and, in cases provided for in the second paragraph of Article 58 of the Constitution, call early elections to the Seimas;

21) shall grant citizenship of the Republic of Lithuania according to the procedure established by law;

22) shall confer state awards;

23) shall grant pardons to convicted persons;

24) shall sign and promulgate laws adopted by the Seimas or refer them back to the Seimas according to the procedure established 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, shall issue acts-decrees. To be valid, the decrees issued by the President of the Republic for the purposes specified in Items 3, 15, 17, and 21 of Article 84 of the Constitution must be signed by the Prime Minister or an appropriate Minister. Responsibility for such a decree shall lie with the Prime Minister or the Minister who signs it.

#### **Article 86**

The person of the President of the Republic shall be inviolable: while in office, he may be neither detained nor held criminally or administratively liable.

The President of the Republic may be removed from office only for a gross violation of the Constitution or a breach of the oath, or when he is found to have committed a crime. The issue of the removal of the President of the Republic from office shall be decided by the Seimas according to the procedure for impeachment proceedings.

#### **Article 87**

After, in cases provided for in the second paragraph of Article 58 of the Constitution, the President of the Republic calls an early election to the Seimas, the newly elected Seimas may, by a 3/5 majority vote of all the Members of the Seimas and within 30 days of the day of the first sitting, call an early election of the President of the Republic.

The President of the Republic wishing to participate in the election shall be immediately registered as a candidate.

The President of the Republic re-elected in such an election shall be deemed elected for the second term of office provided that more than three years of his first term of office have expired prior to the election. If less than three years of the first term of office have expired, the President of the Republic shall only be elected for the remainder of the first term of office, which shall not be considered the second term of office.

If an early election of the President of the Republic is called during his second term of office, the incumbent President of the Republic may only be elected for the remainder of the second term of office.

#### **Article 88**

The powers of the President of the Republic shall cease:

1) upon the expiry of the period for which he is elected;

2) after an early election of the President of the Republic takes place;

3) upon his resignation from office;

4) upon his death;

5) when the Seimas removes him from office according to the procedure for impeachment proceedings;

6) when the Seimas, taking into consideration the conclusion of the Constitutional Court, by a 3/5 majority vote of all the Members of the Seimas, adopts a resolution stating that the state of health of the President of the Republic does not allow him to hold office.

#### **Article 89**

In the event that the President of the Republic dies, resigns, or is removed from office according to the procedure for impeachment proceedings, or the Seimas decides that the state of health of the President of the Republic does not allow him to hold office, the office of the President of the Republic shall temporarily be held by the Speaker of the Seimas. In such a case, the Speaker of the Seimas shall lose his powers at the Seimas, and his office shall temporarily be held, upon commissioning by the Seimas, by his Deputy. In the enumerated cases, the Seimas must, within 10 days, call an election of the President of the Republic, which must be held within two months. If the Seimas cannot convene and call the election of the President of the Republic, the election shall be called by the Government.

The Speaker of the Seimas shall substitute for the President of the Republic when the latter is temporarily abroad or falls ill and, for this reason, is temporarily unable to hold office.

While temporarily substituting for the President of the Republic, the Speaker of the Seimas may neither call an early election to the Seimas nor appoint or release Ministers without the consent of the Seimas. During the said period, the Seimas may not consider the issue of no confidence in the Speaker of the Seimas.