

Council of Europe
Conseil de l'Europe



Strasbourg, 11 May 1992



COE236397

0602
92/1858

Restricted
CDL (92) 32

EUROPEAN COMMISSION FOR DEMOCRACY THROUGH LAW

DRAFT CONSTITUTION OF THE REPUBLIC OF LITHUANIA
(Vilnius, 27 April 1992)

Draft
Presented for Public Consideration
by the 21 April 1992 Supreme Council
Resolution No. I-2505

CONSTITUTION OF THE REPUBLIC OF LITHUANIA

Vilnius, 27 April 1992

CHAPTER 1

THE STATE OF LITHUANIA

Article 1

The State of Lithuania shall be an independent and democratic republic.

The independence of the Republic of Lithuania cannot be limited or otherwise violated.

Citizens of the Republic of Lithuania shall have the right to resist anyone who encroaches upon the sovereignty of the State of Lithuania or its territorial integrity by force.

Article 2

Sovereignty in Lithuania shall be vested in the People of Lithuania.

No one may, by any pretext, limit or restrict the sovereignty of the People. No fraction of the People, organisation, or person may make claims to the sovereign powers of the People.

Article 3

The Lithuanian People shall consist of citizens of Lithuania, i.e. Lithuanians, persons of other nationalities who have permanently been residing on the territory of Lithuania, as well as persons who have acquired citizenship of the Republic of Lithuania in accordance with law.

Article 4

The People shall exercise the sovereignty vested in them through the deputies of the Seimas, who are their elected representatives.

The People shall directly exercise their sovereign power through referenda (plebiscites) and elections.

Article 5

The powers of the State shall be obtained from the sovereignty of the People.

In Lithuania, the powers of the State shall be exercised by the Seimas, the President and the Government, and the Judiciary.

THE LITHUANIAN NATION

- having established its State many centuries ago
- having preserved its native language, writing, and customs,
- having defended its freedom and independence,
- having based legal foundations on the Lithuanian Statutes and the Constitutions of the Republic of Lithuania,
- consolidating the principles of open civil society on the basis of justice and harmony,
- fostering peace and cooperation with the nations of world community,
- striving to ensure the inborn right of man and nation to live and create in the land of their fathers and forefathers -- in the newly reborn independent democratic State of Lithuania, -- enacts and declares this

CONSTITUTION

Full and absolute power may not be concentrated in any one State institution.

Article 6

The scope of powers granted to each institution of power shall be determined by the Constitution.

The functioning of State institutions, their relations with citizens and legal persons shall be based on the Constitution of the Republic of Lithuania and the laws enacted in pursuance thereof.

Article 7

The Constitution of the Republic of Lithuania shall be the basic law of the State, therefore, no legal statutes or actions may contradict the Constitution.

Constitutional review shall be exercised by the Constitutional Court.

Article 8

The Constitution shall be an indivisible and directly applicable statute.

Article 9

Only officially promulgated laws shall be implemented in the Republic of Lithuania. Therefore no person may plead ignorance of the enacted laws.

Article 10

The territory of the Republic of Lithuania shall be unified and shall not be divided into any other State derivatives.

The State borders of Lithuania may be realigned only by an international treaty which has been ratified by three-fourths majority vote of all the deputies of the Seimas, or by a referendum.

Article 11

For the organisation of local administration and local government, the territory of the Republic of Lithuania shall be divided into the following administrative divisions: towns, districts (apskritis), and rural districts (valsčius).

The procedure for settling issues of administrative divisions shall be established by law.

Article 12

Citizenship of the Republic of Lithuania shall be acquired by birth, by having the citizenship restored, or on other bases established by law.

Foreign nationals and stateless persons may acquire citizenship of the Republic of Lithuania if they have resided in Lithuania for at least ten years, and if they meet other naturalisation requirements.

Persons of Lithuanian descent who are residing outside of the Republic of Lithuania shall retain priority rights of citizenship of the Republic of Lithuania for an unlimited period of time, and naturalisation terms shall not apply.

The procedures for acquisition and loss of citizenship of the Republic of Lithuania shall be established by law.

Article 13

The State language shall be Lithuanian.

The use of other languages in State and public institutions shall be established by the Law on State Language.

Article 14

The Lithuanian State emblem shall be the white Vytis on a red background.

Article 15

The Lithuanian State flag shall be the national flag, consisting of three equal horizontal stripes: the uppermost stripe being yellow, the middle stripe being green, and the bottom stripe being red.

Article 16

The Lithuanian State anthem shall be Vincas Kudirka's "Tautiska Giesme".

Article 17

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

CHAPTER 2

HUMAN AND CIVIL RIGHTS AND FREEDOMS

Article 18

Personal freedom shall be inviolable. A person may be persecuted, arrested, imprisoned, or subjected to other restrictions of freedom only upon the order of the court, and provided that there are reasonable grounds therefor.

A person may be detained *in flagranti* without a requisite order, but an order from the court concerning this detention must be presented to the detainee within 48 hours. In the event that a court order is not presented, the detained person shall be released immediately.

Article 19

The person shall be inviolable. The use of torture, cruel physical force, and psychological means of influence shall be prohibited.

No laws may be adopted which provide for cruel or degrading punishment.

No person may be subjected to medical testing or scientific influence without his or her consent thereto.

Article 20

The State shall guarantee the inviolability of every individual's private life.

Personal correspondence, telephone conversations, telegraph messages, and other information concerning a person's private life shall be inviolable.

This freedom may only be restricted by a justified court order and in accordance with law.

Article 21

A person's dwelling place shall be inviolable.

Without the consent of the resident(s), the entrance and search of a dwelling place, and the seizure or apprehension of property shall only be permitted when there is a corresponding court order, or according to the procedure established by law when the objective of such an action is to protect a person's life, health, or property.

Article 22

Each person shall have the right to develop and hold his or her opinion and convictions, and to express his or her own ideas in a peaceful way.

Each person shall have the right to freely seek, receive, and impart any information or ideas, regardless of frontiers, by means of speech, writing, press, and other mass media, through artistic expression, and in other ways at his or her own discretion.

Citizens shall have the right to obtain any available information which concerns them from State agencies, in the manner established by law.

Freedom of expression may only be restricted by law in order to protect a person's honour, dignity, or privacy, or for the benefit of the morality of the people, or for reasons of State security.

Article 23

Every person shall freely exercise the freedom of conscience and religion.

Every person shall have the right to freely choose his or her religion or belief, and, either individually or in community with others and in public or private, to manifest his or her religion or belief in worship, observance, practice and teaching.

No person may coerce another person or be subject to coercion to adopt or profess any religion or belief.

A person's freedom to manifest his or her religion or belief may be subject only to such limitations as are prescribed by the laws of the Republic of Lithuania and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others.

Parents and legal guardians shall have the liberty to ensure the religious and moral education of their children in conformity with their own convictions.

Article 24

All people shall be equal before the law and the court.

An individual shall in no way be restricted or privileged on the basis of sex, race, nationality, language, origin, social status, religion, convictions, or opinions.

Article 25

Every indicted person shall have the right to a fair and public hearing by an independent and impartial court.

Punishment may only be administered or applied on the basis of law. No person may be punished for the same offence twice.

Persons cannot be compelled to give evidence against themselves or against their family members.

Article 26

Liabilities may only be imposed upon a person in accordance with the law.

Article 27

Citizen of the Republic of Lithuania may not be extradited to foreign states, except in cases provided for by international agreements whereto the Republic of Lithuania is a party.

Article 28

The right of each citizen of the Republic of Lithuania to reside anywhere in the Republic of Lithuania shall not be subject to any restrictions except those which are provided by law, are necessary to protect a person's life or health, or State security.

Citizens of the Republic of Lithuania shall have the right to leave and return to their country.

Article 29

Citizens of the Republic of Lithuania shall have the right to participate in the government of their State both directly and through their freely elected representatives, and shall have the equal opportunity to serve in a State office of the Republic of Lithuania.

Each citizen shall also have the right to criticize the shortcomings of State institutions, and to submit proposals concerning the improvement of their work.

Citizens of the Republic of Lithuania shall be guaranteed the right to petition, i.e. the right to appeal to State institutions to settle the proposed issue of public significance, in the manner established by law. Every petition must be acknowledged in accordance with the law.

Article 30

Citizens of the Republic of Lithuania shall have the right to vote.

Citizens who, on the election day, are 18 years of age or over, shall have the right to vote in the election.

The right to be elected shall be established by the Constitution of the Republic of Lithuania or by the election laws.

Citizens who are declared legally incapable by court, as well as persons who are being confined in connection with the investigation of a criminal case or in accordance with a court sentence (order), shall not participate in elections.

Article 31

Every citizen of the Republic of Lithuania shall have the right to form associations (societies). In cases established by law, associations shall be registered.

Secret associations, and associations which are pursuing unlawful objectives and which are directed against the Constitutional system shall be prohibited. Associations of militarised type shall be established in accordance with law. Associations whose activities contravene the law may be dissolved or suspended by court order.

No person may be forced to belong to any association.

Article 32

Citizens of the Republic of Lithuania shall have the right to assemble in peaceful, unarmed meetings.

This right may be restricted only by law if meetings in public places are liable to pose a threat to the security of the State or the community.

Article 33

While exercising their rights and freedoms, persons must observe the Constitution and the laws of the Republic of Lithuania, and must not impair the legitimate interests of other people.

Article 34

Every person whose constitutional rights or freedoms are violated shall have the right to appeal to court.

The law shall establish the procedure for compensating material and moral damage inflicted on a person.

Article 35

Basic rights and freedoms set forth in Articles 20, 21, 22, 23, and 32 of this Constitution may be restricted by law in the event that a state of emergency or martial law is introduced.

CHAPTER 3

SOCIETY AND THE STATE

Article 36

A person's natural and inalienable right of ownership shall be the main guaranty that personal interests and freedoms shall be implemented, and shall also be the premise that property shall be utilized morally and rationally.

The State shall guarantee the right of every person to own property, either alone or together with other persons, and shall also guarantee the right of inheritance.

Land, internal waters, forests, and parks may belong only to citizens of the Republic of Lithuania by the right of ownership.

Plots of land may belong to foreign diplomatic and consular missions by the right of ownership, according to the procedure and conditions established by the laws of the Republic of Lithuania.

In utilizing property, an owner may not harm the common welfare, or the rights and freedoms of citizens.

The right of ownership is inviolable. It may only be restricted in the event that the property is appropriated for public needs in the manner established by law, and is adequately compensated for.

Article 37

The right of ownerships of entrails of the earth, territorial waters, as well as nationally significant internal waters, forests, parks, roads, and archaeological and cultural facilities shall exclusively belong to the Republic of Lithuania.

The Republic of Lithuania shall have the sole right to air-space over the territory of the Republic of Lithuania, its continental shelf, and the economic zone in the Baltic Sea.

Article 38

Every person shall have the right to freely an occupation, to work in safe and healthy conditions, to be adequately compensated for work, and to be protected from unemployment.

The employment of foreigners in the Republic of Lithuania shall be legislated by law.

Forced labour is prohibited.

Military service or alternative service, as well as labour which is executed during war, natural calamity, epidemic, or other urgent circumstances, shall not be deemed as forced labour. Labour which is executed by convicts in places of confinement and which is regulated by law shall not be deemed as forced labour either.

Article 39

Every person shall have the right to rest, leisure, and annual paid vacations.

Working hours shall be established by law.

Article 40

Trade unions shall be freely established and shall function independently. All trade unions shall have equal rights.

Article 41

Employees shall have the right to strike in order to protect their collective economic and social interests.

The restrictions of this right, and the conditions and procedures for the implementation thereof shall be established by law.

Article 42

Freedom of private initiative shall be guaranteed.

Private initiative and commercial activities which are designed to restrict freedom of competition shall be prohibited.

The procedures and conditions for the implementation of the private initiative rights of foreign legal and natural persons in the Republic of Lithuania shall be established by law.

Consumer interests shall be protected by society and the State.

Article 43

The State shall be responsible for securing an adequate standard of living for its citizens by way of economic and social means.

The citizens shall have the right to old age and disability pension, social assistance in cases of unemployment, sickness, widowhood, loss of bread-winner, and other cases provided by law.

Article 44

The State shall consider health a national wealth, and shall therefor guarantee health care, limit activities which are harmful to health by law, and encourage people to strive to be in good health.

Citizens of the Republic of Lithuania shall have the right to free medical aid at state medical institutions and to healthy working and living conditions regulated by law.

All citizens must protect the environment from harmful influences.

Article 45

The State shall recognise family as the basis of society.

Marriage shall be entered into with free consent of man and woman.

Motherhood, fatherhood, family, and childhood shall be in the special care of society and the State.

All children, born both in or out of wedlock, shall enjoy equal social security.

The duty of parents is to support and bring up their children who are under age, and to inspire them with a love for their homeland and the readiness to sacrifice themselves for the sake thereof.

The duty of children is to respect their parents, to care for them in old age, and to preserve their heritage.

Article 46

In Lithuania men and women shall have equal rights -- equal opportunities to acquire education or professional training, to work, to be paid and promoted, as well as to participate in public, political, or cultural activities.

Special labour protection and health care measures for women shall be established by law.

Mothers who raise two or more children at home shall be paid according to law, as their work shall be deemed socially significant.

Article 47

Culture, science, research and teaching shall be unrestricted.

The State and society shall be concerned with the fostering of science and national culture, with the enrichment and cherishing of spiritual values, and with the protection of historical and cultural monuments and their extensive use in fostering the moral and aesthetic development of the people.

The law shall defend and protect the spiritual and material interests of authors related to scientific, cultural, and artistic work.

Article 48

The national educational system in the Republic of Lithuania shall work in accordance with the historical and cultural traditions of the country and its economic needs.

Institutions of higher learning shall enjoy academic autonomy.

State and local government teaching and educational establishments are secular. Religion may be taught at them in the manner established by law.

Private educational institutions may be established in addition to State educational institutions according to the procedures established by law.

The State shall supervise the activities of educational institutions.

Article 49

Education shall be compulsory for persons until they reach the age of 16. Education at state (local government) secondary and vocational schools shall be free of charge.

Every person shall have an equal opportunity to attain higher education, and admission shall be based on each person's individual abilities. For citizens of the Republic of Lithuania education at state institutions of higher learning shall be free of charge with the exception of cases established by law.

Article 50

Institutions and persons involved in educational work must foster tolerance, mutual understanding and communication between individuals and ethnic, religious, and social groups.

The State and society shall foster international cooperation in the spheres of science, culture, and education.

Article 51

Mass media shall be unrestricted and shall be only liable if it violates the Constitution or the laws of the Republic of Lithuania.

Censorship is prohibited.

Mass media may not be monopolized by the State, political parties, public organizations, or legal and natural persons.

Article 52

The State shall recognize traditional in Lithuania churches and religious organizations and other churches and religious organizations if their teaching and rites do not contradict the law, morality, and public order.

The churches and religious organizations recognized by the State shall have the rights of legal persons and shall freely function according to their canons and statutes. The performance of religious rites, other religious activities, and prayer houses may not be used for the purposes that contradict the Constitution and the law.

No religion may be State religion.

The State shall guarantee the Church the possibility to perform religious rites in the army, hospitals, homes for the elderly, and orphanages.

Article 53

Diversity of political organizations in Lithuania is the premise and guaranty of democracy.

Political parties shall form and express the political will of the citizens.

In the Republic of Lithuania, political parties which propagate racial, national, social, or religious hostility and hatred, and which strive to change the democratic constitutional system, may not be established.

The procedure of the establishment of political parties and of their activities shall be legislated by laws.

Article 54

Ethnic communities shall independently manage their affairs of ethnic culture, education, charity, and mutual assistance. The State shall provide support for ethnic communities.

Article 55

The State and society, recognizing that the person is an inseparable part of nature, shall take measures, in the interest of present and future generations, to protect natural environment, its fauna and flora, landscape, as well as other units of nature and localities which are important to the country from the scientific, cultural, or aesthetic point of view, and shall concern themselves with reasonable and moderate utilization of natural resources, their restoration, and augmentation.

The exhaustion of land and entrails of the earth, the pollution of waters and air, radio-active impact, as well as the impoverishment of fauna and flora, shall be prohibited by law.

CHAPTER 4

THE SEIMAS

Article 56

The Seimas is the supreme and sole organ of State power representing the Lithuanian People, and has the exclusive power of legislation.

The Seimas shall be accountable only to the People, and therefore its activities cannot be restricted, terminated, or suspended by anyone under any pretext.

Article 57

The Seimas shall consist of 140 deputies; these deputies shall be chosen for a four-year term by universal, equal, and direct secret-ballot elections. General elections shall be held every two years, on the second Sunday of February. At each general election, half of the Seimas deputies shall be subject to re-election.

Article 58

Any citizen of Lithuania who is 27 years of age or over, has the right to vote, and has resided in Lithuania for at least five years, shall be eligible for nomination as a candidate for Seimas deputy.

The procedure for organizing and executing the nomination of deputy candidates as well as their election shall be established by the Law on Election to the Seimas.

Minimum expenses related to the preparation and organisation of Seimas deputy elections, shall be borne by the State. The procedure for additional financing of election campaign shall be established by law.

Article 59

The term of office of a newly-elected Seimas deputy shall commence on the day that the previously elected deputy's term expires.

A newly-elected deputy shall acquire all of the rights of a Seimas deputy only after taking an oath or solemnly pledging allegiance to the Republic of Lithuania in the Seimas.

A newly-elected Seimas deputy who either does not take an oath or give a pledge in the manner prescribed by law, takes a conditional oath or gives a conditional pledge, or refuses to take an oath or give a pledge, shall lose the mandate of a deputy. The Seimas shall adopt a corresponding resolution thereon.

Article 60

The principal duty of a Seimas deputy is to competently represent the People of Lithuania. All of the Seimas deputies must permanently work in the Seimas, except in the cases specified in Article 61 of the Constitution.

In the work of the Seimas, a deputy must strive for the realisation of the common interests and general welfare of Lithuania, without placing his or her personal, professional, trade, local territorial, or other partial interests above them.

In office, the deputies shall act in accordance with the Constitution of the Republic of Lithuania, the interests of the State, and their own consciences. A deputy may not be restricted by any imperative mandates.

Article 61

The duties of a Seimas deputy shall be incompatible with any other duties in State institutions or organisations outside the Seimas, as well as with work in trade, commercial and other private institutions or enterprises, with the exception of the implementation of property owner's rights.

A Seimas deputy may be appointed only as head of the Government or Minister.

Article 62

During sessions, a deputy of the Seimas shall have the right to submit an inquiry to the Government and its members, and to the heads of other State bodies formed or elected by the Seimas. Said persons or bodies must respond orally or in writing at the session of the Seimas, in the manner established by the Seimas.

At the session of the Seimas, a group of deputies may submit an interpellation to the Prime Minister or a Minister.

A deputy of the Seimas shall have the right to address all State bodies, as well as State enterprises, institutions, and organisations, on issues concerning the activities of the deputies, and shall have the right to obtain the requisite information from them, and to participate in the discussion of the issue(s) in question. The heads of these bodies, enterprises, institutions and organisations must receive the deputy without delay, and consider his or her proposals within a fixed period.

Article 63

A deputy of the Seimas shall not be responsible for the voting in the Seimas, or for the speeches which are directly related to his or her parliamentary activities.

Article 64

The person of a Seimas deputy shall be inviolable. A deputy may not be found criminally responsible, may not be arrested, and may not be denied personal freedom without the consent of the Seimas.

Article 65

Conditions shall be ensured for Seimas deputies to freely and efficiently carry out their duties and exercise their rights.

Deputies shall be remunerated for their service in the Seimas, and all expenses incurred from related activities shall be reimbursed with funds from the State budget. A deputy may not receive any other salary, except in cases provided for in part 2 of Article 61 of the Constitution.

The duties, rights, and guarantee of activities of a Seimas deputy shall be established by the Law on the Status of a Seimas Deputy.

Article 66

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

Extraordinary sessions shall be convened at the initiative of the leadership (bureau) of the Seimas, or upon the proposal of at least one-third of all the Seimas deputies.

Seimas sessions shall consist of sittings of the Seimas, as well as sittings of the Seimas standing committees and other committees which shall be held in the period between the Seimas sittings. Sessions shall begin and end with a sitting of the Seimas.

Article 67

Sittings of the Seimas shall be open to the public.

The Seimas may decide to hold closed sittings as well.

Regular sittings of the Seimas shall be held according to procedures prescribed by the Rules of the Seimas.

Article 68

The Chairman or Assistant Chairman of the Seimas shall preside over sittings of the Seimas.

The sitting directly following elections of the Seimas shall be opened by one of the eldest deputies of the Seimas. The Seimas Chairman shall then be elected and shall preside over the remainder of the sitting.

Article 69

The Seimas shall, by secret ballot, elect the Seimas leadership (the Chairman of the Seimas, two Assistant Chairmen, and the Secretary of the Seimas) for a two-year term.

The aforesaid officials shall represent the Seimas, shall ensure efficient work of the Seimas, shall, as necessary, assist the deputies in exercising their powers, and shall direct the Seimas staff.

The leadership of the Seimas shall remain in office until the newly-elected Seimas body convenes for its first sitting.

The Seimas leadership shall be accountable to the Seimas for its activities. At the request of one-third of all the deputies, the Seimas may, at any time, by secret ballot remove from office the Seimas leadership, or individual members thereof.

Article 70

Standing committees shall be formed from the deputies in the Seimas.

The standing committees shall draft laws and other legislative acts, shall prepare and give preliminary consideration to questions within the powers of the Seimas, and shall supervise the activities of State organisations (with the exception of the court).

The Seimas may form special committees for the drafting of laws and for additional examination thereof.

As necessary, the Seimas shall form investigation, auditing, and other ad hoc committees.

Article 71

Within its powers, the Seimas shall:

1. consider and enact amendments to the Constitution in accordance with the procedure established in Chapter 12;
2. enact laws;
3. adopt resolutions for the organisation of a referendum or plebiscite in the Republic of Lithuania;

4. form State bodies accountable to the Seimas, and shall appoint their chief officers;

5. consider and approve the composition of the Government submitted by the Prime Minister, and the programme of activities thereof; shall receive the resignation of the Government or individual Ministers;

6. upon the recommendation of the Government, abolish or establish new ministries of the Republic of Lithuania;

7. supervise the activities of the Government, and of other bodies accountable to the Seimas; shall resolve the issue of confidence in their chief officers or Ministers;

8. appoint judges to the Constitutional Court, as from among them shall elect by secret ballot the Chairman of the Constitutional Court;

9. appoint judges to the Supreme Court, as from among them shall appoint the Chairman of the Supreme Court;

10. announce the elections of the President of the Republic of Lithuania, of the Seimas deputies, and of deputies of local government Councils, and shall approve and change the members of the Republic Electoral Committee;

11. approve the State budget and supervise the implementation thereof;

12. establish State taxes and other obligatory payments;

13. approve long-term investment programmes;

14. ratify or denounce international treaties whereto the Republic of Lithuania is a party, and shall consider other issues of foreign policy;

15. establish administrative territorial division of the Republic;

16. establish State awards of the Republic of Lithuania;

17. issue acts of amnesty;

18. impose martial law, announce mobilisation, as well as shall adopt a decision to use Armed Forces; and

19. establish direct administration or announce a state of emergency.

Unless the Constitution provides otherwise, the Seimas may also consider and resolve all other issues concerning State affairs, except those issues which are under the exclusive control of the People of Lithuania or those that are assigned to the province of the court.

Article 72

The Seimas shall adopt laws, resolutions, declarations, decisions, statements, and appeals.

The right of legislative initiative in the Seimas shall belong to the Seimas deputies and the President of the Republic, together with the Government.

Citizens of Lithuania shall 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. The Seimas must consider this draft law.

Article 73

Laws shall be enacted in the Seimas in accordance with the procedure requiring three discussions. Upon the decision of the Seimas, a more urgent procedure for enacting laws may be adopted.

Draft laws and other urgent issues concerning the State and public affairs of the Republic may be submitted to the public for consideration prior to the third discussion thereof in the Seimas.

Article 74

Constitutional laws of the Republic of Lithuania shall be deemed adopted if at least two-thirds of all the Seimas deputies vote in the affirmative. Laws directly specified in this Constitution shall be considered constitutional laws.

Common laws, resolutions of the Seimas, and declarations shall be deemed adopted if the majority of all the Seimas deputies participating in the sitting vote in favour of the issue in question, provided that at least two-thirds of all the Seimas deputies are participating in the sitting.

Other acts of the Seimas shall be deemed adopted if the majority of deputies participating in the sitting vote in favour of the act, provided that at least one half of all the deputies of the Seimas are present at the sitting.

Laws of the Republic of Lithuania may also be adopted by a referendum. Drafts of laws to be submitted for a referendum must first be considered and adopted by the Seimas.

Article 75

The laws enacted by the Seimas shall be enforced beginning the day after the signing and official promulgation thereof by the President of the Republic of Lithuania.

The Rules of the Seimas and other acts adopted by the Seimas shall be signed by the Chairman of the Seimas. Said acts shall become effective the day after the promulgation thereof, unless the acts themselves provide another procedure for their enforcement.

Article 76

Within ten days of receiving a law passed by the Seimas, the President of the Republic shall either sign and officially promulgate said law, or shall refer it back to the Seimas together with relevant reasons for reconsideration.

In the event that the law enacted by the Seimas is not vetoed or signed by the President of the Republic within the established period, the law shall become effective upon the signing and official promulgation thereof by the Chairman of the Seimas.

Article 77

A law vetoed by the President of the Republic may be reconsidered and enacted by the Seimas, provided this is done at the same session of the Seimas.

After reconsideration by the Seimas, a constitutional law shall be deemed enacted if at least two-thirds, and a common law - if at least three-fifths of all the Seimas deputies vote in the affirmative.

The President of the Republic must within three days sign and immediately thereafter promulgate the law re-enacted by the Seimas.

Article 78

The State Controller shall supervise the utilization legitimacy of State property, the use of the State financial resources, and the fulfillment of the budget. The State Control-

ler and Assistant Controllers shall be appointed and removed from office by the Seimas. The system of State Control and the procedures of its activities shall be established by law.

As necessary, the Seimas shall establish other institutions of control, the system and procedures of functioning whereof shall be established by law.

Article 79

For gross violation of the Constitution, or break of the oath or pledge of office, or upon the disclosure of the fact of felony, the Seimas may, by three-fifths majority vote of all the Seimas deputies, remove from office the President, Constitutional Court judges, Supreme Court judges, Court of Appeal judges, and Seimas deputies, or revoke their mandate of a deputy. Such actions shall be done according to the impeachment proceedings which shall be established by the Rules of the Seimas.

Article 80

Other officers appointed or chosen by the Seimas (with the exception of judges, and persons specified in Article 79) may be removed from office when the Seimas by majority vote of all the deputies expresses non-confidence in the officer in question.

Article 81

The organization of the structure of the Seimas, and the procedure of activities of the Seimas shall be established by the Rules of the Seimas which shall be approved or altered by two-thirds majority vote of all the Seimas deputies.

CHAPTER 5

THE PRESIDENT OF THE REPUBLIC

Article 82

The President of the Republic is the highest state officer representing the Republic of Lithuania in national affairs and in international relations. Together with the Government, the President shall implement executive power.

Article 83

The President of the Republic shall be elected for a term of four years. The same person may not serve as President of the Republic of Lithuania for more than two consecutive terms.

In order to be elected President of the Republic of Lithuania, a person must be between the ages of 35 and 65, must be a citizen of the Republic of Lithuania by birth, must have lived in Lithuania for no less than the past ten years, and must have the right to vote.

Article 84

Any citizen who meets the requirements set forth in Article 83 and has collected the signatures of at least 20,000 voters shall be registered as a presidential candidate.

The number of presidential candidates shall not be limited.

Article 85

The President of the Republic shall be elected by the citizens of the Republic of Lithuania on the basis of universal, equal, and direct suffrage by secret ballot. Regular presidential elections shall be held simultaneously with elections to the Seimas.

The election of the President of the Republic shall be deemed valid if more than half of the registered voters participated in the election.

The candidate for whom more than a half of the electors vote shall be deemed the elected President.

If during the first election round, not a single candidate gets the requisite number of votes, a repeat election shall be organized after two weeks between the two candidates who received the greatest number of votes. The candidate who receives more votes thereafter shall be deemed President.

Article 86

Before taking office, the President of the Republic shall, in the Seimas, swear to be loyal to the Republic of Lithuania and its Constitution, to conscientiously fulfill his duties, and to be equally just to all.

Article 87

The President of the Republic may not be a deputy of the Seimas or hold any other office, and may not receive any remuneration other than the salary established for the President.

Article 88

The powers of the President of the Republic shall be as follows:

1) to represent the Republic of Lithuania in national affairs and in international relations;

2) to sign international treaties of the Republic of Lithuania and to submit them to the Seimas of the Republic of Lithuania for ratification;

3) upon the recommendation of the Government, to appoint or recall diplomatic representatives of Lithuania in foreign countries and in international organizations; to receive letters of credence and recall;

4) upon the recommendation of the Government, to confer or divest of highest diplomatic ranks and other special titles;

5) upon the approval of the Seimas, to appoint the Prime Minister, and to charge him to form the Government;

6) between sessions of the Seimas, to receive resignations from the Government or its individual Ministers, and if necessary, to commission them to continue exercising their functions until a new Government is formed or a new member of the Government is approved;

7) upon the approval of the Seimas, to appoint, or dismiss, as necessary, high state officers provided by law;

8) to propose Supreme Court judge candidates, and from among them--the Chairman of the Supreme Court to the Seimas; to appoint, with approval of the Seimas, judges of the Court of Appeal, and from among them--Chairman of the Court of Appeal; to appoint judges and chairmen of district and local district courts, and as necessary, to change their places of office; in cases provided by law, to propose the dismissal of judges of district or local district courts to the Seimas;

9) upon the approval of the Seimas, to appoint or dismiss military officers of the highest ranks and to confer highest military ranks;

10) in the case of an armed attack which threatens state sovereignty or territorial integrity, to adopt decisions on defence against such armed aggression, imposition of martial law, as well as mobilisation, and to submit these decisions to the next sitting of the Seimas for approval;

11) according to the procedures and situations established by law, to declare a state of emergency, and to submit this decision to the next sitting of the Seimas for approval;

12) to make annual reports in the Seimas about the situation in Lithuania and its domestic and foreign policies;

13) in cases set forth in items 10 and 11 of this Article, to call an extraordinary session or sitting of the Seimas;

14) to settle questions concerning the granting or deprivation of citizenship of the Republic of Lithuania;

15) to confer state awards;

16) to grant pardon; and

17) to sign and promulgate laws adopted by the Seimas or to refer them back to the Seimas according to the procedure provided for in Article 76 of the Constitution.

Article 89

The President of the Republic shall, with the powers vested in him, issue decrees. The President's decrees, with the exception of cases set forth in items 5, 6, 7, 12, 13, and 17 of Article 88 of the Constitution, shall be valid only if they bear the signature of the Prime Minister or appropriate Minister. Responsibility for such act pertains to the Prime Minister or to the Minister signing it.

The President of the Republic shall implement decisions concerning the activities of agencies subordinate to him by issuing directives.

Article 90

The person of the President shall be inviolable: while in office, he cannot be arrested, neither can criminal or administrative proceedings be instituted against him.

The President may be prematurely removed from office only for gross violation of the Constitution, or for breaking his oath of office, as well as if he is found guilty of an offence. The Seimas shall resolve the issue concerning the dismissal of the President from office according to the impeachment proceedings.

Article 91

The powers of the President of the Republic shall be terminated:

1) upon the expiration of the term;

2) upon resignation from office;

3) upon the death of the President;

4) upon dismissal by the Seimas according to impeachment proceedings; and

5) when the Seimas resolves by two-thirds majority vote of all its deputies, that the President is unable to fulfill the duties of office because of health reasons.

Article 92

In the event that the President dies, resigns, or is unable to fulfill the duties of office, his or her duties shall temporarily be passed over to the Chairman of the Seimas. In such a case, the Chairman of the Seimas shall lose power in the Seimas, and the duties of Chairman shall temporarily be carried out by one of the Assistant Chairmen.

In the said cases, except temporary replacement of the President, the Seimas shall immediately announce the election of a new President for the remainder of the former President's term. An election of a new President shall not be held if the remaining term of office is less than one year.

CHAPTER 6

THE GOVERNMENT OF THE REPUBLIC OF LITHUANIA

Article 93

The Government of the Republic of Lithuania is an institution of executive power. The Government, together with the President, shall shape and implement domestic policy and together foreign policy within the limits of their powers.

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

Article 94

The Government of the Republic of Lithuania shall:

1) protect the inviolability of the borders of the Republic of Lithuania, ensure State security and public order;

2) organize the implementation of laws and resolutions of the Seimas;

3) direct and coordinate the activities of the ministries and other governmental institutions;

4) prepare the draft budget and submit it to the Seimas; organise the execution of the State Budget and report on the fulfillment of the budget to the Seimas;

5) draft bills and submit them to the Seimas for consideration;

6) establish and maintain relations with foreign countries and international organisations; and

7) discharge other duties prescribed to the Government by the Constitution and other laws.

Article 95

The Government of the Republic of Lithuania shall resolve general state affairs by issuing directives which must be passed by a majority vote of all members of the Government.

The Government of the Republic of Lithuania shall issue directives pursuant to the Constitution and the laws of the Republic of Lithuania and they shall be enforced throughout the territory of the Republic of Lithuania.

Government directives shall be signed by the Prime Minister and the appropriate Minister.

Article 96

The Government of the Republic of Lithuania shall be solidarily responsible to the Seimas for the general activities of the Government. The Ministers shall be individually responsible to the Prime Minister and the Seimas for the management of affairs assigned to them.

Article 97

The Prime Minister shall, with the approval of the Seimas, be nominated by the President of the Republic of Lithuania.

The Prime Minister, not later than within 15 days of his appointment, shall submit the composition of the Government and the programme of its activities to the Seimas for consideration, and shall request to resolve the issue of confidence in the Government.

Article 98

Before entering into office, the Prime Minister and the Ministers shall, in the Seimas, solemnly swear to be loyal to the Republic of Lithuania, to carry out the Constitution and the laws, and to conscientiously fulfill their duties. The text of the oath shall be provided for in the Law on the Government.

Article 99

The Prime Minister shall represent the Government of the Republic of Lithuania and shall direct its activities.

In the absence of the Prime Minister, or when the Prime Minister is unable to fulfill his or her duties, the President of the Republic of Lithuania, upon the recommendation of the Prime Minister, shall charge one of the Ministers to substitute for the Prime Minister during that period.

Article 100

A Minister shall head his respective ministry, shall resolve issues assigned to the competence of his ministry, and shall also discharge other duties prescribed by laws.

A Minister may be temporarily substituted only by another Minister charged by the Prime Minister.

Article 101

The Government and individual Ministers must have the confidence of the Seimas.

The Government must resign if:

1) the majority of all the Seimas deputies express a lack of confidence in the Government or in the Prime Minister in a secret ballot vote;

2) a new President is elected;

3) the Prime Minister resigns or dies; or

4) more than a half of the Ministers simultaneously resign.

The Government shall resign after the regular election of the Seimas or shall request the Seimas to resolve the issue of confidence in the Government.

A Minister must resign if more than a half of the Seimas deputies or the Prime Minister expresses a lack of confidence in him or her.

If the Seimas expresses non-confidence in an individual Minister, the Prime Minister may intercede on behalf of the Minister. If the Seimas repeatedly expresses non-confidence in the said Minister, the Prime Minister must resign.

Article 102

If the Seimas two times disapproves of the programme of the Government's activities within 45 days of the nomination of the Prime Minister, or if the Seimas expresses non-confidence in the Government within six months of its formation, the President of the Republic shall form a Provisional Government for a period of six months. In such an event, the President shall nominate the Prime Minister, and on the recommendation of the Prime Minister, shall nominate other Ministers. While a Provisional Government is in effect, the President of the Republic of Lithuania shall appoint or dismiss the Prime Minister and the Ministers.

The Seimas cannot express non-confidence in the Provisional Government, but if a Minister violates the Constitution or the laws, or abuses his or her power, the President shall, on the recommendation of the Seimas, dismiss said Minister.

Article 103

Upon the expiration of the six-month period, the Provisional Government shall either resign or submit a programme to the Seimas requesting that the Seimas consider and resolve the question of confidence in this Government.

Upon the resignation of the Provisional Government, the formation of a new Government shall be carried out according to the procedure established by the Constitution.

Article 104

The Ministers and Prime Minister may not hold any other office subject to nomination or election, may not be employed in business, commercial or other private institutions or companies, with the exception of the implementation of the rights of property owner, and may not receive a regular remuneration other than the salary established for his or her respective Government office.

Article 105

The Ministers and Prime Minister may not be prosecuted, arrested or have their freedoms restricted for committing an offence without the preliminary consent of the Seimas, or, if the Seimas is not in session, of the President.

CHAPTER 7

THE COURT

Article 106

In the Republic of Lithuania, the courts shall have the exclusive right to administer justice.

While administering justice, the judges and the courts shall be independent of any other state institutions, persons, or organisations.

While investigating cases, judges shall obey only the laws.

Article 107

Judges may not apply laws which contradict the Constitution. In cases where there are grounds to believe that the law or any other legal act applicable in a certain case contradicts the Constitution, the judge shall suspend the investigation and shall appeal to the Constitutional Court to decide whether the law or any other legal act in question complies with the Constitution.

Article 108

The court system of the Republic of Lithuania shall consist of the Supreme Court, the Court of Appeal, district courts, and local courts.

For the investigation of certain litigations, other courts may be established pursuant to law.

Courts with special powers may not be established in the Republic of Lithuania.

The organisation and competence of courts shall be determined by the Law on Courts in the Republic of Lithuania.

Article 109

Supreme Court judges and from among them, the Chairman of the Supreme Court shall be appointed by the President of the Republic of Lithuania upon the recommendation of the Seimas.

Judges of the the Court of Appeal, and from among them, the Chairman, shall be appointed by the President of the Republic of Lithuania upon the approval of the Seimas.

Judges and chairmen of district courts, local courts, and other special courts shall be appointed, and if necessary, transferred to other places of office, by the President of the Republic of Lithuania.

The Lithuanian Senate of Judges shall consider and select candidatures for judges, and submit recommendations concerning their appointment, promotion, transference, or dismissal from office to the President.

Article 110

A judge may not hold any other elected or appointed posts, may not be employed in business, commercial, or any other private institution or company, with the exception of the implementation of property rights of an owner. He may neither receive any remuneration other than the salary established for a judge, and payments for educational, scientific, or creative activities.

A judge may not be involved in any political organisations (parties).

Article 111

State authorities and governmental bodies, political parties, public organizations, officers, and other citizens shall be prohibited from interfering with the activities of a judge or the court, and upon violation of this shall be held responsible by law.

Legal actions may not be instituted against a judge, neither he may be arrested, or restricted of personal freedom without the consent of the Seimas, or, in the period between sessions of the Seimas, of the President of the Republic of Lithuania.

Article 112

A court judge of the Republic of Lithuania may be dismissed from office according to the procedure established by law in the following cases:

- 1) at his or her own will;
- 2) upon reaching pensionable age determined by law;

3) for reasons of health; and

4) upon appointment to another office or upon voluntary transference to another place of office.

If a judge's position is discredited by his or her behaviour, or if a judge is found guilty of a criminal offence, he or she may be removed from office. The procedure for removing a judge from office shall be established by the Law on Courts of the Republic of Lithuania.

Article 113

If a judge of the Supreme Court or the Court of Appeal grossly violates the Constitution, breaks the oath of office, or is found guilty of an offence, the Seimas may remove the judge from office according to the impeachment proceedings.

Article 114

A person shall be considered innocent unless proven guilty according to the procedures established by law and by the executive sentence of the court.

A person suspected of committing an offence or the defendant shall be eligible for the right of defence, including defence counseling, from the moment of their first examination.

In all courts, the investigation of cases shall be open to the public. Closed court sittings may be held in order to protect the secrecy of a citizen's or the citizen's family's private life, or to prevent the disclosure of state, professional, or commercial secrets.

In the Republic of Lithuania, court trials shall be conducted in the Lithuanian language.

Persons participating in a case who do not speak Lithuanian shall be entitled to an interpreter to help get acquainted with the case material, and shall be permitted to use his or her native language in court.

Article 115

The courts of the Republic of Lithuania shall have public prosecutors who shall prosecute criminal cases on behalf of the State, and shall carry out criminal prosecution, supervise the activities of interrogation bodies and shall carry out pre-trial interrogations.

The procedure for appointing public prosecutors and the status of public prosecutors shall be established by law.

CHAPTER 8

CONSTITUTIONAL COURT

Article 116

The Constitutional Court shall review laws and other legal statutes adopted by the Seimas, the President, or the Government to ensure that they comply with the Constitution.

The status of the Constitutional Court and the procedure of the execution of powers thereof shall be established by the Law on the Constitutional Court of the Republic of Lithuania.

Article 117

The Constitutional Court shall consist of 9 judges appointed for the term of 9 years. One-third of the Constitutional Court membership shall be renewed every three years. The judges of the Constitutional Court shall be chosen by the Seimas, upon the proposal of the Chairman of the Seimas, from the candidates nominated by state legal institutions and institutions of legal science.

The Seimas shall elect by secret ballot from among the members of the Court the Chairman of the Constitutional Court for the term of three years.

Citizens of the Republic of Lithuania who have an impeccable reputation, who are trained in law, and who have, for at least 15 years, served in the legal profession or in an area of education related to his or her qualifications as a lawyers, shall be eligible for appointment as judges of the Constitutional Court.

Article 118

In fulfilling their duties, judges of the Constitutional Court shall act independently of any other State institution, person, or organisation, and shall exercise Constitutional review pursuant only to the Constitution of the Republic of Lithuania.

Restrictions of the right to work or engage in political activities which are imposed on court judges shall also be applicable to judges of the Constitutional Court.

Judges of the Constitutional Court shall have the same right to the immunity of person as the Seimas deputies.

Article 119

The Constitutional Court of the Republic of Lithuania shall consider whether the following laws, legal acts, and directives are in conformity with the Constitution of the Republic of Lithuania:

1) the laws of the Republic of Lithuania, and other acts adopted by the Seimas;

2) decrees of the President of the Republic of Lithuania; and

3) directives of the Government of the Republic of Lithuania.

The Constitutional Court of the Republic of Lithuania shall present conclusions concerning:

1) the violation of election laws during elections of the President or of certain deputies of the Seimas;

2) the health condition of the President of the Republic of Lithuania, and his capacity to continue in office; and

3) the constitutionality of international agreements of the Republic of Lithuania.

Article 120

The Government, a group of at least one-fifth of all the Seimas deputies, and the courts shall have the right of initiative to address the Constitutional Court in cases provided for in part 1 of Article 119 hereof. The President of the Republic may also address the Constitutional Court on issues concerning the constitutionality of the acts adopted by the Government.

The Seimas shall have the right to apply for a conclusion of the Constitutional Court in cases specified in part 2 of Article 119 hereof.

Article 121

A law (or a part thereof) of the Republic of Lithuania, or any other act (or a part thereof) of the Seimas, a decree of the President of the Republic of Lithuania, a directive (or a part thereof) of the Government may not be applied from day of the

official promulgation of the decision of the Constitutional Court that the act in question (or a part thereof) is inconsistent with the Constitution of the Republic of Lithuania.

The decisions of the Constitutional Court on issues assigned to its jurisdiction by either the Constitution or the Law on the Constitutional Court shall be final, and may not be appealed.

Laws and any other legal acts (or parts thereof) which are declared inconsistent with the Constitution of the Republic of Lithuania by the Constitutional Court, may not be applied by the court, or any other State body or official.

Article 122

The powers of a judge of the Constitutional Court shall be terminated:

- 1) on 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 fulfill his or her duties for health reasons; and
- 5) upon being removed from office by the Seimas according to the impeachment proceedings.

CHAPTER 9

LOCAL GOVERNMENTS

Article 123

Citizens shall have the right of self-government: in the locality of their permanent residence, they shall, directly and through the bodies of local government formed by them, resolve and settle, within the limits of their competence established by law, matters of local significance, and shall be responsible for the adopted decisions.

Local governments shall be based on the following principles: that local residents participate in the preparation, adoption, and implementation of decisions significant to them:

that the activities of the local government are made public and are controlled by the residents; and that social justice and lawfulness is upheld.

The procedures for the organisation and activities of local government institutions shall be established by law.

Article 124

The representative body of an administrative unit of State territory shall be the local government Council, which, within their region, shall combine and coordinate the activities of executive local government institutions, and shall ensure the observance of laws and the execution of governmental decisions, public order, and the protection of the rights and legitimate interests of the citizens.

Local government Council deputies shall be elected for a two-year term by the residents of their administrative unit. The voters must be citizens of the Republic of Lithuania, and they shall vote by secret ballot on the basis of universal, equal, and direct suffrage.

Article 125

Within the provincial limits established by the Constitution and laws, local governments shall have total freedom of activity and initiative.

The Government and other central bodies of executive power may neither violate the rights of local governments, nor affix duties which are not provided for by law.

Article 126

Each local government shall independently draft and approve its budget.

State institutions shall take measures to balance potential inequalities of financial resources in the local governments, and shall allocate subsidies if necessary.

In the event that they are appropriated financial aid, local governments shall not be deprived of their freedom of action within their provincial limits.

Local government Councils shall have the right to establish local dues, to provide for the leverage of duties and taxes at the expense of their own budget, and to approve the basic direction of local government economic and social development.

The property of local governments shall be owned by local government Councils.

Article 127

Local government Councils shall establish executive bodies accountable to them for the direct implementation of laws of the Republic of Lithuania, as well as the decisions of the Government and local government Councils.

Article 128

Local governments, seeking to realise common goals, may form unions of local governments, as well as join corresponding international associations.

Article 129

Local government Councils shall have the right to appeal to district courts regarding the violation of their rights.

Article 130

Inspectors shall be appointed by the Government to supervise the adherence to the laws and the Constitution, and the implementation of the decisions of the Government.

Government inspectors shall appeal to the respective district courts concerning deeds and actions of local government Councils or of their executive institutions or officials, which contradict the law or legitimate decisions of the Government.

The powers of Government inspectors and the procedures of their actions shall be established by law.

Article 131

Legal and natural persons may appeal to court against the deeds and actions of local government Councils, their executive bodies and officials if said deeds or actions violate the rights of citizens or organisations.

CHAPTER 10

FINANCES, AND THE STATE BUDGET

Article 132

In the Republic of Lithuania, the central bank shall be the Bank of Lithuania, which is owned by the State of Lithuania and is accountable to the Seimas.

The Bank of Lithuania has the exclusive right to issue bank notes.

The Bank of Lithuania shall:

1) prepare and implement the strategy of money turnover, credit, financial settlements, and hard currency relations of the Republic of Lithuania;

2) regulate money and credit turnover in Lithuania;

3) regulate the exchange value of the monetary unit of the Republic of Lithuania; and

4) supervise the activities of other banks operating on the territory of Lithuania.

The jurisdiction of the Bank of Lithuania, as well as the procedures of its organisation and activities, shall be established by law.

Article 133

The Bank of Lithuania shall be directed by the Board of the Bank, which shall consist of the President of the Board, the deputies to the President, and the Board members.

The Board President of the Bank of Lithuania shall be appointed for a five-year term by the Seimas, on the nomination of the President of the Republic of Lithuania.

Deputies to the President of the Bank of Lithuania and members of the Board shall be appointed by the Seimas on the nomination of the President of the Board.

Article 134

The budgetary system of the Republic of Lithuania shall consist of the independent State budget of the Republic of Lithuania and the independent local governments budgets.

State budget revenues shall be accrued from taxes, compulsory payments, dues, receipts from the utilization or sale of State property, and other income.

The budgets shall include the amount of national revenue appropriated for programmes of health care, social welfare and relief, education, culture, science, and environmental protection, for developing the economy, maintaining institutions of State authority, State government, and courts, and for organising national defense, as well as for financing other measures provided for by laws.

Article 135

Taxes and other budgetary payments shall be established by the laws of the Republic of Lithuania.

All legal and natural persons located or residing on the territory of Lithuania shall pay established taxes and other dues to the appropriate budgets of the Republic.

Article 136

Decisions concerning State loans and other basic property liabilities of the State shall be adopted by the Seimas on the recommendation of the Government.

Procedures concerning the management, utilisation, and disposal of State property shall be established by law.

Article 137

The budget year shall begin on the first of January and shall end on the thirty-first of December (inclusive).

Article 138

The Government of the Republic of Lithuania shall organise the preparation of the draft budget of the Republic of Lithuania, and shall submit it to the Seimas no later than 75 days before the end of the budget year.

Article 139

The draft budget of the State shall be reviewed by the Seimas, taking into consideration the report of the Government, the proposals and conclusions of standing committees of the Seimas, and additional reports.

Upon reviewing the draft budget, the Seimas may increase the expenditures only by establishing the sources of revenues for financing said expenditures. Until the laws are not amended, the expenditures established thereby may not be reduced.

Article 140

If the State Budget is not approved by the prescribed date, the monthly budget expenditures at the beginning of the budget year may not exceed one-twelfth of the State Budget expenditures of the previous budget year.

During the budget year, the Seimas may approve an additional budget.

Article 141

The Government of the Republic of Lithuania, with the State Controller participating, shall review the report on the execution of the State Budget, and shall submit it to the Seimas for approval no later than three months after the end of the budget year.

CHAPTER 11

FOREIGN POLICY AND NATIONAL DEFENCE

Article 142

In conducting foreign policy, the Republic of Lithuania shall pursue the universally recognized principles and norms of international law, shall strive to safeguard national security and independence, as well as the basic rights and freedoms and welfare of its citizens, and shall take part in the creation of sound international order based on law and justice.

Article 143

The Republic of Lithuania shall participate in international organizations and in structures of collective security, provided that they are not in contradiction with the interests and independence of the State.

Article 144

The Republic of Lithuania shall neither participate in nor sign bilateral or multilateral international treaties which are in contradiction with the Constitution of the Republic of Lithuania.

Article 145

The Seimas shall either ratify or denounce international treaties of the Republic of Lithuania which concern:

1) the realignment of the state borders of the Republic of Lithuania;

2) political cooperation with foreign countries, mutual assistance, or treaties related to national defence;

3) the renunciation of utilization of force or threatening by force as well as peace treaties;

4) the stationing of the armed forces of the Republic of Lithuania on the territory of a foreign state and its status, as well as the stationing of foreign armed forces on the territory of the Republic of Lithuania and its status;

5) the participation of Lithuania in universal or regional international organisations; and

6) multilateral or long term economic agreements. Laws and international treaties may provide for other cases in which the Seimas shall ratify international treaties of the Republic of Lithuania.

International agreements and pacts which are ratified by the Seimas of the Republic of Lithuania shall be the constituent part of the legal system of the Republic of Lithuania.

Article 146

Citizens of the Republic of Lithuania must concern themselves with the national defence of Lithuania.

Citizens of the Republic of Lithuania are obliged to serve in the national defence service or to perform alternative service in the manner established by law.

Article 147

The main goal of the Armed Forces of the Republic of Lithuania is the defence of the homeland.

The organisation of national defence, the status of the Armed Forces, and the procedure for military service shall be established by laws.

Article 148

The Armed Forces shall be headed by Chief Commander of the Army, who shall be appointed by the Seimas upon the recommendation of the President and shall be dismissed, by the Seimas.

The Minister of National Defence shall direct the organisation of military service and the provision of armed forces. The Minister of National Defence may not be in active military service.

Article 149

Soldiers in active military service may not be deputies of the Seimas or of local governments, may not hold elected or appointed posts in State civil service, and may not take part in the activities of political parties or other political social organisations (or movements).

Article 150

The Seimas shall impose martial law, shall announce mobilisation or demobilisation, and shall adopt decisions to use armed force in defence of the homeland or for the fulfillment of the international obligations of Lithuania.

In the event of an armed attack which threatens the territorial integrity or the sovereignty of the State, the President of the Republic of Lithuania shall immediately pass a decision concerning defence against such armed aggression, shall impose martial law throughout the country or in separate parts thereof, shall declare mobilisation, and shall submit these decision to the next sitting of the Seimas and in the period between the sessions, shall immediately convoke an extraordinary session of the Seimas.

Article 151

In the event that martial law is being imposed during the time of a regular election, the Seimas or the President shall adopt a decision to extend the term of the Seimas, the President, and local Government Councils. In such cases, the elections must be held not later than within three months after martial law is lifted.

Article 152

In the event that the constitutional system or public order of the State is threatened, the Seimas may declare a state of emergency throughout the country or in separate parts thereof for a period not exceeding six months.

In the event of emergency, and if the Seimas is not in session, the President of the Republic shall have the right to pass such a decision, and shall, at the same time, convoke extraordinary session of the Seimas for the consideration of this issue. The state of emergency shall be regulated by law.

Article 153

The State shall provide and care for soldiers whose health is damaged during military service, as well as for the families of soldiers who lose their lives during military service.

The State shall also provide for citizens whose health is damaged while defending the homeland, and for the families of citizens who lose their lives in defence of the homeland.

CHAPTER 12

AMENDING THE CONSTITUTION

Article 154

In order to amend or append the Constitution of the Republic of Lithuania, a proposal must be submitted to the Seimas by either at least one-fourth of the Seimas deputies, or by at least 500,000 electors.

The Seimas shall begin to debate bills to amend the Constitution no earlier than one month and no later than three months from the day of submission thereof.

During a state of emergency or martial law, amendments to the Constitution may not be made.

Article 155

Bills to amend the Constitution must be considered and voted upon in the Seimas three times. There must be a lapse of at least one month between each vote.

With the exception of cases provided for in Article 156, bills for the amendment of the Constitution shall be deemed adopted by the Seimas if, in each of the votes, at least three-fourths of all the Seimas deputies vote in favour of the enactment.

An amendment to the Constitution which is rejected by the Seimas may not be submitted to the Seimas for re-consideration for the period of one year.

Article 156

After the first discussion and voting in the Seimas, a bill to amend the Constitution may be submitted for approval by a referendum.

The provision of Article 1 of the Constitution that the State of Lithuania is an independent and democratic republic may only be amended by a plebiscite of the People of Lithuania, provided that at least three-fourths of the electorate of Lithuania vote in favour thereof.

The provisions of Chapter 1 ("The State of Lithuania") and Chapter 12 ("Amending the Constitution") may be amended only by a referendum. Prior to the referendum, an appropriate bill to amend the Constitution must be discussed in the Seimas and must be adopted by at least three-fourths majority vote of all the Seimas deputies.

Article 157

The adopted law on the amendment to the Constitution shall be signed by the Chairman of the Seimas, and officially promulgated in the press within 7 days.

The law on the amendment to the Constitution shall become effective no earlier than one month after the adoption thereof.