

THE LITHUANIAN LAW ON CITIZENSHIP

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In November of 1989 Lithuania, still part of Soviet-Russia passed a law on citizenship marking the distinct will of the Lithuanian people to become again independent. This law is very detailed.

We reproduce it below:

Law On Citizenship 1. General Provisions

Article 1. Citizenship of the Lithuanian SSR

The following persons shall be citizens of the Lithuanian SSR:

1. Persons who were citizens of the Republic of Lithuania, children and grandchildren of such persons, as well as other persons who were permanent residents on the current territory of the Lithuanian SSR prior to 15 July 1940, and their children and grandchildren who now are or have been permanent residents on the territory of the Lithuanian SSR;

2. Persons who have a permanent place of residence in the Lithuanian SSR, provided they were born on the territory of the Lithuanian SSR, or have provided evidence that at least one of their parents or grandparents was born on said territory, and provided that they are not citizens of another state;

3. Other persons who, up to and including the date of entry into force of this Law, have been a permanent residents on the territory of the Republic and have here a permanent place of employment or another constant legal source of support; such persons shall freely choose their citizenship during two years following the entry into force of this Law; and

4. Persons who have acquired citizenship of the Lithuanian SSR under this Law.

Article 2. Document Confirming Citizenship of the Lithuanian SSR

The passport of a citizen of the Lithuanian SSR shall be the document confirming citizenship of the Lithuanian SSR.

The procedure for issuing the passport of a citizen of the Lithuanian SSR shall be established by the Lithuanian SSR Citizen's Passport Regulations, which shall be approved by the Supreme Council of the Lithuanian SSR.

Persons referred to in paragraphs 1, 2, and 3 of Article 1 of this Law who wish to acquire the passport of a citizen of the Lithuanian SSR, shall sign a pledge to the Republic promising to observe the Constitution and laws of the Lithuania.

Persons, who are 18 years of age and over, and who within two years from the date of entry into force of this Law have not applied for the issuance of a passport for a citizen of the Lithuanian SSR, shall be considered as having not accepted the citizenship of the Lithuanian SSR.

Article 3. Legal Status of Citizens of the Lithuanian SSR.

Citizens of the Lithuanian SSR shall have all socio-economic, political, and individual rights and freedoms that are provided and guaranteed by the Constitution of the Lithuanian SSR and other laws.

Only citizens of the Lithuanian SSR shall have the right to elect and be elected to the Councils of People's Deputies and other elective state bodies according to the procedure established by law, to be appointed to various offices in the bodies of state power and government, or to be elected judges and court assessors of the courts of the Lithuanian SSR, as well as to take part in referenda.

A citizen of the Lithuanian SSR must observe the Constitution and laws of the Lithuanian SSR, perform the duties prescribed thereby, protect the interest of the Lithuanian SSR, contribute to the strengthening of its power and prestige, and be loyal to the Republic.

Article 4. Retaining Citizenship of the Lithuanian SSR upon Marriage and Divorce.

Marriage to a foreign national or to a person without citizenship, contracted by a man or woman who is a citizen of the Lithuanian SSR, as well as dissolution of such marriage shall not change the citizenship of either spouse.

Article 5. Retaining Citizenship of the Lithuanian SSR.

Residence by a citizen of the Lithuanian, SSR in a foreign state shall not by itself result in the loss of citizenship of the Lithuanian SSR.

Article 6. Extradition of Citizens of the Lithuanian SSR is not permitted.

A citizen of the Lithuanian SSR may not be extradited to another state.

Article 7. Granting Citizenship of the Lithuanian SSR by Way of Exception.

By way of exception, a person possessing the citizenship of another state may be granted citizenship of the Lithuanian SSR by the Presidium of the Supreme Council of the Lithuanian SSR.

Article 8. Foreign Nationals and Persons without Citizenship.

In the Lithuanian SSR, persons possessing citizenship of a foreign state shall be recognised as foreign nationals.

Persons who are not citizens of the Lithuanian SSR and who cannot provide evidence that they are citizens of another state, shall be considered persons without citizenship.

Article 9. Legal Status of Foreign Nationals and Persons without Citizenship.

On the territory of the Lithuanian SSR, foreign nationals and persons without citizenship must respect and observe the Constitution and laws of the Lithuanian SSR. Rules applicable to foreigners shall be applied to foreign nationals and persons without citizenship residing or sojourning on the territory of the Lithuanian SSR, and such persons shall be guaranteed all rights and freedoms established by law, including the right to apply to the courts and other state bodies for the protection of said rights.

2. Acquiring Citizenship of the Lithuanian SSR

Article 10. Ways of Acquiring Citizenship of the Lithuanian SSR.

Citizenship of the Lithuanian SSR shall be acquired:

1. by birth;
2. by accepting the citizenship of the Lithuanian SSR (by naturalisation);
3. by voicing one's option or on other grounds, as provided by international treaties with the Lithuanian SSR; and
4. on other grounds provided by this Law.

Article 11. Citizenship of Children whose Parents are Citizens of the Lithuanian SSR.

A child, both of whose parents at the moment of his or her birth were citizens of the Lithuanian SSR, shall be a citizen of the Lithuanian SSR regardless of whether he or she was born on the territory of the Lithuanian SSR, or beyond

its borders.

Article 12. Citizenship of Children One of Whose Parents is a Citizen of the Lithuanian SSR.

A child, one of whose parents at the moment of his or her birth was a citizen of the Lithuanian SSR, shall be a citizen of the Lithuanian SSR, if

1. he or she was born on the territory of the Lithuanian SSR; or
2. he or she was born beyond the borders of the Lithuanian SSR, but at the moment of his or her birth both or one parent had a permanent place of residence on the territory of the Lithuanian SSR.

If at the moment of the child's birth one parent was a citizen of the Lithuanian SSR, and both parents had a permanent place of residence beyond the borders of the Lithuanian SSR, the child's citizenship shall be established by the parents' agreement.

A child, one of whose parents at the moment of his or her birth was a citizen of the Lithuanian SSR, and the other parent was either a person without citizenship or unknown, shall be a citizen of the Lithuanian SSR regardless of his or her place of birth.

Article 13. Acquiring Citizenship of the Lithuanian SSR by Children Whose Parents are Persons Without Citizenship

A child, whose parents are persons without citizenship and permanent residents in Lithuania, shall acquire citizenship of the Lithuanian SSR.

Article 14. Citizenship of Children Whose Parents are Unknown.

A child found on the territory of the Lithuanian SSR, both of whose parents are unknown, shall be considered born on said territory and shall be a citizen of the Lithuanian SSR.

Article 15. Conditions for Obtaining Citizenship of the Lithuanian SSR.

A person, upon his or her request, may be granted citizenship of the Lithuanian SSR, provided he or she agrees to take the oath to the Republic and meets the following conditions of citizenship:

1. knows the Lithuanian language;
2. for the last ten years has had a permanent place of residence on the territory of the Lithuanian SSR;
3. has a permanent place of employment or a constant legal source of support; and
4. knows the basic provisions of the Constitution of the Lithuanian SSR.

Citizenship of the Lithuanian SSR shall not be granted to:

1. persons who have committed crimes against humanity or acts of genocide;
2. persons who have been sentenced to imprisonment for a serious, and deliberate crime; and
3. persons who are alcoholics or drug addicts.

Article 16. Granting Citizenship of the Lithuanian SSR to Persons who has Contracted Marriage with a Citizen of the Lithuanian SSR.

A person, who has contracted marriage with a citizen of the Lithuanian SSR, and has maintained one's marital status during the last year, shall be granted citizenship of the Lithuanian SSR, provided he or she meets the conditions specified by Article 15 of this Law (with the exception of paragraphs 2 and 3 of the first part.)

Article 17. Oath to the Republic

Persons accepting citizenship of the Lithuanian SSR shall take the following oath:

"I (full name), pledge to observe the Constitution and laws of the Republic, to respect the state sovereignty and territorial integrity of the Lithuanian SSR, its state language, culture, customs and traditions, to contribute to the prosperity of a democratic Lithuanian state and to protect its interests."

The oath to the Republic shall be administered in public, in a solemn atmosphere, at the Presidium of the Supreme Council of the Lithuanian SSR, or, at its behest, at regional or city Councils of People's Deputies of the Lithuanian SSR. A person accepting citizenship of the Lithuanian SSR shall read aloud the text of the oath in the Lithuanian language and sign it.

3. Loss of Citizenship of the Lithuanian SSR, Restoration of Citizenship of the Lithuanian SSR and its Retention

Article 18. Loss of Citizenship of the Lithuanian SSR

Citizenship of the Lithuanian SSR shall be lost if:

1. a person renounces citizenship of the Lithuanian SSR;
2. a person is deprived of citizenship of the Lithuanian SSR; and
3. there are other reasons therefor, as provided by international agreements with the Lithuanian SSR.

Article 19. Renunciation of Citizenship of the Lithuanian SSR

A citizen of the Lithuanian SSR shall have the right to renounce citizenship

of the Lithuanian SSR.

Renunciation of citizenship of the Lithuanian SSR shall be forbidden if an action has been instituted against the person asserting such renunciation, or if a court sentence against such person has come into force, or if the person's renunciation of citizenship of the Lithuanian SSR runs counter to the security interests of the Lithuanian SSR.

Article 20. Deprivation of Citizenship of the Lithuanian SSR

A person may be deprived of citizenship of the Lithuanian SSR on the decision of the Presidium of the Supreme Council of the Lithuanian SSR. A person shall be deprived of citizenship of the Lithuanian SSR, if he or she:

1. acquired citizenship of the Republic by forging documents, or by some other fraud;
2. committed very grave offences against the Republic;
3. took employment in another state without the knowledge and permission of the competent state bodies of the Lithuanian SSR; and
4. committed crimes against humanity or acts of genocide, as provided by international law.

Article 21. Restoration of Citizenship of the Lithuanian SSR.

A person who has lost citizenship of the Lithuanian SSR pursuant to paragraphs 1 and 3 of Article 18 of this Law, may, at his or her request, have his or her citizenship restored, if at the moment of filing the application for restoration of citizenship the person is residing on the territory of the Lithuanian SSR, and provided he or she meets the conditions of citizenship specified in Article 15 of this Law (with the exception of paragraphs 2 and 3 of the first part).

Article 22. Retention of the Right to Citizenship of the Lithuanian SSR

The right to citizenship of the Lithuanian SSR shall be retained for persons who were deported from the territory of Lithuania or left it on or about 1940 or thereafter, as well as for children and grandchildren of such persons.

4. Citizenship of Children upon the Change of Parents' Citizenship

Article 23. Change of Children's Citizenship when both Parents Change their Citizenship.

If both parents acquire citizenship of the Lithuanian SSR, or if both parents lose it, citizenship of children under 14 years of age shall change accordingly.

Article 24. Acquisition of Citizenship of the Lithuanian SSR by Children in the Event of Acquisition of Citizenship of the Lithuanian SSR by one of the Parents.

If one of the parents accepts citizenship of the Lithuanian SSR, whereas the other parent retains citizenship of another state, the child of such parents may acquire citizenship of the Lithuanian SSR on the application of both parents.

If one of the parents acquires citizenship of the Lithuanian SSR, whereas the other parent remains a person without citizenship, the child of such parents residing on the territory of the Lithuanian SSR shall acquire citizenship of the Lithuanian SSR.

If one of the parents acquires citizenship of the Lithuanian SSR, whereas the other parent remains a person without citizenship, the child of such parents, residing beyond the borders of the Lithuanian SSR, may acquire citizenship of the Lithuanian SSR on the application of the parent who has acquired citizenship of the Lithuanian SSR.

Article 25. Retention of Citizenship of the Lithuanian SSR by Children if One of the Parents Loses Citizenship of the Lithuanian SSR.

If one of the parents loses citizenship of the Lithuanian SSR, whereas other parent is a citizen of the Lithuanian SSR, the child of such parents shall retain citizenship of the Lithuanian SSR until he or she is 14 years of age.

Article 26. Consent of Children Is Necessary for Changing Their Citizenship.

If the parents change their citizenship, citizenship of their children who are 14 to 18 years of age may be changed only upon the children's written consents.

5. Procedure for Resolving Issues on Citizenship of the Lithuanian SSR

Article 27. Filing Applications and Motions on Issues Concerning Citizenship of the Lithuanian SSR

Issues concerning the granting of citizenship of the Lithuanian SSR, renunciation of citizenship of the Lithuanian SSR, and restoration of citizenship of the Lithuanian SSR shall be considered upon a written application filed by the person concerned. A copy of that person's birth certificate, as well as certifications regarding that person's permanent place of residence and employment (occupation) must be appended to the application for the granting of citizenship.

Applications of persons who are under 18 years of age concerning the granting of citizenship of the Lithuanian SSR, renunciation of citizenship of the Lithuanian SSR, or restoration of citizenship of the Lithuanian SSR shall be filed by such persons' legal representatives.

Applications concerning the granting of citizenship of the Lithuanian SSR, renunciation of citizenship of the Lithuanian SSR, or restoration of citizenship of the Lithuanian SSR, as well as motions concerning deprivation of citizenship of the Lithuanian SSR shall be addressed to the Presidium of the Supreme Co-

uncil of the Lithuanian SSR and filed with the appropriate regional or city Council of People's Deputies.

Persons residing in another state and having the right to acquire citizenship of the Lithuanian SSR shall, in cases specified by this Law, file an application with a diplomatic mission of the Lithuanian SSR, or send such application directly to the Presidium of the Supreme Council of the Lithuanian SSR.

Article 28. Citizenship Committee of the Presidium of the Supreme Council of the Lithuanian SSR

A Citizenship Committee for preliminary consideration of issues concerning citizenship of the Lithuanian SSR shall be formed under the auspices of the Presidium of the Supreme Council of the Lithuanian SSR.

The composition of the Citizenship Committee shall be approved by the Presidium of the Supreme Council of the Lithuanian SSR.

The Committee shall have the right to invite to its meetings the person whose citizenship is being considered, as well as to instruct state and public bodies and organisations to express, within the period prescribed by the Committee, their opinion and to present all necessary documents on the application or motion that is being considered by the Committee.

Meetings of the Committee shall be operative if more than a half of the members take part therein.

Decisions of the Committee shall be adopted by majority vote.

The Committee shall submit to the Presidium of the Supreme Council of the Lithuanian SSR a specific recommendation on every application and motion. The decisions of the Committee shall be registered in a protocol which shall be signed by all the members of the Committee participating in the meeting.

Article 29. Decisions on Applications and Motions Concerning Citizenship of the Lithuanian SSR are Made by The Presidium of the Supreme Council of the Lithuanian SSR.

The Presidium of the Supreme Council of the Lithuanian SSR shall issue directives on granting citizenship of the Lithuanian SSR, renunciation of citizenship of the Lithuanian SSR, restoration of citizenship of the Lithuanian SSR, and deprivation of citizenship of the Lithuanian SSR. In cases where the application or motion is rejected, the Presidium of the Supreme Council of the Lithuanian SSR shall adopt an appropriate resolution.

A directive on granting citizenship of the Lithuanian SSR shall be adopted after the person has taken the oath to the Republic.

Article 30. Publication of Legal Acts on Citizenship of the Lithuanian SSR.

Directives of the Presidium of the Supreme Council of the Lithuanian SSR

on granting citizenship of the Lithuanian SSR, restoration of the Lithuanian SSR, or deprivation of citizenship of the Lithuanian SSR shall be published in the Official Reports of the Lithuanian SSR.

Article 31. Renewed Applications and Motions Concerning Issues of Citizenship of the Lithuanian SSR.

A renewed application concerning the granting of citizenship of the Lithuanian SSR, renunciation of citizenship of the Lithuanian SSR, or restoration of citizenship of the Lithuanian SSR, as well as motions concerning deprivation of citizenship of the Lithuanian SSR shall be considered no sooner than one year after the adoption of the previous decision.

Article 32. Preparation of Documents Concerning Citizenship of the Lithuanian SSR

Preparation and registration of documents concerning citizenship of the Lithuanian SSR shall be carried out by the bodies under the Ministry of Internal Affairs of the Republic.

Article 33. Procedure for Considering Applications and Motions Concerning Issues of Citizenship of the Lithuanian SSR

The procedure for considering applications and motions concerning issues of citizenship of the Lithuanian SSR and for putting into effect adopted decisions shall be established by the Supreme Council of the Lithuanian SSR.

6. International Agreements

Article 34. Application of International Agreements on Questions of Citizenship

If an international agreement to which the Lithuanian SSR is a party prescribes rules other than those established by this Law, the provisions of the international agreement shall prevail.

7. Concluding Provisions

Article 35. Concluding Provisions.

For two years after this Law comes into force, persons referred to in Article 1 of this Law may, until they freely choose their citizenship, avail themselves of the rights of a citizen of the Lithuanian SSR.

During the period prior to the full restoration of the state sovereignty of Lithuania, citizens of the Lithuanian SSR shall also use passports of the USSR.

No provision in this Law shall be interpreted as binding any citizen of the Lithuanian SSR to the laws of any other state or to the law on citizenship established by said state.

The Law on Citizenship shall come into force on the date of its adoption, and a two-year period shall be established for the Law's full implementation.

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