

REPUBLIC OF LITHUANIA

LAW

ON

RELIGIOUS COMMUNITIES AND ASSOCIATIONS

OF THE REPUBLIC OF LITHUANIA

Article 1. Purpose of the Law

This Law shall establish the legal relations of religious communities and associations and the State of Lithuania, and shall implement the human right of freedom of religion consolidated by the Constitution of the Republic of Lithuania, other laws and international documents and agreements.

Article 2. Right of Freedom of Religion

Lithuania does not have a state religion.

Every individual within the Republic of Lithuania shall have the right to choose freely any religion or faith, and to also change his choice individually or with others, to profess it privately or publicly, to perform religious rites, to practice his faith and to provide instruction thereof.

No one may force another person, nor himself be forced to choose or to profess any faith or religion.

The human freedom to profess or propagate religion or faith may not be limited by any other means, than by law alone and only when the security of society, public order, people's health and

morality, as well as of other fundamental rights and freedoms of individuals must be guaranteed.

Parents and guardians shall not be restricted in providing for the religious, and moral upbringing of their children and charges, in accordance with their own convictions.

A crime or failure to implement laws may not be excused by the religion or

faith practised by an individual.

Believers shall have the right to freely join religious communities and associations, and also to establish religious organisations.

Every individual may on the basis of his religious convictions choose an alternative (labour) service in lieu of the obligatory military service.

Article 3. Equality among People Regardless of their Religion

All individuals, regardless of the religion they profess, their religious convictions or their relationship with religion, shall be equal before the law. It shall be prohibited to limit their rights and freedoms directly or indirectly, or to apply privileges.

An individual's religion shall not be indicated in documents issued by state institutions and organisations.

Article 4. Religious Communities, Associations and Centres

A religious community is comprised of a group of individuals seeking to implement the aims of the same religion. It may be a local subdivision of a corresponding religious

association.

Religious associations are unions of church and uniform religious organisations namely, communities striving to implement the aims of the same religion. An association shall be comprised of no fewer than two religious communities who are subject to mutual leadership.

Religious centres are higher governing institutions of religious associations.

Article 5. Traditional Religious Communities and Associations of Lithuania

The state recognises nine traditional religious communities and associations existing in Lithuania, which comprise a part of the historical, spiritual and social heritage of Lithuania: Roman Catholic, Greek Catholic, Evangelical Lutheran, Evangelical Reformed, Russian Orthodox, Old Believer, Judaistic, Sunni Muslim and Karaite.

Article 6. Recognition of other Religious Associations

Other (non traditional) religious associations may be granted state recognition as being a part of Lithuania's historical, spiritual and social heritage, if they are backed by society and their instruction and rites are not contrary to laws and morality. State recognition denotes state backing of the spiritual, cultural and social heritage of religious associations.

The Seimas of the Republic of Lithuania shall grant state recognition. Religious associations may request state recognition following the elapse of a period of no less than 25 years from the date of their initial registration in

Lithuania. If request is denied, it may be resubmitted, following the elapse of 10 years, from the day request was denied.

The Seimas shall deliberate the question upon receipt of a conclusion from the Ministry of Justice.

The initial registration alluded to in part two of this Article has taken place, provided that the religious association acted legally (was registered) in Lithuania after February 16, 1918.

Article 7. Basic Principles of State and Religious

Community and Association Relations

Religious communities and associations shall not fulfil state functions, while the state shall not fulfil the functions of religious communities and associations.

Religious communities and associations shall have the right to freely organise in accordance with their hierarchic and institutional structure, and manage their inner life according to its canons and statutes, as well as other norms.

All religious communities and associations possessing legal person rights may obtain state support for culture, education and charity, in accordance with the procedure established by laws.

Article 8. Freedom to Perform Religious Rites

Religious rites and cult ceremonies shall be freely performed within cult premises and in their vicinity, in the homes and flats of citizens, funeral homes, cemeteries and crematoriums.

Pursuant to request by believers religious rites shall be performed in hospitals, social care facilities and places of

detention. The time for performing religious rites and cult ceremonies, and other conditions shall be co-ordinated with authorities of the aforementioned institutions. The authorities of these institutions shall provide opportunities for performance of religious rites.

The authorities of military units, upon request by believers, shall provide opportunities for performance of religious rites in accordance with the procedure established by statutes.

Upon request by students who are believers and their parents, the rites of traditional and other state recognised religious communities and associations, which are not contrary to the secular school concept, may be performed in state education and training institutions; participation shall be based upon free choice.

Religious rites may be performed in other public locations, as well, if those rites are not in violation of public order, people's health, morals or the rights and freedoms of other individuals.

Religious communities and associations having the rights of legal persons may, according to the procedure established by the local government, have their own denominational cemeteries or their own territory within common cemeteries. The procedure for burial in denominational cemeteries or within a cemetery territory, allotted to a religious denomination, shall be established by the corresponding community or association.

A complaint regarding refusal to grant permission for, or interference with the performance of religious rites may be registered with a higher governing institution or the court.

Article 9. Religious Instruction

Religious instruction may be provided in houses of prayer, state and other educational and training institutions as well as other premises and locations.

Religion of traditional and other state-recognised religious communities and associations may be taught in state education institutions upon request by parents (guardians, care-takers).

The state shall recognise religious instruction by traditional and other state-recognised religious communities and associations in denominational educational institutions (Sunday schools of those denominations or other instruction groups), upon registration of religious education programmes with the Ministry of Education and Science and presentation therewith, of documents attesting to teacher qualification, as well as a request by the spiritual authorities of appropriate religious community or association.

Students who are wards of the state are provided religious instruction according to the religion professed by their family or relatives.

The procedure of religious instruction in state institutions of education and training is regulated by laws on education.

Article 10. Legalisation of Legal Person Rights of Traditional Religious Communities and Associations

Traditional religious communities and associations, having the rights of a legal person, shall inform the Ministry of Justice thereof.

Newly-established (re-established) traditional religious

communities and associations shall acquire the rights of a legal person, pursuant to a report in writing of their establishment (re-establishment), to the Ministry of Justice by their authorities, and the continuity of a specific community or association is established by taking into account its canons, statutes and also, other norms.

Article 11. Granting of Legal Person Rights to Other
Religious Communities and Associations

Other religious communities and associations shall acquire the rights of a legal person upon registration of their statutes or the documents corresponding to them.

Religious communities may be registered, provided they unite no fewer than 15 members namely, adult citizens of the Republic of Lithuania.

Religious associations may be registered, provided they unite no fewer than two religious communities. Registered religious communities which are part of the structure of registered religious associations, and centres shall acquire rights of a legal person, pursuant to their recognition by the authorities of the association and the Ministry of Justice being informed thereof, in writing.

In order to effect registration of the statutes or a corresponding document of a religious community/association, a written application shall be submitted of the religious community/association's initiative meeting protocol and membership list.

The religious community/association statutes or corresponding documents which shall be submitted must indicate:

- 1) name and main office of religious community/association;
- 2) principles, activity directions and aims of professed

religious instruction;

3) organisational structure and authorities of religious community/association;

4) procedure of management, use and sale of property belonging to religious community/association;

5) procedure for closing of religious community/association and distribution of property remaining following liquidation.

The Ministry of Justice shall register the statutes or a corresponding document of religious communities/ associations no later than within a six-month period from the time of their submittal.

Should the submitted statutes or corresponding documents of the religious community/association fail to include all of the indicated data, the Ministry of Justice shall return the aforementioned document within 15 days of its receipt, to the community/association and indicate what shortcomings should be rectified. The period for registering corrected statutes or corresponding document shall be reckoned anew.

Article 12. Refusal to Register Statutes or
Corresponding Document of Religious
Community/Association

Religious community/association statutes or corresponding document shall not be registered if:

1) data indicated in Article 11 of this Law are not included therein;

2) activity of religious community/association violates human rights and freedoms or public order;

3) statutes or corresponding document of religious community/association of the same name, have already been

registered.

Upon refusal to register religious community/association statutes or corresponding document, the applicants shall be informed about this in writing, no later than within 5 days following adoption of the decision, and given specific reasons for refusal.

Refusal to register the statutes or corresponding document of religious community/association, may be appealed in court.

Article 13. Property Rights of Religious Communities,
Associations and Centres

Religious communities, associations and centres shall have the right of ownership to houses of prayer, residential houses and other buildings and edifices, production, social and charity objects as well as other types of property, required for the activities of religious communities and associations.

Religious communities/associations and centres shall administer, use and sell their property in accordance with the laws of the Republic of Lithuania.

Article 14. Education, Charity and Mercy - Related
Activities of Religious Communities,
Associations and Centres

Religious communities, associations and centres shall have the right to establish and have general education schools as well as other institutions of instruction, education and culture and also, institutions of instruction and training for preparation of clergy and religion instructors, in accordance with the procedure established by laws and other normative acts.

Educational institutions of traditional and other religious communities, associations and centres having the rights of a

legal person, and schools of such religious communities, associations and centres, that provide the education prescribed by the state, shall receive financial and other support from state and local government budgets, according to procedure established by laws and other normative acts.

All religious communities, associations and centres may engage in charity, participate in mercy-related activity and establish medical institutions as well as charitable institutions and organisations.

Article 15. Publishing and Economic Activity of
Religious Communities, Associations and
Centres

Religious communities, associations and centres shall have the right to engage in publishing, production and economic activity, establishing public information media, charity foundations and other organisations, in accordance with the procedure established by laws.

Article 16. Taxation of Religious Communities,
Associations and Centres and of Their
Employees

The income namely, contributions, income resulting from the sale of property acquired through charitable means, of all religious communities, associations and centres (higher governing institutions), shall not be taxable, provided they are intended for construction, repair or restoration of a house of prayer, charity, culture and education.

The income received by the clergy of religious communities, associations and centres, assistants at religious rites and service staff (except individuals performing construction,

repair and restoration work), from the funds indicated in the first part of this Article, shall not be subject to tax of a natural person.

Religious necessities and literature brought across the border into the Republic of Lithuania, through the authorisation of religious communities, associations and centres having the rights of a legal person, shall not be subject to customs tax.

Enterprises (organisations) established by religious communities, associations and centres shall be subject to taxation in accordance with the laws.

Article 17. Legal Regulation of Work of Individuals
Employed by Religious Communities,
Associations and Centres

Religious communities, associations and centres shall have the right to employ individuals, with whom work contracts are drawn up in accordance with the procedure established by laws of the Republic of Lithuania.

Members of clergy may be supported from the religious community or association funds, in accordance with the procedure established by such, or may receive their support directly from believers in return for religious services rendered.

Article 18. Social Security and Social Insurance of
Religious Communities, Associations and
Centres

Rights to social insurance and other rights and guarantees, established by laws of the Republic of Lithuania, shall apply to individuals, employed according to labour contract, with religious communities, associations or centres, their institutions, enterprises and organisations.

For these purposes, religious communities, associations and centres shall contribute to the State Social Insurance Fund from their income, the same amounts as state enterprises, institutions and organisations.

Members of the clergy and other individuals employed without labour contracts by religious communities, associations and centres, may make their own private contributions to the State Social Insurance Fund according to procedure established by laws.

Article 19. International Co-operation among Religious
Communities and Associations

Religious communities and associations shall have the right to establish and maintain international relations and contacts, participate in international organisations as well as in activities of their governing bodies, exchange information, receive religious necessities, literature and charity from international organisations and private individuals.

Religious communities and associations shall be able to send their members to other states for training, organise clergy and pilgrim journeys abroad and to cooperate in other ways with religious organisations located abroad.

Article 20. Suspension or Cessation of Activity of
Religious Communities, Associations and
Centres

Should a religious community, association or centre fail to act according to the registered statutes or corresponding documents thereof or should their activity violate the Constitution or this Law, the Ministry of Justice shall inform

the religious community, association or centre which is in violation of laws and indicates the term of time during which violations must be rectified. Failure to rectify said violations, shall result in a court appeal by the Ministry of Justice, for suspension of activity of the religious community, association or centre.

Activity of a religious community, association or centre may be suspended for a term not to exceed 6 months. Should violation cited by the court, fail to be rectified during this term, their activity may be ceased per court decision.

Activity of a religious community, association or centre may also be terminated per own decision. Activity of a religious community or association may be terminated per decision of its higher governing institution.

Following the termination of activity of a religious community, association or centre, the remaining property shall be transferred to the successor in interest, specified in its statutes or another corresponding document. If the successor in interest is not specified or does not exist, the property shall be taken over by the state.

Article 21. Implementation of the Law

This Law shall be implemented in accordance with the Republic of Lithuania Law on the Procedure for the Implementation of the Law on Religious Communities and Associations of the Republic of Lithuania."

I promulgate this Law passed by the Seimas of the Republic of Lithuania.

Algirdas Brazauskas

President of the Republic

Vilnius

October 4, 1995

No. I - 1057