

**LAW  
OF THE REPUBLIC OF LITHUANIA  
ON AMENDING THE LAW ON CITIZENSHIP**

17 September 2002 No IX-1078

Vilnius

(as new version of 15 July 2008 No X-1709)

**Article 1. A New Version of the Law of the Republic of Lithuania on  
Citizenship**

The Law of the Republic of Lithuania shall be amended and set forth to read as follows:

**“LAW ON CITIZENSHIP OF THE REPUBLIC OF LITHUANIA**

**SECTION I**

**GENERAL PROVISIONS**

**Article 1. Citizens of the Republic of Lithuania**

The following persons shall be citizens of the Republic of Lithuania:

1) persons who held citizenship of the Republic of Lithuania prior to 15 June 1940, their children, grandchildren and great-grandchildren, provided that the persons are not citizens of another state;

2) persons who were habitually resident in the present-day territory of the Republic of Lithuania in the period from 9 January 1919 to 15 June 1940, as well as their children, grandchildren and great-grandchildren, provided that on the day of coming into force of the Law on Citizenship enacted on 3 November 1989 they were and at the present time are habitually resident in the territory of the Republic of Lithuania and are not citizens of any other state;

3) persons of Lithuanian descent if they are not citizens of any other state. A person whose parents or grandparents or one of the parents or grandparents is or was Lithuanian and the person considers himself Lithuanian shall be considered as being a person of Lithuanian descent;

4) persons who acquired citizenship of the Republic of Lithuania under the laws of the Republic of Lithuania in force prior to the entry into force of new version of this Law.

2. A citizen of the Republic of Lithuania may not at the same time be a citizen of another state, except for persons who held citizenship of the Republic of Lithuania prior to 15 June 1940 who were exiled or withdrew from the Republic of Lithuania in the period of occupations from 15 June 1940 to 11 March 1990 as well as in individual cases provided for in paragraph 1 of Article 8, Article 9, paragraph 4 of Article 12, paragraph 1 of Article 16, paragraphs 3 and 4 of Article 17, paragraph 2 of Article 18 of this Law.

## **Article 2. Documents Certifying Citizenship of the Republic of Lithuania**

Documents certifying citizenship of the Republic of Lithuania shall be the passport of a citizen of the Republic of Lithuania issued according to the procedure established by legal acts of the Republic of Lithuania, identity card and passport.

## **Article 3. Legal Status of Citizens of the Republic of Lithuania**

1. Citizens of the Republic of Lithuania shall have all social economic, political and personal rights and freedoms that are enshrined in and guaranteed by the Constitution, laws and other legislation of the Republic of Lithuania as well as international treaties of the Republic of Lithuania.

2. A citizen of the Republic of Lithuania must observe the Constitution, laws and other legislation of the Republic of Lithuania as well as international treaties of the Republic of Lithuania, perform the duties prescribed hereunder, safeguard the interests of the Republic of Lithuania, help strengthen its might and authority, be loyal to it.

## **Article 4. Retention of Citizenship of the Republic of Lithuania in Case of Marriage and Divorce**

If a citizen of the Republic of Lithuania has contracted marriage with a person who is a citizen of another state or a stateless person, also if he dissolves such marriage, the citizenship of either spouse shall not by itself change.

#### **Article 5. Retention of Citizenship of the Republic of Lithuania**

1. Residence by a citizen of the Republic of Lithuania in another state shall not by itself entail loss of citizenship of the Republic of Lithuania.

2. The State of Lithuania shall protect and take care of its citizens beyond the borders of the Republic of Lithuania.

#### **Article 6. Prohibition of Extradition of a Citizen of the Republic of Lithuania**

1. It shall be prohibited to extradite a citizen of the Republic of Lithuania to another state except in cases provided for in international treaties of the Republic of Lithuania.

2. A citizen of the Republic of Lithuania may not be expelled from the territory of the Republic of Lithuania.

### **SECTION II**

#### **ACQUIRING CITIZENSHIP OF THE REPUBLIC OF LITHUANIA**

#### **Article 7. Ways of Acquiring Citizenship of the Republic of Lithuania**

Citizenship of the Republic of Lithuania shall be acquired:

- 1) by birth;
- 2) by implementing the right to citizenship of the Republic of Lithuania;
- 3) by being granted citizenship of the Republic of Lithuania (naturalisation);
- 4) by voicing one's option or on other grounds, as provided for by international treaties of the Republic of Lithuania;
- 5) on other grounds provided for by this Law.

#### **Article 8. Citizenship of Children whose Parents are Citizens of the Republic of Lithuania**

1. A child, both of whose parents are citizens of the Republic of Lithuania, shall be a citizen of the Republic of Lithuania regardless of whether he was born in the territory of the Republic of Lithuania or beyond its borders.

2. If both parents lose citizenship of the Republic of Lithuania, the citizenship of their children who have not reached the age of 18 years shall change accordingly. The provision shall not apply if due to the change of the parents' citizenship the child would remain without a citizenship.

#### **Article 9. Citizenship of Children one of whose Parents is a Citizen of the Republic of Lithuania**

1. If the parents of a child hold citizenship of different states and one of them is a citizen of the Republic of Lithuania, the child shall be a citizen of the Republic of Lithuania regardless of whether he was born in the territory of the Republic of Lithuania or beyond its borders..

2. The child one of whose parents is a citizen of the Republic of Lithuania while the other is a stateless person or unknown shall be a citizen of the Republic of Lithuania regardless of whether he was born in the territory of the Republic of Lithuania or beyond its borders.

3. If one of the parents was a citizen of the Republic of Lithuania but he died while the other remains a stateless person, their child shall acquire citizenship of the Republic of Lithuania.

#### **Article 10. Acquiring Citizenship of the Republic of Lithuania by Children whose Parents are Stateless Persons**

A child born in the territory of the Republic of Lithuania, whose parents are stateless persons habitually resident in Lithuania, shall acquire citizenship of the Republic of Lithuania.

#### **Article 11. Citizenship of Children whose Parents are Unknown**

1. A child found in the territory of the Republic of Lithuania, both of whose parents are unknown, shall be considered born in the territory of the Republic of Lithuania and shall be a citizen of the Republic of Lithuania, unless circumstances are disclosed whereunder the child would acquire a different status.

2. A child, who is found or is residing in the territory of the Republic of Lithuania, both of whose parents are unknown, both parents or the single parent the

child had is dead or declared missing, both parents or the single parent the child had is declared according to the established procedure incapacitated, parental (paternal or maternal) authority is indefinitely restricted and the child is put under permanent guardianship/curatorship, shall be a citizen of the Republic of Lithuania unless circumstances come to light for which the child would acquire a different status.

## **Article 12. Conditions for Granting Citizenship of the Republic of Lithuania**

1. Citizenship of the Republic of Lithuania may be granted to a person if he meets the following conditions:

- 1) has passed the examination in the state language;
- 2) at the time of submission of the application has a document certifying his right to habitually reside in the territory of the Republic of Lithuania;
- 3) has been residing in the territory of the Republic of Lithuania for the last ten years;
- 4) has a legal source of support ;
- 5) has passed the examination in the basic provisions of the Constitution of the Republic of Lithuania;
- 6) is a stateless person or is a citizen of a state under the laws of which he shall lose citizenship of the said state upon acquiring citizenship of the Republic of Lithuania or notifies in writing of his will to renounce citizenship of another state held by him after he is granted citizenship of the Republic of Lithuania.

2. The procedure for holding examination in the state language and in the basic provisions of the Constitution of the Republic of Lithuania and the procedure for issuing the appropriate certificates certifying to the passing thereof shall be established by the Government of the Republic of Lithuania.

3. Persons meeting the conditions provided for in this Article shall be granted citizenship of the Republic of Lithuania taking into account the interests of the Republic of Lithuania. The requirements of subparagraphs 1 and 5 of paragraph 1 of Article 12 shall not be applied to persons who are 65 years of age or over, persons who have been established 0-55% capacity for work and persons who have reached pensionable age and who have been rated as having high- or medium-level special needs according to the procedure laid down by legal acts, also to persons ill with grave chronic mental illnesses.

4. The provisions of subparagraph 6 of paragraph 1 of this Article shall not apply to citizens of foreign states who have refugee status in the Republic of Lithuania.

5. A person who is granted citizenship of the Republic of Lithuania shall swear an oath of allegiance to the Republic of Lithuania.

**Article 13. Reasons on the Ground whereof Citizenship of the Republic of Lithuania shall not be Granted**

Citizenship of the Republic of Lithuania shall not be granted to persons who:

1) have prepared, attempted to commit or committed international crimes such as: aggression, acts of genocide, crimes against humanity, war crimes;

2) have prepared, attempted to commit or committed criminal acts against the State of Lithuania;

3) before coming to reside in the Republic of Lithuania have been imposed in another state a custodial sentence for a premeditated crime for which the laws of the Republic of Lithuania also prescribe criminal liability or have been convicted in Lithuania for a premeditated crime punishable by a custodial sentence;

4) according to the procedure established by laws have no right to be issued a document certifying the right to habitually reside in the Republic of Lithuania.

**Article 14. Granting Citizenship of the Republic of Lithuania upon Contracting a Marriage**

1. A person, who contracted a marriage with a citizen of the Republic of Lithuania and has maintained his marital status for the last 7 years while residing in the territory of the Republic of Lithuania, shall be granted citizenship of the Republic of Lithuania provided that the person meets the conditions established in subparagraphs 1, 2, 5 and 6 of paragraph 1 of Article 12 of this Law and there are no circumstances specified in Article 13 of this Law.

2. Persons who contracted marriage with citizens of the Republic of Lithuania: deportees, political prisoners or their children born in exile shall be granted citizenship of the Republic of Lithuania if, after contracting marriage, they move to the Republic of Lithuania for habitual residence and provided that they have resided for the last five years in the Republic of Lithuania together with their spouse who is a citizen of the Republic of Lithuania and meet the conditions established in subparagraphs 2, 5 and 6 of paragraph 1 of Article 12 of this Law.

3. A person who, after contracting a marriage with a citizen of the Republic of Lithuania, has resided in the territory of the Republic of Lithuania for over a year may, in case of death of his spouse, be granted citizenship of the Republic of Lithuania after he has resided in the territory of the Republic of Lithuania for five years, provided that he meets the conditions established in subparagraphs 1, 2, 5 and 6 of paragraph 1 of Article 12 of this Law and there are no circumstances specified in Article 13 of this Law.

### **Article 15. Oath of Allegiance to the Republic of Lithuania**

1. Persons who are granted citizenship of the Republic of Lithuania shall not later than within 2 years from the day of entry into force of the Decree of the President of the Republic, whereby the person is granted citizenship of the Republic of Lithuania, publicly and solemnly swear an oath of allegiance to the Republic of Lithuania. The text of the oath shall be established as follows:

"I (name, surname), becoming a citizen of the Republic of Lithuania, unconditionally pledge to be loyal to the Republic of Lithuania, to observe the Constitution and laws of the Republic of Lithuania, to defend the independence of the State of Lithuania, the territorial integrity of the state and the constitutional order. I do swear to respect the state language of Lithuania, its culture and customs, to strengthen the basic principles of democracy and the rule of law in Lithuania. So help me God."

2. The oath of persons shall be administered in the Ministry of the Interior by the person authorised by the Minister of the Interior and in the diplomatic missions or consular posts of the Republic of Lithuania (hereinafter – consular post) – the head of the consular post or the person authorised by him.

3. The person shall swear the oath standing before the person administering the oath, shall read the text of the oath having placed his hand on the Constitution of the Republic of Lithuania. The oath may be sworn without the last sentence of the oath to the Republic of Lithuania. Having finished reading the text of the oath the person shall sign the nominal oath sheet. The requirements set in this paragraph shall not apply to persons who are unable to do so for reason of disability.

4. The wording of the oath shall not be revised or altered. Failure to comply with this provision as well as the refusal to sign the nominal oath sheet or its conditional signing shall mean that the person has not sworn the oath. The nominal oath sheets shall be given over to the person who administered the oath.

5. The persons who, when acquiring the citizenship of the Republic of Lithuania, lose the citizenship of another state, shall take an oath to the Republic of Lithuania after they provide evidence that they have lost the formerly held citizenship of another state.

6. The procedure for administering the oath at the Ministry of the Interior or the consular post shall be established by the Government of the Republic of Lithuania or the institution authorised by it.

7. The consular posts shall within 7 days notify the Office of the President of the Republic and the institution authorised by the Minister of the Interior of the persons who took an oath at these consular posts. The institution authorised by the Minister of the Interior shall within 7 days notify the Office of the President of the Republic of the persons who took an oath at the Ministry of the Interior.

8. Upon granting citizenship of the Republic of Lithuania the rights and obligations of the citizen of the Republic of Lithuania shall arise only after the person takes the oath to the Republic of Lithuania

#### **Article 16. Granting of Citizenship by Way of Exception**

1. The President of the Republic, invoking this Law, may grant citizenship of the Republic of Lithuania to citizens of foreign states or stateless persons by way of exception for special merit to the Republic of Lithuania, who integrated into Lithuanian society, without applying with respect to them conditions for the granting of citizenship provided for in Article 12 of this Law. The activities of a citizen of a foreign state or a stateless person whereby the person makes a substantial contribution to the strengthening of statehood of the Republic of Lithuania, to increasing the might of the Republic of Lithuania and promoting its authority in the international community shall be considered as merits to the Republic of Lithuania.

2. Paragraph 1 of this Article shall not apply to persons listed in Article 20 of this Law.

3. The granting of citizenship of the Republic of Lithuania by way of exception shall by itself entail no legal consequences with respect to family members of the person who acquired citizenship. The provision shall not apply to an underage child of a person who acquired citizenship, provided the underage child is a stateless person. The issue of citizenship of Republic of Lithuania of the underage child who is



a stateless person shall be settled in accordance with the provisions of Articles 8 or 9 of this Law.

4. A person who has lost citizenship of the Republic of Lithuania on the grounds set in paragraph 1 of Article 18 of this Law may not be granted citizenship of the Republic of Lithuania by way of exception.

### **SECTION III**

#### **RETENTION AND IMPLEMENTATION OF THE RIGHT TO CITIZENSHIP OF THE REPUBLIC OF LITHUANIA. LOSS AND RESTORATION OF CITIZENSHIP OF THE REPUBLIC OF LITHUANIA**

##### **Article 17. Retention of the Right to Citizenship of the Republic of Lithuania**

1. The right to citizenship of the Republic of Lithuania shall be indefinitely retained by:

1) the persons who held citizenship of the Republic of Lithuania prior to 15 June 1940, their children, grandchildren and great-grandchildren who are residing in other states;

2) the persons of Lithuanian descent who are residing in other states.

2. Persons who retain the right to citizenship of the Republic of Lithuania shall be issued, upon their application, according to the procedure established by the Government of the Republic of Lithuania, documents certifying the right.

3. Persons specified in subparagraph 1 of paragraph 1 of this Article shall implement the right to citizenship of the Republic of Lithuania after they renounce the held citizenship of another state. The condition shall not apply to:

1) the deportees, political prisoners, as well as their children, grandchildren and great-grandchildren;

2) persons who held citizenship of the Republic of Lithuania before 15 June 1940 and left to reside in other states during the occupations of 15 June 1940 – 11 March 1990, the children, grandchildren and great-grandchildren of these persons.

4. The persons specified in subparagraph 2 of paragraph 1 of this Article shall implement the right to citizenship of the Republic of Lithuania upon renouncing the held citizenship of another state.

### **Article 18. Loss of Citizenship of the Republic of Lithuania**

1. Citizenship of the Republic of Lithuania shall be lost:

- 1) upon renouncing citizenship of the Republic of Lithuania;
- 2) upon acquiring citizenship of another state;
- 3) on the grounds provided for by international treaties to which the Republic of Lithuania is a party;

4) if a citizen of the Republic of Lithuania is serving in the military service of another state or is employed in the state service of a non-EU member state having no authorisation of the Government of the Republic of Lithuania;

5) after the court recognizes that the person has lost citizenship of the Republic of Lithuania when he, having the authorisation indicated in subparagraph 4 of this paragraph, serves in the military service of another state or is employed in the state service of another state or is employed in state service of another state, in this way prejudicing the interests of the Republic of Lithuania.

2. Subparagraph 2 of paragraph 1 of this Article shall not apply to persons who acquired citizenship of another state with which the Republic of Lithuania has concluded a contract on dual citizenship.

### **Article 19. The Right of a Citizen of the Republic of Lithuania to Renounce Citizenship**

1. The right of a citizen of the Republic of Lithuania to renounce citizenship may not be restricted, except in cases specified in this Article.

2. A person's application for renunciation of citizenship of the Republic of Lithuania may not be considered if the applicant is suspected or accused of having committed a criminal act or if a court judgement in respect of the person is final and enforceable.

### **Article 20. Restoration of Citizenship of the Republic of Lithuania**

1. A person who has lost citizenship of the Republic of Lithuania under the legislation in force before the date of entry into force of the new version of the this Law as well as paragraph 1 of Article 18 of this Law may have citizenship of the Republic of Lithuania restored to him upon his application, provided that the person is not a citizen of another state and meets the conditions established in subparagraphs 2

and 4 of paragraph 1 of Article 12 of this Law, and provided that there are no circumstances specified in Article 13 of this Law.

2. A person who has lost citizenship of the Republic of Lithuania under the legislation that was in force before the date of entry into force of the new version of this Law as well as under paragraph 1 of Article 18 of this Law and who meets the conditions established in subparagraphs 1, 2 or 3 of paragraph 1 of Article 1 of this Law may be restored citizenship of the Republic of Lithuania upon such person's application without applying to the person conditions established in Article 12 of this Law provided that the person is not a citizen of another state.

3. A person who has lost citizenship before the age of 18 years may be restored the citizenship of the Republic of Lithuania if, upon reaching the age of 18 years, he took a decision regarding the citizenship of the Republic of Lithuania.

#### **Article 21. Declaring the Act on Acquiring Citizenship of the Republic of Lithuania or on Granting Citizenship of the Republic of Lithuania as Invalid**

1. The Act on the granting of citizenship of the Republic of Lithuania shall be declared invalid by the court if it establishes that the person, upon acquiring citizenship of the Republic of Lithuania by way of naturalisation or by exercising the right of option, did this by presenting forged documents or by any other fraud, or did not renounce citizenship of another state, or if the court establishes that the person, prior to or after having been granted citizenship prepared, attempted to commit or committed international crimes such as: aggression, genocide, crimes against humanity, war crimes or had no right according to the procedure established by law to be issued the document certifying the right to reside in the Republic of Lithuania or prepared, attempted to commit or committed criminal acts against the Republic of Lithuania.

2. The court shall declare invalid the Act on the granting of citizenship of the Republic of Lithuania also in case it establishes that the person concerned organised or carried out in the period after 15 June 1940 deportation or genocide of the residents, other crimes against humanity or war crimes against the residents of the Republic of Lithuania, suppressed the resistance movement in Lithuania against the occupational regimes or, after 11 March 1990, took part in the actions directed against the independence and territorial integrity of the Republic of Lithuania.

3. A citizen of the Republic of Lithuania who acquires citizenship of another state with the exception of persons specified in paragraph 2 of Article 18 of this Law, shall lose citizenship of the Republic of Lithuania as of the day of acquiring of citizenship of another state.

4. A citizen of the Republic of Lithuania upon acquiring citizenship of another state must within 30 days give a written notice thereof to the Minister of the Interior or the institution authorised by him or the migration office, service, sub-office, group or the passport subdivision of the territorial police body (hereinafter - the Migration Service) or the consular post.

5. The acquiring of citizenship of the Republic of Lithuania shall be declared invalid if it is discovered that the decision on the person's citizenship of the Republic of Lithuania was given infringing this or other laws of the Republic of Lithuania.

6. The provision of paragraph 5 of this Article shall not apply if it transpires that under the legislation of another state the person was considered citizen of that state without having expressed his will to become its citizen and he has not been issued the certificate of citizenship of that state.

## **SECTION IV**

### **PROCEDURE FOR SETTling THE ISSUES OF CITIZENSHIP OF THE REPUBLIC OF LITHUANIA**

#### **Article 22. Submitting Applications and Submissions on the Issues of Citizenship of the Republic of Lithuania**

1. Persons habitually resident in the Republic of Lithuania shall submit applications and documents on citizenship of the Republic of Lithuania according to subparagraphs 1, 2 and 3 of paragraph 1 of Article 1 of this Law and on implementing the right to citizenship of the Republic of Lithuania according to paragraph 3 of Article 17 of the Law to the migration service. Persons habitually resident abroad shall submit applications and documents relating to citizenship of the Republic of Lithuania according to subparagraphs 1 and 3 of paragraph 1 of Article 1 of this law, on the retention of the right to citizenship of the Republic of Lithuania according to paragraph 1 of Article 17 of this Law and on the implementation of the right according to paragraphs 3 and 4 of Article 17 this Law to the Minister of the Interior or the institution authorised by him or the consular post.

2. The following documents shall accompany the application to grant citizenship of the Republic of Lithuania according to Article 12 of this law: a copy of the person's identity card; a copy of the birth certificate; a document entitling to habitually reside in the Republic of Lithuania at the moment of submission of the application; a document providing evidence that the person has been living in the territory of the Republic of Lithuania over the last 10 years; a document evidencing that the person has a legal source of support; a document evidencing that the person has passed the examination in the state language and basic principles of the Constitution of the Republic of Lithuania. The following documents shall accompany the application to grant citizenship of the Republic of Lithuania according to Article 14 of this law: a copy of the person's identity card; a copy of the birth certificate; a copy of the marriage certificate; a copy of the document certifying the Republic of Lithuania citizenship of the spouse; a copy certifying that the person is a deportee or political prisoner, if the person applied for the granting of citizenship of the Republic of Lithuania under paragraph 2 of Article 14 of this Law; a copy of the death certificate of the spouse if the person applied for the granting of citizenship of the Republic of Lithuania under paragraph 3 of Article 14 of this law; document certifying the right of residence in the Republic of Lithuania at the moment of submission of this application; a document certifying that the person has been living in the territory of the Republic of Lithuania for the period referred to in Article 14 of this law; a document evidencing that the person has passed the examinations in the state language and basic principles of the Constitution of the Republic of Lithuania according to the requirements specified in Article 14 of this law. If a person holding a citizenship of another state applies for the granting of citizenship of the Republic of Lithuania, he shall submit a written application for the renunciation of the citizenship of another state held when he is granted citizenship of the Republic of Lithuania.

3. The following documents shall accompany the application for implementing the right to citizenship of the Republic of Lithuania: a copy of the person's identity card; a document certifying the person's place of residence or its copy; documents certifying retention of the right to citizenship of the Republic of Lithuania; documents proving kinship with the person who held citizenship of the Republic of Lithuania before 15 June 1940 or heir copies; a document certifying that the person has renounced the held citizenship of another state, except for the persons specified in subparagraphs 1 and 2 of paragraph 3 of Article 17 of this law.

4. Documents certifying that the person held citizenship of the Republic of Lithuania before 15 June 1940 shall be: the surviving internal or foreign passport of the Republic of Lithuania issued before 15 June 1940; foreign passports of the Republic of Lithuania issued by the diplomatic missions or consular posts of the Republic of Lithuania after 15 June 1940; documents on military service in the army of the Republic of Lithuania or on being employed in state service of the Republic of Lithuania; certificate of birth or other documents giving direct reference to the citizenship of the Republic of Lithuania held; identity cards issued according to the documents issued in Lithuania before 15 June 1940. If there is no such documents, the following documents may be submitted: documents concerning studies, work, life in Lithuania prior to 15 June 1940; a sworn statement approved by a notary or an official of the consular post; an approved copy of a foreign state passport and other documents. The Lithuanian descent is certified by the documentary evidence that the person's parents or grandparents, one of the parents or grandparents is or was Lithuanian as well as the person's written statement where he recognises himself Lithuanian. If there are no sufficient documents in evidence of the Lithuanian citizenship held by the person prior to 15 June 1940 or certifying his Lithuanian descent, the issue may be examined by the Commission set up by the Government of the Republic of Lithuania for examining the issues of citizenship of the Republic of Lithuania or the data shall be established by court.

5. The application for renouncing citizenship of the Republic of Lithuania shall be supported by the following documents: copies of the passport of citizen of the Republic of Lithuania, the identity card, copies of the passport (if the person has not been issued documents certifying citizenship of the Republic of Lithuania, a document issued by the migration service or the consular post shall be submitted certifying that the person is a citizen of the Republic of Lithuania and has not applied for the receipt of the document in evidence of his citizenship); a copy of the available document evidencing the person's place of residence, personal document issued by the foreign state institution; documents evidencing the person's place of residence or copies of the documents. If the person requests to let his underage child renounce citizenship of the Republic of Lithuania together with him, the application of the other parent shall be submitted together. If the parents of the child are divorced, the child may renounce citizenship of the Republic of Lithuania if requested in writing by one

of the parents with whom the child remains to reside on court decision or with whom the child has been habitually resident.

6. The application for the restoration of citizenship of the Republic of Lithuania under paragraph 1 of Article 20 of this Law shall be supported by the following documents: a copy of the person's identity card; a copy of the birth certificate; a document concerning the grounds for the loss of citizenship of the Republic of Lithuania held; a document certifying the right to habitually reside in the Republic of Lithuania at the moment of submission of the application; a document certifying that the person has a legal source of support; a document certifying that the person lost citizenship of another state held.

7. The application for the restoration of citizenship of the Republic of Lithuania according to paragraph 2 of Article 20 of this Law shall be accompanied by the following documents: documents certifying that the person held citizenship of the Republic of Lithuania prior to 15 June 1940 or resided in the period from 9 January 1919 to 15 June 1940 in the present-day territory of the Republic of Lithuania or documents or their copies certifying Lithuanian descent or kinship relationship with the person who held Lithuanian citizenship prior to 15 June 1940 or was habitually resident in the present-day territory of the Republic of Lithuania from 9 January 1919 to 15 June 1940; copy of the document certifying the identity of the person or its copy; a document evidencing that the person has lost the held citizenship of another state.

8. The application for the granting of citizenship of the Republic of Lithuania by way of exception shall be accompanied by the following documents: a copy of the identity card; recommendations of the state politicians of the Republic of Lithuania, of the citizens of the Republic of Lithuania merited to the state of Lithuania indicating the person's activity of special significance to the Republic of Lithuania as well as other documents certifying the person's activities of special importance for the Republic of Lithuania and his integration into the Lithuanian society.

9. The application for the restoration of citizenship of the Republic of Lithuania under paragraph 3 of Article 20 of this Law shall be accompanied by the following documents: a copy of the document certifying the person's identity; a copy of the person's birth certificate; a document evidencing the person's place of residence or its copy; the person's written statement certified by the notary in which the person

indicates that he chooses citizenship of the Republic of Lithuania. Such statement of the person shall be transmitted to an appropriate institution of a foreign state.

10. The issues of citizenship of the Republic of Lithuania shall be considered only upon a written application of the person himself. Application of persons who are under 18 years of age, requesting granting or acquiring citizenship of the Republic of Lithuania, renouncing citizenship of the Republic of Lithuania or restoring it shall be submitted by their representatives.

11. The decision to recognise the person to have lost citizenship of the Republic of Lithuania under subparagraph 5 of paragraph 1 of Article 18 and decision to recognise the Act of granting of citizenship of the Republic of Lithuania invalid according to paragraphs 1 and 2 of Article 21 shall be taken by the Vilnius regional administrative court. The right to apply to the court on the issues indicated in this paragraph shall be vested in the President of the Republic, the Minister of the Interior or the institution authorised by him, as well as the Minister of Foreign Affairs of the Republic of Lithuania or the institution authorised by him. The court, having adopted the decision to recognise the person as having lost citizenship of the Republic of Lithuania or to recognise the Act on the granting of citizenship of the Republic of Lithuania as invalid shall publish the information in the supplement “Informaciniai pranešimai” to the official gazette “Valstybės žinios”.

12. The applications for the granting or restoration of citizenship of the Republic of Lithuania according to paragraph 1 of Article 20 of this law as well as the applications for granting of citizenship of the Republic of Lithuania by way of exception shall be submitted to the President of the Republic. The persons shall submit the applications to grant or restore citizenship of the Republic of Lithuania via the migration service while the application to grant citizenship of the Republic of Lithuania by way exception - to the President of the Republic directly.

13. The applications for the renunciation of citizenship of the Republic of Lithuania or for its restoration according to paragraphs 2 and 3 of Article 20 of this law shall be submitted to the Minister of the Interior or the institution authorised by him. The persons who are resident in the Republic of Lithuania shall submit the said applications via the migration service while the persons who are habitually resident abroad shall submit the said applications via the consular post or the institution authorised by the Minister of the Interior.



14. In the cases when foreign state legislation does not provide for the procedure of renunciation or loss of citizenship upon acquisition of other state citizenship, the person shall submit a written statement certified by a notary in which he states that he refuses the held foreign state citizenship since he acquires citizenship of the Republic of Lithuania. The person's statement shall be transmitted to the appropriate foreign state institution by the state institution which adopts a decision on citizenship of the Republic of Lithuania.

15. The President of the Republic, the Minister of the Interior or the Institution authorised by him or the Minister of Foreign Affairs or the Institution authorised by him shall be entitled to obtain from the state or municipal institutions or agencies of the Republic of Lithuania information required for making the decisions specified in this law.

### **Article 23. Citizenship Commission**

1. For preliminary consideration of issues of citizenship of the Republic of Lithuania the President of the Republic shall form the Citizenship Commission (hereinafter - the Commission) and approve the rules for the consideration of Issues of Citizenship in the Commission.

2. The Commission shall have the right to invite to its meetings the person the issue of whose citizenship is being decided, to instruct state institutions to give their opinion within the time period prescribed by the Commission and to present all the necessary documents relating to the application or submission under consideration in the Commission. In order to obtain the information about the circumstances specified in Article 13 of this Law, the Commission shall according to its competence address the State Security Department of the Republic of Lithuania, the Ministry of the Interior of the Republic of Lithuania, if the circumstances were not examined by the institution which prepared documents on the granting or restoring of the citizenship under paragraph 1 of Article 20 of this law. If the Commission so decides, the Lithuanian Residents Genocide and Resistance Research Centre may be addressed for obtaining information about the circumstances specified in Article 13 of this Law.

3. Meetings of the Commission shall be valid if attended by not less than two-thirds of the members. Decisions of the Commission shall be adopted by a simple majority vote of all the Commission members and recorded in the minutes. The minutes shall be signed by all the Commission members participating in the meeting.

4. The Commission shall consider applications for the granting or restoring of citizenship of the Republic of Lithuania and submit proposals to the President of the Republic to grant the applications. If the applicant is not granted or restored citizenship, he shall be notified thereof in writing indicating the motives for refusal.

5. The Commission shall consider the applications for the granting of citizenship of the Republic of Lithuania under Article 16 of this Law and submit proposals to the President of the Republic to grant the applications.

#### **Article 24. Adoption and Implementation of Decisions on Citizenship of the Republic of Lithuania**

1. The citizenship of the Republic of Lithuania shall be granted, restored under paragraph 1 of Article 20 of this Law by the President of the Republic and shall issue decrees thereon. The decree of the President of the Republic on the restoration of citizenship of the Republic of Lithuania under paragraph 1 of Article 20 of this Law shall be issued after the person submits a document certifying that he has lost citizenship of another state held or a document certifying that he is a stateless person. The decrees of the President of the Republic on the granting of citizenship of the Republic of Lithuania, its restoration shall be also signed by the Minister of the Interior.

2. If it is established that the person has acquired citizenship of another state, except for persons specified in paragraph 2 of Article 18 of this Law, or that a citizen of the Republic of Lithuania is serving in the military service of another state or is employed in the state service of a non-EU member state having no authorisation of the Government of the Republic of Lithuania, the Minister of the Interior or the institution authorised by him shall adopt a decision on the loss of citizenship of the Republic of Lithuania under subparagraphs 2 or 4 of paragraph 1 of Article 18 of this law.

3. The decisions on the renunciation, restoration of citizenship of the Republic of Lithuania under subparagraphs 2 and 3 of Article 20 of this Law shall be adopted by the Minister of the Interior or the institution authorised by him. Decisions on the restoration of citizenship of the Republic of Lithuania under paragraph 2 of Article 20 of this law may be adopted only after the person submits a document certifying that the person has lost the held citizenship of another state or a document certifying that he is a stateless person.

4. The decisions on citizenship of the Republic of Lithuania under subparagraphs 1, 2 or 3 of Article 1 of this Law of persons habitually resident in the Republic of Lithuania as well as the decisions on the implementation of the right to citizenship of the Republic of Lithuania under paragraph 3 of Article 17 of this Law shall be adopted by the Minister of the Interior or the institution authorised by him or the migration service and on the retention under subparagraph 1 or 3 of paragraph 1 of Article 1 of this Law of the right to citizenship of the Republic of Lithuania by persons habitually resident abroad as well as the retention of the right to citizenship under paragraph 1 of Article 17 of this Law and on the implementation by these persons of the right to citizenship of the Republic of Lithuania under paragraphs 3 and 4 of Article 17 of this Law - by the Minister of the Interior or the institution authorised by him.

5. The decision on recognising the acquiring of citizenship of the Republic of Lithuania invalid under paragraph 5 of Article 21 of this Law or the decision not to apply the provision of paragraph 5 of Article 21 of this Law shall be adopted by the Minister of the Interior or the institution authorised by him, when the issue is considered by the Commission formed by the Government of the Republic of Lithuania for considering the issues of citizenship of the Republic of Lithuania.

#### **Article 25. Adoption of Decisions on Citizenship of Children**

Decisions on citizenship of the Republic of Lithuania of children habitually resident in the Republic of Lithuania shall be adopted under Articles 8-11 of this Law by the migration service and on the children habitually resident abroad – by the institution authorised by the Minister of the Interior.

#### **Article 26. Publishing of Acts on the Issues of Citizenship of the Republic of Lithuania**

The orders of the Minister of the Interior or the head of the institution authorised by him on the renunciation of citizenship of the Republic of Lithuania, restoration of citizenship of the Republic of Lithuania under paragraphs 2 and 3 of Article 20 of this law, loss of citizenship of the Republic of Lithuania under subparagraphs 2 and 4 of paragraph 1 of Article 18 of this Law shall be published in the supplement “Informaciniai pranešimai” to the official gazette “Valstybės žinios”.

**Article 27. Reconsideration of Applications and Submissions on the Issues of Citizenship of the Republic of Lithuania**

1. The persons' applications for the granting of citizenship of the Republic of Lithuania or restoration thereof under paragraph 1 of Article 20 of this Law shall be adopted not sooner than one year after the adoption of the former decision.

2. Persons who have not sworn allegiance to the Republic of Lithuania within the time period set in paragraph 1 of Article 15 of this Law shall resubmit the application and documents on the granting of citizenship of the Republic of Lithuania, according to the procedure set in this Law.

**Article 28. Preparation of Documents of Citizenship of the Republic of Lithuania**

1. The documents of citizenship of persons habitually resident in the Republic of Lithuania shall be prepared by the migration service while those of persons habitually resident abroad - by the Minister of Foreign Affairs in conjunction with the Minister of the Interior or the institutions authorised by them. The documents of citizenship of children habitually resident in the Republic of Lithuania shall be prepared by the migration service and those of children habitually resident abroad - by the Minister of Foreign Affairs in conjunction with the Minister of the Interior or the institution authorised by them.

2. In the cases specified by this Law and in other cases when there are not sufficient documents for resolving the issue of citizenship of the Republic of Lithuania, the issue may be considered by the Commission set up by the Government of the Republic of Lithuania for Considering the Issues of Citizenship of the Republic of Lithuania. The Commission shall submit the finding as guidance document.

3. The rules for the preparation of documents of citizenship of the Republic of Lithuania, the composition of the Commission for Considering the Issues of Citizenship of the Republic of Lithuania and the provisions of the Commission shall be approved by the Government of the Republic of Lithuania.

**SECTION 5**

**FINAL PROVISIONS**

**Article 29. Application of International Treaties on Citizenship Issues**

If the effective international treaty ratified by the Republic of Lithuania establishes rules other than those set by laws and other legal acts of the Republic of Lithuania in force at the time of conclusion of this treaty or which came into force after the coming into force of this treaty, the provisions of the international treaty to which the Republic of Lithuania is a party shall apply.”

## **Article 2. Final Provisions**

Upon the entry into force of this Law the following legal acts shall be repealed:

1) Law of the Republic of Lithuania on the Implementation of the Republic of Lithuania Law on Citizenship (2002 September 17 No IX-1079);

2) Law of the Republic of Lithuania on Amending the Law on Implementing the Law on Citizenship of the Republic of Lithuania, the Law on Implementing the Law on State Social Insurance Pensions, Social Pensions, Provisional Law o Pensions of Scientists, Law on Amending and Supplementing the Law on State Pensions; (2003 January 21 No IX-1298);

3. Law on Amending Articles 2, 3, 4 of the Law on Implementing the Law of the Republic of Lithuania on Citizenship (2004 November 11 No 2558)

4. Law on Amending Article 5 of the Law of the Republic of Lithuania on Implementing the Law of the Republic of Lithuania on Citizenship (2006 April 6 X-547).

## **Article 3. Validity of the Law**

The Law shall be valid until 1 January 2010.

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

PRESIDENT OF THE REPUBLIC

VALDAS ADAMKUS