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**Lithuania
and
Holy See**

Agreement between the Republic of Lithuania and the Holy See concerning juridical aspects of the relations between the Catholic Church and the State. Vilnius, 5 May 2000

Entry into force: *16 September 2000, in accordance with article 19*

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**Lituanie
et
Saint-Siège**

Accord entre la République de Lituanie et le Saint-Siège concernant les aspects juridiques de la relation qui existe entre l'Église catholique et l'État de Lituanie. Vilnius, 5 mai 2000

Entrée en vigueur : *16 septembre 2000, conformément à l'article 19*

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AGREEMENT

*between the Republic of Lithuania and the Holy See concerning juridical aspects
of the relations between the Catholic Church and the State*

The Republic of Lithuania and the Holy See,

with the aim of establishing a juridical framework for the relations between the Catholic Church and the Republic of Lithuania;

the Republic of Lithuania, acting on the basis of the provisions of the Constitution of the Republic of Lithuania and the Holy See, acting on the basis of the documents of the Second Vatican Council and the norms of Canon Law;

having regard to a special role of the Catholic Church, especially in strengthening the moral values of the Lithuanian nation, as well as its historical and current contribution to the social, cultural and educational spheres;

acknowledging that the majority of the citizens of the Republic of Lithuania profess the Catholic Religion;

adhering to the principle of religious freedom, enshrined in international juridical instruments;

have agreed on the following:

Article 1

1. The Republic of Lithuania and the Holy See agree that the Catholic Church and the State shall be independent and autonomous each within their field and, adhering to the said principle shall co-operate closely for the spiritual and material welfare of every individual and of society.

2. The competent authorities of the Republic of Lithuania and the competent authorities of the Catholic Church shall co-operate in ways acceptable to both Parties on educational, cultural, family and social issues and, in particular, in the field of protecting public morals and human dignity.

Article 2

1. The Republic of Lithuania shall recognise the status of juridical person for the Catholic Church.
2. All institutions of the Catholic Church in the Republic of Lithuania, which enjoy the status of public or private juridical persons in accordance with Canon Law, shall have the rights of a juridical person in civil law according to the legal acts of the Republic of Lithuania.
3. In accordance with the norms of Canon Law the competent authority of the Catholic Church may establish, change, suppress and recognise ecclesiastical juridical persons. The competent authority of the State shall be informed of such decisions so that the effects related thereto be registered pursuant to the requirements of the national law.

Article 3

The Republic of Lithuania shall guarantee the Catholic Church, its juridical and natural persons freedom to maintain contacts and to communicate without restrictions with the Holy See and other ecclesiastical institutions recognised by Canon Law both within Lithuania and abroad.

Article 4

The Republic of Lithuania shall recognise the freedom of the Catholic Church to carry out its pastoral, apostolic and charitable mission. The Catholic Church shall pursue its social, educational and cultural activities in accordance with Canon Law and the procedure prescribed by the laws of the Republic of Lithuania. The Republic of Lithuania shall also recognise freedom of the Catholic Church and its communities to perform publicly religious rites, develop its structure, educate and offer pastoral assistance to the faithful, as well as acknowledge the total competence of the Catholic Church in its sphere.

Article 5

1. The competent authority of the Catholic Church shall have the exclusive right to regulate freely ecclesiastical life, to establish and suppress ecclesiastical provinces, archdioceses, dioceses, apostolic administrations, territorial prelatures, territorial abbasies, personal prelatures, parishes, religious houses and other ecclesiastical juridical persons.
2. The outer borders of ecclesiastical circumscriptions in Lithuania shall be the same as the State borders of the Republic of Lithuania.

Article 6

1. The competent authority of the Catholic Church shall have the right to appoint freely persons to ecclesiastical offices in accordance with the norms of Canon Law.

2. The appointment, transfer and removal from office of bishops and those canonically equivalent to them shall be within the exclusive competence of the Holy See.
3. Before making public the appointment of a diocesan bishop, the Holy See shall, by courtesy only, confidentially inform the President of the Republic of Lithuania.
4. Only citizens of the Republic of Lithuania may be appointed bishops in Lithuania.

Article 7

1. The Republic of Lithuania shall guarantee the freedom to profess and practise publicly the Catholic religion.
2. The Republic of Lithuania shall guarantee respect for the sacred character of churches and chapels, as well as buildings, territories and religious places of worship directly related thereto, and shall defend them at the request of the competent authority of the Catholic Church.
3. The places referred to in paragraph 2 of this Article may be temporarily used for other purposes only for important reasons, provided that the explicit consent of the competent ecclesiastical authority has been given and the sacred character of these places is respected.
4. At the request of the competent ecclesiastical authority, the competent authorities of the Republic of Lithuania and the representatives thereof may take safety measures in places referred to in paragraph 2 of this Article, if such action is necessary to protect human life or health, as well as to save property of artistic or historical value.
5. In extraordinary cases the competent authority of the Republic of Lithuania may take safety measures in places referred to in paragraph 2 of this Article without the prior notification of the competent ecclesiastical authority, provided that such action is necessary to guarantee public order and the safety of individuals, or to preserve cultural treasures; it shall later notify the ecclesiastical authority thereof.
6. If public religious rites, such as processions, pilgrimages, etc., are performed in places which are not listed in paragraph 2 of this Article, the competent ecclesiastical authority shall notify the competent State authority thereof, so that public order and safety may be guaranteed, in accordance with the legal acts of the Republic of Lithuania.

Article 8

1. The Republic of Lithuania shall guarantee the inviolability of the secrecy inherent in sacramental confession, even when a priest is called to give witness or intervene in judicial proceedings.
2. Upon the instigation of criminal procedures against a member of the clergy, the relevant legal institutions, in consideration of their pastoral responsibility for the faithful, shall inform the competent ecclesiastical authority thereof, provided it does not negatively affect the investigation process.

Article 9

1. Public holidays include all Sundays and the feast-days listed below:
 - (a) January 1 – Solemnity of the Virgin Mary, Mother of God, The New Year;
 - (b) The 2nd day of Easter;
 - (c) August 15 – Assumption of the Virgin Mary, Žolinė;
 - (d) November 1 – Solemnity of All Saints;
 - (e) December 25 – The Birth of the Lord, Christmas;
 - (f) December 26 – The 2nd day of Christmas.
2. The Parties to the present Agreement may modify this list of public holidays by mutual agreement.

Article 10

1. Ecclesiastical juridical persons shall have the right to acquire, administer, use and dispose of movable and immovable property in accordance with Canon Law and the legal acts of the Republic of Lithuania.
2. The juridical persons listed in Article 2 of the present Agreement, as well as churches, chapels and other sacred buildings, parish houses, curial buildings, seminaries, religious houses and other property belonging to the said juridical persons and used for pastoral, charitable, social, educational and cultural purposes, shall be exempt from national taxation.
3. The State shall exempt from taxation free-will offerings for the Catholic Church and offerings for pastoral, educational and charitable activities.
4. Property and income intended for purposes other than those listed in paragraphs 2 and 3 of this Article above shall be taxed in accordance with the procedure prescribed by the legal acts of the Republic of Lithuania.

Article 11

1. The Catholic Church shall have the right to build churches and other buildings for ecclesiastical purposes, as well as to extend and restore those already in existence pursuant to the procedure prescribed by the legal acts of the Republic of Lithuania.
2. Only the local Ordinary shall decide on the necessity of such constructions. The location for such buildings shall be chosen, and construction works shall be carried out in accordance with the procedure prescribed by the legal acts of the Republic of Lithuania.