

DECLARATION CONCERNING THE PROTECTION OF MINORITIES IN LITHUANIA (SIGNED AT GENEVA, MAY 12, 1922)

Whereas the Assembly of the League of Nations adopted the following resolution on December 15th, 1920:

„In the event of Albania, the Baltic and Caucasian States being admitted to the League, the Assembly requests that they should take the necessary measures to enforce the principles of the Minorities Treaties, and that they should arrange with the Council the details required to carry this object into effect”;

Whereas the Lithuanian Representative, before the admission on September 2nd, 1921, of Lithuania to the League of Nations, signed a declaration on September 14th, 1921, in accordance with which the Lithuanian Government accepts the recommendation of December 15th, 1920, and states its readiness to approach the Council for the purpose of defining the extent and the details of the application of its international obligations regarding the protection of minorities;

And whereas Lithuania desires, of her own free will, to grant secure guarantees of freedom and justice to all the inhabitants in her territory irrespective of race, language and religion;

The Representative of the Lithuanian Government makes the following declaration before the Council of the League of Nations:

DECLARATION.

Article 1.

The stipulations of this Declaration are recognised as fundamental laws of Lithuania and no law, regulation or official action shall conflict or interfere with these stipulations, nor shall any law, regulation or official action now or in the future prevail over them.

Article 2.

Full and complete protection of life and liberty will be assured to all inhabitants of Lithuania, without distinction of birth, nationality, language, race or religion.

All inhabitants of Lithuania will be entitled to the free exercise, whether public or private, of any creed, religion or belief whose practices are not inconsistent with public order or public morals.

Article 3.

The Lithuanian Government shall advise the Council of the League of Nations of all constitutional or legislative stipulations regarding the conditions necessary to the acquisition of the status of Lithuanian nationals.

All persons born within the territory of the Lithuanian State, subsequent to the date of the present Declaration, who cannot claim another nationality by birth, shall be recognised as Lithuanian nationals.

Article 4.

All Lithuanian nationals shall be equal before the law, and shall enjoy the same civil and political rights without distinction as to race, language or religion.

Differences of religion, creed or confession will not prejudice any Lithuanian national in matters relating to the enjoyment of civil or political rights, as, for instance, admission to public employment, functions and honours, or the exercise of professions and industries.

No restriction will be imposed on the free use by any Lithuanian national of any language in private intercourse, in commerce, in religion, in the press or in publications of any kind, or at public meetings.

Notwithstanding any establishment of an official language, adequate facilities will be given to Lithuanian nationals of non-Lithuanian speech for the use of their language, either orally or in writing before the Courts.

Article 5.

Lithuanian nationals who belong to racial, religious or linguistic minorities will enjoy the same treatment and security in law and in fact as other Lithuanian nationals. In particular, they shall have an equal right to maintain, manage and control at their own expense, or to establish in the future, charitable, religious and social institutions, schools and other educational establishments, with the right to use their own language and to exercise their religion freely therein.

Article 6.

Provision will be made in the public educational system in towns and districts in which are resident a considerable proportion of Lithuanian nationals whose mother-tongue is not the Lithuanian language for adequate facilities for ensuring that in the primary schools instruction shall be given to the children of such nationals through the medium of their own language; it being understood that this provision does not prevent the teaching of the Lithuanian language being made obligatory in the said schools.

In towns and districts where there is a considerable proportion of Lithuanian nationals belonging to racial, religious or linguistic minorities, these minorities will be assured an equitable share in the enjoyment and application of sums which may be provided out of public funds under the State, municipal or other budgets for educational, religious or charitable purposes.

Article 7.

Educational committees appointed locally by the Jewish communities of Lithuania will, subject to the general control of the State, provide for the distribution of the proportional share of public funds allocated to Jewish schools in accordance with Article 6, and for the organisation and management of these schools.

The provisions of Article 6 concerning the use of languages in schools shall apply to these schools.

Article 8.

Jews shall not be compelled to perform any act which constitutes a violation of their Sabbath, nor shall they be placed under any disability by reason of their refusal to attend courts of law or to perform any legal business on their Sabbath. This provision, however,

shall not exempt Jews from such obligations as shall be imposed upon all other Lithuanian citizens for the necessary purposes of military service, national defence or the preservation of public order.

Lithuania declares her intention to refrain from ordering or permitting elections, whether general or local, to be held on a Saturday, nor will registration for electoral or other purposes be compelled to be performed on a Saturday.

Article 9.

The stipulations in the foregoing articles of this Declaration, so far as they affect the persons belonging to racial, religious or linguistic minorities, are declared to constitute obligations of international concern, and will be placed under the guarantee of the League of Nations. No modification will be made in them without the assent of a majority of the Council of the League of Nations.

Any Member of the Council of the League of Nations shall have the right to bring to the attention of the Council any infraction or danger of infraction of any of these stipulations, and the Council may thereupon take such action and give such direction as it may deem proper and effective in the circumstances.

Any difference of opinion as to questions of law or fact arising out of these articles between the Lithuanian Government and any Power a Member of the Council of the League of Nations, shall be held to be a dispute of an international character under Article 14 of the Covenant of the League of Nations. Any such dispute shall, if the other party thereto demands, be referred to the Permanent Court of International Justice. The decision of the Permanent Court shall be final and shall have the same force and effect as an award under Article 13 of the Covenant.

GENEVA, May 12, 1922.

(Signed) V. SIDZIKAUSKAS.

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