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Impeachment Proceedings in Lithuania: Model, Problems of Implementation, and Possibilities of Improvement

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Lithuania has the highest number of impeachments in Europe. The Lithuanian Constitutional Court has adopted seven conclusions in impeachment cases and has been also involved in other impeachment proceedings. This extensive case law has enabled this court to develop a comprehensive constitutional doctrine on different impeachment issues. Nevertheless, the recent conclusions of the Constitutional Court in impeachment cases and the problems of their implementation raise questions regarding the optimality of the legal regulation of impeachment proceedings. This research has been aimed to discuss the need, preconditions, and possibilities for modifying the constitutionally consolidated and other legal regulation of impeachment proceedings in Lithuania. To achieve this aim, the following tasks are undertaken and dealt with: 1) to discuss the legal regulation of the impeachment process in Lithuania and the doctrine of the Constitutional Court on this issue; 2) to analyse the practice and problems of implementing the mechanism of impeachment in Lithuania; 3) to make proposals for improving the legal regulation of impeachment in Lithuania. These issues are, *inter alia*, examined in the context of legal regulation of impeachment procedure in other European states, to compare impeachment procedure in Lithuania and other states of this region in the area under discussion.

Keywords: constitutional court, impeachment, parliament, constitutional liability.

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Introduction

The power of parliament to remove the highest public officials from office when parliament accuses them of certain offenses and removes them from office dates back to 14th century England. It originated in the British Parliament in 1376 to combat perceived monarchical absolutism. It was borrowed by the British colonists and included in the United States Constitution of 1787 to remove officials who “commit, among other offenses, high crimes and misdemeanours”.¹ The procedure for removing top public officials from office has various names in different countries and is often called impeachment. The institution of impeachment has since spread all over the world along with the written constitutions. Later, parliaments in these countries began to exercise this power. The impeachment model, which started with the parliament itself making the accusations and making the decisions, has gradually been replaced by a model in which the highest judicial authorities are increasingly involved in impeachment proceedings.² They either issue opinions on the actions of the accused or, after examining the charges brought by the parliaments, take final decisions on the removal of the person from office. In this way, the impeachment process has become more regulated by law and has introduced many elements of a judicial process.

The Lithuanian impeachment model is in line with these trends. The Lithuanian Constitution³ (hereinafter – the Constitution) establishes an impeachment model in which the impeachment process involves two state institutions: the *Seimas* (the Parliament) and the Constitutional Court. The Constitution provides for the respective functions and powers of each of these institutions: the Constitutional Court decides (gives its conclusion) whether the specific actions of the public official or the Member of *Seimas* against whom impeachment proceedings have been initiated are contrary to the Constitution and whether these actions have grossly violated the Constitution, and the *Seimas*, through the impeachment process, decides whether to remove the person from office. The Constitution does not provide for any other public authorities or their officials to participate in the impeachment process.

Academic literature emphasizes: “on the one hand, impeachment represents a crucial mechanism of accountability for chief executives and a primary mechanism for removal. On the other hand, impeachment can be prone to abuse. Although it is used only sparingly in some countries, in other countries, impeachment talk is a regular feature of political discourse, and its deployment is routine”.⁴ Lithuania has the highest number of impeachments in Europe. At the time of writing this paper, the Constitutional Court has adopted seven conclusions in impeachment cases and

¹ Monaghan, C., Flinders, M., Huq, A. Z. (eds.). Impeachment in a Global Context: Law, Politics, and Comparative Practice (1st ed.). Routledge, 2024, foreword.
² Birmontienė, T. (et al.) Lietuvos konstitucinė teisė [Lithuanian constitutional law]. Vilnius: Mykolas Romeris universitetas, 2022, p. 482.
³ Constitution of the Republic of Lithuania (25.10.1992). Available: <https://e-seimas.lrs.lt/portal/legalActPrint/lt?jfwid=rivwzvpvg&documentId=TAIS.211295&category=TAD> [last viewed 25.01.2025].
⁴ Monaghan, C., Flinders, M., Huq, A. Z. (eds.). Impeachment in a Global Context, foreword.

refused to issue one conclusion on the constitutionality of the actions of a Member of *Seimas*.⁵ In other impeachment proceedings initiated in Lithuania, the Constitutional Court did not deliver its conclusions but was in its own way involved by adopting rulings on the constitutionality of the relevant resolutions of the *Seimas* or decrees of the President of the Republic. This extensive case law has enabled the Lithuanian Constitutional Court to develop a comprehensive constitutional doctrine on all impeachment issues, from the most serious human rights violations to the protection of state secrets, as well as on the impeachment process itself. Meanwhile, the recent conclusions of the Constitutional Court in impeachment cases and the problems of their implementation together with the ensuing public response create the need to more thoroughly examine the question of modifying the impeachment model consolidated in the Constitution and other legal acts.

However, apart from certain rarely occurring exceptions, there is little discussion in the Lithuanian legal community, political circles and society in general about the optimality of the Lithuanian impeachment model, created more than thirty years ago, in particular as to whether it meets the expectations of today's Lithuanian society and legal community, the capabilities of the legal system and constitutional justice tendencies in other European states. Although some academic works have addressed issues relevant to the context of this article, the respective studies were carried out a long time ago, when the practice of impeachment in Lithuania was not yet so extensive.⁶ There were also works that addressed only certain aspects of the legal regulation of impeachment, without proposing corrections to this regulation.⁷ Thus, the analysis of the impeachment process, however, has remained fragmented and there is still a lack of a coherent and comprehensive study of impeachment, especially in terms of assessing the Lithuanian model from a comparative point of view, looking at the experience of other countries, and in terms of consistently examining the practice of implementation of this institute.

Therefore, this research aims to discuss the need, preconditions, and possibilities for modifying the constitutionally consolidated and other legal regulation on impeachment proceedings in Lithuania. To achieve this aim, the following tasks are undertaken and dealt with: 1) to discuss the legal regulation of the impeachment proceedings in Lithuania and the doctrine of the Constitutional Court on this issue; 2) to analyse the practice and problems of implementing the mechanism of impeachment in Lithuania; 3) to make proposals for improving the legal regulation of impeachment in Lithuania. The structure of the paper (3 parts) reflects an analysis of these three aspects. These issues are, *inter alia*, examined in the context of legal regulation of impeachment procedure in other European states, to compare

⁵ These cases are presented in greater detail in part 2 of this paper.

⁶ *Bacevičius, J.* Apkaltos institutas ir konstitucinė atsakomybė: probleminiai aspektai [The Institute of Impeachment and Constitutional Liability: problematic aspects]. *Jurisprudencija*, Vol. 111, No. 9, 2008, pp. 95–104; *Jarašiūnas, E.* Lietuvos Respublikos Konstitucinis Teismas ir aukštųjų valstybės pareigūnų apkalta: kelios aktualios problemos [The Constitutional Court of the Republic of Lithuania and the impeachment of high-ranking public officials: Some topical issues]. Vol. 80, No. 2, 2006, pp. 34–49.

⁷ *Vėcerškyte-Brosel, J.* Apkaltos konstitucinio reguliavimo kaita [Changes in the constitutional regulation of impeachment]. *Lietuvos teisė 2022: esminiai pokyčiai, 2022*, pp. 15–22; *Sinkevičius, V.* Ar galima pradėti apkaltą Seimo nariui už nusikaltimą, padarytą iki tampa Seimo nariu [Can a Member of the *Seimas* be impeached for a crime committed before becoming a Member of the *Seimas*?]. *Parliamentary Studies*, No. 20, 2016, pp. 21–40. *Neuman, G. L.* Impeachment, Disqualification, and Human Rights. *Columbia Human Rights Law Review*, Vol. 54, issue 2, 2023, pp. 627–678.

impeachment procedure in Lithuania and other states of this region in the area under discussion.

Lithuania's experience with impeachment cases also constitutes a compelling case study for the international legal community, offering both theoretical and practical insights into the design and operation of accountability mechanisms for high-ranking public officials. The Lithuanian model, which combines judicial review by the Constitutional Court with a final political decision by the *Seimas*, reflects a hybrid approach that differs significantly from both the purely parliamentary system of the United States and the judicially centred models of countries such as Germany, Austria, where constitutional courts are entrusted with the ultimate authority in impeachment cases. This dual-institutional arrangement has facilitated the development of an extensive constitutional doctrine, as the Lithuanian Constitutional Court has adjudicated more impeachment cases than any other European court, clarifying key concepts such as gross violations of the Constitution and breaches of the oath of office. At the same time, the Lithuanian experience underscores the challenges inherent in entrusting a political body with the final decision. Against this background, the Lithuanian case provides valuable comparative insights for jurisdictions seeking to reform their impeachment systems to ensure greater legal certainty, safeguard judicial independence, and preserve the integrity of democratic governance.

1. The impeachment model in Lithuania:

Legal regulation of the impeachment proceedings and the doctrine of the Constitutional Court

The possibility of removing a person from office and revoking the mandate of a Member of *Seimas* by impeachment procedure was for the first time established in the 1992 Lithuanian Constitution. None of the previous Lithuanian Constitutions provided for such a method of constitutional liability of the highest state officials.⁸ The five most important elements of the Lithuanian impeachment process are discussed in more detail below: Legal provisions regulating the impeachment process, institutions participating in impeachment proceedings, grounds for impeachment, officials who may be removed from their positions by impeachment proceedings, and legal consequences of impeachment.

1.1. Legal provisions regulating the impeachment process

The procedure for impeachment proceedings is regulated by Articles 63, 74, 86, 88, 89, 108 and 116 of the Constitution. The main article regulating the institute of impeachment is Article 74 of the Constitution, which stipulates that the President of the Republic, the President and judges of the Constitutional Court, the President and judges of the Supreme Court, the President and judges of the Court of Appeal, and the Members of *Seimas* who have committed a serious violation of the Constitution or have broken their oath, or who have been found to have committed a criminal offense, may, by a majority of three-fifths of the total number of Members of *Seimas*, be removed from office or have the mandate as a Member of *Seimas* annulled. This shall be done by the impeachment procedure laid down in the Statute of *Seimas*. By a law adopted in 2022, the *Seimas* amended Article 74 of the Constitution and added a new second paragraph, which provides: "A person who has been removed

⁸ Sinkevičius, V. Ar galima pradėti apkaltą, p. 3.

from his office or had his mandate as a Member of *Seimas* revoked by the *Seimas* for a serious breach of the Constitution or for breaking his oath of office by impeachment proceedings may take up an office specified in the Constitution, the commencement of which, under the Constitution, is conditional on the taking of an oath provided for in the Constitution, if at least ten years have elapsed from the date on which the decision of the *Seimas* by which the person has been removed from office or his mandate as a Member of *Seimas* revoked.”⁹

As regards the powers of the Constitutional Court in impeachment proceedings, the Constitution stipulates that the Constitutional Court shall give its conclusions as to whether specific actions of the Members of *Seimas* and public officials subject to impeachment proceedings are unconstitutional (Art. 105(3) of the Constitution). Only the *Seimas* may request a conclusion from the Constitutional Court on this issue (Art. 106(5) of the Constitution). The *Seimas* shall finally decide on the basis of conclusion of the Constitutional Court (Art. 107(3) of the Constitution).

According to the Constitution, the procedure for impeachment proceedings is laid down in the Statute of the *Seimas*¹⁰ (Art. 74 of the Constitution). This procedure is regulated in Part VIII “Impeachment proceedings” of the Statute of *Seimas*. Article 239 of the Statute of *Seimas* contains provisions relating to the power of the *Seimas* to refer to the Constitutional Court for a conclusion on whether specific actions of the person subject to impeachment proceedings are unconstitutional, Article 240 of the Statute of *Seimas* regulates the follow-up of the impeachment procedure after the Constitutional Court’s conclusion has entered into force, and Article 241(3) and 242 of the Statute of *Seimas* regulate other matters relating to the Constitutional Court’s conclusions in impeachment proceedings.

The constitutional institute of impeachment has changed quite significantly over the decades: the list of subjects who can initiate impeachment has evolved, the concept of impeachment has evolved to include a fundamental aspect of parliamentary proceedings and a constitutional amendment has been adopted to shorten the constitutional effects of impeachment.¹¹ The constitutional amendment adopted by the Parliament took a very long time to prepare, even though it was already clear from the judgment of the Grand Chamber of the European Court of Human Rights of 6 January 2011¹² that this amendment had to be adopted.

Nevertheless, the Constitutional Court has played an equally important role in the development of the concept of impeachment in Lithuania, as it has had numerous opportunities to clarify and further explain the very laconic provisions of the Constitution on impeachment due to the numerous impeachment cases that have taken place in Lithuania. The Constitutional Court has stated that the institute of impeachment is a method of public democratic control over the activities of the President of the Republic and other public officials referred to in Article 74 of the Constitution and their accountability to the public, including, *inter alia*, the possibility of removing them from office if they fail to comply with their obligation to be guided solely by the Constitution and the law, place their personal

⁹ Law amending Article 74 of the Constitution of the Republic of Lithuania (21.04.2022).

¹⁰ Statute of the *Seimas* of the Republic of Lithuania (17.02.1994). Available: <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/3f13e2b02fc611eb8c97e01ffe050e1c?jfwid=> [last viewed 25.01.2025].

¹¹ *Vecerskyte-Brosel, J.* Apkaltos konstitucinio, p. 19.

¹² Judgment of the European Court of Human Rights of 6 January 2011 in the case *Paksas v Lithuania*, petition No. 34932/04.

or group interests above the interests of the public, and discredit the authority of the State by their acts.¹³

1.2. Institutions participating in impeachment proceedings

It was also the Constitutional Court that stated that the Constitution establishes a legal regulation where the Constitutional Court decides whether a person's actions are contrary to the Constitution, and the *Seimas* decides whether to remove a person from office for actions contrary to the Constitution.¹⁴ In other words, the legal fact (a violation of the Constitution is always the subject of a legal assessment) is established by an institution of a legal nature – the Constitutional Court – and the constitutional liability for the established violation of the law is imposed by an institution of a political nature – the *Seimas*.¹⁵ Thus, the provision in Article 107(3) of the Constitution that “the *Seimas* shall, on the basis of the conclusions of the Constitutional Court, finally decide on the matters referred to in Article 105(3) of the Constitution” does not mean that the *Seimas* finally decides on whether a person's actions are contrary to the Constitution, but rather on whether to remove a person from office for actions which the Constitutional Court has found to be contrary to the Constitution. Since, according to Article 107(2) of the Constitution, “the decisions of the Constitutional Court on matters within its competence under the Constitution shall be final and not subject to appeal”, the *Seimas* does not have the power to decide whether the Constitutional Court's conclusion is reasonable and lawful, nor can the *Seimas* change, overrule or otherwise question the conclusion. The Constitutional Court has also emphasized that, under the Constitution, such a conclusion cannot be altered or overturned by referendum, election, or any other means.¹⁶

From a comparative perspective, impeachment is applied to a certain group of officials, usually those who are more protected because of their status (most often the President, judges, high-ranking members of the executive), it is only applied on the grounds laid down in the Constitution (high treason, violation of the constitution, violation of the oath, serious crime, etc.), and the penalty for impeachment is removal from office.¹⁷

1.3. Grounds for impeachment

Starting with the grounds for impeachment, Article 74 of the Constitution stipulates that impeachment is possible for a gross violation of the Constitution, for violation of the oath of office, and if it is established that a crime has been committed. This list of grounds on which the public officials referred to therein may be removed from office is exhaustive and may not be extended or narrowed by law. According to the Constitution, the persons referred to may be removed from office on at least one of the grounds provided for in Article 74 of the Constitution. The two grounds for impeachment, a gross violation of the Constitution and violation of the oath, are overlapping: a gross violation of the Constitution always implies a violation of the oath, while a violation of the oath constitutes a gross violation of the Constitution. The commission of a crime is an independent ground for impeachment. The Constitutional Court has clarified that impeachment proceedings may proceed

¹³ The ruling of the Constitutional Court of the Republic of Lithuania 25 May 2004. *Žin.*, 2004, No. 85-3094.

¹⁴ *Ibid.*

¹⁵ Jarašiūnas, E. Lietuvos Respublikos Konstitucinis, p. 41.

¹⁶ *Inter alia*, the ruling of Constitutional Court of the Republic of Lithuania, 25 May 2004.

¹⁷ Jarašiūnas, E. Lietuvos Respublikos Konstitucinis, p. 36.

on this ground even without a conclusion by the Constitutional Court, since the fact of the commission of a crime is established by other legal authorities.¹⁸ However, subsequent rulings of the Constitutional Court have stated that, once a conviction has become final against a person, the *Seimas* must ascertain whether the crime was committed in violation of the Constitution and the oath of office.¹⁹

Article 74 of the Constitution does not explicitly state when the acts for which the persons referred to in that Article may be impeached must be performed: whether only for acts performed while they were in office, or also for acts performed before they took office. The Constitutional Court, in its ruling of 24 February 2017,²⁰ has stated that a gross violation of the Constitution and a violation of the oath can only be committed by acts committed in the exercise of the functions referred to in Article 74 of the Constitution: before taking up the functions referred to in that Article, persons must swear to uphold the Constitution, which means that, unless they have taken the oath, they cannot break the oath and violate the Constitution. This is not the case when the grounds for impeachment arise from the discovery that a crime has been committed. Impeachment is not only possible for an offence committed during the performance of the duties referred to in Article 74 of the Constitution, but also for an offence committed before the person assumed the duties referred to in that Article, provided that the fact of the commission of the offence came to light during the performance of the duties.

Article 227 of the Statute of *Seimas* stipulated that the impeachment procedure is a parliamentary procedure applied by the *Seimas* to persons referred to in Article 74 of the Constitution for actions contrary to the Constitution committed by them in office. Thus, according to this provision of the Statute of *Seimas*, the commission of the offence must have taken place while the person concerned was in office and not before. The Constitutional Court, in its decision of 10 May 2016, refused to examine the *Seimas*' inquiry on the constitutionality of the actions of the Member of *Seimas* V. Gapšis. In this decision, the Constitutional Court stated that the application of the impeachment ground "after it has become apparent that a crime has been committed" does not entail the power of the *Seimas* to refer to the Constitutional Court an inquiry as to whether the specific actions of the Member of *Seimas* who is subject to impeachment are unconstitutional in those cases where such actions might not constitute a gross violation of the Constitution and a violation of the oath of office, because they were carried out prior to the oath of office. Accordingly, the Constitutional Court does not have the power to assess the constitutionality of such relevant acts which could not be in flagrant violation of the Constitution and the oath of office by virtue of their having been carried out prior to the taking of the oath of office of a Member of Parliament. The decision states that the Constitutional Court is not seized of the matter. However, the Constitutional Court's ruling of 24 February 2017 held that Article 227 of the Statute of *Seimas*, in so far as it allows impeachment to be applied only in the event of the discovery of an offence committed in the exercise of an office referred to in Article 74 of the Constitution, was unconstitutional. The ruling states that impeachment may also be granted for a crime committed before the person took up the office in question.

¹⁸ The ruling of the Constitutional Court of the Republic of Lithuania of 25 January 2001. Žin., 2001, No. 10-295.

¹⁹ *Inter alia*, the ruling of Constitutional Court of the Republic of Lithuania of 25 May 2004.

²⁰ The ruling of the Constitutional Court of the Republic of Lithuania of 24 February 2017. TAR, 2017-02-24, No. 03068.

If a person referred to in Article 74 of the Constitution has seriously violated the Constitution, broken his oath of office, or committed an offence in the performance of his duties referred to in Article 74 of the Constitution, the *Seimas*, having decided to initiate impeachment proceedings, must refer the matter to the Constitutional Court for a conclusion as to whether the specific actions of the person who is subject to impeachment proceedings are contrary to the Constitution. If the impeachment is based on “the discovery of a crime” and the crime was committed before the person took the oath of office, the *Seimas* is not entitled to request the Constitutional Court to give a conclusion on whether the crime constitutes a gross violation of the Constitution and a violation of the oath of office, since a crime committed before the oath of office cannot be a violation of the oath of office, and cannot also be a gross violation of the Constitution. In such a case, the Constitutional Court cannot give a conclusion that a crime committed before a person takes the oath of office does not constitute a gross violation of the Constitution or a violation of the oath.

It should be noted that the most frequent grounds for impeachment in European countries are violations of the Constitution (Germany,²¹ Austria,²² Slovakia,²³ Bulgaria²⁴) and of the law (Germany, Slovenia²⁵), while impeachment can also be based on high treason (Italy,²⁶ Slovakia,²⁷ Bulgaria, Czech Republic²⁸) or on the intention to violate the Constitution (Italy).²⁹ In this context, the Lithuanian Constitution sets out a rather broad list of grounds for impeachment. It should be noted that in the works of Lithuanian scholars, the opinion has been put forward that these grounds should be merged and narrowed down. It has been suggested that, taking into account the official constitutional doctrine and the practical experience in Lithuania, it would be appropriate to adjust the constitutional provisions by providing for two independent grounds for impeachment instead of three ((a) – a gross violation of the Constitution; (b) – the commission of a crime).³⁰

1.4. Officials who may be removed from their positions by impeachment proceedings

All Central and Eastern European (CEE) Constitutions contain procedures by which at least some elected or appointed public officials can be removed from office. Although all constitutions (with an exception of Estonia) include provisions to impeach the president, they differ more widely regarding whether other officials can also be subject to impeachment.³¹ Lithuania, Poland, Hungary allow for impeachment of members of parliament.³² In CEE, judges may only be impeached

²¹ Article 61 of Basic Law for the Federal Republic of Germany. Full references to national constitutions are provided in the bibliography.

²² Article 142 of the Austrian Constitution.

²³ Article 107 of the Slovak Constitution.

²⁴ Article 103 of the Constitution of the Republic of Bulgaria.

²⁵ Article 109 of the Constitution of the Republic of Slovenia

²⁶ Article 90 of the Constitution of the Italian Republic.

²⁷ Article 107 of the Slovak Constitution.

²⁸ Article 65 of the Constitution of the Czech Republic.

²⁹ For more on this, see: *Navickaitė, J.* Europos konstitucinių teismų kompetencijų lyginamoji analizė [Comparative analysis of the competences of European constitutional courts]. Vilnius: Lietuvos edukologijos universitetas, 2011, p. 62.

³⁰ *Bacevičius, J.* Apkaltos institutas, p. 102.

³¹ *Koker, P.* Impeachment in Central and Eastern Europe. In *Monaghan, C., Flinders, M., Huq, A. Z.* (eds.). *Impeachment in a Global Context: Law, Politics, and Comparative Practice* (1st ed.). Routledge, 2024, p. 242.

³² *Ibid.*, p. 242

in Latvia and Lithuania.³³ The German Federal Constitutional Court also deals with the constitutional liability of judges,³⁴ and the Austrian³⁵ and Slovenian³⁶ constitutional courts – with the liability of government members. Thus, Article 74 of the Lithuanian Constitution also sets out a rather extensive list of officials who may be removed from their positions by impeachment proceedings: the President of the Republic, the President and judges of the Constitutional Court, the President and judges of the Supreme Court, the President and judges of the Court of Appeal, the Members of *Seimas*.³⁷ From a comparative perspective wide range of officials to impeachment is enshrined in Poland, Estonia represents another major exception as the Constitution does not include any provisions on impeachment in a narrower sense.³⁸

1.5. Consequences of impeachment

The legal regulation of impeachment under the Lithuanian Constitution is quite exceptional in that the public officials referred to in Article 74 of the Constitution are subject to special sanctions. They are special not only in that the persons concerned are removed from office, but also in that persons removed from office by impeachment proceedings for a serious violation of the Constitution or for breaking their oath of office are forbidden for a certain period of time to hold such offices as provided for in the Constitution, the commencement of which is linked to the taking of an oath under the Constitution – they may be elected President of the Republic, a Member of *Seimas*, appointed Prime Minister, minister, judge, State Controller, where at least ten years have elapsed since the decision of *Seimas* by which he or she was expelled from the office or his or her mandate as a Member of *Seimas* was revoked.

Where the persons referred to in Article 74 of the Constitution have been removed from office by impeachment proceedings, not for violation of the Constitution, or for breaking their oath, but for the commitment of a crime which does not constitute a gross violation of the Constitution or the breaking of an oath, they shall not be subject to the above-mentioned ten-year ban on the holding of any office provided for in the Constitution, which is linked to the taking of an oath as provided for by the Constitution. As mentioned before this constitutional regulation entered into force only in 2022 and has a long history of interference between the jurisprudence of the ECtHR and that of the Constitutional Court.

In its ruling of 25 May 2004, the Lithuanian Constitutional Court formulated the official constitutional doctrine on the prohibition for a person removed from office through impeachment proceedings to hold office that requires taking an oath; however, the ECtHR found that the permanent and irreversible prohibition preventing a person who was removed from office through impeachment proceedings for a gross

³³ Koker, P. Impeachment in Central and Eastern Europe, p. 245.

³⁴ Article 98 of the Basic Law for the Federal Republic of Germany.

³⁵ Article 142 of the Austrian Constitution.

³⁶ Article 119 of the Constitution of the Republic of Slovenia

³⁷ However, it should be considered whether the list of officials who can be removed from office by impeachment, as set out in the Constitution, could be extended to include the President of the Supreme Administrative Court and the judges of that court. Since the administrative courts in Lithuania began to operate in 1999 and the Supreme Administrative Court of Lithuania began to operate in 2001, the drafters of the 1992 Constitution could not have foreseen the need to include the judges of the Supreme Administrative Court in the list of officials who may be removed from their positions by impeachment proceedings. Judges of this court are certainly not inferior to judges of the Court of Appeal in terms of their status, and their inclusion in the list in question would therefore be logical.

³⁸ Koker, P. Impeachment in Central and Eastern Europe, p. 242.

violation of the Constitution and a breach of the oath from standing for election to the Seimas is disproportionate and in violation of the right to stand for election to the legislative authority under Article 3 of Protocol No. 1 to the Convention. Thus, the judgment of the ECtHR in the case *Paksas v. Lithuania* revealed the incompatibility of the provisions of the Constitution and the Convention. In its ruling of 5 September 2012, the Constitutional Court pointed out that, the judgment of the ECtHR in itself may not serve as a constitutional basis for the reinterpretation (correction) of the official constitutional doctrine if such reinterpretation, in the absence of the respective amendments to the Constitution, changes the overall constitutional regulation in essence, violates the system of the values consolidated in the Constitution, and diminishes the guarantees for the protection of the supremacy of the Constitution in the legal system. The Constitutional Court held that the constitutional institutions of impeachment, the oath, and electoral rights are closely interrelated and integrated; the change of any element of these institutions would result in the change of the content of other related institutions and in the system of values entrenched through these constitutional institutions. The Constitutional Court ruled that it stems from the principle of the supremacy of the Constitution that the sole way to remove the said incompatibility between the provisions of the Constitution and the Convention is to adopt the necessary amendments to the Constitution.

It should be noted that the Statute of *Seimas* also provides for the possibility of avoiding these additional consequences of the impeachment process. Article 243(1) of the Statute of *Seimas* provides that a person subject to impeachment shall have the right to resign from his/her office or to renounce his/her mandate as a Member of *Seimas* at any point during the impeachment proceedings, but only before the opening of the vote in *Seimas*, by submitting a written declaration to that effect. Such a declaration shall be granted without delay (Art. 243 (2)). Thus, even after the Constitutional Court has found that a Member of *Seimas* or other public official has violated the Constitution or broken his or her oath of office, such an official can resign and avoid one of the consequences of impeachment – the 10-year “cooling-off period” – and take part in the next elections, which may be held quite soon, as was the case in the last impeachment process in Lithuania.³⁹

Thus, the Lithuanian impeachment model can be described by these main features: 1) two institutions are involved in the impeachment process in Lithuania: the Constitutional Court decides whether a person's actions contradict (or do not contradict) the Constitution and whether these actions have violated the Constitution grossly, and the *Seimas* decides whether to remove a person from office for actions that contradict the Constitution; 2) compared to other European countries, the list of grounds for impeachment in Lithuania is quite broad: impeachment is possible for a serious violation of the Constitution, for violation of the oath of office, or if it is found that a crime has been committed; 3) in a comparative context, Lithuania also has a fairly wide list of officials who can be removed from their positions by impeachment proceedings: the President of the Republic, the President and judges of the Constitutional Court, the President and judges of the Supreme Court, the President and judges of the Court of Appeal, and the Members of *Seimas*; 4) Lithuania also provides for special sanctions in the impeachment process: in addition to being removed from office, persons removed from office by impeachment proceedings for a gross violation of the Constitution or for breaking their oaths of office are forbidden

³⁹ For more on this, see part 2 of this paper.

for a certain period of time to hold any office provided for in the Constitution, which is linked to the taking of an oath as provided for by the Constitution.

2. Practice and problems of the impeachment process in Lithuania

As mentioned above, Lithuania leads Europe in the number of impeachments. Globally, Lithuania is probably only behind the USA, which has had 21 impeachment proceedings so far.⁴⁰ It is difficult to give a clear answer as to what has led to these trends in Lithuania. In the opinion of the former President of the Constitutional Court, such tendencies may be due both to the provisions of the Constitution, which do not provide any other grounds for the termination of the mandate of a Member of *Seimas*, and to the political culture, where Lithuanian politicians involved in scandals avoid resigning from office themselves.⁴¹ Though some scholars emphasize that, too much impeachment is not a sign of “democratic health”.⁴² Comparative research studies state that, there is no evidence to date that impeachment or attempted impeachment generates immediate destabilizing consequences, or is correlated in practices with reductions in democratic quality.⁴³

Although, as mentioned above, the list of officials in Lithuania who can be removed from office by impeachment is wider, including judges at the highest levels, all impeachments have been carried out only against representatives of political institutions. To achieve the aim of the article, it is appropriate to discuss the conclusions of the Constitutional Court in impeachment cases and their final implications in more detail.

The first Constitutional Court conclusion of this kind was adopted on 31 March 2004,⁴⁴ in the case of the impeachment of the President of the Republic. In this case, the Constitutional Court has concluded that the President, R. Paksas, has grossly violated the Constitution by these actions: 1) by illegally granting Y. Borisov citizenship of the Republic of Lithuania in return for the financial and other substantial support he provided; 2) by knowingly letting Y. Borisov know that he was under investigation by the law enforcement authorities and that his telephone conversations were being monitored; 3) by instructing his advisor to use his official position to seek to influence, through law enforcement authorities, the decisions of the managers and shareholders of UAB “Žemaitijos keliai” regarding the transfer of shares to persons close to R. Paksas, and by influencing the decisions of the managers and shareholders of UAB “Žemaitijos keliai” regarding the transfer of shares to persons close to R. Paksas. After this conclusion, the *Seimas* on 6 April 2004 revoked

⁴⁰ From the first impeachment of Senator William Blount in 1797, to the first impeachment of President Andrew Johnson in 1868, to two impeachments of Donald Trump in 2019 and 2021. Historically, in the US, impeachment has most often been applied to judges, and four times to presidents (twice to the same person during the same term, but no president has been removed from office). *Večerskytė-Brosel, J.* Apkaltos evoliucija: Jungtinių Amerikos Valstijų atvejo analizė [The evolution of impeachment: a case study of the United States of America]. Konstitucinė ir teisinė sistema. Liber Amicorum Vytautui Sinkevičiui. Vilnius: Mykolo Romerio universitetas, 2021, pp. 379–441.

⁴¹ *Beniušis, V.* Lietuva – apkaltų rekordininkė pasaulyje [Lithuania is the world's impeachment record holder]. Delfi.lt 13 March 2018. Available: <https://www.delfi.lt/news/daily/lithuania/lietuva-apkaltu-rekordininke-pasaulyje-77402651> [last viewed 25.01.2025].

⁴² *Monaghan, C., Flinders, M., Huq, A. Z.* (eds.). Impeachment in a Global Context, foreword.

⁴³ *Ginsburg, T., Huq, A., Landau, D.* The Uses and Abuses of Presidential Impeachment, Public Law and Legal Theory Working Paper Series, No. 731, 2020, p. 58.

⁴⁴ The conclusion of Constitutional Court of the Republic of Lithuania of 31 December 2004. *Žin.*, 2004, No. 49-1600.

the mandate of the President. This was not only the first impeachment in Lithuania, but also the first impeachment of a President of the Republic in Europe. It is also emphasized by foreign researchers that it was the only attempt to impeach a president that was primarily based on valid legal arguments rather than (purely) political motives.⁴⁵ There have been at least nine attempts to impeach presidents in other parts of CEE (Romania, Czech Republic, Bulgaria), nevertheless, these were largely driven by ideological opposition to the president and often proceeded on the constitutionally questionable arguments.⁴⁶

It is stated in the academic literature that, based on a broad range of comparative evidence, the presidential impeachment in practice is about far more than removing criminals or other bad actors; it often serves as an exit from the deep structural crises that systems of government sometimes undergo.⁴⁷ The impeachment of R. Paksas perfectly reflects these trends.⁴⁸

Thus, one of the conclusions found that the actions of the President of the Republic were unconstitutional, and these actions constituted a gross violation of the Constitution. The other six conclusions found that the actions of the Members of *Seimas* were unconstitutional and that these actions constituted a violation of the oath and a gross violation of the Constitution. The Constitutional Court also refused to issue one conclusion on the constitutionality of the actions of a Member of *Seimas*.⁴⁹ This number of impeachments of members of parliament is relatively high in a comparative context. The only comparable example is Slovenia, where a large number of impeachments of members of the government were initiated, but they were unsuccessful.⁵⁰

The Constitutional Court's first conclusion on the constitutionality of the actions of Members of *Seimas* was adopted on 27 October 2010.⁵¹ The Constitutional Court found that the actions of 2 Members of *Seimas* had grossly violated the Constitution and their oath of office: 1) the actions of A. Sacharukas (the use of certificate of the other Member of *Seimas* in plenary sittings of the *Seimas* and deliberately voting on his behalf 8 times) contravened the Constitution; 2) the actions of the L. Karalius (his departure on a trip abroad and his consequent absence without a justifiable reason from plenary sittings of the *Seimas*, which were held in the *Seimas* Committee on Health Affairs) violated the Constitution. However, after the Constitutional Court delivered the conclusion that the actions of these two members of *Seimas* were in conflict with the Constitution, the *Seimas* revoked – through impeachment proceedings – the mandate of only one of those two members of *Seimas*. After the *Seimas* voting, A. Sacharukas retained his mandate as a Member of *Seimas*.

After several years, in its conclusion of 3 June 2014,⁵² the Constitutional Court recognised that by absenting herself from 64 plenary sittings of the *Seimas* and 25 sittings of the Committee on Law and Order of the *Seimas* in 2013 without

⁴⁵ Koker, P. Impeachment in Central and Eastern Europe, p. 247.

⁴⁶ Ibid., p. 249.

⁴⁷ Ginsburg, T., Huq, A., Landau, D. The Uses and Abuses of Presidential Impeachment, p. 58.

⁴⁸ For more on this case and its further consequences, see: Neuman, G. L. Impeachment, Disqualification.

⁴⁹ The decision of the Constitutional Court of the Republic of Lithuania of 10 December 2016 m. gegužės 10 d. No. KT13-S6/2016.

⁵⁰ Koker, P. Impeachment in Central and Eastern Europe, p. 251.

⁵¹ The conclusion of the Constitutional Court of the Republic of Lithuania of 27 October 2010 m. Žin., 2010, No. 128-6545.

⁵² The conclusion of the Constitutional Court of the Republic of Lithuania of 3 June 2014. TAR, 2014-06-05, No. 7164.

a justifiable reason, N. Venckienė (a Member of *Seimas*) had discredited the authority of the *Seimas* as the representative of the nation, broken her oath of office, and grossly violated the Constitution. Subsequently, the *Seimas* revoked the mandate of this Member of *Seimas* through impeachment proceedings.

In its conclusion of 19 December 2017,⁵³ the Constitutional Court investigated and assessed the actions of the Member of *Seimas*, K. Pūkas, which were referred to in the conclusion of the *Seimas* Special Investigation Commission and which demeaned the dignity of the persons holding the position of the Assistant Secretary of *Seimas* and the persons applying for this position and interfered with their private life, and which discriminated against them. Having assessed the actions of K. Pūkas, the Court concluded that his actions could be considered as harassment based on sex and sexual harassment. The conclusion stated that K. Pūkas had committed a gross violation of the Constitution and had broken his oath of office by his actions. Following this conclusion, this Member of *Seimas* resigned from the *Seimas* himself.

In the same year, the Constitutional Court also examined the constitutionality of the actions of another Member of *Seimas*. By its conclusion of 22 December 2017,⁵⁴ the Constitutional Court found that *Seimas* Member M. Bastys had grossly violated the Constitution and breached his oath. In this conclusion, the Constitutional Court held that one of the actions of a Member of *Seimas* M. Bastys was in conflict with the Constitution insofar as, in providing answers to the questionnaire for persons who are candidates to obtain authorization to handle or access classified information, specifically in replying to the question “Do you know (did you know) any persons who are working (worked) in the intelligence or security services or related institutions of other states? If so, provide information in this regard”, M. Bastys concealed his relationships with a former KGB official; in this way, having violated the requirement of the Law on State Secrets and Official Secrets not to conceal information about relationships affecting the decision to grant authorization to handle or access classified information, and acting in bad faith, he sought to obtain authorization to handle or access classified information; upon obtaining this authorization, due to his relationships, he could pose a threat to the security of state secrets. However, the *Seimas* failed to reach the necessary number of votes to revoke the mandate of *Seimas* member M. Bastys.

This decision of the *Seimas* was followed, on March 2018, by an outdoor rally attended by nearly 5000 people. The protesters submitted to the *Seimas* a list of requirements, which contained the demand that “the legal acts in force be amended so that, after the Constitutional Court gives a conclusion that a Member of *Seimas* has grossly violated the Constitution or breached the oath of a Member of *Seimas*, it would no longer be necessary for the *Seimas* to adopt a separate resolution for removing the person concerned from office or revoking the mandate of a Member of the *Seimas*”.⁵⁵ The highest state officials expressed their agreement with this demand. For example, after the events referred to above, the then Prime Minister S. Skvernelis

⁵³ The conclusion of the Constitutional Court of the Republic of Lithuania of 19 December 2017. TAR, 2017-12-19, No. 20413.

⁵⁴ The conclusion of Constitutional Court of the Republic of Lithuania of 22 December 2017. TAR, 2018-01-02, No. 60.

⁵⁵ *Pūkenė, R.* Peticijos reikalavimai atmetami vienas po kito: Seimas nepritarė siūlymui atvirai balsuoti per apkaltą [Petition demands are rejected one by one: the *Seimas* rejects the proposal for an open impeachment vote]. Delfi.lt 20 March 2018. Available: <https://www.delfi.lt/news/daily/lithuania/peticijos-reikalavimai-atmetami-vienas-po-kito-seimas-nepritare-siulymui-atvirai-balsuoti-per-apkalta-77482651> [last viewed 25.01.2025].

announced his intent to register constitutional amendments providing that “a Member of *Seimas* could be removed from the Parliament through impeachment proceedings by a decision of the Constitutional Court, without a vote by the members of *Seimas*”. He claimed then that such a constitutional amendment would allow similar disgraceful situations to be avoided in the future.⁵⁶ Following these events, this Member of Parliament himself resigned.

On 5 December 2023,⁵⁷ in another impeachment case, the Constitutional Court stated that the action of the Member of *Seimas* P. Gražulis – deliberately voting for another Member of *Seimas* – was contrary to the Constitution. By this action, P. Gražulis has grossly violated the Constitution and broken his oath of office. Subsequently, the *Seimas* revoked the mandate of this Member of *Seimas*.

And so far, the last Constitutional Court conclusion in the impeachment cases was issued on 25 April 2024.⁵⁸ This case and its subsequent consequences have caused perhaps the most significant public and international resonance and outrage and raised new questions about improving the legal regulation of the impeachment model established in Lithuania. The Constitutional Court gave the conclusion recognising the actions of Member of *Seimas* R. Žemaitaitis – his statements published on the Facebook social network and in the mass media by which the information of contemptuous and ridiculing content and, thus, degrading human dignity had been deliberately, purposefully, and systematically disseminated thereby demonstrating hatred towards persons on the grounds of their nationality – to be in conflict with the Constitution. By these actions R. Žemaitaitis had breached the oath and grossly violated the Constitution. The Constitutional Court noted that descriptions and quotations degrading human dignity, as well as statements of an intolerant nature between persons belonging to different national communities, as well as statements that undermine the tragedy of the Holocaust demonstrated hatred against a group of people who were singled out based on nationality.

Following this Constitutional Court's conclusion, the Parliament had to vote on the revocation of R. Žemaitaitis mandate. If the *Seimas* had revoked his mandate, this Member of *Seimas* would not only have lost his mandate, but also would have been unable to hold any other position requiring an oath for 10 years after the revocation of the mandate (including the position of Member of *Seimas*). However, to avoid these consequences, R. Žemaitaitis submitted his resignation as a Member of *Seimas* before this voting.⁵⁹ He was thus able to take part in the *Seimas* elections in the autumn of the same year. R. Žemaitaitis founded a new political force, “Nemuno aušra”, which performed well in the *Seimas* elections and signed a coalition agreement with the Social Democratic Party of Lithuania and the Democratic Union “In the Name of Lithuania”. This coalition with the R. Žemaitaitis party caused a wave of resentment

⁵⁶ Po skandalingo sprendimo Skvernelis inicijuos Konstitucijos pataisas [Skvernelis to initiate amendments to the Constitution after scandalous decision]. Delfi.lt, 14 March 2018. Available: <https://www.delfi.lt/paieska> [last viewed 25.01.2025].

⁵⁷ The conclusion of the Constitutional Court of the Republic of Lithuania of 5 December 2023 No. KT100-11/2023.

⁵⁸ The conclusion of the Constitutional Court of the Republic of Lithuania of 25 April 2024, No. KT37-12/2024.

⁵⁹ R. Žemaitaitis atsiuntė VRK prašymą atsisakyti Seimo nario mandato [R. Žemaitaitis sends a request to resign as a Member of the *Seimas*]. 15min.lt, 29 April 2024. Available: https://www.15min.lt/naujiena/aktualu/lietuva/r-zemaitaitis-atsiunte-vrk-prasyma-atsisakyti-mandato-56-2232590?utm_medium=copied&utm_medium=copied [last viewed 25.01.2025].

in Lithuania, and was also criticised by Lithuania's foreign partners.⁶⁰ Two mass protests took place outside the *Seimas* against the participation of R. Žemaitaitis' party "Nemuno aušra", which is famous for its anti-Semitic statements, in the ruling coalition. People dissatisfied with the political turmoil also joined these protests in Kaunas and Tauragė stating: "We are gathering to show that there are people who believe that there must be red lines and criteria of decency in politics. One of them is zero tolerance of anti-Semitism."⁶¹

Thus, in all of these seven conclusions, the Constitutional Court ruled that the actions of the officials grossly violated the Constitution. In other impeachment proceedings initiated in Lithuania, the Constitutional Court did not deliver its conclusions but was in its own way involved by adopting rulings on the constitutionality of the relevant resolutions of the *Seimas* or decrees of the President of the Republic.⁶²

The examples discussed above show that the spectrum of actions declared unconstitutional by the Constitutional Court in impeachment cases is very wide, ranging from unlawful granting of citizenship, sexual harassment, demonstrating hatred towards persons on the basis of their nationality, to voting in the name of another Member of *Seimas* and absenting oneself from the *Seimas* plenary sessions without a justifiable reason. However, certain actions of officials have been found to be unconstitutional on more than one occasion: in two conclusions, the Constitutional Court has found that Members of *Seimas* have grossly violated the Constitution by absenting themselves from plenary sittings of the *Seimas* without a justifiable reason, and in two others by voting in the name of another Member of *Seimas*. These tendencies show that although the Constitutional Court has already qualified certain actions as a gross violation of the Constitution and a violation of the oath, Members of *Seimas* do not learn from these cases and repeat the same violations.

⁶⁰ Valionytė, M. Dėl Žemaitaičio pasisakė ir Izraelis [Israel has also expressed its position on Žemaitaitis]. Delfi.lt, 9 November 2024. Available: <https://www.delfi.lt/news/politics/del-zemaitaicio-pasisake-ir-izraelis-120063516> [last viewed 25.01.2025].

⁶¹ Platukytė, D. Žmonės protestavo prieš Žemaitaitį valdžioje, Paluckas gavo nuvytusią rožių [People protested against Žemaitaitis in power, Paluckas received wilted roses]. Lrt.lt, 21 November 2024. Available: <https://www.lrt.lt/naujienos/lietuvoje/2/2418975/zmones-protestavo-pries-zemaitaiti-valdzioje-paluckas-gavo-nuvytusi-rosiu?srltid=AfmBOoowoOc0VCTpJM7GC7khJlge32DKUCab84nRKOkfmeO--yU9MN7%E2%80%9320LRT> [last viewed 25.01.2025].

⁶² In October 1998, impeachment proceedings were initiated against *Seimas* member A. Butkevičius, but this motion was rejected. A group of Members of *Seimas* applied to the Constitutional Court regarding the constitutionality of a resolution of the *Seimas* which had refused to initiate impeachment proceedings on the grounds that the *Seimas* had already chosen one of the possible procedures – it had consented to apply criminal liability to *Seimas* member Butkevičius and, therefore, could not consider the question of initiating impeachment proceedings. In its ruling of 30 March 2000, the Constitutional Court held that the disputed resolutions of the *Seimas* had not been in conflict with the Constitution. The Constitutional Court stated that, having adopted a resolution for holding the *Seimas* member concerned criminally liable, the *Seimas* could not begin preparatory actions for impeachment proceedings until the question of the criminal liability of the said member of the *Seimas* had decided by the legal authorities – investigation bodies and the court. In November 1998, Butkevičius was convicted of large-scale fraud. In June 1999, impeachment against Butkevičius took place, but Butkevičius did not lose his mandate as a member of the *Seimas*.

In its ruling of 15 April 2004, the Constitutional Court assessed the constitutionality of a decree of the President of the Republic on a proposal to institute impeachment proceedings against *Seimas* member A. Paulauskas. The Constitutional Court ruled the said presidential decree unconstitutional as well as Article 230(1) of the Statute of the *Seimas*, to the extent that it granted the right to propose to the *Seimas* the initiation of impeachment proceedings against a concrete individual to the President of the Republic and also to the Judicial Court of Honor if the case concerns a justice of the Supreme Court or the president or judges of the Court of Appeal.

To summarise the final consequences of the cases discussed, it should be noted that in four of these cases, the *Seimas* revoked the mandates of the Members of *Seimas* and the mandate of the President of the Republic; one Member of *Seimas* retained his mandate; three Members of *Seimas* resigned of their own accord (two of them resigned before voting by the *Seimas* on revocation of his mandate; and one resigned after voting by the *Seimas* which did not achieve the required number of votes for revoking the mandate). It is important to note that there have been two cases where the *Seimas* took a decision other than that which follows from the respective conclusion of the Constitutional Court. It is difficult to identify the exact reasons that cause such a divergence of positions between the Constitutional Court and the *Seimas*. Such situations may occasionally be attributed to the nature of the *Seimas* as a political, rather than a strictly legal, institution, where decisions are primarily the result of political bargaining and compromise.

The aforementioned examples related to the implementation of conclusions given by the Constitutional Court in impeachment cases and the subsequent public resentment show that there are preconditions to speak about the amendment of existing constitutional legal regulation, according to which the Constitutional Court presents conclusions on issues specified in the Constitution and, on the basis of these conclusions, the *Seimas* takes a final decision, as well as changes to other related legal regulation.

3. Proposals for amending the legal regulation of the process of impeachment

Given Lithuania's current experience with impeachment cases, one might be tempted to criticize the drafters of the Constitution for their lack of foresight or the contradictory nature of the impeachment model, which involves two institutions of different natures. However, many of the problems could not have been foreseen at the time the Constitution was drafted. When the drafters of the 1992 Constitution designed the instrument of impeachment, they saw it primarily as a preventive measure, knowing how rarely such a procedure for removing officials from office for certain offences is used in the democratic world.⁶³ No one could have predicted that Lithuania would have such a wide range of impeachment cases.

The current legal reality in Lithuania is that in the event of a gross violation of the Constitution, it is the *Seimas* that decides, without any constraints, on the most important issue of all – whether to impose the constitutional sanction of removal from office, with all its consequences, or whether to allow a person to continue to hold office. In the latter case, one is immediately confronted with the strange reality that, even after having breached the Constitution, the person continues to exercise his or her authority in the most important matters of the state.⁶⁴

It should be noted that after the impeachment process of R. Žemaitaitis, the *Seimas* again heard initiatives to change the constitutional regulation of the impeachment. The Speaker of *Seimas*, S. Skvernelis, wants to go back to the idea that if the Constitutional Court were to find that a Member of *Seimas* or other official had seriously violated the Constitution or broken his oath of office, he would lose his

⁶³ Jarašiūnas, E. Lietuvos Respublikos Konstitucinis, p. 38.

⁶⁴ Vecerskyte-Brosel, J. Apkaltos konstitucinio, p. 16.

mandate without a vote in the *Seimas*.⁶⁵ Of course, this tendency is not a sufficient reason by itself to expand the powers of the Lithuanian Constitutional Court; there must be a set of need, preconditions and possibilities to justify such reform.

Traditionally, impeachment has been described in terms of “special parliamentary procedure”, “special legal procedure in parliament”, “parliament’s judicial (or quasi-judicial) function”, “political justice”.⁶⁶ This model of a purely parliamentary procedure originates in the USA, where only the House of Representatives has the exclusive right to initiate impeachment proceedings and only the Senate can consider all impeachment cases, and where the impeachment process can certainly be characterised as a “political justice” or a “parliamentary quasi-judicial process”.⁶⁷ While there were no major criticisms of this model in the 19th or the first half of the 20th century, in the second half of the 20th century its main flaw began to be apparent: the political institution is dealing with legal issues; members of parliament are not legal professionals, even though in this process they have to legally qualify the actions under investigation.⁶⁸

It is clear that a non-biased judicial investigation is superior to a political one. As early as 2006, after the impeachment of the President, Lithuanian constitutional scholars argued that impeachment is an exercise of constitutional liability, and therefore can only be performed most objectively and competently by a constitutional review institution, while a political institution (the *Seimas*) is best suited to play only one role in impeachment – that of accusing the person.⁶⁹

This is why the majority of European constitutional courts give the final decision in impeachment proceedings (Germany,⁷⁰ Austria,⁷¹ the Czech Republic,⁷² Slovenia,⁷³ Italy⁷⁴), while only Romania⁷⁵ is among the countries where the Constitutional Court gives only an advisory opinion on the issue. It is also stated in the academic literature that in the majority of CEE countries the final decision to remove the president from office is taken by the constitutional courts⁷⁶. Romania⁷⁷ and Slovakia⁷⁸ allow the removal of the president through referendum depending on charges presented.

An example of optimal constitutional regulation of impeachment is enshrined in the German Basic Law.⁷⁹ According to Article 61(1) of the German Basic Law, the Bundestag or the Bundesrat can refer the Federal Constitutional Court,

⁶⁵ *Jurčenkaitė, I.* Skvernelis nori atgaivinti seną idėją dėl apkaltos: netaikyta – ne į Žemaitaitį [Skvernelis wants to revive an old idea for impeachment: not targeting Žemaitaitis]. Delfi.lt, 25 November 2024. Available: <https://www.delfi.lt/news/daily/politics/skvernelis-nori-atgaivinti-sena-ideja-del-apkaltos-nutaikyta-ne-i-zemaitaiti-120066521> [last viewed 25.01.2025].

⁶⁶ *Jarašiūnas, E.* Lietuvos Respublikos Konstitucinis, p. 36.

⁶⁷ *Večerskytė-Brosel, J.* Apkaltos evoliucija, p. 399.

⁶⁸ *Jarašiūnas, E.* Lietuvos Respublikos Konstitucinis, p. 37.

⁶⁹ *Ibid.*, p. 38.

⁷⁰ Article 61 of the Basic Law for the Federal Republic of Germany.

⁷¹ Article 142 of the Austrian Constitution.

⁷² Article 65 of the Constitution of the Czech Republic.

⁷³ Articles 109 and 119 of the Constitution of the Republic of Slovenia.

⁷⁴ Article 135 of the Italian Constitution.

⁷⁵ Article 95 of the Romanian Constitution.

⁷⁶ *Koker, P.* Impeachment in Central and Eastern Europe, p. 250.

⁷⁷ Article 95 of the Constitution of Romania.

⁷⁸ Articles 84, 89 of the Constitution of Slovak Republic.

⁷⁹ Basic Law for the Federal Republic of Germany.

charging the Federal President with a deliberate violation of the Basic Law or another federal law. Such an indictment may be brought if at least one-quarter of the members of the Bundestag or Bundesrat so request. A resolution on the indictment may be adopted by a two-thirds majority of the members of the Bundestag or two-thirds of the members of the Bundesrat. The prosecution shall be represented by a representative of the prosecuting authority. If the Federal Constitutional Court finds that the Federal President is guilty of wilful violation of the Basic Law or any other federal law, it may declare him to be out of office.

The Austrian Constitutional Court has similar powers. Under Article 142 of the Austrian Constitution,⁸⁰ it hears cases concerning charges brought against the officials listed in that article of the Constitution. The Constitutional Court is the only institution to deal with such cases.

Thus, under the American model, the final decision on whether to revoke an official's mandate is taken by Parliament, while under the German (and Austrian) model it is the Constitutional Court.⁸¹ In Lithuania, the intermediate model is chosen: the *Seimas* initiates the impeachment process, addresses the Constitutional Court and, after receiving its conclusion, takes the final decision. The academic literature stresses that a shift to the German model would give impeachment the characteristic of a constitutional rather than a political liability, and this would prevent paradoxical legal situations where the Constitutional Court finds that the actions of an official are unconstitutional, but impeachment would be unsuccessful.⁸² Therefore, it is necessary to agree with the opinion of the Speaker of *Seimas* regarding the amendment of Lithuanian constitutional regulation on this issue.

Nevertheless, it can be presumed that there is no need for this problem to be limited solely to cases involving impeachment of Members of *Seimas*. According to the Lithuanian Constitution, the Constitutional Court shall present conclusions not only on the compliance with the Constitution of concrete actions of *Seimas* members or other State officials against whom impeachment proceedings have been instituted but also on three other issues (Art. 105(3)): 1) the violation of election laws during presidential elections or elections to the *Seimas*; 2) whether the President of the Republic of Lithuania's health is not limiting his or her capacity to continue in office; 3) the conformity of international agreements of the Republic of Lithuania with the Constitution.

Thus, the Lithuanian Constitution and the Law on the Constitutional Court⁸³ provide for different procedures following which the Constitutional Court reviews the compliance of legal acts with the Constitution⁸⁴ as well as the procedures under which the Constitutional Court adjudicates in other cases assigned to its competence, that is, gives conclusions in the cases established by the Constitution and laws.⁸⁵ Examination of inquiries requesting the Constitutional Court to give a conclusion (including those in impeachment cases) can be regarded as the facultative category of powers exercised by the Constitutional Court, first of all, due to the fact that review

⁸⁰ Constitution of Austria.

⁸¹ Bacevičius, J. Apkaltos institutas, p. 102.

⁸² Ibid., p. 102.

⁸³ The Law on the Constitutional Court of the Republic of Lithuania (03.02.1993).

⁸⁴ Art. 102(1), 105(1–2), 106(1–4) and 107(1) of the Constitution; Art. 63–72 of the Law on the Constitutional Court.

⁸⁵ Art. 105(3), 106(5) and 107(3) of the Constitution; Art. 73–83 of the Law on the Constitutional Court.

of the constitutionality of legal acts, rather than any other powers exercised by constitutional justice institutions, is generally considered to form the category of their main powers, constituting their *raison d'être*, in the absence of which constitutional justice would not be possible at all.⁸⁶ Secondly, the absolute majority of cases in the Constitutional Court are initiated specifically regarding the conformity of legal acts with higher-ranking legal acts, although primarily – the Constitution.

As mentioned before, the Constitution stipulates that, on the basis of the conclusions given by the Constitutional Court (including in impeachment cases), a final decision on the issues set out in the third paragraph of Article 105 of the Constitution is taken by the *Seimas*. Under the Law on the Constitutional Court, conclusions given by the Constitutional Court are final and thus not subject to appeal. Differently from rulings,⁸⁷ conclusions are not proclaimed in the name of the Republic of Lithuania. Therefore, previously it used to be claimed that rulings are binding on all legal subjects; whereas conclusions are presented only to the particular institution that has filed the inquiry, so that they differ from rulings in their legal force and effect. But is that really so?

Initially, conclusions were viewed as non-binding and less authoritative than Constitutional Court rulings. However, a landmark conclusion of 31 March 2004 on the impeachment of the President of the Republic fundamentally shifted this view. In this conclusion, the Constitutional Court clarified that its conclusions are binding on the *Seimas* insofar as the Constitution does not allow the *Seimas* to question the Court's findings on whether specific actions violate the Constitution. Instead, the *Seimas'* role is limited to determining the political consequences, such as whether to remove an official from office. Following this interpretation, legal scholars noted a shift: prior to 2004, the *Seimas* could engage in further deliberations and evidence-gathering after receiving a conclusion. Post-2004, the *Seimas* was restricted to making political decisions based on the legal findings of the Constitutional Court, without questioning their validity.⁸⁸ This underscores a conceptual shift from treating conclusions as advisory to recognizing them as integral components of constitutional liability.

The Constitutional Court has further reinforced that all its acts – rulings, conclusions, and decisions – carry binding authority as they interpret the Constitution and establish official constitutional doctrine. Consequently, it can be assumed that the significance and legal force of the reasoning part of conclusions is the same as that of rulings adopted by the Constitutional Court.⁸⁹ In this respect, it would seem that the operative part of a conclusion, wherein the conclusion itself is formulated, should also have binding legal status, since it is based on official constitutional doctrine; however, the drafters of the Constitution established it in a different way.

The constitutional regulation, according to which the Constitutional Court gives conclusions on the issues specified in the Constitution while, on the basis of its conclusions, the *Seimas* takes a final decision, poses a not insignificant part

⁸⁶ Ginsburg, T., Elkins, Z. *Ancillary Powers of Constitutional Courts*. Chicago: University of Chicago Law School, 2008, pp. 1431–1461. Available: http://chicagounbound.uchicago.edu/cgi/viewcontent.cgi?article=2439&context=journal_articles [last viewed 22.01.2025].

⁸⁷ Rulings are adopted in cases regarding the review of the constitutionality of legal acts.

⁸⁸ Šileikis, E. *Alternatyvi konstitucinė teisė* [Alternative constitutional law]. Vilnius: Teisinės informacijos centras, 2005, p. 504.

⁸⁹ The decision of Constitutional Court of the Republic of Lithuania of 20 September 2005. *Žin.*, 2005, 113–4132; the ruling of Constitutional Court of the Republic of Lithuania 28 March 2006. *Žin.*, 2006, 36–1292.

of problems related to implementation of conclusions given by the Constitutional Court. Therefore, the power to conclusively decide on these questions should be conferred exclusively on an independent judicial institution – the Constitutional Court – but not on an institution that may be directly interested in the outcome of a certain question.

This position is reinforced by previously discussed arguments: the tendency prevailing in European states to give establishing force to the decisions of constitutional courts on questions analogous or similar to matters on which the Lithuanian Constitutional Court may issue conclusions (including impeachment cases); the independence and impartiality of the Constitutional Court; the development of official constitutional doctrine on the legal force of conclusions given by the Constitutional Court; the attitude of Lithuanian legal thinking towards the legal force of conclusions.

The arguments discussed above suggest that such changes to the constitutional framework are necessary. However, it is unlikely that the *Seimas* would be inclined to adopt such constitutional amendments, thereby limiting its powers with respect to the Constitutional Court. Therefore, other legislative amendments should be considered. Such amendments might not completely solve the problems discussed, but would at least partially mitigate them. It has been mentioned that Article 243(1) of the Statute of *Seimas* provides for the possibility for a person subject to impeachment to resign from his/her office or to renounce his/her mandate as a Member of *Seimas* at any point during the impeachment process, but only before the vote in the *Seimas*. Thus, even after the Constitutional Court concludes that a Member of *Seimas* or other public official has violated the Constitution or broken his oath, such an official can resign and avoid one of the consequences of impeachment – the 10-year “cooling-off period” – and participate in the next *Seimas* elections, which may be held quite soon. Such a legal regulation undermines the meaning of the institute of resignation since an official resigns already knowing the legal assessment of their actions and thus trying to avoid some of the consequences of impeachment, but not in order to take responsibility for his/her actions. Therefore, amendments to the Statute of the *Seimas* are proposed, which would allow an impeached official to resign only before the Constitutional Court has issued its conclusion in the impeachment cases, or even before the proceedings in the Constitutional Court have begun. The latter option would also prevent wasting of resources of the Constitutional Court.

There are other ways to improve the regulation of the impeachment proceedings, and one important matter to address is the suspension of powers for officials under impeachment. It is suggested that the Constitutional Court should have the authority to temporarily suspend the powers of Members of *Seimas* or other state officials while their actions are being reviewed for constitutionality during impeachment proceedings. Currently, Article 10 of the Law on the Constitutional Court allows the Court to suspend the powers of its own justices if impeachment proceedings are initiated against them, following the conclusion of a special investigation. However, there is no similar provision for other officials, such as the Members of *Seimas*, the President, or judges of the Supreme Court and Court of Appeal. Officials facing impeachment often have access to administrative resources and make important national decisions. Suspending their powers during the process would help prevent potential misuse of resources or decisions that could have negative consequences. This change would enhance the fairness and effectiveness of the impeachment process.

Summary

The Lithuanian impeachment model can be described by these main features: 1) two institutions are involved in the impeachment proceedings in Lithuania: the Constitutional Court decides whether a person's actions contradict (or do not contradict) the Constitution and whether these actions have violated the Constitution grossly, and the *Seimas* decides whether to remove a person from office for actions that contradict the Constitution; 2) compared to other European countries, the list of grounds for impeachment in Lithuania is quite broad: impeachment is possible for a gross violation of the Constitution, for violation of the oath of office, or if it is found that a crime has been committed; 3) in a comparative context, Lithuania also has a fairly wide list of officials who can be removed from their positions by impeachment proceedings: the President of the Republic, the President and judges of the Constitutional Court, the President and judges of the Supreme Court, the President and judges of the Court of Appeal, and the Members of *Seimas*; 4) Lithuania also provides for special sanctions in the impeachment process: in addition to being removed from office, persons removed from office by impeachment proceedings for a gross violation of the Constitution or for breaking their oaths of office are forbidden for a certain period of time to hold any office provided for in the Constitution, which is linked to the taking of an oath as provided for by the Constitution.

The Constitutional Court has adopted seven conclusions on the constitutionality of the actions of Members of *Seimas* and other public officials who are the subject of impeachment proceedings. In all of these conclusions, the Constitutional Court held that the actions of the officials violated the Constitution. One of the conclusions found that the actions of the President of the Republic were unconstitutional and that these actions constituted a gross violation of the Constitution. The other six conclusions found that the actions of the Members of *Seimas* were unconstitutional and that these actions constituted a violation of the oath and a serious violation of the Constitution. The spectrum of actions declared unconstitutional by the Constitutional Court in impeachment cases is very wide, ranging from unlawful granting of citizenship, sexual harassment, demonstrating hatred towards persons based on their nationality, to voting in the name of another Member of *Seimas* and absenting oneself from the *Seimas* plenary sessions without a justifiable reason.

In four of these cases, the *Seimas* revoked the mandates of the Members of *Seimas* and the mandate of the President of the Republic; one Member of *Seimas* retained his mandate; three Members of *Seimas* resigned of their own accord (two of them resigned before voting in the *Seimas* on revocation of their mandate; and one resigned after voting by the *Seimas* which did not achieve the required number of votes for revoking the mandate). There have been two cases where the *Seimas* took a decision other than that which follows from the respective conclusion of the Constitutional Court.

The constitutional regulation, according to which the Constitutional Court gives conclusions on the issues specified in the Constitution while, on the basis of its conclusions, the *Seimas* takes a final decision, poses a significant part of problems related to the implementation of conclusions given by the Constitutional Court in impeachment cases. Therefore, the power to conclusively decide on this issue should be conferred exclusively on an independent judicial institution – the Constitutional Court. This position is also reinforced by the tendency prevailing in European states to give establishing force to the decisions of constitutional courts in impeachment cases; the independence and impartiality of the Constitutional Court;

the development of official constitutional doctrine on the legal force of conclusions given by the Constitutional Court; the attitude of Lithuanian legal thinking towards the legal force of conclusions.

However, it is unlikely that the *Seimas* would be inclined to adopt such a constitutional amendment, thereby limiting its powers with respect to the Constitutional Court. Therefore, other legislative amendments should be considered that might not completely solve the problems discussed, but would at least partially mitigate them. Among other things, amendments to the Statute of *Seimas* are proposed that would allow an official in impeachment proceedings to resign only before the Constitutional Court has issued its conclusion in the impeachment proceedings or even before the Constitutional Court proceedings have begun, thus preventing the person subject to impeachment proceedings from escaping some of the consequences of the impeachment proceedings while already knowing the legal assessment of their actions.

References

Bibliography

- Bacevičius, J. Apkaltos institutas ir konstitucinė atsakomybė: probleminiai aspektai [The Institute of Impeachment and Constitutional Liability: problematic aspects]. *Jurisprudencija*, Vol. 111, No. 9, 2008, pp. 95–104.
- Birmontienė, T. (et.al.) Lietuvos konstitucinė teisė [Lithuanian constitutional law]. Vilnius: Mykolo Romerio universitetas, 2022, pp. 1–811.
- Ginsburg, T., Elkins, Z. *Ancillary Powers of Constitutional Courts*. Chicago: University of Chicago Law School, 2008, pp. 1431–1461. Available: http://chicagounbound.uchicago.edu/cgi/viewcontent.cgi?article=2439&context=journal_articles [last viewed 22.01.2025].
- Ginsburg, T., Huq, A., Landau, D. *The Uses and Abuses of Presidential Impeachment*. Public Law and Legal Theory Working Paper Series, No. 731, 2020.
- Jarašiūnas, E. Lietuvos Respublikos Konstitucinis Teismas ir aukštųjų valstybės pareigūnų apkalta: kelios aktualios problemos [The Constitutional Court of the Republic of Lithuania and the impeachment of high-ranking public officials: some topical issues]. Vol. 80, No. 2, 2006, pp. 34–49.
- Koker, P. Impeachment in Central and Eastern Europe. In *Monaghan, C., Flinders, M., Huq, A. Z. (eds.). Impeachment in a Global Context: Law, Politics, and Comparative Practice (1st ed.)*. Routledge, 2024.
- Monaghan, C., Flinders, M., Huq, A. Z. (eds.). *Impeachment in a Global Context: Law, Politics, and Comparative Practice (1st ed.)*. Routledge, 2024.
- Navickaitė, J. Europos konstitucinių teismų kompetencijų lyginamoji analizė [Comparative analysis of the competencies of European constitutional courts]. Vilnius: Lietuvos edukologijos universitetas, 2011.
- Neuman, G. L. Impeachment, Disqualification, and Human Rights. *Columbia Human Rights Law Review*, Vol. 54, issue 2, 2023, pp. 627–678.
- Sinkevičius, V. Ar galima pradėti apkaltą Seimo nariui už nusikaltimą, padarytą iki tampa Seimo nariu [Can a Member of *Seimas* be impeached for a crime committed before becoming a Member of *Seimas*?]. *Parliamentary Studies*, No. 20, 2016, pp. 21–40.
- Šileikis, E. Alternatyvi konstitucinė teisė [Alternative constitutional law]. Vilnius: Teisinės informacijos centras, 2005, pp. 1–616.
- Vecerskyte-Brosel, J. Apkaltos konstitucinio reguliavimo kaita [Changes in the constitutional regulation of impeachment]. *Lietuvos teisė 2022: esminiai pokyčiai*, 2022, pp. 15–22.
- Večerskytė-Brosel, J. Apkaltos evoliucija: Jungtinių Amerikos Valstijų atvejo analizė. Konstitucinė ir teisinė sistema [The evolution of impeachment: a case study of the United States of America]. *Liber Amicorum Vytautui Sinkevičius*, Vilnius: Mykolo Romerio universitetas, 2021, pp. 379–441.

Normative acts

Constitution of the Republic of Lithuania (25.10.1992). Available: <https://e-seimas.lrs.lt/portal/legalActPrint/lt?jfwid=rivwzvpvg&documentId=TAIS.211295&category=TAD> [last viewed 22.01.2025].

- Law amending Article 74 of the Constitution of the Republic of Lithuania (21.04.2022). Available: XIV-1029 Republic of Lithuania Law Amending Article 74 of the Constitution of the Republic of Lithuania.
- The Law on the Constitutional Court of the Republic of Lithuania (03.02.1993). Available: <https://lrkt.lt/en/about-the-court/legal-information/the-law-on-the-constitutional-court/193> [last viewed 22.01.2025].
- Statute of the Seimas of the Republic of Lithuania (17.02.1994). Available: <https://e-seimas.lrs.lt/portal/legalAct/lt/TAD/3f13e2b02fc611eb8c97e01ffe050e1c?jfwid=> [last viewed 22.01.2025].
- Basic Law for the Federal Republic of Germany in the revised version published in the Federal Law Gazette Part III, classification No. 100-1, as last amended by the Act of 22 March 2025 (Federal Law Gazette 2025 I, No. 94) (08. 05.1949). Available: https://www.gesetze-im-internet.de/englisch_gg/ last viewed 25.06.2025].
- Constitution of Austria. Reinstated in 1945, with Amendments through 2009 (01.10.1920). Available: https://www.constituteproject.org/constitution/Austria_2009.pdf [last viewed 25.06.2025].
- The Constitution of the Republic of Bulgaria (13.07.1991). Available: <https://www.parliament.bg/en/const> [last viewed 25.06.2025].
- The Constitution of the Czech Republic (16.12.1992). Available: https://www.constituteproject.org/constitution/Czech_Republic_2013 [last viewed 25.06.2025].
- The Constitution of the Italian Republic (22.12.1947). Available: [The_Constitution_of_the_Italian_Republic.pdf](#) [last viewed 25.06.2025].
- The Constitution of Romania (21.11.1991). Available: <https://www.presidency.ro/en/the-constitution-of-romania> last viewed 25.06.2025].
- The Constitution of the Slovak Republic (01.09.1992). Available: <https://www.prezident.sk/upload-files/46422.pdf> [last viewed 25.06.2025].
- The Constitution of the Republic of Slovenia (23.12.1991). Available: <https://www.varuh-rs.si/en/about-us/legal-framework/the-constitution-of-the-republic-of-slovenia/> [last viewed 25.06.2025].

Case law

- Judgment of the European Court of Human Rights of 6 January 2011 in the case *Paksas v. Lithuania*, petition No. 34932/04.
- The ruling of the Constitutional Court of the Republic of Lithuania of 30 March 2000. Žin., 2000, No. 28-784.
- The ruling of the Constitutional Court of the Republic of Lithuania of 25 January 2001. Žin., 2001, No. 10-295.
- The ruling of Constitutional Court of the Republic of Lithuania 15 April 2004. Žin., 2004, No. 56-1948.
- The ruling of Constitutional Court of the Republic of Lithuania 25 May 2004. Žin., 2004, No. 85-3094.
- The conclusion of Constitutional Court of the Republic of Lithuania of 31 December 2004. Žin., 2004, No. 49-1600.
- The decision of Constitutional Court of the Republic of Lithuania of 20 September 2005. Žin., 2005, 113-4132.
- The ruling of Constitutional Court of the Republic of Lithuania 28 March 2006. Žin., 2006, 36-1292.
- The conclusion of the Constitutional Court of the Republic of Lithuania of 27 October 2010. Žin., 2010, No. 128-6545.
- The ruling of the Constitutional Court of the Republic of Lithuania of 5 September 2012. Žin., 2012, No. 105-5330.
- The conclusion of the Constitutional Court of the Republic of Lithuania of 3 June 2014. TAR, 2014-06-05, No. 7164.
- The decision of the Constitutional Court of the Republic of Lithuania of 10 May 2016. No. KT13-S6/2016.
- The ruling of the Constitutional Court of the Republic of Lithuania of 24 February 2017. TAR, 2017-02-24, No. 03068.
- The conclusion of the Constitutional Court of the Republic of Lithuania of 19 December 2017. TAR, 2017-12-19, No. 20413.
- The conclusion of Constitutional Court of the Republic of Lithuania of 22 December 2017. TAR, 2018-01-02, No. 60.
- The conclusion of Constitutional Court of the Republic of Lithuania of 5 December 2023. No. KT100-1/2023.
- The conclusion of Constitutional Court of the Republic of Lithuania of 25 April 2024. No. KT37-12/2024.

Other sources

- Beniušis, V.* Lietuva – apkaltų rekordininkė pasaulyje [Lithuania is the world's impeachment record holder]. Delfi.lt, 13 March 2018. Available: <https://www.delfi.lt/news/daily/lithuania/lietuva-apkaltu-rekordininke-pasaulyje-77402651> [last viewed 25.01.2025].

- Jurčenkaitė, I.* Skvernelis nori atgaivinti seną idėją dėl apkaltos: nutaikyta – ne į Žemaitaitį [Skvernelis wants to revive an old idea for impeachment: not targeting Žemaitaitis]. Delfi.lt, 25 November 2024. Available: <https://www.delfi.lt/news/daily/politics/skvernelis-nori-atgaivinti-sena-ideja-del-apkaltos-nutaikyta-ne-i-zemaitaiti-120066521> [last viewed 25.01.2025].
- Po skandalingo sprendimo Skvernelis inicijuos Konstitucijos pataisas [Skvernelis to initiate amendments to the Constitution after scandalous decision]. Delfi.lt, 14 March 2018. Available: <https://www.delfi.lt/news/daily/lithuania/po-skandalingo-seimo-sprendimo-skvernelis-inicijuos-konstitucijos-pataisas.d?id=77415559> [last viewed 25.01.2025].
- Platukytė, D.* Žmonės protestavo prieš Žemaitaitį valdžioje, Paluckas gavo nuvytusių rožių [People protested against Žemaitaitis in power, Paluckas received wilted roses]. Lrt.lt, 21 November 2024. Available: <https://www.lrt.lt/naujienos/lietuvoje/2/2418975/zmones-protestavo-pries-zemaitaiti-valdzioje-paluckas-gavo-nuvytusi-rosiu?srltid=AfmBOoowoOc0VCTpJM7GC7khJlge32DKUCab84nRKOkgfmeO--yU9MN7%E2%80%93%20LRT> [last viewed 25.01.2025].
- Pūkenė, R.* Peticijos reikalavimai atmetami vienas po kito: Seimas nepritarė siūlymui atvirai balsuoti per apkaltą [Petition demands are rejected one by one: the Seimas rejects the proposal for an open impeachment vote]. Delfi.lt, 20 March 2018. Available: Peticijos reikalavimai atmetami vienas po kito: Seimas nepritarė siūlymui atvirai balsuoti per apkaltą - Delfi [last viewed 25.01.2025].
- R.* Žemaitaitis atsiuntė VRK prašymą atsisakyti Seimo nario mandato [R. Žemaitaitis sends a request to resign as a Member of the Seimas]. 15min.lt, 29 April 2024. Available: https://www.15min.lt/naujiena/aktualu/lietuva/r-zemaitaitis-atsiunte-vrk-prasyma-atsisakyti-mandato-56-2232590?utm_medium=copied&utm_medium=copied [last viewed 25.01.2025].
- Valionytė, M.* Dėl Žemaitaičio pasisakė ir Izraelis [Israel has also expressed its position on Žemaitaitis]. Delfi.lt, 9 November 2024. Available: <https://www.delfi.lt/news/politics/del-zemaitaicio-pasisake-ir-izraelis-120063516> [last viewed 25.01.2025].

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