

REPUBLIC OF LITHUANIA

**LAW ON THE PRINCIPLES OF STATE PROTECTION OF ETHNIC
CULTURE**

September 21, 1999, No. VIII-1328
Vilnius

(As amended by 9 January 2006, No. X-484)

Preamble

*The Seimas of the Republic of Lithuania,
cognisant of the fact that ethnic culture constitutes the essence of national
existence, survival and strength;
stating that the various forms of Lithuanian ethnic culture and particularly its
living traditions are in obvious danger of extinction;
acknowledging that only a nation which relies upon its culture can support
the civic maturity of the members of its society, participate in universal civilisation as
an equal partner and maintain dignity, self-sufficiency and originality necessary for
such partnership and co-operation,
approves this Law on the Principles of State Protection of Ethnic Culture.*

CHAPTER I

GENERAL PROVISIONS

ARTICLE 1. Purpose of Law

This Law shall establish the general principles of State protection of Lithuanian ethnic culture, and means and conditions Council for the Protection of Ethnic Culture and continuity and enrichment insofar as this shall not be regulated by other laws.

ARTICLE 2. The Basic Definitions of this Law

1. **Archival Material on Ethnic Culture** means collected, fixed, inventoried and stored valuable items of ethnic culture (audio, video recordings, manuscript collection, iconographic materials, museum exhibit items, etc.)

2. **Owner of Archive Original** is a collector or other person, who has assumed the rights to the original archival material of ethnic culture.

3. **Person** means a natural or legal person or an enterprise not having the status of a legal person.

4. **Ethnic Culture** includes the sum total of cultural properties, created by the entire nation (ethnos), passed from generation to generation and constantly renewed, which makes it possible to preserve the national identity and consciousness and uniqueness of ethnographic regions.

5. **Living Tradition of Ethnic Culture** is the transfer of inherited culture, its creation and revival.

6. **Heritage of Ethnic Culture** means ethnic cultural values created in the past and preserved to current times.

7. **Entities of Ethnic Culture** are the people creating ethnic culture properties and conveying, nurturing and accumulating them.

8. **State Protection of Ethnic Culture** includes legal, organisational, economic and financial means through which the State guarantees the continuity of living tradition and creation, accumulation, protection, research and popularisation of ethnic culture properties.

9. **Properties of Ethnic Culture** include fixed and unfixed items of national significance of spiritual and material ethnic culture.

10. **Ethnographic Region** is a historically-formed part of territory, in which a distinctive dialect, traditions and customs have been preserved and the heritage of the Baltic tribes has been integrated.

11. **Presenter** is a person who renders authentic ethnic cultural properties, which have been acquired and preserved by living tradition or supplies information regarding such.

12. **Collector** is a person who records, fixes and (or) assembles ethnic culture properties.

13. **Author of Transcription** is a person who conveys in writing a musical and (or) verbal text from an archival audio recording.

ARTICLE 3. Legal Principles of State Protection of Ethnic Culture

State protection of ethnic culture shall be implemented according to the Constitution of the Republic of Lithuania, this and other laws and legal acts and international agreements.

ARTICLE 4. Tasks of State Protection of Ethnic Culture

The tasks of State protection of ethnic culture shall be as follows:

1) to guarantee the preservation and of cultural heritage and continuity of living tradition;

2) to guarantee the preservation, recognition, fixing and rendering of ethnographic, regional traditions of Lithuania;

3) to form and legalise institutions consolidating State protection of ethnic culture and a system of ethnic culture institutions or branches thereof subordinate to them;

4) to ensure an opportunity for all members of society to become acquainted more thoroughly with ethnic culture and the diversity of its expression and to guarantee the accessibility of archival ethnic culture;

5) to develop scientific research of all branches of ethnic culture;

- 6) to educate a personality of mature national awareness through integrating ethnic culture with the education system;
- 7) to nurture the expression of ethnic culture which exists in natural surroundings;
- 8) to develop ethnic uniqueness of language, ensure the survival of dialects and ethnic place names;
- 9) to support events popularising ethnic culture;
- 10) to create conditions for improvement of the skill of entities (creators and performers);
- 11) to ensure protection of the rights of ethnic culture entities;
- 12) to guarantee propagation of ethnic culture through public media and computer networks, support spreading Lithuanian ethnic culture universally and promote acquaintance with the culture of other nations of the world;
- 13) create conditions, diminishing the influence of mass culture, which is harmful to national culture;
- 14) to support the ethnic culture of Lithuanians residing abroad, take care to preserve their national identity and cultural co-operation with fellow countrymen in Lithuania;
- 15) to provide State support for Lithuanian ethnic culture heritage, remaining in Lithuanian ethnic lands and to protect it.

CHAPTER II

REGULATION OF STATE PROTECTION OF ETHNIC CULTURE

ARTICLE 5. Institutions Ensuring State Protection of Ethnic Culture

1. The following institutions shall ensure state protection of ethnic culture:
 - 1) The Council for the Protection of Ethnic Culture which is an expert and adviser to the Seimas and the Government on the issues of the state protection and policy of ethnic culture. The Council shall be a legal person. It shall be financed with the funds of the state budget of the Republic of Lithuania. The Council for the Protection of Ethnic Culture shall be accountable to the Seimas. It shall be set up and function pursuant to the regulations approved by the Seimas. The composition of the Council shall be formed on the basis of the proposals of public organisations and state institutions related to the protection of ethnic culture;
 - 2) the Government, ministries and institutions of State protection of ethnic culture allocated to their administrative sphere and their subdivisions;
 - 3) regional Councils for the protection of ethnic culture namely, regional subdivisions of the Council for the Protection of Ethnic Culture, to which according to the procedure established the Council for the Protection of Ethnic Culture, representatives shall be delegated by public and State institutions active in the ethnographic region and linked with ethnic culture protection;
 - 4) county governors;
 - 5) municipal institutions.
2. Competence of state institutions of the Council for the Protection of Ethnic Culture shall be as follows:

1) the Council for the Protection of Ethnic Culture shall assist in the formation and implementation of an ethnic culture policy, supervise and co-ordinate activities of institutions carrying out the state protection of ethnic culture, submit conclusions and proposals to state institutions regarding ethnic culture issues;

2) The State shall guarantee necessary State support of ethnic culture; ministries shall according to their competence ensure implementation of the ethnic culture policy, and create conditions for ethnic culture activities in institutions belonging to their sphere of administration;

3) regional councils for the protection of ethnic culture shall assist county governors and local government institutions in resolving issues Council for the Protection of Ethnic Culture within the ethnographic region;

4) the county governors shall be involved in decisions involving all ethnic culture issues occurring in the ethnographic regions within county territory, support the existing and found new institutions necessary for protection of ethnic culture and divisions thereof, and staff positions;

5) municipalities shall be involved in the protection and strengthening of local ethnic culture institutions, support the existing and (or) found new institutions necessary for the protection of ethnic culture or divisions thereof, staff positions, organise collection of ethnic culture properties, defining and research, in co-operation with the country's institutions of scientific research and methodical institutions and organisations.

ARTICLE 6. Accumulation, Protection, Research of Ethnic Culture Properties and Co-ordination of these Activities

1. The institutions which guarantee State protection of ethnic culture shall develop according to their competence, a system of institutions that accumulate, protect and research ethnic culture properties, based upon co-ordination of their interaction and common system of information.

2. The Ministries of Culture and Science and Education shall ensure that conditions in keeping with archival material storage requirements of the Council for the Protection of Ethnic Culture be created at institutions for storing the archival materials and computer systems be set up.

3. Properties of ethnic culture shall be accumulated, kept and researched by:

1) archives, depositories, museums and libraries;

2) science and study institutions;

3) public organisations.

4. Repealed on 2 November 2004.

5. Science and study institutions shall prepare specialists for work in institutions of ethnic culture accumulation, protection and research, conduct research of the processes of ethnic culture inheritance and living tradition.

ARTICLE 7. Legal Regulation of the Accumulation and Use of Ethnic Culture Properties

1. Persons engaged in systematic collection and accumulation of ethnic culture properties must observe the rules of collection and accumulation of ethnic culture properties drawn up by the Council for the Protection of Ethnic Culture and approved by the Government.

2. A collector must obtain the approval of the presenter, in order to fix and describe ethnic culture properties.
3. Publication of confidential nature information shall only be permitted upon the approval of the presenter.
4. If the presenter is used for commercial purposes as a performer, he shall have the right to receive compensation.
5. Persons accumulating material ethnic culture properties, shall compensate the presenter for such according to the agreement and legalise acquisition of said properties according to the procedure established by legal acts.
6. Each person shall have the right to acquaint himself with archival material on ethnic culture kept at the municipal institution and public organisation depositories.
7. Archives of ethnic culture properties, depositories, and scientific and study institutions shall have the right to obtain copies of archival material on ethnic culture of other archives, depositories and other institutions and also, those accumulated by natural persons, the procedure of acquisition and use whereof shall be established by agreements with the owner of the archival original.
8. Use of archival ethnic culture material shall be permitted free of charge for science and education purposes.
9. Use of archival ethnic culture material for commercial purposes shall only be permitted upon receipt of concurrence by owner of the archival original, presenter and compiler of the collection. They shall be compensated according to the procedure established by agreements.
10. In using archival material on ethnic culture, the owners of archival originals, codes of archival originals and inventory numbers must always be indicated.
11. Laws protecting authors' rights shall defend the right of the compilers of ethnic culture property collections. A collection compiler must indicate in the collection the presenters, collectors, author of transcription, owners of archival originals, codes of archival originals and inventory numbers.
12. Unique material properties of ethnic culture shall be included in the Republic of Lithuania Registers of Immovable and Movable Cultural Properties, and it may not be taken abroad without being returned, but may be taken abroad temporarily in accordance with the procedure established by legal acts.

ARTICLE 8. Continuity and Popularisation of Ethnic Culture

1. The Council for the Protection of Ethnic Culture shall initiate and assist the Government in the preparation of a State programme on development of ethnic culture and co-ordinate implementation thereof.
2. The Council for the Protection of Ethnic Culture shall assist the Government in the preparation of a long-term programme for preservation of ethnographic villages of Lithuania ensuring the development of production and cultural activities of entities of ethnic culture.
3. The Government shall initiate development of ethnic language uniqueness, ensure preservation of dialects and ethnic place names and organise replacement of foreign words found in the Lithuanian language, by Lithuanian equivalents.
4. Institutions attributed to the supervision sphere of the Ministry of Culture, according to their competence shall:

- 1) accumulate information on the existence of the living tradition of ethnic culture and manifestation thereof in Lithuania and Lithuanian communities abroad;
 - 2) Provide methodical and organisational support in the ethnic culture area to county and municipality institutions;
 - 3) publish informational and methodical publication popularising ethnic culture;
 - 4) organise events popularising ethnic culture;
 - 5) support authentic forms of ethnic culture expression existing in natural surroundings;
 - 6) hold courses for improvement of workers who are engaged in ethnic culture work
5. The State shall accord priority to ethnic culture-oriented draft projects in architecture, landscape, nature protection, tourism and refreshing of regional traditions.
6. The State shall promote and support restoration and popularising of calendar feast days, trades, sports branches, games and other forms of activity based upon ethnic culture.
7. The State shall support non-governmental organisations (unions, associations, clubs, ensembles and other forms of folklore expression), which protect ethnic culture, promotes and co-ordinates their efforts to become acquainted with, develop and propagate ethnic culture.
8. According to the procedure established by laws, State and municipal institutions may furnish on a loan basis, facilities or other property necessary for the activity of ethnic culture entities.
9. The Radio and Television Council of Lithuania, in establishing broadcasting (duration and content) of ethnic culture broadcasts, shall consider the proposals of the Council for the Protection of Ethnic Culture.

ARTICLE 9. Development of Ethnic Culture

1. The Ministry of Education and Science and institutions assigned to its area of administration, seeking to ensure transfer of ethnic culture and nurturing thereof within the formal and informal education system shall:
- 1) integrate ethnic culture into all types and levels of educational institution training programmes;
 - 2) create the conditions for introduction of an ethnic culture course in general education schools;
 - 3) promote versatile ethnic culture activities within the area of supplementary education;
 - 4) develop the uniqueness of ethnic language in educational institutions, ensure the knowledge of ethnographic region uniqueness and local traditions ;
 - 5) legalise those already in existence and if necessary, found new, specialised ethnic education institutions or subdivisions thereof.
 - 6) ensure training of ethnic culture teachers and specialists and provide for the raising of their qualifications to work as such;
 - 7) support publication of ethnic culture instruction means;
 - 8) integrate ethnic culture with training programmes in universities, colleges and vocational schools for specialists of various areas linked with ethnic culture

development (cultural workers, teachers, architects, dress designers, textile workers, craftsmen, food industry workers, agricultural specialists, environmentalists, sportsmen etc.).

2. The Ministry of Education and Science together with municipalities shall create the conditions necessary to request the services of ethnic culture entities (folk artists, musicians, singers etc.) for the purposes of education in ethnic culture and studies.

3. The Ministry of National Defence along with the Ministry of Education and Science shall include ethnic culture in training of military personnel and patriotic education programmes.

CHAPTER III

FUNDING

ARTICLE 10. Sources of Funding State Protection of Ethnic Culture

1. State and municipal activities, linked with ethnic culture protection, shall be funded from the State Budget, municipal budgets, and other resources.

2. The Ministries of Culture and Education and Science shall support the institutions of ethnic culture attributed to their area of administration and fund ethnic culture programmes.

3. County governors and municipalities shall support the institutions of ethnic culture, fund the programmes of its region's collection, conservation, restoration, research and popularisation of ethnic culture properties.

4. The Ministries of Culture and Education and Science shall fund events dedicated to research in ethnic culture (symposiums, conferences etc.), studies of those engaged in ethnic culture research and participation in science events abroad.

5. The Ministries of Culture and Education and Science and State and other science and culture foundations shall support the production and popularity of expert-approved periodical publications of ethnic culture, scientific work, preparation for publication and publishing of publications, and preparation, production and popularisation of movies and videos, sound, and computer recordings intended for ethnic culture representation and education.

6. The Ministry of Culture, county administrations and municipalities shall finance or support feast days of regions cities and towns, based on ethnic culture and also local and international folklore festivals and other events intended for popularising of ethnic culture.

7. The Foundation for the Support of the Press, Radio and Television, taking into consideration the recommendations of the Council For the Protection of Ethnic Culture, shall support the programmes of public media preparers, intended for popularising periodical publications of ethnic culture.

ARTICLE 11. Repealed

CHAPTER IV Repealed

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

PRESIDENT OF THE REPUBLIC

VALDAS ADAMKUS