



AUDI. VIDE. LOQUI.

Commonwealth of Independent States - Europe Monitoring Organization



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Human rights violations in contemporary Lithuania



www.cis-emo.net
e-mail: info@cis-emo.net

About us

Commonwealth of Independent States – Europe Monitoring Organization (CIS-EMO) is an international non-governmental organization. CIS-EMO performs research in such topics as human rights, election monitoring, political extremism, and public diplomacy. The organization was founded in Russia in 2003.

The main activities:

Human Rights

CIS-EMO monitors compliance with human rights and fundamental freedoms in Europe and the former Soviet states. We seek to gather information about the human rights situation with the goal of engaging in advocacy to address human rights violations.

Election Monitoring

CIS-EMO participated in observing dozens of election campaigns in Abkhazia, Azerbaijan, Germany, Estonia, France, Kazakhstan, Kyrgyzstan, Moldova, Poland, Russia, South Ossetia, Transnistria, and Ukraine.

Our aim is to assist maintaining and developing the institution of elections and civil control in states with developing systems of democracy.

Political extremism monitoring

CIS-EMO is engaged in research of extremist and far-right political movements in Europe and post-Soviet space. We have released a series of expert reports on extremism in Russian and Ukrainian politics, society, media, defense, and law enforcement. We have released a series of expert reports on extremism in Russian and Ukrainian politics, society, media, defense, and law enforcement.

Human Rights in Lithuania

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1. Blacklists

In recent years Lithuania has got quite enamoured of the practice of ‘blacklisting unwanted persons’.

Lithuania's foreign affairs ministry compiles its own black lists that then get filled with the names of artists, scientists, politicians, etc. that the official Vilnius disapproves of.

A lot of people that currently feature on the Lithuanian black lists ended up there as a result of politically motivated decisions.

Being blacklisted by Lithuania usually meant you couldn't enter the country but now a new trend has emerged where Lithuania tries to ban the people it has blacklisted from entering the entire Schengen zone by lobbying for blanket bans with the EU.

These actions of the Lithuanian authorities violate a number of fundamental documents guaranteeing freedom of speech and freedom of movement.

1.1. Pressure on political scientists

Among other things, Lithuania often takes actions that make life difficult for international experts that have nothing to do with Lithuania but who happen to be critical of some aspects of Lithuania's policies.

In Sep 2015 Lithuanian imposed a three-year ban on two Russian experts prohibiting them from entry into the Schengen zone. These are Aleksey Kochetkov, the president of the Foundation for the Development of Civil Society Institutions ‘Public Diplomacy’ and Stanislav Byshok, a political analyst at the International Monitoring Organisation CIS-EMO. The former last visited Lithuania decades ago back when it was still a Soviet republic while the latter has never been there.

Aleksey Kochetkov learned that he was ‘a threat to the security of Lithuania’ when he was flying to Warsaw on personal business. He was detained at Warsaw airport. He then spent 24 hours at a police station without food or being able to contact the Russian consulate. In the end,

his Schengen visa was annulled. It was then explained to him that Lithuania had imposed a ban on him visiting any Schengen countries. At the end of the ordeal, Mr. Kochetkov was put on a flight to Moscow.

Stanislav Byshok arrived at Charles de Gaulle airport outside Paris Feb 17, 2016, to participate in two international conferences taking place the following day. The first conference had been organized by the Independent Journalist Association for Peace (Assoziation Journalisten im Kampf um den Freiden e.V.), while the second meeting was being held by the Paris Institute of Political Studies (Sciences Po). Mr. Byshok was supposed to make presentations at both events about the modern Ukrainian nationalism and human rights violations in the post-Maidan Ukraine.

However, as he was going through passport control, the Russian expert was detained and taken to a police station where he was held for six hours. An immigration officer then turned up at the police station and explained to Mr. Byshok that Lithuania had issued a document banning him from visiting any Schengen zone countries 'unless he has a residence permit there' (something that Mr. Byshok had never applied for and had no plans of asking for). The officer also said it was the first time he'd seen a ban like that and that France had no problems with Mr. Byshok and his visa was in order, but since France was in the Schengen zone it had to abide by the Schengen laws and thus the French authorities had no choice but to put Mr. Byshok on a flight back to Moscow. The immigration officer then added that Mr. Byshok had to sort this issue out with Lithuania rather than with France.

So why did Lithuania single out these two Russian experts? From Jul 1st through Dec 31, 2013, Lithuania chaired the European Council and it was during that period, and specifically on Nov 28 through Nov 29 that Lithuanian president Dalia Grybauskaite held the Eastern Partnership summit in Vilnius. The main item on the agenda of that summit that Ms. Grybauskaite was responsible for was supposed to have been the signing by the then Ukrainian President Victor Yanukovich of an EU association agreement. The agreement was never signed, mass street protests broke out in Ukraine and then, with the silent consent of the western countries, the Ukrainian president was deposed, and a war broke out in East Ukraine. Ms. Grybauskaite continued to lobby for Ukraine's 'European

integration' at various international events even after Lithuania's term as chair of the European Council ended. And here Ms. Grybauskaitė's interests began to run counter to what the two independent Russian experts were saying about the Ukrainian street protests and the tragic events that followed them, highlighting the unsavoury role that was played in them both by some EU organizations and by radical Ukrainian nationalists.

Stanislav Byshok and Aleksey Kochetkov wrote and published a series of books as well as video and expert reports dealing with the events in Ukraine, some of which were translated into foreign languages. They actively promoted their research, including their book *Neonazis & Euromaidan: From Democracy to Dictatorship* at various international venues such as the European Parliament in Brussels, the Office for Democratic Institutions and Human Rights of the OSCE (Warsaw, Vienna), the State Duma of Russia (Moscow), in Berlin, Paris and Athens. Their studies based exclusively on verifiable sources and open data met with a lot of interest among western journalists and experts alike because they presented the Euromaidan in an entirely new light than the conventional spin put on it by the mainstream of the West and the European integration lobby. The only way to prevent the Russian experts from giving voice to their views was to ban them from entering the Schengen area. Since Lithuania did not have any legal grounds for doing that, completely absurd pretexts were used like 'threat to national security' and 'lack of a residence permit.'

It wasn't the first time that Lithuania had banned a Russian citizen from entering not just Lithuania but the entire European Union.

In October 2014, famous Russian political scientist and director of the Centre for Current Policy Sergey Mikheev was made a *persona non grata* in the Schengen area.

Mikheev was banned from entering the Schengen zone at the request of Lithuania; that's according to what he was told when he arrived in Finland.

Mikheev was on his way to Finland on personal business when he was told that Lithuania had asked to annul his Schengen visa and ban him from entering all Schengen countries.

The Russian political scientist believes the ban is purely political in nature and is linked to his position on the Ukrainian crisis.

In March 2014 Mr. Mikheev visited Vilnius at the invitation of the International press club Format A-3. He made presentations on relations between Russia and the West, the events in Ukraine and the relations between Moscow and the Baltic states. However, the expert never made any statements that could have violated Lithuanian law, for example, he never questioned the fact of the ‘Soviet occupation’ of Lithuania, a most touchy issue in Vilnius.

1.2. Pressure on historians

August 13, 2014, Russian publicist and historian, director of the Historical Memory Foundation Alexander Dukov was detained at Vilnius airport. He was denied entry into Lithuania where he came to present his new book.

The border guards told him that he was included on the national registry of unwanted persons. The historian spent almost 24 hours in the special section for deportees and then went back to Moscow, having bought a plane ticket with his own money. The Lithuanian authorities refused to provide food for him, although they did escort him to a café once. According to him, he was never told the reason why he ended up on the registry of unwanted persons.

Dukov never made any statements about Lithuania and never commented on any Lithuanian policies.

However, earlier in 2012 Latvia’s foreign affairs ministry made Alexander Dukov and Vladimir Simindey personas non grata.

The decision was made ‘on the basis of a conclusion by competent authorities about said persons engaging in activities that harm the Latvian state and its citizens.’

The actions of the Latvian foreign affairs ministry can be regarded as a rather crude intervention in the affairs of historical science designed to put political pressure on particular historians to prevent them from engaging in impartial studies of the history of Russo-Latvian relations.

The Russian historians were made *personas non grata* on account of an exhibition they took part in on the fate of children that were forced to relocate to the territory of Latvia in 1943-1944. The exhibition was organized by the Historical Memory Foundation in Riga as part of a program to raise the status of the residents of burned-down Belorussian villages that is being implemented by the Belorussian Peace Foundation and the German Foundation 'Memory, Responsibility and Future.'

Drawing on a broad range of documentary sources, the exhibition showcased the crimes committed in the territory of Russia and Belarus by the Nazis and their collaborators, members of the Latvian police battalions. The Latvian foreign affairs ministry called the exhibition 'a gross falsification of history' and a 'disinformation campaign.'

1.3. Pressure on journalists

Galina Sapozhnikova, a reporter with the popular Russian newspaper Komsomol Truth, had no idea what sort of trouble she was in for when she decided to pay a visit to Lithuania in September 2015:

Together with a colleague they were headed for a small Lithuanian town to do an interview for an article they were working on. Some sixty kilometres from Vilnius, a border guard vehicle, passed their car and forced them to the road side. The two officers that emerged from the government vehicle informed the journalists that Ms. Sapozhnikova had to leave Lithuania immediately, or she would be detained and deported.

Ms Sapozhnikova ended up on the list of 'enemy agents' because of her articles critical of life in Lithuania and for her participation in the Format A 3 media club in the organisation of visits to the Baltic States of prominent Russian public opinion leaders, philosophers, movie directors, actors, writers, publicist and political scientists, for meetings with the local communities.

In March 2015 four journalists of the Russian National TV and Radio Broadcasting Corporation were deported from Lithuania – they were then banned from entering Lithuania for one year. The journalists were reporting from a convention of the Russian 'non-systemic' opposition organized by Lithuania's foreign affairs ministry in the town of Trakai.

The camera crew wanted to interview Gary Kasparov, who was participating in the forum, but they were confronted, insulted, and then the security called the police who escorted the journalists off the premises. The Lithuanian authorities then put the reporters on their lists of unwanted persons because of 'possible threat to national security' and demanded that they leave the country immediately.

1.4. Pressure on artists

In August 2016 the popular Russian performer, composer, and poet Oleg Gazmanov became a persona non grata in Lithuania.

After arriving at Vilnius airport, Mr. Gazmanov wasn't able to leave the territory of the airport because it turned out that he had been banned from entry into Lithuania. Even though he had an open Schengen visa, he was never allowed to leave the airport. Instead, he was given a denial of entry notice. Mr. Gazmanov spent the night at Vilnius airport and in the morning flew back to Moscow.

It should be noted that Lithuania keeps its blacklist in secret and the 'unwanted persons' only learn that they're banned from entering Lithuania when they try to do so.

Mr. Gazmanov later commented because of the very kind treatment he received from the customs officer and the female airport attendants have made him like ordinary Lithuanians and loathe the Lithuanian government even more. He stressed that under the banner of protecting their country and population from the harmful influences of Russian culture, the Lithuanian government is trying to divide the people. 'But music knows no borders. I'm not saying farewell here; I'm saying see you later, my beautiful Lithuania! I wish you all the best, love you all,' Mr. Gazmanov stated in the end.

Later on Lithuanian foreign affairs minister Linas Linkevicius said the Russian performer was blacklisted because of 'aggressive propaganda linked to Russia's aggression in neighbouring countries.'

In the meantime, Lithuania's culture minister Sarunas Birutis gave an interview for the Žinių radijas radio station in which he said that

‘musicians like Oleg Gazmanov are levers in Russia’s policy of zombification.’

Earlier in Dec 2013, Lithuania’s foreign affairs ministry stated that by performing the song ‘Made in the USSR’ in Vilnius Oleg Gazmanov was ‘inciting hatred and disrespecting the history of Lithuania.’

The lyrics of the song the Russian singer performed at the end of his concert in Vilnius contain the following lines, ‘Ukraine and Crimea, Belarus and Moldova, they’re all my country, Sakhalin and Kamchatka and the Ural Mountains, they are all my country, Krasnoyarsk, Siberia and the Volga, Kazakhstan and Caucasus, they are all my country and so are the Baltics, I was born in the Soviet Union, I was made in the USSR!’

Gazmanov was born in the town of Gusev in Kaliningrad Oblast, 20 kilometres from the border with Lithuania.

1.5. Violations of fundamental documents

As a member of the Schengen agreement, Lithuania is not formally required to explain to other members why it blacklists distinct persons. However, it is obvious that the Lithuanian authorities are abusing this provision.

The actions of Lithuanian authorities targeting Russian citizens clearly violate a number of fundamental documents guaranteeing freedom of speech such as:

The UN Universal Declaration of Human Rights (1948)

Article 19

Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to speak, receive and impart information and ideas through any media and regardless of frontiers.

The Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE (1990)

Article 9.1

Everyone will have the right to freedom of expression including the right to communication. This right will include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers.

Article 10.1

[member states must] respect the right of everyone, individually or in association with others, to seek, receive and impart freely views and information on human and fundamental freedoms, including the rights to disseminate and publish such views and information.

Article 19

The participating states affirm that freer movement and contacts among their citizens are important in the context of the protection and promotion of human rights and fundamental freedoms. They will ensure that their policies concerning entry into their territories are fully consistent with the aims set out in the relevant provisions of the Final Act, the Madrid Concluding Document, and the Vienna Concluding Document. While reaffirming their determination not to recede from the commitments contained in CSCE documents, they undertake to implement fully and improve present commitments in the field of human contacts, including on a bilateral and multilateral basis.

The Charter of Fundamental Rights of the European Union (2000)

Article 11. Freedom of Expression and Information

1. Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers.

2. The freedom and pluralism of the media shall be respected

2. National minorities

It's 13 years now that Lithuania has been a full-fledged EU member with all the rights and obligations that full membership in the EU entails.

And yet, when it comes to protecting human rights in general and the rights of national minorities, Lithuanian law still has not been brought into alignment with European standards.

Even as Lithuanian authorities declare commitment to European values and democracy, the situation with the rights of national minorities that have been living in Lithuania for centuries leaves much to be desired.

According to the national census taken in Lithuania in 2011¹, Lithuania has the following ethnic groups living in its territory:

Ethnic group	Number of people	Percentage in the population
Total residents	3043429	100.00%
Lithuanians	2561314	84.16%
Poles	200317	6.58%
Russians	176913	5.81%
Byelorussians	36227	1.19%
Ukrainians	16423	0.54%
Jews	3050	0.10%
Tartars	2793	0.09%
Germans	2418	0.08%
Gypsies	2115	0.07%
Latvians	2025	0.07%
Armenians	1233	0.04%
Azerbaijanis	648	0.02%
Moldovans	540	0.02%
Georgians	372	0.01%
Estonians	314	0.01%
Karaims	241	0.01%
Others	36486	1.20%

¹ Official Statistics Portal of Lithuania. Census 2011. Population by ethnicity and municipality. URL: <http://osp.stat.gov.lt/en/2011-m.-surasymas>

In 2000 Lithuania signed and ratified the Framework convention for the protection of national minorities, however, some of the provisions of the Law on the State Language of Lithuania clearly contradict it: under this law, all official correspondence must be conducted only in the state language, which must also be used in all topographical names.

Jan 1st, 2010, Lithuania repealed its national minorities law that had been in effect since 1989. No new law has been passed yet so from the legal standpoint Lithuania does not have national minorities, and they have no legal protections whatsoever. For several years now the Lithuanian authorities have been promising to pass a new law, but so far nothing has come of those promises. The reason is the lobbying of the right wing parties and pro-nationalism public attitudes: any concessions to national minorities are seen by many in Lithuania as a threat to the Lithuanian identity, disrespect for the national language and a potential threat to the sovereignty.

Lithuania still has not ratified such fundamental national minorities protection documents as:

- Protocol No 12 of the Convention for the Protection of Human Rights and Fundamental Freedoms;
- The European Charter for Regional or Minority Languages
- The European Convention on Nationality
- The UNESCO Convention against Discrimination in Education

2.1. Situation with the Polish Minority

One example of the cherry picking of European values in Lithuania is the situation with the more than two hundred thousand Poles living there. The Poles represent the largest ethnic minority group in Lithuania, and they have traditionally been clustered in Eastern Lithuania in the Vilnius region.

The main issues that have remained unresolved since Lithuania declared independence include:

- The use of original spelling for first and last names in documents;
- Bilingual signs in areas predominantly populated by Poles;
- Education in the Polish language;
- Restitution of nationalised property

2.1.1. Spelling of first and last names

Lithuania does not allow for first and last names to be spelled in the native language of the people: all first and last names must be transcribed into Lithuanian.

This means that at the moment, Lithuanian Poles are not allowed to spell their names in Polish and have to use Lithuanian instead.

The polish letters cz, sz, rz, w are replaced with the Lithuanian equivalents č, š, ž, v. Also, Lithuanian Poles are not allowed to use diacritic signs like ł. As a result, for example, the leader of the leader of the Polish political party Election Action of Poles in Lithuania Waldemar Tomaszewski carries a Lithuanian passport in which his name is spelled as Valdemar Tomaševski.

Even though the Consultative Committee that monitors the adherence to the Framework Convention or the Protection of National Minorities sides with the Pole on this issue, Lithuania does not believe that a passport with non-Lithuanian Latin script can be regarded as equal to a passport that uses Lithuanian transliteration.

Promotion of a national language should not result in the changing of names of foreign origin simply because somebody happens to be a citizen of Lithuania.

2.1.2. Problems with bilingual signs

Lithuania violates the friendship and cooperation agreement is signed with Poland in 1994 under which all the conflicts between the Lithuanian Poles and Polish Lithuanians were supposed to have been sorted out.

Lithuanian courts routinely issue rulings forcing the Poles living in predominantly Polish-speaking locales in Lithuania to take down Polish language signs that they put up on their own initiatives and those that refuse to do so get fined by local police. These requirements violate European law.

Under the Framework Convention, national minorities living in compact diasporas must have the freedom to use their own language in public places and in their names (articles 10 and 11). Furthermore, Article 10 stipulates that countries that have ratified the Convention should promote the use of national minority languages in the traditional names of settlements, street names and other topographical names on public signs.

Despite its membership in the EU, Lithuania has not ratified the European Charter for Regional and Minority Languages. The charter defines regional or minority languages as languages traditionally used in a specific territory by residents of a particular state that represent a group that is smaller than the rest of the population. Clause 2g of Article 10 of the Charter on Administrative Authorities and State Services stipulates that countries that have ratified the charter must as much as possible guarantee 'the use or adoption, if necessary in conjunction with the name in the official language(s) of traditional and correct forms of place names in regional or minority languages.'

2.1.3. Native-language instruction

On March 30, 2011, Lithuania passed the Law on Education, taking effect on September 1, 2011. The education reform implemented under this law could be regarded as the dismantling of the traditional model of ethnic minorities' education in Lithuania.

The main point of the reform, as regards ethnic minorities, was that the Polish-language curriculum would now be used only during the first four years at a school. The senior classes' curriculum was expanded to include a larger number of disciplines (including history and geography) taught in Lithuanian. In smaller communities with a Lithuanian and a Polish school, but too few students in both, where there is a question of closing down one of them, it is invariably the Polish school that is closed.

Since 2013 students of Polish schools have to take the standardised Matura exam in the Lithuanian language, the same as students of Lithuanian schools take.

This means that graduates of minority schools are inevitably not on equal footing if they wish to enter universities. They are deliberately compelled to study the national language to the detriment of studying their own.

2.1.4. Nationalised Property

One of Lithuania's pending problems is that of the property (land) owned by Poles before 1845 when it was confiscated and nationalised at the time and is presently owned by Lithuanians.

Polish expert points out that Lithuania thus violates Article 12 of the Framework Convention for the Protection of National Minorities, its policies being conducive to changes in the ethnic composition of the population residing in areas with high concentration of the Polish minority representatives.

2.2. The situation of the Russian minority

Russians are the second largest minority in Lithuania, making up some 5.8% of the country's population and residing mainly in urban areas. According to the Lithuanian census of 2011, ethnic Russians account for 12% of the residents of Vilnius and 19.6% of the population of Klaipėda.

To compare with the statistics for the Soviet era, in 1980 (when the last Soviet census was conducted) ethnic Russians made up 9.4% of Lithuania's population. This means that the Russian population in Lithuania has declined almost by half.

Since the mid-2000s ethnic tensions between the Russian minority and Lithuanians have somewhat lost their relevance in the context of more typical problems experienced by the Polish minority, and particularly as the political party "Electoral Action of Poles in Lithuania" began to gain strength.

It is equally to be noted that the situation of ethnic Russians in Lithuania is markedly better than it is in the two other Baltic states. For example, Lithuania is the only one of the three Baltic countries that has chosen to adopt the zero-option citizenship law meaning that virtually all ethnic minority representatives were granted Lithuanian nationality upon the declaration of independence, unlike it was in Latvia and Estonia where the problem of "non-citizens" who have limited rights still exists.

Still, the Russian-speaking minority encounter a fair amount of obstacles on the path to integration into the Lithuanian society.

According to the Lithuanian census of 2001, while making up 6.3% of the population at the time, ethnic Russians accounted for 13% of the country's homeless².

In 2008 the European Agency for Fundamental Rights conducted a poll across the EU countries which revealed that 12% of ethnic Russians claim they were discriminated against on ethnic grounds or as immigrants in Lithuania³.

Russian schools are affected the most by the school restructuring being implemented in Lithuania. The number of students in Russian schools is now three times less than it was when independence was declared.

The social factor is among the key reasons behind this: seeking to facilitate their children's integration into the Lithuanian society the Russian minority no longer sends them to Russian schools. As was noted above, anyone who did not attend a Lithuanian school is obliged to take an exam in the national language. So this phenomenon of Russia schools closing down on a massive scale can also be explained by the deliberate policies of the Lithuanian authorities, among other factors involved. The

² Demoscope Weekly. "Russians account for 6% of Lithuania's population and 13% of its homeless." URL: <http://www.demoscope.ru/weekly/2003/0103/panorm01.php#35>

³ EU-MIDIS. European Union Minorities and Discrimination Survey. Main Results Report. European Agency for Fundamental Rights // URL: http://fra.europa.eu/sites/default/files/fra_uploads/664-eumidis_mainreport_conference-edition_en_.pdf

demographic factor also plays its part, with the Russian population in Lithuania decreasing fast.

2.3. Status of the Roma population

The Roma (gypsies) and other nomadic groups routinely experience substantial discrimination concerning allocation of private and public housing in all countries. In Lithuania, however, there is not a single project running that would address this problem.

Lithuania keeps no reliable data on the number of Roma residing on its territory (estimates suggesting a figure in the area of 3,000 people).

In the village of Kirtimai located on the outskirts of Vilnius, where the local gypsy population is concentrated, the illiteracy rate is exceptionally high, and the problem with the provision of adequate housing remains unaddressed.

There is no reliable statistics on the status of the Roma population's housing problem because the authorities do not bother to collect and analyse this kind of data.

The major problems faced by Lithuania's Roma population include poor housing conditions and the impossibility to legalise their current form of dwelling since their homes were built illegally. The problem is not alleviated through the provision of public housing as no special conditions have been provided entitling the Roma to it. This situation contributes strongly to the isolation and marginalisation of the Roma minority.

3. Civil Liberties

3.1. Restrictions on the freedom of the media

The past five years have seen some of Lithuanian media outlets being closed:

- *Respublika*, the country's oldest national newspaper (published since 1989), which had for many years been critical of the President Dalia Grybauskaitė's policies, ceased being a daily in 2014;

- *Komsomolskaya Pravda – Lietuva* ceased to circulate in 2014 when all press distributors refused to distribute it.

In 2012 a scandal broke out when the private television station TV3 fired prominent Lithuanian journalist Ruta Janutiene after canceling her documentary on the life of President Dalia Grybauskaitė revealing previously unknown facts about her younger life and collaboration with the USSR Communist Party.

In 2012 the European Union granted political asylum to Anatoly Shariy, a Ukrainian investigative journalist who ran a blog of his own titled "The Observer" and was persecuted by the police for his investigative efforts and criticism of the local law enforcement agencies. He had been receiving threats, his telephone was tapped, there had been attempts on him and trumped-up criminal cases against him. Mr. Shariy received a permanent residence permit in Lithuania for five years. However, in 2015 the Lithuanian authorities launched a public campaign to cancel the journalist's political asylum for his "criticism of the new regime in Kyiv and his pro-Kremlin stance". Seeing that he was facing a realistic danger of being extradited to Ukraine, Mr. Shariy chose to leave Lithuania.

In 2013 the Special Investigation Service operating under the President of Lithuania harshly interfered with the work of BNS, one of the country's major media outlets. The office of the newspaper was raided at night in connection with alleged leaks of "a secret memo by the State Security Department (VSD) of the Republic of Lithuania related to threats from Russia", and some journalists were questioned and demanded to disclose their sources. The Lithuanian authorities have thus grossly infringed one of the fundamental principles of the freedom of the media – confidentiality of sources.

Lithuanian journalists Vaidotas Žukas, Vaidas Vasiliauskas and Tomas Dapkus have been subjected to administrative pressure for their criticism of the country's authorities.

Furthermore, the Lithuanian VSD proposed amendments to the Criminal Code penalising disinformation to be included in the article on "public incitement to infringe on Lithuania's sovereignty by using violence" (grave offenses against the state punishable with maximum prison term). The proposed amendments define disinformation as "false information

made public with the intent of harming Lithuania's national interests or destabilising the situation in the country." This vague wording has raised concerns that the amendments may eventually turn the article into an instrument of repressions against political opponents and dissenting journalists.

In April 2016 the parliament's National Security and Defence Committee (NSDC) held the first hearings on the matter with the intelligence agency participating.

In June 2016 Lithuania passed amendments to the Law on Electronic Communications making it easier for intelligence and law enforcement agencies to request from electronic communications providers information necessary to "predict, determine or remove threats that could have significance to the sovereignty of the state, territorial inviolability and integrity, constitutional order, state interests, defence or economic power" on other grounds than a court order. This constitutes an explicit violation of the right to respect for private and family life.

In May 2015, when appearing in the *One on One* show broadcast by Latvian channel LTV1, Ms. Grybauskaitė was irritated when asked several questions that had not been agreed upon in advance. Latvian journalist and presenter Gundars Reders touched upon the most burning and topical issues, ranging from the situation in Ukraine to the Eastern Partnership summit. However, towards the end of the interview, when he began to ask questions that had not been discussed with the President's office beforehand, the head of the Lithuanian state was clearly irked and demanded that that episode be cut out of the programme.

The first question was about the prospects of legalising same-sex partnership in Lithuania.

'There is currently no broad discussion of this topic in Lithuania. I think this issue is not on the [agreed] agenda', Ms. Grybauskaitė replied

When Mr. Reders tried to follow up on the question, but the Lithuanian President interrupted him saying: 'I believe that we have not agreed on this question. I don't want to talk about this. I thought we agreed on specific issues, don't try to delay me... if you're ending with these questions, then we are done.'

The interviewer then asked her whether any lesson had been learned from the collapse of the Lithuanian Maxima shop roof in Riga. President Grybauskaitė was, however, all the more irritated and she requested for the interview to be finished.

In July 2016, while attending the NATO summit in Warsaw, President Grybauskaitė openly refused to talk to the journalists of the Russian *Rossiya* channel who asked for the President's comments. As soon as Ms. Grybauskaitė realised they were from a Russian TV channel, she retreated refusing all comments. What the president said was: 'Russia? No. No'. The journalists first tried to follow her, but the President blatantly ignored them.

3.2. Biased Media Coverage

On November 3, 2014 head of the European Union's delegation in Russia Vygaudas Ušackas delivered a lecture at the Kaunas University of Technology in which he expressed his critical view of the Lithuanian media, claiming that they are clearly biased when it comes to reporting on Russia and fail to provide balanced, unprejudiced coverage⁴.

Since the outbreak of the armed conflict in Ukraine, the Lithuanian media had adopted a firm position where the Maidan revolution and the ousting of President Yanukovich were hailed as a rightful victory of democracy and the stifling of the Maidan condemned as an unquestionably disproportionate use of force. DNR and LNR rebels were referred to solely as terrorists who are financed and supported by Russia. The Lithuanian media portrayed the situation as dozens of thousands of Russian soldiers fighting in Ukraine, with daily casualties being estimated at hundreds and the Russian humanitarian convoy being, in reality, a weapons convoys.

"There is no gainsaying that Russia's state propaganda, which is totally prohibitive of any divergent opinion, is something wholly unacceptable, but our media are also rather biased when it comes to covering the

⁴ Regnum: EU Ambassador in Russia accusing Lithuanian media of biased coverage of conflict in Ukraine and demonising Russia. 3 Nov 2014 // URL: <https://regnum.ru/news/polit/1862650.html>

situation in Russia. There is too much of a negative bias and a notable lack of balanced, unprejudiced coverage', said Mr. Ušackas.

Lithuania's former Minister of Foreign Affairs claims that the country's media fail to provide comprehensive coverage of the situation and developments taking place in Ukraine itself, as well as to endeavour to hear Russia's arguments, even if without justifying its conduct.

"I believe there is a glaring lack of information about the developments in Ukraine proper. And, secondly, with all due respect, when it comes to the armed conflict in Ukraine, we cannot just blame it all on Moscow. Thirdly, it is in our best interest to achieve an unbiased and in-depth understanding of all problems and challenges that Ukraine itself is going to face. And, finally, with all due respect for Ukraine, we cannot go as far as idealise this country's prospects concerning joining the EU, ' Mr. Ušackas concluded.

These comments resulted in Mr. Ušackas coming under fire in Lithuania where he was accused of being a "traitor" and "having sold himself to the Kremlin"⁵.

3.3. Ban on Russian TV Channels

The Lithuanian Radio and Television Commission (LRTK) implements the policy of censorship in respect of Russian channels broadcasting from Russia, with restrictive measures, to the extent of blocking, having repeatedly been imposed on them in connection with "inciting discord".

In 2013 restrictions (a 3-month ban on broadcasting programmes produced outside of the EU) were introduced in respect of the First Baltic Channel after a piece was aired in the "Chelovek i zakon" series denying, as the LRTK members believed, the crimes committed by the Soviet authorities during the January 1991 events in Vilnius. Same restrictions were introduced in respect of REN Lietuva and the First Baltic Channel because, in the opinion of the LRTK, information reported in one of the

⁵ Regnum: EU Ambassador in Russia explained to Lithuanians what he had meant calling Lithuanian media "biased." 4 Nov 2014 // URL: <https://regnum.ru/news/polit/1862724.html>

"Theory of Deception" series broadcast in November 2014 "served to incite war and hatred for Ukrainian people."

In January 2015 Lithuania announced that it was planning to ban two Russian television channels – RTR Planeta and NTV Mir Lithuania.

The Lithuanian Radio and Television Commission made a statement that the content of the two distinct pieces broadcast by these channels – one was about the situation in Ukraine and the other – about President Vladimir Putin's visit to Australia – "did not meet the accuracy and objectivity criteria for promoting public awareness, lacking diversity of opinions".

For all that, after analysing the pieces in question, the Office of the Inspector of Journalist Ethics did not find that they contained direct incitement to discord.

The commission demands that the channels publicly acknowledge that "the presented information was biased."

It is noteworthy that the news of the Lithuanian authorities' decision to introduce restrictions came two days after the Russian RTR channel broadcast a story about the Lithuanian President Dalia Grybauskaitė claiming that Ms. Grybauskaitė's "father was a Soviet partisan and an officer of the secret police, she herself used to be a Komsomol member, collaborating with the KGB, had expressed pro-Communist views in her thesis, and was at one point about to become the secretary of the Communist Party's Central Committee in Lithuania".

In March 2016 the Russian channels broadcasting were blocked. In June it was resumed, but they are now only available on paid subscription.

In early 2015 the broadcasting of Ren-TV Baltic was temporarily limited for a period of three months.

In December 2015 the Lithuanian Radio and Television Commission declared that the TV show "Večer s Vladimirov Solovyevym" (broadcast on November 29, 2015) had violated the Lithuanian laws through alleged "incitement to hatred and discord." The Commission ordered that all re-broadcasting companies in the country move RTR-Planeta channel to paid packages for one year.

On December 1, 2015 the First Baltic Channel announced that it was suspending (beginning January 1, 2016) the production of its only Russian-language news programme “Litovskoye vremya” due to “the political climate in the country” and routine pressure from the Lithuanian VSD on the Russian-language media (“Litovsky courier”, “Obzor”, “Express-Nedelya”, and the First Baltic Channel). And, finally, in August 2016 the First Baltic Channel fully resumed the broadcasting on the territory of the country.

According to market research company TNS LT, the shares of Lithuanian audience for the Russian-language NTV Mir Lithuania, the First Baltic Channel and REN Lietuva were 4.9%, 3.1%, and 1.6% respectively. For comparison: the greatest shares of the audience were 16.2% and 15.9% respectively, and that's what the private channels TV3 and LNK had.

Notably, in the summer of 2016, after signals from the European Commission that the sanctions on the two Russian television channels may run counter to the EU legislation, the LRTK had to cancel the restrictions.

In his interview to BNS on June 29, 2016, Special Attaché for Culture, Audiovisual Affairs and Copyright at the Permanent Representation of Lithuania to the European Union Saulius Šimanauskas said this: ‘The European Commission believes that moving some of its programmes into pay-to-view is a sanction impacting the channel's operation and shall, therefore, be agreed upon with the broadcaster in question and the European Commission.... The Commission believes that any minor restriction on the freedom of access to information may fall under the provisions of the Audiovisual Media Services Directive, which is why the provider of services must be advised of the problem and the measures it entails, instead of these being applied without prior notice’.

3.4. Secret prisons

In May 2016, the British business newspaper Financial Times published a photo of a building in the village of Antaviliai near the capital of

Lithuania, Vilnius, where a secret CIA prison for terrorism suspects was located from 2004⁶.

The facilities for the program of transfer, detention, and interrogation designed by the American intelligence agency were located in several countries. The names of the prisoners held there were not disclosed, they were not provided with lawyers, and Red Cross employees were not allowed to visit them.

In 2011, former Lithuanian President Valdas Adamkus answered to the question about prisoners allegedly detained in his country by the CIA: "Nobody proved it, nobody showed it."

In 2014, a summary of the report, prepared by the United States Senate Committee on intelligence, was published, which confirmed the existence of secret CIA prisons but did not specify in which countries they were located. In 2015, US government lawyers admitted to the existence of 14,000 photos of the prisoners, but the Obama administration has refused to give permission for their publication.

According to the Financial Times, the CIA's secret prisons were located in Afghanistan, Macedonia, Italy, Libya, Romania and Lithuania.

In 2009, the official sources in Lithuania in their conversation with ABC television channel confirmed the existence of a CIA facility in the suburb of Vilnius, where eight people were detained at the moment of its closure. In February 2015, the Prosecutor-General's Office resumed the case about the secret prison which had been closed in 2011.

In 2016, the European Court of Human Rights initiated proceedings against Lithuania in connection with the repeated disregard of the resolutions of the EU Parliament ⁷ In respect of a comprehensive

⁶ Edmund Clark and Crofton Black. The appearance of disappearance: the CIA's secret black sites Photographer Edmund Clark and journalist Crofton Black on the CIA's covert detention facilities. Financial Times, 17 March 2016. URL: <https://www.ft.com/content/90796270-ebc3-11e5-888e-2eadd5fbc4a4#axzz43EUCShYK>

⁷ The EP resolution condemning the lack of progress in Lithuania in the investigation on the subject of secret prisons of the CIA (June 2016), the EP's resolution calling Lithuania to resume the inquiry into the issue of CIA secret

investigation of the country's participation in the CIA's secret prisons program, as well as based on the criticism from international human rights organizations (Amnesty International, Human Rights Watch, Reprieve).

Today the Lithuanian authorities prefer to discuss this subject only briefly, trying to give it minor importance in connection with "suspicions and conjectures" of international human rights organizations and local human rights campaigners.

It should be noted that, for example, the Polish Prosecutor's Office has been investigating the case of a CIA prison on its territory since 2008. It is Zbigniew Siemiątkowski, the former head of Polish intelligence, who is accused in the illegal establishment of the jail. In summer 2014, the ECHR held Poland guilty of violating human rights and ordered it to pay €100,000 to two former prisoners of the Polish CIA object.

3.5. Criticism

Lithuania's public information policy has repeatedly been criticised by various international organisations.

In 2011 Lithuania came under criticism from the OSCE in connection with the conviction of the Chairman of Lithuanian Journalist Union Dainius Radzevičius, calling for the full withdrawal of the article on libel from the country's Criminal Code (this was during Lithuania's chairmanship at the OSCE). However, Lithuania has shown no progress in this respect in the past five years, stepping up instead the repressions against the media.

In its 2015 review "The EU Defamation Laws and the Freedom of Speech" the International Press Institute once again called on Lithuania to altogether repeal the article on libel.

Director of Press Freedom Programmes Scott Griffen advised that the Seimas of Lithuania repeals Article 154 (providing for prison terms of up

prisons (2012), the annual report of Amnesty International which criticized Lithuania for refusing to renew the investigation (2013).

to 2 years in the event of complaint by the victim or pursuant to a prosecutor's request, which is in breach of the international freedom of speech standards and is a disproportionate restriction on freedom of the media".

Still, it is worthy of note that in the summer of 2015 the Lithuanian parliament deleted Articles 155 and 290 penalising insult and insulting a civil servant from the country's Criminal Code.

Lithuania has repeatedly been criticised by the OSCE Representative on Freedom of the Media Dunja Mijatović.

"I do not think that blocking TV broadcasters will help us to counter propaganda or potential propaganda. We have to use democratic instruments, no matter how hard or costly this may be. Banning TV channels is not a solution", she said in an interview to Delfi⁸.

Ms. Mijatović believes that "incitement to war and hatred" shall be a punishable crime, but this is something entirely aside from the freedom of speech and the media. This needs to be done in compliance with the international conventions and national enactments, with no intervention from the authorities.

Ms. Mijatović also pointed out that greater investments in independent media, supporting news portals and national broadcasters, training young journalists and fostering a more integral and broad concept of journalism, would do much more good than banning media channels and viewpoints.

Many Lithuanian political figures have acknowledged the inappropriateness of the restrictive measures imposed in respect of the Russian TV channels.

The Lithuanian Minister of Foreign Affairs and former Minister of National Defence Linas Linkevičius announced that he is against the ban on the Russian channels in Lithuania.

"I am personally not in favour of such bans because they do not solve the problem. Trespassers can be fined, for example. Plus there should always

⁸ Delfi.lt: OSCE Representative to Advise Lithuania. 3 Feb 2016 // URL: <http://ru.delfi.lt/v-fokuse/novosti/predstavitel-obse-po-svobode-smi-dala-sovety-litve.d?id=70299954>

be alternative sources of information', the head of Lithuania's Ministry of Foreign Affairs said in his interview to *Kommersant* ⁹.

He went on to explain that the decision to block the broadcasting is usually made for three months only. Mr. Linkevičius stressed that this measure may be introduced in respect of just any channel "should they be found to incite a war and violence and ignore warnings."

'The decision to block channels shall be made not by the Ministry of Foreign Affairs, but by the court, and it shall be made based on solid causes and in compliance with the European laws, and only after a warning from the regulators in charge was ignored. Those who disagree should be able to appeal this decision', concluded Mr. Linkevičius.

In a letter addressed to the President Grybauskaitė, a number of international organisations advocating freedom of the media - like the World Association of Newspapers and the Committee for Freedom of the Press – described the prohibitive policies in respect of the Russian channels as "counterproductive and in contradiction of international free speech standards"¹⁰.

Lithuania's restrictive policies on the media are given a prominent place in the reports of the London-based international organisation *Index on Censorship*. Yet, no practical steps have been made by the Lithuanian authorities to improve the situation with the freedom of speech in the country. The latest example of Vilnius' determination to pursue its prevalent policy on curbing the freedom of expression and the media was the deportation in March 2016 of All-Russia State Television and Radio Broadcasting Company (VGTRK) crew covering the annual Russian forum, over "a possible threat to national security".

⁹ Kommersant: "Lithuanian Minister of Foreign Affairs criticises Ban on Russian TV Channels in Lithuania." 22 June 2016 // URL: <http://www.kommersant.ru/doc/3018987>

¹⁰ Index on Censorship. Lithuania: Press freedom groups decry proposed bans on Russian TV channels. 11 March 2015 // URL: <https://www.indexoncensorship.org/2015/03/lithuania-press-freedom-groups-decry-proposed-bans-on-russian-tv-channels/>

4. History of the Nation

The official position of the Lithuanian state dictates that the country's independence was *de jure* declared not in 1991, when it ceased being part of the Soviet Union, but in 1918 when the country became an independent state for the first time in its history. The Soviet period between 1940 and 1991 is referred to solely as the Soviet Occupation, while the period from 1941 to 1944 as the "softer" German occupation. The January 1991 events are described to as the re-establishment of independence.

In 1991 the Russian Soviet Federative Socialist Republic acknowledged that what had taken place in 1940 was an annexation of sovereign states.

There is a divergent opinion to the effect that the incorporation of the Baltic States into the USSR did not contravene the international law of 1940. These countries' entry into the USSR had gained *de jure* recognition when in 1945, at the Yalta and Potsdam conferences, the participating states recognised the inviolability of the Soviet borders as of June 1941. Moreover, the 1975 Conference on Security and Cooperation in Europe reaffirmed the inviolability of frontiers in Europe.

This opinion may not, however, be voiced publicly in Lithuania. The Criminal Code of Lithuania contains Article 170 which establishes criminal liability for public expression of support for international crimes and the crimes of the USSR or Nazi Germany against the Republic of Lithuania or its population, and for negation or coarse trivialization of such offences.

4.1. Ban on Soviet Symbols

In 2008 Lithuania banned Soviet and Nazi symbols alike. The authors of the law claim that these symbols may be interpreted as "support for the Nazi or Communist occupation regime."

This ban concerns primarily meetings and mass events involving Soviet and Nazi imagery, namely, displaying the images of Soviet and Nazi leaders, but also any items carrying Soviet insignia, as well as its use in everyday contexts.

In 2010 a Šiauliai shop was investigated by the local police for selling toy Soviet soldiers.

In 2013, Lithuania's largest retail chain *Maxima* was forced to apologise to its customers after it had launched the sales of the *Soviet* sausage brand, for fear that the sensibilities of some may be offended.

4.2. Persecution for Denial of Soviet Aggression

In Lithuania denying Soviet aggression is a crime.

The term “Soviet aggression” refers to the clashes in Vilnius and some other cities of Lithuania on January 11-13, 1991.

On March 11, 1990, the Supreme Council of Lithuania declared the republic's independence from the Soviet Union, but the Soviet government announced that this decision was anti-constitutional. In January 1991 a wave of spontaneous protests hit Lithuania, following which Soviet military units, including paratroopers, were sent to take control of some strategic targets. On the night of January 13, a column of Soviet tanks entered the centre of Vilnius. 14 people were killed as a result of clashes between the protesters and the military and more than 600 were wounded. Among the victims was one Group ‘A’ Service officer who was shot in the back.

Intelligence agencies claimed that the clashes were the result of a major provocation, while all those killed, including the Group ‘A’ Service officer, were shot by snipers. Audrius Butkevičius who was a top security official in 1990-1991 later mentioned in some of his interviews later said in interviews that he had ordered snipers of the Sąjūdis to sit in the buildings next to the tower and shoot people. The law enforcement agencies of Lithuania never held an inquiry into this.

According to the official version supported by the Lithuanian state, the Soviet troops were entirely responsible for all those killed and wounded. Alternative viewpoints are prohibited, and voicing them publicly may result in criminal liability.

In June 2012 the leader of the Socialist People's Front Algirdas Paleckis was convicted on charges of denying Soviet aggression against Lithuania in 1991.

The episode in question concerned a February 2011 radio interview about the events that took place near the Vilnius TV centre when he stated publicly: "It appears that in January 1991 it was our own people shooting at their fellow citizens."

The prosecution demanded a prison term of 1 year suspended for two years. But the court decided otherwise ordering Paleckis to pay a fine of 10,400 litas (appr. 3,000 euros). The court acknowledged that Mr. Paleckis had publicly and deliberately "denied Soviet aggression".

On March 7, 2013, President Grybauskaitė removed Algirdas Paleckis from the list of people awarded a Cross of the Knight of the Order for Merits to Lithuania.

4.3. Destruction of Historical Monuments

In July 2015 Vilnius municipal authorities, with strong support from the country's president Dalia Grybauskaitė removed the Soviet set of sculptures known as *Guarding Peace* long featured on the Green Bridge – the city's biggest.

Four sets of sculptures depicting soldiers, workers, farmers and students were erected on the Green Bridge in Vilnius in 1952. Plans to remove them were first voiced after Lithuania re-established its independence upon the collapse of the Soviet Union in 1991.

The Green Bridge itself was constructed in 1948-1952 by Soviet Engineering troops, and the design was by the Leningrad *ProyektStalKonstrukcia* institute.

The monuments were in critical condition; it was decided, however, that they were to be dismantled instead of restoration.

The mayor of Vilnius himself added fuel to the scandal. On his social media page, Remigijus Šimašius explained just why the Soviet past is such a cursed thing to remember: "Those soldiers were not fighting in their own war, on their own land. They were given vodka before being

sent into a hopeless battle, and behind them was a machine-gun was aimed at their backs, should they chicken out and retreat”.

In his article, the mayor offered his visions of all the categories of Soviet people to whom the sculptures on the Green Bridge were dedicated. In his view, farmers were in reality bonded peasants whose painstaking labour the Soviet regime replaced with pandemic drinking. Workers would choose occupation solely based on the principle of which jobs gave more opportunities to pilfer from the state. Students would be forced to swot up on absolutely unnecessary subjects only to get a job appointment. And that is why, Mr. Šimašius concludes, Lithuanians now need to rid themselves of the Soviet past.

On August 1, 2016, the Central Bank of Russia issued a series of 5-ruble coins titled "Capital cities of countries liberated by Soviet troops from Nazi invaders".

The series included coins dedicated to Belgrade, Berlin, Bratislava, Budapest, Bucharest, Warsaw, Vienna, Vilnius, Kyiv, Chisinau, Minsk, Prague, Riga and Tallinn, two million pieces each.

The coin dedicated to Vilnius depicted the set of sculptures representing Soviet soldiers known as *Guarding Peace*, removed since by the municipal authorities from the Green Bridge.

This outraged Lithuania.

Political director of the Lithuanian Foreign Ministry Rolandas Kačinskas declared that Lithuania "has no doubts about the role of the Red Army and its place in the history of Lithuania."

Lithuania's position is that after expelling the German troops on July 13, 1944, the USSR illegally occupied the country. Mr. Kačinskas declared that the issue of coins depicting the sculptures of soldiers removed in 2015 demonstrated the unwillingness of the Russian side to perceive the historical truth about the Soviet occupation.

The press office of the Central Bank in its turn responded that it was the victory over fascism that the series of commemorative coins was dedicated to, and no geopolitical changes can call into question the undeniable importance of this victory for all the peoples of Europe and the world."

5. Anti-Semitism

Jews settled in Lithuania in the 14th century. In 1573 a prominent synagogue was built in Vilna for all the Jewish communities that were living in Lithuania at the time.

By the 18th century, Vilna had become a major centre of the spiritual and intellectual life of the Lithuanian Jews.

By early 20th century, Jews made up 40% of Vilnius' population. The 1920s-1930s were a period when Jewish culture blossomed in Vilnius, which at the time was often informally referred to as the Northern Jerusalem or the Lithuanian Jerusalem: it was during that period that the Jewish Academic Institute was opened (1925) and six daily newspapers were published in Yiddish and Hebrew (1938)

5.1. Memory of the Holocaust

The Holocaust resulted in the deaths of 95% of Vilnius' Jewish population. Lithuania was occupied by Nazi German from 1941 through 1944. In that time, the Nazis murdered between 200,000 and 220,000 people. By 1944, a mere 600 Jews had survived in Vilnius.

A significant role in the extermination of the Lithuanian Jews was played by local Nazi collaborators. The Holocaust in Lithuania was kicked off by members of the Lithuanian Front of the Activists even before the German occupying forces ever set foot in Lithuania on June 22, 1941. Lithuanian military police units and guard battalions then went on to deliberately assist the occupants in the extermination of the Jews not just in Lithuania but also in Poland and Belarus. For example, Lithuanian units actively participated in the liquidation of the Warsaw Ghetto.

In the 1980s-1990s when emigration restrictions were lifted, the vast majority of Lithuanian Jews left the country, heading primarily to Israel, US, and Germany. The 2001 census found that there were 4007 Jews living in Lithuania, including 2769 in Vilnius and 427 in Kaunas. By 2011, their number had fallen to 3050 people.

In late Jan 2016, a book titled *Mūsiškiai* (our people) by author Ruta Vanagaite came out in Lithuania. It details the participation by Lithuanians in the extermination of the Jews during the Holocaust and talks about how Jews were brought to Lithuania from other countries for extermination and the Church never condemned it. A total of about 200,000 Jews were murdered in Lithuania and according to the book, even school students participated in the slaughter. The author talked to witnesses of those events when she was doing research for her book.

The reaction in Lithuania to her book was extremely negative.

'My relatives told me I was doing a Pavlik Morozov¹¹ and betraying my kin. Several friends have stopped talking to me, saying I sold out to the Jews and betrayed my motherland,' the writer stated in an interview for the Lithuanian news portal Delfi¹². According to Ms. Vanagaite, even her priest threatened to close the church's doors to her forever.

'Lithuania was not expecting a book like this and that was the reason I wrote it,' Ms. Vanagaite said, explaining why she'd written the book. In her opinion, nobody else could have written a book like that, because the Holocaust is pretty much a taboo topic in Lithuania and there's never any money available for research into this issue. 'Everyone who witnessed those events first hand is going to die soon, they're old, and the generation of my kids won't have anyone to learn about those events from so that's why I'm talking to the witnesses while they're still alive,' the author said. 'It was my duty to the motherland to write this book if you will,' Ms. Vanagaite believes.

She says most Jews were killed in the Paneriai neighbourhood in South Vilnius, but murders were being carried out all over Lithuania. 'The

¹¹ Pavel Morozov – Soviet youth, became famous in 1930-s as anti-kulaks activist who reported his own father to state authorities (kulaks – wealthy peasants, exploiters). In post-soviet countries, his name is used figuratively as a symbol of betraying close relatives.

¹² Delfi.lt: Friends and family ostracise author over a book on the genocide of Jews in Lithuania. URL: <http://ru.delfi.lt/news/live/iz-za-knigi-o-genocide-vreev-v-litve-ot-avtora-otvernulis-rodnye-i-druzya.d?id=70220958>

entire country is interspersed with Jewish gravesites,' the writer insists, citing not only her own findings but studies by Lithuanian historians.

She confirmed these findings through conversations with first-hand witnesses: according to Ms. Vanagaite, many were willing to talk on condition of anonymity. 'They were scared, they'd say to me, they will and kill me, and I'd be like who will come and kill you? And they'd be like, the Lithuanians,' the woman explained. She also complained about the fact that most Jewish mass graves have no signs whatsoever. 'There are thousands of people lying there underground, but you couldn't tell it's a gravesite just by looking at it,' Ms. Vanagaite said.

One horrible incident described in the book involves the pulling out of false golden teeth from the bodies of just murdered Jews. The gold was melted down and then used to make dental prostheses for Lithuanians. It was a business run by an executioner of Jews who also worked as a dentist and it wasn't the only property ripped off from the dead Jews.

'All over Lithuanian there were some 50,000 Jewish homes, plus synagogues, shops, hospitals. Where has all of that property gone? All of Lithuanian got rich off the killing of the Jews,' Ms. Vanagaite explains. 'Everyone in Lithuania who's got some antiques can ask themselves where those antiques came from,' the writer said.

According to her, the executioners were ordinary guys, volunteers: 'half the people that killed the Jews in the province were illiterate or people that finished just two years of school.' 'If the church had assumed a different stance and insisted that the thou shalt not kill commandment had to be followed above all, that could have stopped them, but the church kept silent,' the author says. She adds that to a large extent the official position of the Lithuanian authorities exacerbated the tragedy.

'In 2012 the Lithuanian centre for researching the genocide of the population and resistance compiled a list of 2055 people who may have participated in the genocide. The list was handed over to the government, where is it now?' Ms. Vanagaite wants to know.

Despite the fact that in 1941 about 5,000 Lithuanian Jews were murdered in the seventh fort of the Kovno fortress in Kaunas, today the site is used for entertainment events.

In 2016 Kaunas mayor got a letter from the Israeli branch of the Simon Wiesenthal centre that expressed indignation and demanded that a stop be put to the making of sites of genocide into entertainment venues. In his letter, the branch head Efraim Zuroff says this situation is a disgrace and calls on the mayor to immediately put a stop to the use of the site in this capacity. 'I'm calling on you to immediately put an end to the holding of entertainment events in the seventh fort and find a way to return to the site to the municipal government or hand it over to an organisation that will respect the memory of Holocaust victims rather than insult them,' he writes.

The Kovno fortress fort in question was privatised two years ago and since then has been turned into an entertainment centre. The site of a mass murder of Jews is even occasionally used for wedding ceremonies.

5.2. The destiny of Nazi criminals

The number of Nazi criminals who lived in Lithuania at the beginning of the twenty-first century was higher than in any other country in Eastern Europe. 12 Lithuanians were denaturalized from US citizenship in connection with their cooperation with the Nazis and returned to Lithuania; however, judicial proceedings were initiated against only three of them, and none have been punished.

The most high-profile scandal was the case of Aleksandras Lileikis, the Chief of the Security Police in Vilnius, who underwent denaturalized as U.S. citizen in connection with his proven involvement in genocide. The case against him was delayed in Lithuania for several years until he died.

In 2010, Efraim Zuroff directly accused the authorities of Lithuania of unwillingness to prosecute those Lithuanians who were involved in the murder of the Jews during the war¹³.

According to Zuroff, it is the assistance of the locals that resulted in the fact that almost all the Jews in Lithuania were killed by the Nazis.

¹³ Paul Frysh. "The Holocaust in Lithuania: One man's crusade to bring justice." CNN, 3 June 2010. // URL: <http://edition.cnn.com/2010/WORLD/europe/06/03/lithuania.nazi.prosecutions/>

Mr. Zuroff is surprised that Lithuania is focusing so much emphasis on the activities of the former Communists.

"But did these crimes of the Soviet authorities reach the level of genocide?" Zuroff asks rhetorically. "The genocide of the Jews during the second World War, however, is a well-established fact."

Zuroff believes that the Lithuanians had already lost their chance to be forgiven for crimes against humanity committed during the war because not a single Nazi accomplice has been convicted in Lithuania.

"The Lithuanians squandered the best chance they had to get that burden of guilt from them. And now it's going to take them 100 years to get rid of it. The only way to succeed is through education, documentation, research – and a lot of pain," Zuroff wrote.

The article also provides some little-known facts about the tragic history of Efraim Zuroff's family. His great-uncle was captured on July 1941 by a gang of Lithuanians roaming the streets of the city in search of the hiding Jews." Zuroff's great-uncle was imprisoned and later killed, and the same fate befell the great-grandfather's wife and two sons.

According to Zuroff, after the collapse of the Soviet Union, it is in Lithuania, among the other countries in Eastern Europe, where he found the highest number of Nazi collaborators, and now, he believes, the country "is trying to rewrite the history of the Holocaust."

"Nowhere in the world has a government gone to such lengths to obscure their role in the Holocaust as the Lithuanian Government. Their mission is to change the history of the Holocaust to make themselves blameless," Efraim Zuroff wrote.

On May 18, 2012, the remains of Juozas Ambrazevičius, brought from the U. S., were reburied with honours in Kaunas; Ambrazevičius was the Prime Minister of the Provisional Government of Lithuania from June 23 to August 5, 1941, and the leader of the Lithuanian Activist Front. This caused protests of some Lithuanian intellectuals, the Russian Government and several Jewish organizations, which noted that Lithuanian Activist Front headed by Ambrazevičius was responsible for the killing of the majority of Lithuania's Jewish population.

5.3. Persecution of Jewish partisans

While there is no prosecution of Lithuanians involved in the genocide of the Jews, the Lithuanian law-enforcing agencies are conducting active investigations against former Soviet partisans of Jewish origin in connection with the allegations of killings of civilians.

In 2007, during the investigation of the massacre in Kaniūkai,¹⁴ The Prosecutor's Office of Lithuania summoned for interrogation one of the founders of the Yad Vashem Memorial and a member of the International Commission for the Evaluation of the Crimes of the Nazi and Soviet Occupation Regimes in Lithuania, a former partisan, 81-year-old Yitzhak Arad.

According to the Prosecutor's Office of Lithuania, Arad, who became NKVD (People's Commissariat for Internal Affairs) officer at the end of the war, could be responsible for the killings of civilians and participants of the Lithuanian resistance.

In May 2008, female partisans Fania Brantsovsky and Rachel Margolis (1921 — 2015) were summoned to appear as witnesses.

Arad himself commented: "Jews in Lithuania had little choice: go to the execution site and be killed, or to stay alive, which meant going to the forest, joining the partisans and fighting. There was no other way at all. I'll say more: I am proud that I did that because I believe that those were the murderers of my people, the murderers of millions of Soviet people." In his opinion, this is the way Lithuania tries to clean up its own history: "and that is in Lithuania, where not a single person has been formally convicted for collaboration with the Nazis."

In June 2008, the representatives of the Jewish community of Lithuania wrote an open letter expressing their disapproval of the harassment of Arad. Protests were also voiced by Avner Shaley, the Chairman of the

¹⁴ The killing in Kaniūkai (Lit. *Kaniūkai*, Polish Koniuchy): according to Lithuanian historians, it was a massacre where Soviet partisans killed the Polish population of the village of Kaniūkai on January 29, 1944. All those killed were locals who the partisans accused of collaboration. According to other sources, the villagers used to shoot at the partisan squad when it was on its way on operations against the Nazis.

Yad Vashem Directorate, and the Federation of Jewish Communities of Russia. In his letter, Shalev said that "destructive historical revisionism seems to be taking place in Lithuania, by calling into question legitimate, previously lauded wartime combat in an apparent attempt to propagate unfounded beliefs and distort historical truths."

The Simon Wiesenthal Center considers that Lithuania has started a campaign to discredit Jews. According to the Center, the goal of this campaign, initiated by Lithuanian law enforcement authorities, is to distract attention from the murders of the Jews committed by Lithuanians during the war.

The actions of Lithuania gave rise to a massive international scandal. The Ministry of Justice of Israel refused to assist the Lithuanian Prosecutor's Office. The representatives of the Lithuanian and global Jewish community repeatedly expressed their displeasure over the legal prosecution of Arad.

In 2009, the case against Arad was closed due to the lack of evidence, but prosecutors did not offer their apologies.

In protest, Dov Levin, an Israeli historian and lecturer at the University of Jerusalem, returned the letter of recognition of his courage in facing the Nazi menace, which he received in 1993, to the President of Lithuania Valdas Adamkus. Levin said: "Lithuania was one of the few countries where almost 93 percent of its Jews were murdered. Before the first German soldier entered Lithuania, the Lithuanians already harassed the Jews, not only killed, but robbed and brutally raped. The military and the police, who were Lithuanians, helped the Germans." He believes that the persecution of Arad was caused by the desire to justify the murderers: "two weeks ago, skinheads in the streets of Vilnius were shouting 'Juden raus!' — 'Jews out!'. They want to cleanse the murderers. To do that, they have to accuse us, the Jews. They're trying to say that though there were Lithuanians who killed Jews, there were also Jews who killed Lithuanians."

Another major scandal occurred around an attempt to hold Israeli lawyer Joseph Melamed, who is the former prisoner of Kovno ghetto and the Chairman of the Association of Jewish Immigrants from Lithuania, to liability for defamation. Back in 1999, Melamed sent the Lithuanian

Prosecutor General a document which contained a list of thousands of Lithuanians who he accused of the genocide of the Jews based on the materials he collected from the testimonies of survivors. Ten years later, when the majority of the suspects died, the Prosecutor's Office of Lithuania launched an investigation against Melamed himself on demand of several deputies of the Lithuanian Parliament. The attempt to interrogate Melamed, which was effected by sending a query to the Israeli Ministry of Justice, received opposition expressed by very harsh terms by the Israeli press. In connection with these events in August 2011, Israeli Memorial Yad Vashem canceled its invitation to Lithuanian officials to the Symposium dedicated to Holocaust.

5.4. Righteous Among the Nations

During the Holocaust, many residents of Lithuania helped the Jews and saved them while risking their own lives. A total of about 8000 Lithuanian Jews were saved during the war. There were 889 people in Lithuania who were awarded the title of Righteous Among the Nations by Yad Vashem, the International Institute for Holocaust Research, for their heroism in saving the Jews. Lithuania has the sixth place in the world by the number of the Righteous, after Poland, the Netherlands, France, Ukraine, and Belgium.

Wehrmacht Feldwebel Anton Schmid provided active assistance to the Jews in the Vilnius ghetto and was executed for that by the Nazis on April 13, 1942. Many Jews were saved by the family of Kazys Binkis, a writer; by Anna Borkovska, the prioress of a female Dominican monastery; the Korablikhovs, a family of old believers; vicar Andrei Gdovsky, and the other residents of Lithuania.

Many stories about how the Jews were saved by their Lithuanian neighbours are found "Jews, Lithuanians and the Holocaust," a book by Alfonsas Eidintas.

In 2013, an anti-Semitic scandal broke out in Lithuania. The Cabinet proposed the Seimas not to consider the bill that would give the people who rescued Jews the legal status of freedom fighters. This status would allow them to receive an additional pension in Lithuania. By that time, only 150 of the Righteous remained in Lithuania. In the draft decision, it

was stated that due to the difficult economic situation, the State would not be able to find one million litas (about \$ 395,000) required for the payments, although shortly before that the Lithuanian authorities have allocated several million litas to increase the salaries of public officials.

The Chairman of the Parliamentary Committee on Budget and Finance of Lithuania, Social Democrat Bronius Bradauskas, then said state pensions to Lithuanian righteous who rescued Jews during the World War II should be paid by Israel, not Lithuania.

The decision of the Lithuanian Government triggered a storm of criticism.

Only thanks to the intervention of the Israeli Government, under severe pressure from the public and the international community, the Lithuanian authorities reconsidered their decision and formalized pensions for the Lithuanian righteous.