

REPUBLIC OF LITHUANIA

**LAW ON THE GENOCIDE AND RESISTANCE RESEARCH CENTRE OF
LITHUANIA**

June 5, 1997. No VIII - 238.
(as amended by November 13, 1997, No. VIII-514)
Vilnius

The Seimas of the Republic of Lithuania,
guided by the universally-recognised provision of the international community,
that annihilation of people for any reason, constitutes a crime,
taking into consideration that the Republic of Lithuania has joined the
December 9, 1948 Convention On The Prevention And Punishment of the Crime of
Genocide and the November 26, 1968 Convention On The Non-Applicability of
Statutory Limitations To War Crimes and Crimes Against Humanity, relying upon the
European Convention For the Protection of Human Rights and Fundamental Freedoms
and provisions of its protocols,
noting, that Lithuania had been under occupation from June 15, 1940 to March
11, 1990, and the forced regimes have been unlawful,
noting that physical and spiritual genocide of the population of Lithuania and
crimes against humanity and humaneness had been perpetrated during the period of the
occupations,
noting, that opposition (resistance) in various forms (military and political) had
taken place in Lithuania during the period 1940-1990, against the occupation powers of
the USSR and Germany,
acknowledging, that a large segment of the Lithuanian population had perished
in the struggles for freedom or had become victims of genocide, crimes against
humanity and humaneness and victims of war crimes and must be remembered,
properly honoured and perpetuated,
striving to create conditions for an investigation of the processes of resistance
by the Lithuanian population against the occupation regimes, assess them and make the
organisers of genocide and the organisers and perpetrators of the crimes against
humanity and humaneness criminally responsible,
passes this Law.

SECTION I

GENERAL PROVISIONS

ARTICLE 1. Purpose of Law

This Law shall regulate the activity of the Genocide and Resistance Research
Centre of Lithuania, establish its tasks, functions, legal position, structure and work
organisation.

ARTICLE 2. The Genocide and Resistance Research Centre of Lithuania

1. The Genocide and Resistance Research Centre of Lithuania (further - Centre) shall be an inter-departmental state institution, investigating all of the manifestations of genocide, crimes against humanity and humaneness, persecution of the Lithuanian population during the years of occupation, and also the processes of armed and unarmed resistance against the occupations, and initiating legal assessment of the organisers and perpetrators of genocide. The Centre shall co-ordinate investigation work relevant to the area defined by this Law that is being implemented by other institutions.

2. The centre shall have the right to form inter-departmental work groups to implement programmes. Experts of other departments and organisations may work in these according to labour contracts.

3. The centre shall be a legal person, having a settlement account at the Bank of Lithuania and a seal featuring the coat of Arms of Lithuania and the name, “ Genocide and Resistance Research Centre of Lithuania.”

ARTICLE 3. The Legal Fundamentals of Activity of the Centre

The Centre shall act guided by the Constitution of the Republic of Lithuania, laws, other legal acts passed by the Seimas, decrees of the President of the Republic, Government resolutions and Centre regulations, as well as this Law.

SECOND SECTION

THE TASKS AND FUNCTIONS OF THE CENTRE

ARTICLE 4. The Tasks of the Centre

The tasks of the Centre comprise restoration of historical truth and justice, investigation of the physical and spiritual genocide of the Lithuanian population perpetrated by the occupation regimes during the period 1939-1990, resistance against these regimes, perpetuating the remembrance of the freedom fighters and victims of genocide, initiation of a legal assessment of consequences of the occupations. The Centre shall also investigate the policy implemented in the Vilnius region in 1920-1939 and processes of the resistance against it.

ARTICLE 5. Functions of the Centre

In implementing the tasks assigned to it, the centre shall:

1) form the state policy by investigating the area defined by this Law: establish the directions and methodology of investigation, formulate work problems, establish long-term and short-term programmes of genocide and resistance investigation and carry them out and co-ordinate investigations in this sphere implemented by other institutions;

2) collect, accumulate, systematise and summarise material on the crimes perpetrated by the occupation regimes, reveal the criminal essence of totalitarian regimes, the system of genocide and crimes against humaneness and the system of implementing war crimes, determine the organisers and perpetrators of genocide and

submit the material concerning them; initiate bringing criminal responsibility charges against them;

3) collect, analyse and summarise material relevant to resistance against the occupation regimes, activity of underground organisations, partisan movement and participants in the struggles for freedom;

4) publish scientific, informational, analytical material, put out publications concerning the genocide against the population of Lithuania and its resistance against the occupation regimes, prepare scientific conferences, participate in the programmes organised by other institutions and states;

5) compile lists of names of volunteer servicemen, freedom struggle participants, political prisoners, deportees and victims;

6) participate in individual state programmes, concerning the assessment of damages caused during the occupation period, and implement such programmes;

7) co-operate with the Ministries of Culture and National Defence and training institutions, provide methods assistance in implementing programmes of patriotic development of youth and public citizenship;

8) form a joint administration and methodology council along with the Archives Department of Lithuania and resolve the strategic questions of the special section of the state archives stock of Lithuania (of the LSSR department of the former USSR Committee For State Security (KGB), former LSSR Ministry of Internal Affairs and the Communist Party of Lithuania, first departments of former LSSR institutions) archive protection, administration and use according to the regulations approved by the Government; create joint groups for setting up a system of information search;

9) research archival materials and provide information to legal and natural persons on those who perished during the period of occupations, missing persons, repressed, persecuted, victim members of the population of Lithuania and volunteer servicemen.

10) initiate, encourage and support construction of memorial complexes, monuments, memorial signs, movies, projects for creation of monographs and announce public tenders for implementation thereof;

11) participate in the creation in Vilnius, of a memorial marking the struggles and sufferings, be involved in the authentic preservation and gradual expansion of the Museum of the Victims of Genocide, the historic monument complex of the former KGB Chamber, and also provision of adequate conditions for the preservation of the inseparable portion of this memorial complex, the former KGB Archives;

12) co-ordinate the monument construction being implemented on the initiative of state and public organisations, draw up codes of these monuments, consult, submit recommendations and methodical assistance in perpetuating the struggles for freedom (constructing monuments, creating movie films, awarding the names of resistance participants to city squares and streets, training institutions or other buildings);

13) prepare proposals with respect to commemoration of dates linked with the genocide of the population of Lithuania and struggles for freedom, worthy of state-wide commemoration, consult state institutions and public organisations which organise various events linked with resistance and genocide;

14) arrange Lithuania's and other countries' expeditions to sites of deportation, killings, resistance struggles and participate in these expeditions, collect local lore material, witness accounts, take part in international projects, whose goal is perpetuation of the memory of the victims of genocide;

15) hold permanent expositions at the Genocide Museum, utilising investigation results and assembled material of the Centre's subsections, assemble museum stock,

systematise it, store and process it, prepare and implement educational programmes for students and pupils;

16) be involved in searches for documents related to genocide and resistance in Lithuania and other countries, their return or acquisition of copies, assemble written, photographic and photographic recorded and filmed material concerning genocide and resistance;

17) initiate comprehensive legal assessment of the consequences of genocide and occupation, and also of the recognition of organisations and departments which had implemented genocide and persecution of the Lithuanian population, as criminal;

18) establish the facts of genocide and persecution perpetrated against the population of Lithuania and supply material concerning actual perpetrators of genocide to state law protection institutions, co-operate with these institutions, delegating his representatives, delegating its representatives to work groups. implementing the investigation and having the right of inquiry; see to it that this

investigation would not be prolonged; may be present as declarant at trials involving crimes of genocide, crimes against humanity and humaneness and war crimes;

19) co-operate with law protection agencies, examining the subversive activity by the special services of foreign countries, within the territory of Lithuania, providing material and exposed facts collected in the archives;

20) initiate, prepare or participate in legal assessment of document drafts (concerning resistance participants, legal status of victims, social care, liability for genocide and other questions) and also control the implementation thereof, recognise the legal status of military volunteers, freedom struggle participants, political prisoners, deportees and victims; according to established procedure, issue certificates in the established form and manage registration thereof;

21) submit proposals concerning persons, who have been repressed for resistance against the occupational regimes, restoration of rights and propose re-examination of the cases of these persons;

22) prepare proposals concerning the granting of awards to military volunteers and awards to participants in struggles for freedom, as well as restoration of the previously-held titles and awards .

THIRD SECTION

THE STRUCTURE AND STAFF OF THE CENTRE

ARTICLE 6. The Structure and Staff Members of the Centre

1. The Centre shall be comprised of :

1) The department of genocide and resistance investigation;

2) The memorial department (with The Museum of the Victims of Genocide);

3) The special investigations section (with the Commission on the Rights of Participants in the Resistance);

2. Centre departments shall fulfil the functions, indicated in this Law, and closely co-operate amongst themselves, making use of the material assembled in other departments.

3. Permanent staff members and temporarily - established for the implementation of short-term or long-term programmes, work group experts shall work at the Centre (according to fixed-term contracts).

4. The Centre shall be headed by a general director. He shall be appointed and dismissed by the Seimas upon the recommendation of the Prime Minister. The Centre Council shall be comprised of the General Director of the Centre, heads of the structural departments of the Centre and their deputies. The general Director of the Centre shall be in charge of the work of the Council.

5. For strategic Centre activity, formation of programmes and questions of the implementation thereof, the General Director may form temporary consultative groups of the representatives from The General Prosecutor's Office, Ministry of Justice, Ministry of National Defence, State Department of Security, Lithuanian Institute of History, political prisoners, deportee and participant in the resistance movement public organisations, Lithuanian World Community and other state institutions or public organisations.

6. A perpetuation and support fund of the victims shall be active at the Genocide and Resistance Research Centre of Lithuania, which shall be established and whose bylaws shall be approved by the Government (amended 13 November 1997).

7. The Centre shall be accountable to the Seimas and Government for its activity.

8. The bylaws of the Centre shall establish the competence, structure and functions of the Centre. These bylaws shall be approved by the Seimas at the recommendation of the Government

9. The Government shall approve the composition of the Commission of the Section For Special Investigation of the Rights of Participants in the Resistance and its bylaws, upon the recommendation of the General Director of the Centre.

FOURTH SECTION

FINANCING OF THE CENTRE

ARTICLE 7. Financing of the Centre

1. The Centre shall be financed from the State Budget (amended 13 November 1997);

2. Additional State budgetary funds shall be allocated for the purpose of financing individual state programmes by a Seimas or Government resolution.

FIFTH SECTION

FINAL PROVISIONS

ARTICLE 8. Liability for Interference With the Investigation of Genocide and Resistance Against Occupation Regimes

1. The genocide and persecution of the population of Lithuania shall be investigated by collecting and analysing all of the archival material and documents in Lithuania and outside its boundaries, testimonies and recollections of witnesses, participants and victims. The investigation of genocide and establishment of historic truth may not be interrupted under any pretext.

2. Natural and legal persons shall be liable according to the laws of the Republic of Lithuania, for interference, protraction, concealment, destruction of the information held and refusal to testify.

ARTICLE 9. No Longer Valid Legal Acts

Upon coming into effect of this Law, the following shall be no longer valid:

1) Republic of Lithuania Law on the Genocide and Resistance Research Centre of Lithuania (16 July 1993, I - 242);

2) The Seimas Resolution “On the Procedure of Implementation of the Law on the Genocide and Resistance Research Centre of Lithuania” (16 July 1993, I - 243);

3) The Seimas Resolution “On the Resolution of the Seimas of the Republic of Lithuania ‘On the procedure of Implementation of the Law on the Genocide and Resistance Research Centre of Lithuania’” (21 December 1993, I - 344)

4) Law “On the Supplement to the Republic of Lithuania Law on the Genocide and Resistance Research Centre of Lithuania” (29 June 1995, I - 981);

5) The Seimas Resolution “On the Fund For The Support of Victims of Genocide and Resistance“ (amended 20 July 1994, I - 573)

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

PRESIDENT OF THE REPUBLIC

ALGIRDAS BRAZAUSKAS