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2026 m. lapkričio 28 d. · Pareiškėjo nuoroda: OSI-GP-01

Lietuvos Respublikos generalinei prokuratūrai

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Kopija (informacijai): Lietuvos žydų (litvakų) bendruomenė, pirmininkė Faina Kukliansky, info@lzb.lt

Lietuviškas tekstas yra autentiškas. Po jo pateikiamas angliškas kontrolinis vertimas.

PATIKSLINTAS TOLESNIS PRAŠYMAS PAGAL PRAŠYMĄ AP-30127: ALEKSANDRO LILEIKIO, KAZIO GIMŽAUSKO IR ALGIMANTO DAILIDĖS BYLŲ DOKUMENTAI, IŠ JAV GAUTŲ ĮRODYMŲ APSKAITA, PROCESINIAI SPRENDIMAI IR GALUTINĖ BYLŲ BAIGTIS

1. Prašymo esmė

Aleksandras Lileikis vadovavo Vilniaus srities lietuvių saugumo policijai (Saugumui), Kazys Gimžauskas buvo jo pavaduotojas, Algimantas Dailidė – šios policijos pareigūnas. JAV teismai, remdamiesi Lietuvos archyvuose rastais karo meto dokumentais, nustatė, kad Saugumas suiminėjo Vilniaus žydus, kalino juos Lukiškių kalėjime ir perduodavo Vokietijos saugumo policijai, kuri juos nužudydavo. Visi trys po JAV pradėtų pilietybės panaikinimo bylų atsidūrė Lietuvoje. Lietuvos prokuratūra visiems trims pareiškė kaltinimus.

Šių bylų baigtis yra tokia: A. Lileikis mirė 2000 m., nesulaukęs nuosprendžio; K. Gimžauskas 2001 m. pripažintas kaltu genocidu, tačiau bausmė jam nepaskirta; A. Dailidė 2006 m. pripažintas kaltu, tačiau laisvės atėmimo bausmės neatliko. Prašau pateikti dokumentus, iš kurių matyti, ką Lietuva gavo iš JAV, ką su tais įrodymais padarė prokuratūra ir kokiais procesiniais sprendimais kiekviena byla baigėsi.

2. Santykis su prašymu AP-30127

Šis prašymas yra patikslintas tolesnis prašymas pagal mano 2026 m. rugsėjo 13 d. prašymą (reg. Nr. AP-30127). Tame prašyme prašiau 1990–2026 m. Holokausto laikotarpio nusikaltimų tyrimų registro, įskaitant iš užsienio valstybių gautų įrodymų apskaitą, ir orientacijai nurodžiau A. Lileikį, K. Gimžauską ir A. Dailidę. 2026 m. spalio 14 d. raštu Nr. 17.2.-2592 Generalinė prokuratūra atsisakė informaciją pateikti, remdamasi Baudžiamojo proceso kodekso (BPK) 177 straipsniu, asmens duomenų apsauga ir tuo, kad nenurodytas informacijos naudojimo tikslas. Raštas pateiktas B priede. Prašau šį prašymą užregistruoti ir susieti su AP-30127.

Šiame prašyme apimtis susiaurinta ir patikslinta:

– jis apima tik tris konkrečias bylas, kurios buvo perduotos teismui ir nagrinėtos teismo posėdžiuose;

– prašomi konkretūs dokumentai: teismų procesiniai sprendimai, prokuratūros paskelbtas pranešimas spaudai, iš JAV gautų įrodymų apskaita ir 2000–2001 m. bendradarbiavimo su JAV dokumentai. Rašte Nr. 17.2.-2592 nurodyta, kad BPK 177 straipsnio ribojimas taikomas

ir nutrauktų ar sustabdytų tyrimų duomenims. Todėl prašau dėl kiekvieno punkto priimti atskirą sprendimą, atskiriant (a) teismų procesinius sprendimus, (b) prokuratūros viešai paskelbtus pranešimus, (c) administracinę ir tarptautinio bendradarbiavimo korespondenciją ir (d) ikiteisminio tyrimo medžiagą, kuriai, prokuratūros vertinimu, taikomas ribojimas. Pastarosios kategorijos atveju prašau nurodyti, kodėl ribojimas taikomas byloms, kurios jau buvo nagrinėjamos teisme;

– nurodomas informacijos naudojimo tikslas (žr. 5 skyrių). Be to, A. Lileikis mirė 2000 m.; A. Dailidė, gimęs 1921 m., pagal viešai prieinamus duomenis mirė 2015 m.; K. Gimžauskas gimė 1908 m. Bendrasis duomenų apsaugos reglamentas mirusiųjų asmens duomenims netaikomas (BDAR 27 konstatuojamoji dalis).

3. Dokumentinis pagrindas

JAV teisingumo departamento istorijoje (J. Feigin, 2008 m. gruodis; A priedas) nurodoma:

– po to, kai 1994 m. rugsėjį JAV Specialiųjų tyrimų tarnyba (OSI) pateikė ieškinį dėl A. Lileikio pilietybės panaikinimo, JAV teisingumo departamentas perdavė Lietuvai atitinkamų dokumentų kopijas (p. 461);

– 1995 m. vasarį Lietuvos Vyriausybė teigė, kad įrodymų nepakanka tyrimui pradėti; prezidento vizito į Izraelį išvakarėse tyrimas buvo pradėtas (p. 461);

– 1995 m. Lietuva teigė, kad 1924 m. ekstradicijos sutartis su JAV neapima genocido, o dokumentinių įrodymų nepakanka ir reikia liudytojų (p. 462);

– 1996 m. gegužę JAV teismas panaikino A. Lileikio pilietybę; Lietuva leido suprasti, kad jis gali grįžti ir nebus persekiojamas, nes nėra liudytojų; per tris savaites jis grįžo (p. 462). JAV teismo sprendimas: https://law.justia.com/cases/federal/district-courts/FSupp/929/31/1812830/

– 1998 m. A. Lileikiui pareikšti kaltinimai genocidu; teismo procesas po vienos dienos sustabdytas dėl jo sveikatos (p. 463);

– 2000 m. kovą pakeistas baudžiamojo proceso įstatymas, kad genocidu kaltinami asmenys galėtų dalyvauti procese vaizdo ryšiu; 2000 m. birželį A. Lileikio procesas atnaujintas ir po 30 minučių vėl sustabdytas; po dviejų mėnesių jis mirė (p. 464);

– pasak šaltinio, 2000 m. rugsėjo 27 d. Generalinės prokuratūros pranešime spaudai teigta, kad prokuratūra turėjo pakankamai įrodymų A. Lileikio vaidmeniui vykdant genocidą pagrįsti (p. 464, 53 išnaša);

– K. Gimžauskas 1998 m. apkaltintas genocidu, daugiausia remiantis OSI nurodytais dokumentais; 2001 m. jis pripažintas kaltu, teismui nustačius, kad jis perdavė bent tris žydus lietuvių žudikų būriams (p. 464);

– 2000 m. birželį Lietuvos generalinis prokuroras susitiko su JAV generalinio prokuroro pavaduotoju ir OSI direktoriumi ir paprašė pagalbos tiriant nacių laikotarpio nusikaltimus; 2001 m. pradžioje OSI istorikas ir teisininkas lankėsi Lietuvoje, susitikimuose dalyvavo JAV ambasadorius (p. 465);

– 2004 m. liepą Lietuva pareiškė kaltinimus A. Dailidei, kuris buvo išvykęs į Vokietiją; ekstradicijos neprašyta; jis grįžo savo noru ir 2006 m. kovą pripažintas kaltu bendradarbiavimu su naciais ir žydų persekiojimu, tačiau dėl amžiaus bausmė nepaskirta (p. 465).

„The Baltic Times“ 2001 m. vasario mėn. pranešė, kad Generalinės prokuratūros specialiųjų tyrimų skyriaus vyriausiasis prokuroras Rimvydas Valentukevičius 2001 m. vasario 2 d. baigiamosiose kalbose paprašė teismo K. Gimžausko bylą nutraukti, nes nėra realu tikėtis, kad jis atliks bausmę, ir kartu paprašė pripažinti jį bendrininku vykdant žydų genocidą (https://www.baltictimes.com/news/articles/4517). 2001 m. vasario 14 d. Vilniaus apygardos teismas pripažino K. Gimžauską kaltu genocidu, konstatavo, kad jis turi nepagydomų psichikos sutrikimų, ir perdavė jį artimųjų globai (https://www.baltictimes.com/news/articles/4614/).

Šias bylas aptariu publikacijoje https://blogs.timesofisrael.com/lithuania-never-judged-lileikis/

4. Prašomi dokumentai ir informacija

1. Kiekvienai iš trijų bylų: ikiteisminio tyrimo ir teismo bylų numeriai; tyrimo pradžios data; pranešimo apie įtarimą ir kaltinamojo akto datos; teismas, kuriam byla perduota; galutinis procesinis sprendimas, jo data ir priėmusi institucija; ar kuri nors bylos dalis liko neužbaigta.
2. Galutinių ir esminių teismo procesinių sprendimų kopijos, kurias turi prokuratūra kaip proceso šalis: A. Lileikio bylos sustabdymo (1998 m.), atnaujinimo (2000 m. birželio mėn.) ir nutraukimo po mirties sprendimai; 2001 m. vasario 14 d. Vilniaus apygardos teismo nuosprendis K. Gimžausko byloje ir bet koks vėlesnis sprendimas; 2006 m. kovo mėn. Vilniaus apygardos teismo nuosprendis A. Dailidės byloje ir apeliacinės bei kasacinės instancijos sprendimai (BNS 2008 m. liepos 4 d. pranešimo pavadinimas nurodo, kad Lietuvos apeliacinis teismas paliko nuosprendį galioti). Jei prokuratūra šių dokumentų neturi, prašau nurodyti juos saugantį teismą ir bylos numerį.
3. Iš JAV teisingumo departamento ar OSI gautų įrodymų apskaita kiekvienoje byloje: gavimo datos, kanalas (diplomatinis, 1998 m. sausio 16 d. Lietuvos ir JAV sutartis dėl savitarpio teisinės pagalbos baudžiamosiose bylose, įsigaliojusi 1999 m. rugpjūčio 26 d., ar kitas), lydraščiai, gautų dokumentų sąrašai ir nurodymas, kurie iš jų panaudoti pranešime apie įtarimą, kaltinamajame akte ar teisme.
4. Kokius dokumentus prokuratūra pati gavo iš Lietuvos archyvų, ypač ar buvo gautos ir ištirtos A priedo 31 išnašoje nurodytos Lietuvos centrinio valstybės archyvo bylos (Lukiškių kalėjimo dokumentai, f. R-730, ap. 1, b. 827, 1002, 1753, 2248, 2437, ir f. R-681, ap. 2, b. 1, l. 17–59; Vilniaus ypatingojo būrio egzekucijų kortelės, f. R-1673, ap. 1, b. 1425, 1426, 1606, 2494, 2676, 3330, 3715). Jei kuri nors iš jų nebuvo panaudota, prašau nurodyti priežastį.
5. 2000 m. rugsėjo 27 d. Generalinės prokuratūros pranešimo spaudai kopija ir nurodymas, kokiu procesiniu dokumentu (jei tokiu buvo) įformintas jame išreikštas vertinimas, kad įrodymų A. Lileikio vaidmeniui vykdant genocidą pagrįsti pakako. Pats prokuratūros paskelbtas pranešimas nėra ikiteisminio tyrimo duomenys.
6. 1995 m. sprendimai A. Lileikio atžvilgiu: ar buvo priimtas sprendimas nepradėti tyrimo (1995 m. vasaris), kada ir kuo remiantis tyrimas vis dėlto pradėtas, ir kokiu dokumentu įformintas 1995–1996 m. vertinimas, kad dokumentinių įrodymų nepakanka ir reikia liudytojų.
7. K. Gimžausko byloje: prokuroro baigiamosios kalbos ar rašytinės pozicijos kopija ir dokumentas, kuriuo įformintas prašymas bylą nutraukti, nurodant jo teisinį pagrindą; ar prokuratūra skundė 2001 m. vasario 14 d. nuosprendį.
8. A. Dailidės byloje: kaltinimų pareiškimo 2004 m. dokumentas; prokuroro prašymas dėl bausmės pirmosios instancijos ir apeliaciniame teisme; ar prokuratūra skundė bausmės nepaskyrimą.

9. 2000 m. birželio susitikimo su JAV generalinio prokuroro pavaduotoju ir OSI direktoriumi dokumentai (protokolai, korespondencija, pagalbos prašymas) ir 2001 m. pradžios OSI istoriko ir teisininko vizito dokumentai: darbotvarkė, aptartų bylų sąrašas, vėlesni veiksmai ir jų rezultatai.

10. Kur šiuo metu saugomos šių trijų bylų medžiagos (prokuratūros archyvas, teismai, Lietuvos ypatingasis archyvas, Lietuvos centrinis valstybės archyvas), su saugojimo nuorodomis.

11. Jei kurių nors 1–10 punktuose nurodytų dokumentų prokuratūra šiuo metu neturi, prašau juos gauti iš jų saugotojų (prokuratūros archyvo, teismų, Lietuvos ypatingojo archyvo, Lietuvos centrinio valstybės archyvo), kiek tai būtina atsakyti į šį prašymą, ir pranešti, ką pavyko gauti ir ką jie nustato. Jei prokuratūra mano, kad tai nepriklauso jos kompetencijai, prašau nurodyti kompetentingą instituciją.

5. Tikslas ir teisinis pagrindas

Informacijos naudojimo tikslas. Prašoma informacija bus naudojama istoriniam ir teisiniam tyrimui, kurį rengiu Gratz College Holokausto ir genocido studijų doktorantūroje, ir viešoms publikacijoms apie tai, kaip Lietuvos Respublika po 1990 m. nagrinėjo Holokausto nusikaltimų bylas. Visuomenė turi teisėtą interesą žinoti, kaip valstybė vykdė baudžiamąjį persekiojimą dėl žydų genocido ir kuo šios bylos baigėsi.

Prašymą teikiu pagal Lietuvos Respublikos teisės gauti informaciją ir duomenų pakartotinio naudojimo įstatymą. Dėl kiekvieno punkto, kurio informacijos neteikiate, prašau nurodyti konkretų teisinį pagrindą ir pateikti nuasmenintą ar dalinę informaciją, kiek ji gali būti pateikta. Prašau dėl kiekvieno atsisakymo priimti motyvuotą sprendimą, kurį galima apskųsti (įstatymo 18 straipsnio 1 punktas), o ne informacinio-aiškinamojo pobūdžio atsakymą.

6. Nešališkumo užtikrinimas

Prašomi dokumentai apima prokurorų veiksmus ir pozicijas šiose trijose bylose. Todėl prašau:

12. nurodyti, ar pareigūnas, kuriam pavesta nagrinėti šį prašymą, dalyvavo kurioje nors iš trijų bylų;

13. jei dalyvavo, pavesti prašymą nagrinėti pareigūnui, kuris šiose bylose nedalyvavo.

Mano nuomone, šiame kreipimesi nurodytiems dokumentais pagrįstiems neatitikimams išnagrinėti būtina nepriklausoma tarptautinė komisija; tai neatideda Jūsų atsakymo į konkrečius Jūsų kompetencijai priklausančius prašymus.

Atsakymo tvarka

Prašau užregistruoti šį prašymą ir pranešti jo registracijos numerį bei datą. Į kiekvieną sunumeruotą punktą prašau atsakyti atskirai; bendras atsakymas priimtinas tik tuo atveju, jei jame dėl kiekvieno punkto priimtas atskiras sprendimas. Turimus dokumentus prašau pateikti elektroninėmis kopijomis, nurodant bylų numerius, archyvinius šifrus ir lapų numerius.

Jei dalies informacijos neteikiate, prašau nurodyti konkrečią neteikiamą dalį ir jos teisinį pagrindą bei pateikti likusią dalį. Jei dokumento neradote, prašau nurodyti, kuriose bylose, fonduose ar sistemose ieškojote ir koks buvo rezultatas. Jei dokumentą saugo kita institucija, prašau ją įvardyti ir nurodyti dokumento nuorodą. Neigiamo sprendimo atveju prašau nurodyti apskundimo tvarką ir terminą.

Prašau prašymą išnagrinėti per Lietuvos Respublikos viešojo administravimo įstatymo 10 straipsnio 4 dalyje nustatytą terminą. Atsakymą prašau siųsti el. paštu ggochin@gmail.com.

Jei Jūsų institucija mano, kad šiame prašyme ar mano paskelbtuose tekstuose yra netikslumų, prašau nurodyti konkretų teiginį ir pateikti jį paneigiančius dokumentus bei jų nuorodas. Išnagrinėjęs pateiktus įrodymus, pagrįstas klaidas ištaisysiu.

Priedai

A priedas. JAV teisingumo departamento istorijos „The Office of Special Investigations: Striving for Accountability in the Aftermath of the Holocaust“ (Judy Feigin, 2008 m. gruodis) skirsnio „2. Lithuania“ kopija: spausdinti p. 459–465 ir išnašų p. 478–481 (25–59 išnašos), kaip juos paskelbė JAV teisingumo departamentas (kopijoje yra žymė „DRAFT“ ir departamento atlikti užtamsinimai). Viso leidinio nuoroda: https://www.justice.gov/sites/default/files/criminal/legacy/2011/03/14/12-2008osu-accountability.pdf

B priedas. Lietuvos Respublikos generalinės prokuratūros 2026 m. spalio 14 d. raštas Nr. 17.2.-2592 „Dėl informacijos teikimo (AP-30127)“ (elektroninio dokumento nuorašas, 3 lapai).

Pagarbiai
Grant Arthur Gochin
Lietuvos Respublikos pilietis
Pasirašyta kvalifikuotu elektroniniu parašu

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28 November 2026 · Applicant reference: OSI-GP-01

Prosecutor General's Office of the Republic of Lithuania

Prosecutor General Nida Grunskienė

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Copy (for information): Lithuanian Jewish (Litvak) Community, Chair Faina Kukliansky, info@lzb.lt

English control translation. The Lithuanian text is authoritative.

NARROWED FOLLOW-UP TO REQUEST AP-30127: THE RECORDS OF THE ALEKSANDRAS LILEIKIS, KAZYS GIMŽAUSKAS AND ALGIMANTAS DAILIDĖ CASES, THE ACCOUNT OF EVIDENCE RECEIVED FROM THE UNITED STATES, THE PROCEDURAL DECISIONS AND THE FINAL OUTCOME OF EACH CASE

1. The request

Aleksandras Lileikis headed the Lithuanian Security Police (Saugumas) for the Vilnius district; Kazys Gimžauskas was his deputy; Algimantas Dailidė was an officer of that police. United States courts, relying on wartime records found in Lithuanian archives, found that the Saugumas arrested Vilnius Jews, held them in Lukiškės prison and handed them to the German Security Police, which murdered them. All three came to Lithuania after U.S. denaturalization proceedings were brought against them. The Lithuanian prosecution service charged all three.

The cases ended as follows. Lileikis died in 2000 without a verdict. Gimžauskas was found guilty of genocide in 2001, and no sentence was imposed. Dailidė was found guilty in 2006 and served no prison sentence. I ask for the records that show what Lithuania received from the United States, what the prosecution did with that evidence, and which procedural decisions ended each case.

2. Relationship to request AP-30127

This is a narrowed follow-up to my request of 13 September 2026 (registration AP-30127). That request sought a register of Holocaust-era crime investigations from 1990 to 2026, including the account of evidence received from foreign states, and named Lileikis, Gimžauskas and Dailidė for orientation. By letter No. 17.2.-2592 of 14 October 2026, the Prosecutor General's Office declined to provide the information, citing Article 177 of the Code of Criminal Procedure (CCP), data protection, and the absence of a stated purpose. The letter is Annex B. Please register this request and link it to AP-30127.

This request narrows and specifies the scope:

– it covers only three specific cases, each of which was sent to court and heard in court sessions;

– it asks for specific records: court decisions, the Office's published press release, the account of evidence received from the United States, and the 2000–2001 records of cooperation with the United States. Letter No. 17.2.-2592 states that the Article 177 restriction also applies to data in discontinued or suspended investigations. I therefore ask for a separate decision on each item, distinguishing (a) court decisions, (b) press releases the Office published, (c)

administrative and international cooperation correspondence, and (d) pre-trial material that the Office considers restricted. For the last category, please explain why the restriction applies to cases that have already been heard in court;

– the purpose of use is stated (section 5). Lileikis died in 2000; Dailidė, born in 1921, died in 2015 according to publicly available records; Gimžauskas was born in 1908. The General Data Protection Regulation does not apply to the personal data of deceased persons (GDPR, Recital 27).

3. Documentary basis

The U.S. Department of Justice history (J. Feigin, December 2008; Annex A) states:

– after the U.S. Office of Special Investigations (OSI) filed the Lileikis denaturalization suit in September 1994, the Department of Justice forwarded copies of pertinent documents to Lithuania (p. 461);

– in February 1995 the Lithuanian government said the evidence was insufficient to warrant an investigation; on the eve of the President's visit to Israel an investigation was opened (p. 461);

– in 1995 Lithuania stated that its 1924 extradition treaty with the United States did not cover genocide, that the documentary evidence was insufficient and that it wanted eyewitnesses (p. 462);

– in May 1996 a U.S. court revoked Lileikis's citizenship; Lithuania indicated he was welcome to return and would not be prosecuted because there were no eyewitnesses; he returned within three weeks (p. 462). U.S. judgment: https://law.justia.com/cases/federal/district-courts/FSupp/929/31/1812830/

– in 1998 Lithuania charged Lileikis with genocide; the trial was suspended after one day on health grounds (p. 463);

– in March 2000 criminal procedure was amended so that persons charged with genocide could take part by video link; the Lileikis trial resumed in June 2000 and was suspended again after thirty minutes; he died two months later (p. 464);

– according to the source, a press release of the Prosecutor General's Office dated 27 September 2000 stated that the Office had enough evidence to substantiate Lileikis's role in the commission of genocide (p. 464, note 53);

– Gimžauskas was charged with genocide in 1998, relying largely on documents pointed out by OSI; he was convicted in 2001, the court finding that he had handed over at least three Jews to Lithuanian killing squads (p. 464);

– in June 2000 the Lithuanian Prosecutor General met the U.S. Deputy Attorney General and the OSI Director and asked for assistance in investigating Nazi-era crimes; in early 2001 an OSI historian and an OSI attorney visited Lithuania, with the U.S. Ambassador attending the meetings (p. 465);

– in July 2004 Lithuania charged Dailidė, who had left for Germany; it did not seek his extradition; he returned voluntarily and in March 2006 was found guilty of collaborating with the Nazis and persecuting Jews, but no sentence was imposed because of his age (p. 465).

The Baltic Times reported in February 2001 that Rimvydas Valentukevičius, chief prosecutor of the special investigations unit at the Prosecutor General's Office, asked the court in closing arguments on 2 February 2001 to drop the Gimžauskas case because he could not realistically be expected to serve a sentence, while also asking the court to find him complicit in the genocide of

Jews (https://www.baltictimes.com/news/articles/4517). On 14 February 2001 the Vilnius Regional Court found Gimžauskas guilty of genocide, found that he had incurable mental disorders, and placed him in the custody of relatives (https://www.baltictimes.com/news/articles/4614/).

I discuss these cases in https://blogs.timesofisrael.com/lithuania-never-judged-lileikis/

4. Records and information requested

1. For each of the three cases: the pre-trial and court case numbers; the date the investigation opened; the dates of the notice of suspicion and the indictment; the court to which the case was sent; the final procedural decision, its date and the authority that made it; and whether any part of the case remains open.

2. Copies, held by the prosecution as a party, of the final and principal court decisions: the decisions suspending (1998), resuming (June 2000) and terminating after death the Lileikis case; the Vilnius Regional Court verdict of 14 February 2001 in the Gimžauskas case and any later decision; the Vilnius Regional Court verdict of March 2006 in the Dailidė case and the appellate and cassation rulings (the title of a BNS report dated 4 July 2008 states that the Lithuanian Court of Appeals left the sentence in force). If the Office does not hold them, please name the court that does and the case number.

3. The account of evidence received from the U.S. Department of Justice or OSI in each case: dates of receipt, the channel (diplomatic, the Lithuania–United States Treaty on Mutual Legal Assistance in Criminal Matters signed 16 January 1998 and in force from 26 August 1999, or other), transmittal letters, lists of documents received, and which of them were used in the notice of suspicion, the indictment or at trial.

4. Which records the prosecution obtained itself from Lithuanian archives, and in particular whether it obtained and examined the Lithuanian Central State Archives files cited in note 31 of Annex A (Lukiškės prison records, f. R-730, ap. 1, b. 827, 1002, 1753, 2248, 2437, and f. R-681, ap. 2, b. 1, l. 17–59; execution cards of the Vilnius Special Squad, f. R-1673, ap. 1, b. 1425, 1426, 1606, 2494, 2676, 3330, 3715). If any was not used, please state why.

5. A copy of the Office's press release of 27 September 2000, and the procedural document, if any, that records its assessment that the evidence was sufficient to substantiate Lileikis's role in genocide. A press release the Office itself published is not pre-trial data.

6. The 1995 decisions concerning Lileikis: whether a decision not to open an investigation was taken (February 1995), when and on what basis an investigation was then opened, and the document recording the 1995–1996 assessment that the documentary evidence was insufficient and eyewitnesses were needed.

7. In the Gimžauskas case: a copy of the prosecutor's closing argument or written position, and of the document recording the request to terminate the case, with its legal basis; and whether the prosecution appealed the verdict of 14 February 2001.

8. In the Dailidė case: the 2004 charging document; the prosecution's sentencing request at first instance and on appeal; and whether the prosecution appealed the decision not to impose a sentence.

9. Records of the June 2000 meeting with the U.S. Deputy Attorney General and the OSI Director (minutes, correspondence, the request for assistance), and of the early-2001 visit of the OSI historian and attorney: agenda, list of cases discussed, follow-up steps and their results.

10. Where the files of the three cases are now held (prosecution archive, courts, Lithuanian Special Archives, Lithuanian Central State Archives), with storage references.

11. If the Office does not currently hold any of the records in items 1–10, please obtain them from their custodians (prosecution archive, courts, Lithuanian Special Archives, Lithuanian Central State Archives) to the extent needed to answer this request, and report what was obtained and what it establishes. If the Office considers this outside its competence, please name the competent institution.

5. Purpose and legal basis

Purpose of use. The information will be used for historical and legal research that I am conducting as a doctoral candidate in Holocaust and Genocide Studies at Gratz College, and for public writing on how the Republic of Lithuania handled Holocaust crimes cases after 1990. The public has a legitimate interest in knowing how the State prosecuted the genocide of Jews and how those cases ended.

This request is made under the Law on the Right to Obtain Information and Data Reuse. For each item withheld, please state the specific legal basis and provide anonymized or partial information to the extent it can be provided. For any refusal, please issue a reasoned decision subject to appeal (Article 18, point 1, of that Law), rather than a reply of an informational and explanatory character.

6. Safeguarding impartiality

The records requested concern the actions and positions of prosecutors in these three cases. I therefore ask the Office to:

12. state whether the official assigned to this request took part in any of the three cases;

13. if so, assign the request to an official who took no part in these cases.

In my view, the documented discrepancies identified here require examination by an independent international commission; this does not postpone your response to the specific requests within your competence.

Handling of this request

Please register this request and send me its registration number and date. Please answer each numbered item separately; a combined answer is acceptable only if it records a separate decision on each item. Please provide records you hold as electronic copies, with case numbers, archival references and folio numbers.

If any part is withheld, please identify that part and its legal basis and provide the remainder. If a record cannot be found, please state which files, fonds or systems were searched and with what result. If another institution holds a record, please name it and give the record's reference. If any decision is adverse, please state the route and time limit for appeal.

Please decide this request within the time limit set by Article 10(4) of the Law on Public Administration. Please send the reply to ggochin@gmail.com.

If your institution considers any statement in this request or in my published writing inaccurate, please identify the statement and supply the documents and locators that support a correction. I will examine the evidence and correct any error that is established.

Annexes

Annex A. Copy of the subsection "2. Lithuania" of the U.S. Department of Justice history "The Office of Special Investigations: Striving for Accountability in the Aftermath of the Holocaust" (Judy Feigin, December 2008): printed pages 459–465 and endnote pages 478–481 (notes 25–59), as released by the Department of Justice (the copy bears a "DRAFT" watermark and the Department's redactions). Full publication: https://www.justice.gov/sites/default/files/criminal/legacy/2011/03/14/12-2008osu-accountability.pdf

Annex B. Letter of the Prosecutor General's Office of the Republic of Lithuania No. 17.2.-2592 of 14 October 2026, "Dėl informacijos teikimo (AP-30127)" (certified copy of the electronic document, 3 pages).

Respectfully,
Grant Arthur Gochin
Citizen of the Republic of Lithuania
Signed with a qualified electronic signature

A PRIEDAS

ANNEX A

JAV teisingumo departamento istorija „The Office of Special Investigations: Striving for Accountability in the Aftermath of the Holocaust“ (J. Feigin, 2008 m. gruodis), skirsnis „2. Lithuania“: p. 459–465 ir išnašos p. 478–481 (25–59 išnašos)

U.S. Department of Justice history, "The Office of Special Investigations: Striving for Accountability in the Aftermath of the Holocaust" (J. Feigin, December 2008), subsection "2. Lithuania": pp. 459–465 and endnote pp. 478–481 (notes 25–59)

investigation but noted that material from OSI was "great and labor consuming, which makes it difficult for us at the moment to complete the case rapidly."[21]

Given that OSI had turned over only 36 pages of written material (plus 50 post-war interviews on a CD-ROM), OSI saw this as yet another example of Estonia's "bad faith in dealing with the Nazi cases."[22] In December 2003, Estonia formally opened an investigation into Gorshkow. The Prime Minister assured Representative Lantos that he would "personally follow" the investigation.[23] Several months later, the Estonians concluded that there was insufficient basis for an indictment.[24]

2. Lithuania

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Over the years, Lithuania has sent mixed messages about its commitment to prosecuting alleged war criminals. After gaining independence, Lithuania seemed committed to prosecuting those who had persecuted civilians on behalf of the Nazis. In 1991, the government established an office to investigate "crimes against humanity" committed during the Nazi and/or Soviet eras; its mandate included determining whether the country had wrongly "rehabilitated" any Nazi collaborators.[25] Lithuania also signed an agreement to assist Australia in its efforts to prosecute former Lithuanian war criminals now resident in Australia, and offered to enter into a similar pact with both Israel and the United States.[26] The following year, Lithuania adopted a statute punishing Nazis and Nazi collaborators for crimes committed against the Lithuanian people during World War II. There is no statute of limitations and punishments range from five years imprisonment to death.[27] Lithuania also negotiated a Memorandum of Understanding (MOU) with the United States, whereby each country agrees to assist the other in the investigation of alleged war criminals.

Despite these intentions, by September 1994, when OSI filed a denaturalization suit against Lithuanian-born Aleksandras Lileikas, Lithuania had not yet prosecuted any Nazi collaborators.[28] OSI saw the Lileikis prosecution as "one of the most important Nazi cases brought anywhere in the world in recent history."[29] As such, Lithuania's handling of Lileikas issues became, for OSI, the litmus test of Lithuania's commitment to prosecute those who had assisted the Nazis.

Lileikis had been chief of the Lithuanian Security Police (Saugumas) in Vilnius. On behalf of the Nazis, the Saugumas arrested Jews, suspected Jews, and those who aided, hid or did business with Jews. Tens of thousands of those incarcerated in Vilnius were marched or trucked to an excavation site at Paneriai, six miles away.

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Not all those incarcerated in Vilnius were arrested there, nor were all those arrested in Vilnius rounded up by the Saugumas. Nonetheless, even with very incomplete records available, it is certain that at least several hundred of those sent to Paneriai were arrested by the Saugumas during Lileikis' tenure. Once at Paneriai, the victims were stripped of their clothing and any remaining possessions, and then shot in groups of ten at the rim of pits by a Lithuainian volunteer unit. Vilnius had been home to 60,000 Jews before the war; at war's end, only 5,000 were alive.[30]

As chief of the Saugumas in Vilnius, Lileikis was the highest ranking Lithuanian prosecuted by OSI. The case, based on documents found by an OSI historian in the Lithuanian archives, included dozens of orders signed by Lileikis. There were arrest warrants as well as orders transferring many arrestees to the German Security Police, where they were "treated according to orders," *i.e.*, murdered. The documents also showed that, during Lileikis' tenure,

the Saugumas conducted a series of sting operations, in the course of which 38 Jews, including a ten year old boy, were lured out of the ghetto with a false promise of escape. The Saugumas then arrested the victims.[31]

Lileikis did not contest that he had been chief of the Saugumas and that as such he had ordered his men to arrest thousands of Jews and turn them over to the Nazis. Rather, he maintained that this was a "ministerial and custodial" position and did not amount to the "personal advocacy or assistance of persecution" necessary to revoke his admission to the United States under the RRA.[32]

Almost immediately after the case was filed, the Lithuanian ambassador to the United States made clear that it would be "very difficult" to prosecute Lileikis in Lithuania, no matter what the documentary evidence. He suggested that Lileikis would have a viable defense if he simply claimed he did not know that those he had arrested and turned over would be killed.[33] Yet barely two weeks later, the Lithuanian premier, in Israel to sign a cultural and scientific cooperation agreement, apologized for his country's persecution of Jews during the Nazi era and indicated that Lithuania would seek Lileikis' extradition.[34] The Department of Justice forwarded copies of pertinent documents to Lithuania. U.S. officials made clear that they hoped Lithuania would request extradition even before the district court ruled on denaturalization, as an extradition request would expedite Lileikis' departure.[35]

In February 1995, shortly before the Lithuanian president was due to visit Israel, his government claimed that there was insufficient evidence to warrant an investigation of Lileikis. The World Jewish Congress expressed outrage and warned that the upcoming trip might be "a diplomatic disaster."[36] On the eve of the visit, Lithuania opened an investigation.[37]

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A few months later, Lithuania again warned of pending problems. It suggested that since its 1924 extradition treaty with the United States did not cover genocide, it did not apply to Lileikis' alleged crimes.[38] Moreover, the Lithuanians indicated that the documentary evidence was insufficient; they wanted eyewitnesses.[39]

Forty-nine U.S. Congressmen urged Lithuania to reconsider its extradition analysis and to file charges against Lileikis.[40] Jewish groups argued the same.[41] Ninety-two members of the Israeli Knesset wrote to the Lithuanian president, prodding him to take action against Lileikis as well as against Kazys Gimzauskas, Lileikis' second in command, who had fled to Lithuania after OSI filed a denaturalization action against him in 1995.[42]

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In May 1996, a U.S. court stripped Lileikis of his citizenship and adopted OSI's analysis of the case.

> [A]s the government nicely put it at oral argument, Lileikis is attempting to stand the classic Nuremburg defense on its head by arguing that "I was only *issuing* orders.[43]

Within days of the denaturalization, Poland (which shares a border with Lithuania and lost tens of thousands of Polish Jews at Paneriai), announced that it had opened its own criminal investigation and might seek extradition.[44] The SWC asked Israel to do the same.[45]

Lithuania made clear that Lileikis was welcome to return home and suggested that he would not be prosecuted since there were no eyewitnesses.[46] Lileikis returned voluntarily within three weeks of this news. He was 89 years old and the first OSI defendant to return to one of the new republics formed after the dissolution of the Soviet Union.

The SWC demanded that Lithuania follow through on its promise to prosecute war criminals.[47] The United States too weighed in. At the time, all the Baltic states were seeking

admission to NATO. The United States asserted that prosecution of Lileikis and other war criminals would be strong evidence of adherence to "western values," a prerequisite to joining the alliance. Vice President Al Gore made this point when meeting with the president of Lithuania's parliament in April 1997,[48] and thirty members of Congress reiterated the message in a November 1997 letter to the Lithuanian president.[49]

Finally, in 1998, Lithuania charged Lileikis with genocide.[50] It was the first Nazi war crimes prosecution in post-Soviet Eastern Europe. Trial was suspended after a day, however, due to Lileikis' health. The State Department expressed "deep disappointment" and called on Lithuania to take "whatever steps are necessary" to ensure that Lileikis and others involved in war crimes during the Nazi era were brought to justice.[51] Three months later, trial not having resumed, Director Rosenbaum and a representative from the State Department's Office of War Crimes met with the Lithuanian Ambassador. They proposed having Lileikis examined by an international panel of doctors, including one U.S. physician, with the United States covering all costs. Lithuanian prosecutors presented the proposal to the court, but it was rejected by the judge.

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Lithuania's admittance into NATO was on the agenda for an April 1999 NATO summit meeting. In a meeting with the U.S. Attorney General just one month before the scheduled summit, Lithuania's Prime Minister asked for assistance in drafting a law allowing for the prosecution of war criminals *in absentia*. The Department of Justice forwarded material prepared by both OSI (concerning the standards for *in absentia* hearings) and OIA (concerning videoconferencing).

In January 2000, the State Department reiterated its call for Lithuania to prosecute Nazi

war criminals.[52] Two months later, Lithuania amended its criminal code to provide that those charged with war crimes, genocide, and crimes against humanity can participate in court proceedings via closed circuit television if they are mentally competent but physically unable to appear in court. While no punishment may be imposed unless the defendant is subsequently deemed healthy enough to withstand a jail sentence, a verdict is rendered for purposes of "historical judgment."

Lileikis' trial resumed in June 2000 and was the first case to proceed under the new statute. Thirty minutes into the hearing, Lileikis complained of difficulty in breathing and was taken to the hospital. Trial was suspended indefinitely; he died two months later, at age 93.

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Although the case had not proceeded to verdict, the Lithuanian Procurator General issued a press release stating that his office had enough evidence to substantiate Lileikis' role in the commission of genocide. He promised to seek "historic justice" in other cases of war crimes and genocide.[53]

He did so in the case of Lileikis' wartime deputy, Kazys Gimzauskas. Relying largely on documents pointed out by OSI, Lithuania had originally charged Gimzauskas with genocide in 1998, shortly after Lileikis' trial was first suspended. Gimzauskas' case was repeatedly delayed and ultimately suspended due to his deteriorating mental condition. Despite the court's finding that Gimzauskas was incapacitated from Alzheimer's disease, the trial resumed via closed circuit television after Lileikis' death.[54] Gimzauskas was convicted in 2001, at age 93, with the court finding that he had handed over at least three Jews to Lithuanian killing squads. The State Department and Director Rosenbaum lavished praise on Lithuania.[55]

Gimzauskas' conviction was the first Holocaust-related conviction in any of the successor

states to the former Soviet Union.

In June 2000, Lithuania's Procurator General met with the Deputy Attorney General and Director Rosenbaum. The Procurator General asked for DOJ's assistance in investigating Nazi-era war crimes. In response to that request, an OSI historian and an OSI attorney went to Lithuania in early 2001 to discuss several cases. The significance of the meetings was underscored by the fact that they were attended also by the U.S. Ambassador.

Lithuania has since asked for information about some subjects under investigation, although it has also declined to file charges against a Lithuanian ordered deported to Lithuania in May 2002.[56] Lithuania also initiated an extradition request to Scotland, although the subject died before court proceedings were completed.[57]

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In July 2004, Lithuania filed criminal charges against Algimantas Dailide, an OSI defendant who left for Germany during appeal of a court ruling ordering him deported to Lithuania. Lithuania did not seek his extradition, but expressed the hope that he would return voluntarily. He did, and was found guilty in March 2006 of collaborating with the Nazis and persecuting Jews. However, due to his advanced age, no sentence was imposed. The U.S. government praised Lithuania for the prosecution but expressed disappointment that Dailide was "not . . . punished for his crimes."[58] As of this writing, the case is on appeal.

Lithuania has also cancelled the rehabilitation of several dozen Nazi collaborators.[59] In 2002, Lithuania's parliament ratified a new extradition treaty with the United States. It covers genocide directly.

3. Latvia

As with Lithuania, Latvia has sent mixed signals about its perspective on its role in the

Translation bearing the seal of the [redacted] Consulate in Toronto and signed by the Consul General under the typed words: "This is to certify that the above text is a correct and factual translation from the German language into the English language from the original document produced."

I was registered in the [redacted] Omakaitse papers as a Stabsofficer [staff officer] from [redacted] From [redacted], I served in [redacted] Criminal Police which was later incorporated into the German Police. I was drafted to the [redacted] SS-Legion on [redacted]

20. Aug. 1, 2003 letter from Rep. Lantos to Ken-Marti Vaher, Estonian Minister of Justice.

21. Oct. 22, 2003 e-mail from Director Rosenbaum to Susan Siegal, Elizabeth White, Stephen Paskey, Jonathan Drimmer and Michael MacQueen re "Amazing Gorshkow Reply by the GOE to Rep. Lantos."

22. *Id.*

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23. Feb. 18, 2004 letter to Rep. Lantos from Prime Minister Juhan Parts.

24. Notes from SWC representative in Israel, Effriam Zuroff of his May 5, 2004 meeting with Estonian Ambassador to Israel, H.E. Marina Kaljurand.

25. Oct. 25, 1991 Press Release from the Lithuanian Information Center, New York, New York; "Lithuania to Prove 'Rehabilitations,'" *The Chicago Tribune*, Oct. 26, 1991. In 1990, the Lithuanian government had announced an official rehabilitation for 50,000 Lithuanians whom the Soviets had charged with Nazi collaboration. "Nazi-Hunter Dismayed Over Secrecy of Derehabilitation of Nazi Suspects in Lithuania," *BNS*, Nov. 17, 2000.

26. Oct. 25, 1991 Lithuanian press release, *supra*, n. 25.

27. Law Concerning Responsibility for Genocide of the People of Lithuania, Num. 1-2477 (1992).

28. Of course, OSI itself often took years, and sometimes decades, to develop a case. That was in part due to the fact that OSI had limited access to archival material during the Soviet era. While access was easier for the Lithuanians, they (and other Eastern bloc countries) had serious resource issues. Recorded interview with former OSI Chief Historian Peter Black, Dec. 26, 2000. *See also* p. 12.

29. "OSI Vows to Pursue Deportation Despite Setback from Lithuania," by Jennifer Batog, *JTA*, Feb. 15, 1995.

30. This was roughly in proportion to the percentage of Jews throughout Lithuania who died during the war. Over 90% of the 220,000 Jews in the country did not survive.

31. Lukiškis Prison records, LCVA Collection R 730, apy. 1, nos. 827, 1002, 1753, 2248, 2437; execution file cards of the Vilnius Sonderkommando, LCVA collection R 1673, opis 1, nos. 1425, 1426, 1606, 2494, 2676, 3330, 3715. Lukiškis Prison records, LCVA, R 681, apy. 2, folder 1, pp. 17-59.

In 1983, when OSI conducted an interview with Lileikis, they showed him an order requiring 52 Jews in Saugumas custody to be turned over to the Germans. Lileikis' name, but not signature, was on the order. He noted that it could have been issued without his knowledge and challenged his interviewers to find a document with his signature. It was not until the Cold War ended, and OSI's own historian could rummage through the Archives in Vilnius, that the "smoking gun" documents were found.

32. Lileikis had originally been denied a visa under the DPA. A 1947 CIC report references persecution of Poles by the men under his command. It goes on to state that "It has not been ascertained whether Lileikis was connected with the shooting of thousands of Jews in Vilna."

33. "Few Predict Swift Punishment for Alleged Collaborator," by Jon Auerbach, *The Boston Globe*, Sept. 23, 1994.

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34. "Among Lithuanians, Confusion on Alleged Nazi Collaborator," by Ethan Bronner, *The Boston Globe*, Oct. 5, 1994; RFE/RL Daily Report, Oct. 4, 1994; Oct. 2, 1994 *AP* release by Heather Smith.

35. "Lithuania Gets Evidence for War Crimes Decision," by Ed Stoddard, *Reuters*, Apr. 12, 1995; "OSI Vows to Pursue Deportation Despite Setback from Lithuania," by Jennifer Batog *JTA*, Feb. 15, 1995; "Lithuania Decides Against Charging U.S. Citizen with Nazi Crimes," by Michael Sniffen, *AP*, Feb. 9, 1995. For an explanation of why extradition is speedier, see pp. 41-42.

36. "Accused Norwood Nazi Won't be Prosecuted: Lithuania Drops Charges Against Lileikis but U.S. Still Pushes Deportation," by Jennifer Batog and Michael Sinert, *The Jewish Advocate*, Feb. 23, 1995.

37. "Man Faces War Crime Inquiry," by Judy Rakowsky, *The Boston Globe*, Feb. 28, 1995.

38. "Extradition Canceled," by C.F. Scott, *Washington Jewish Week*, Oct. 12, 1995; "Lithuania Wants New War Treaty," *Reuters*, Oct. 4, 1995; "Lithuania Says It Will Not Extradite Norwood Man," by Judy Rakowsky, *The Boston Globe*, Oct. 3, 1995. The U.S. maintained that since murder was covered, there was no need for a separate genocide listing in order to extradite Lileikis.

39. "Nazi Hunter Says Lithuania Stalls on Extraditions, by Ed Stoddard, *Reuters*, May 22, 1996.

40. "Nazi Hunter Says Lithuania Stalls on Extraditions," *supra*, n. 39.

41. *E.g.*, The WJC accused Lithuania of "betray[ing] the memories of tens of thousands of innocent people." *JTA Daily News Bulletin*, Feb. 15, 1995; the International Association of Jewish Lawyers and Jurists (IAJLJ), American Section, along with the SWC, met with the Lithuanian ambassador, and a followup meeting was held between the IAJLJ and officials at the Lithuanian Embassy. The group urged Lithuania to extradite and prosecute Lileikis. Feb. 27, 1995 IAJLJ press release.

42. "Israeli Knesset Letter to Lithuanian President," *ELTA* [Lithuanian News Agency], Feb. 28, 1996.

43. *U.S. v. Lileikis*, 929 F. Supp. 31, 39 (D. Mass. 1996).

44. "Poland Probes Nazi Collaborator," by David Talbot, *The Boston Herald*, May 30, 1996; "Alleged Lithuanian War Criminal Returns Home," by Ed Stoddard, *The Baltic Times*, July 3, 1996.

45. "Alleged Lithuanian War Criminal Returns Home," *supra*, n. 44.

46. "Lithuania Welcomes Lileikis to Return," by Ann Donlan, *The Boston Herald*, May 28, 1996.

47. "Accused World War II Criminal Flees to Lithuania," by Judy Rakowsky, *The Boston Globe*, June 20, 1996. The issue was complicated by the fact that the Lithuanians wanted to prosecute two former NKVD officers of Jewish origin, accused of torturing and murdering Lithuanians during the Soviet era. One was in Israel and the other in West Germany. Neither country was willing to extradite. "Ghosts from the Gulag, Lithuania Tries to Remember Stalin and Forget Hitler," by Christian Caryl, *U.S. News and World Report*, Oct. 20, 1997; "Germany Refuses to Hand Over Former KGB Agent, Accused of Genocide," *Draugas*, Apr. 23, 1997. (*Draugas* is a Lithuanian language daily published in Chicago.)

48. "Reno: Lithuania to Prosecute Nazi," by Michael Sniffen, *AP*, Feb. 9, 1998; "US Vice-President Meets Chairman of Lithuanian Parliament," *Draugas*, Apr. 10, 1997.

49. "Vilnius Turns Blind Eye to Its Nazi Past," by Richard Paddock, *The Los Angeles Times*, Jan. 4, 1998.

50. In Feb. 1998, Lithuania inaugurated a new president. Valdus Adamkus had fled the country as a teenager and spent 50 years in the U.S., most of it as an engineer employed by the U.S. government. The impact of this, if any, on the Lileikis filing is unknown.

51. Sept. 15, 1998 statement posted at www.secretary.state.gov/www/briefings/statements/1998 (last visited July 2005).

Director Rosenbaum publicly voiced skepticism that Lileikis was ill. "Lithuania War Crimes Suspect Said Ill," *AP*, Feb. 2, 1999.

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52. Jan. 8, 2000 statement posted at www.secretary.state.gov/www/briefings/statements/2000 (last visited Nov. 2005).

53. Sept. 27, 2000 Press Release of the Procurator General's Office of the Republic of Lithuania.

54. "Nazi War Crimes Trial to Resume in September Without the Suspect," *AP*, July 4, 2000. It is unclear how, under the statute, the hearing could proceed given the court's determination that Gimzauskas was mentally incompetent.

55. "U.S. State Department Hails Conviction of War-Crimes Suspect in Lithuania," *BNS*, Feb. 21, 2001. Rosenbaum gave an interview which was printed on the front page of Lithuania's largest circulation daily newspaper. He termed the conviction "historic" and credited the Lithuanian ambassador to the U.S. with helping improve relations between the two countries. Rosenbaum went on to discuss the difficulty countries face in acknowledging past misdeeds.

> I have told Lithuanian and other European officials more than once that this is not a situation where the United States comes as highest moral authority. Every country has its own problems with facing their past. The U.S. is no exception from the rule, because it was the USA who turned an entire race into slaves. More than 140 years after the abolition of slavery, we are still struggling with certain aspects of the inheritance of slavery.

"Nazi Hunter Praises Lithuania," by Gintautas Alksinis, *Lietuvos Rytas*, Feb. 19, 2001.

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56. "Nazi Hunter Urges Lithuania to Address US for Extradition of War Criminal," *BNS*, June 13, 2002.

57. *See* p. 493.

58. "U.S. Disappointed Over Non-Sentence Conviction of Lithuanian Nazi Collaborator," *BNS*, Mar. 28, 2006.

59. "Nazi-Hunter Dismayed Over Secrecy of Derehabilitation of Nazi Suspects in Lithuania," *supra*, n. 25; "Prosecutors Strip 76 Persons of Rehabilitation Status," *ELTA*, Sept. 25, 2001.

60. "Ulmanis Apologizes in Israel for Latvian War Crimes," *Deutsche Presse-Agentur*, Feb. 24, 1998.

61. "Old Ethnic Rifts Run Deep in Latvia," by Richard Paddock, *The Los Angeles Times*, Apr. 6, 1998.

62. Viktors Arajs was convicted by a West German court in 1978 for his role in causing over 13,000 murders. He was sentenced to life imprisonment and died in custody in 1988.

B PRIEDAS

ANNEX B

Lietuvos Respublikos generalinės prokuratūros 2026 m. spalio 14 d. raštas
Nr. 17.2.-2592 „Dėl informacijos teikimo (AP-30127)“ (elektroninio dokumento nuorašas)

Letter of the Prosecutor General's Office No. 17.2.-2592 of 14 October 2026
(certified copy of the electronic document)

LIETUVOS RESPUBLIKOS
GENERALINĖ PROKURATŪRA

Arthur Gochin
el. paštu ggochin@gmail.com

2026-10- Nr.
Į 2026-09-13
prašymą

DĖL INFORMACIJOS TEIKIMO

Lietuvos Respublikos generalinėje prokuratūroje 2026 m. rugsėjo 15 d. gautas Jūsų 2026 m. rugsėjo 13 d. prašymas (reg. Nr. AP-30127), dėl esamų registrų, sąrašų ir kitos viešintinos informacijos apie 1990–2026 m. pradėtus, perimtus ar vertintus ikiteisminius tyrimus, susijusius su 1941–1944 m. Lietuvos teritorijoje vykdytu žydų tautybės asmenų persekiojimu, žudynėmis ir kitais galimais genocido, karo nusikaltimų bei nusikaltimų žmoniškumui atvejais.

Prašyme prašote pateikti informaciją apie ikiteisminių tyrimų numerius, procesinį statusą ir rezultatus, sprendimus pradėti ar nutraukti tyrimus, tyrimų statistiką, užsienio valstybių perduotų bylų ar įrodymų apskaitą, taip pat dokumentų perdavimą valstybės archyvams. Prašymą grindžiate Lietuvos Respublikos teisės gauti informaciją ir duomenų pakartotinio naudojimo įstatymu.

Išnagrinėjus prašymą, informuojame, kad prašomos informacijos pateikimo galimybė vertintina atsižvelgiant į specialų teisinį režimą, taikomą ikiteisminio tyrimo duomenims.

Lietuvos Respublikos baudžiamojo proceso kodekso (toliau – BPK) 177 straipsnyje nustatyta, kad ikiteisminio tyrimo duomenys neskelbtini ir iki bylos nagrinėjimo teisme gali būti paskelbti tik prokuroro leidimu ir tik tiek, kiek pripažįstama leistina. Šis ribojimas taikomas ne tik vykstančių, bet ir nutrauktų ar sustabdytų ikiteisminių tyrimų medžiagoje esantiems duomenims.

Generalinio prokuroro 2017 m. rugpjūčio 17 d. įsakymu Nr. I-278 patvirtintų Ikiteisminio tyrimo duomenų skelbimo rekomendacijų 5.3 papunktyje ikiteisminio tyrimo duomenys apibrėžiami kaip ikiteisminio tyrimo byloje esanti informacija, gauta įstatymų ir BPK nustatyta tvarka, proceso dalyvių asmens duomenys, saugomi atskirai nuo kitos ikiteisminio tyrimo medžiagos, taip pat kita informacija, kurią ikiteisminio tyrimo pareigūnas ar prokuroras pripažino ikiteisminio tyrimo duomenimis. Taigi ikiteisminio tyrimo duomenimis laikytina ne vien tyrimo medžiaga ar procesiniai dokumentai, bet ir kita su konkrečiu ikiteisminiu tyrimu susijusi informacija, atitinkanti nurodytus požymius.

Atsižvelgiant į prašymo turinį, prašomi tyrimų numeriai, procesinis statusas, priimti procesiniai sprendimai, tyrimų rezultatai, konkrečių bylų ir įrodymų apskaitos duomenys bei kita informacija, leidžianti identifikuoti konkrečius ikiteisminius tyrimus ir atskleisti jų eigą ar rezultatus, gali būti laikomi ikiteisminio tyrimo duomenimis. Tokios informacijos pateikimas, nepaisant to, ar ji būtų teikiama tiesiogiai iš ikiteisminio tyrimo medžiagos, ar iš registrų, sąrašų ir kitų informacinių šaltinių, turi būti vertinamas pagal jai taikomą specialų teisinį režimą. Vien informacijos buvimas registre ar jos pateikimas apibendrinta forma savaime nepanaikina galimų ikiteisminio tyrimo duomenų atskleidimo apribojimų.

Generalinio prokuroro 2017 m. rugpjūčio 17 d. įsakymu Nr. I-279 patvirtintose Ikiteisminio tyrimo duomenų teikimo ir panaudojimo ne baudžiamojo persekiojimo tikslais ir duomenų

apsaugos rekomendacijose nustatyta, kad ikiteisminio tyrimo duomenys ne baudžiamojo persekiojimo tikslais gali būti teikiami tik išimtiniais atvejais, laikantis šių rekomendacijų 16 punkte nustatytų sąlygų, be kita ko, užtikrinant viešąjį interesą, nepažeidžiant žmogaus teisių ir teisėtų interesų bei neprieštaraujant specialiųjų įstatymų reikalavimams.

Pažymėtina, kad prašyme nenurodytas informacijos panaudojimo tikslas, o sprendžiant dėl jos teikimo būtina įvertinti ne tik nurodyto tikslo svarbą, bet ir konkrečios informacijos pobūdį, jos atskleidimo teisines sąlygas bei galimą poveikį saugomiems interesams.

Prašomos informacijos teikimas taip pat turi būti vertinamas pagal Lietuvos Respublikos asmens duomenų teisinės apsaugos įstatymą ir 2016 m. balandžio 27 d. Europos Parlamento ir Tarybos reglamentą (ES) 2016/679 (toliau – BDAR), kiek šis reglamentas taikomas atitinkamam duomenų tvarkymui.

BDAR 5 straipsnio 1 dalyje įtvirtinti asmens duomenų tvarkymo principai, įskaitant teisėtumo, sąžiningumo, skaidrumo, tikslo apribojimo, duomenų kiekio mažinimo ir konfidencialumo principus. Pagal BDAR 6 straipsnį asmens duomenys gali būti tvarkomi tik esant bent vienam teisėto tvarkymo pagrindui, o tais atvejais, kai tvarkymas grindžiamas teisine prievole ar viešojo intereso užduoties vykdymu, turi būti laikomasi ir BDAR 6 straipsnio 3 dalies reikalavimų.

BDAR 10 straipsnyje nustatyti specialūs asmens duomenų apie apkaltinamuosius nuosprendžius ir nusikalstamas veikas tvarkymo reikalavimai. Atsižvelgiant į prašomos informacijos pobūdį, jos teikimas turi būti vertinamas ir šių reikalavimų kontekste, kai jie taikytini.

Prašyme nurodytose registruose, sąrašuose, procesiniuose sprendimuose ir kituose dokumentuose gali būti duomenų apie konkrečių asmenų procesinę padėtį, galimą dalyvavimą nusikalstamose veikose, nukentėjimą, liudijimus ar kitas su privačiu gyvenimu susijusias aplinkybes. Tokių duomenų atskleidimas gali paveikti duomenų subjektų ir kitų asmenų teises bei teisėtus interesus. Todėl jų pateikimas negali būti grindžiamas vien bendru interesu gauti informaciją apie ikiteisminius tyrimus, neįvertinus taikomų teisinių apribojimų ir tinkamų apsaugos priemonių.

BDAR 86 straipsnyje numatyta, kad oficialiuose dokumentuose esančių asmens duomenų atskleidimas turi būti reglamentuojamas Sąjungos arba valstybės narės teise, suderinant visuomenės galimybę susipažinti su oficialiais dokumentais ir teisę į asmens duomenų apsaugą. Todėl Lietuvos Respublikos teisės gauti informaciją ir duomenų pakartotinio naudojimo įstatymas negali būti aiškinamas kaip savaime suteikiantis teisę susipažinti su ikiteisminio tyrimo duomenimis, nepaisant BPK ir kitų specialiųjų teisės aktų nustatytų apribojimų.

Tai, kad prašomi duomenys susiję su 1941–1944 m. įvykiais savaime nepanaikina dokumentams taikomų prieinamumo, konfidencialumo ir asmens duomenų apsaugos reikalavimų.

Atsižvelgiant į tai, kas išdėstyta, prašomos informacijos, kuri pagal savo turinį priskirtina ikiteisminio tyrimo duomenims, pateikti negalime, nes jos atskleidimui taikomi BPK 177 straipsnyje ir kituose nurodytuose teisės aktuose nustatyti apribojimai.

Vadovaujantis Lietuvos Respublikos generalinio prokuroro 2020 m. balandžio 17 d. įsakymu Nr. 1-103 (galiojanti redakcija) patvirtinto Asmenų aptarnavimo Lietuvos Respublikos prokuratūroje tvarkos aprašo 56.1 papunkčiu, šis informacinio-aiškinamojo pobūdžio atsakymas yra neskundžiamas.

Baudžiamojo persekiojimo departamento
vyriausiasis prokuroras Rimvydas Valentukevičius

V. Kebedienė, tel. +370 5 250 0913, el. p. valentina.kebediene@prokuraturos.lt

DETALŪS METADUOMENYS	
Dokumento sudarytojas (-ai)	Lietuvos Respublikos generalinė prokuratūra 288603320, Rinktinės g. 5A, LT-01515 Vilnius
Dokumento pavadinimas (antraštė)	Dėl informacijos teikimo (AP-30127)
Dokumento registracijos data ir numeris	2026-10-14 Nr. 17.2.-2592
Dokumento gavimo data ir dokumento gavimo registracijos numeris	–
Dokumento specifikacijos identifikavimo žymuo	ADOC-V1.0
Parašo paskirtis	Pasirašymas
Parašą sukūrusio asmens vardas, pavardė ir pareigos	Rimvydas Valentukevičius, Vyriausiasis prokuroras, Baudžiamojo persekiojimo departamentas
Sertifikatas išduotas	RIMVYDAS VALENTUKEVIČIUS LT
Parašo sukūrimo data ir laikas	2026-10-14 11:23:03 (GMT+03:00)
Parašo formatas	XAdES-T
Laiko žymoje nurodytas laikas	2026-10-14 11:23:27 (GMT+03:00)
Informacija apie sertifikavimo paslaugų teikėją	SK ID Solutions EID-Q 2021E, SK ID Solutions AS EE
Sertifikato galiojimo laikas	2026-04-21 16:28:36 – 2031-04-21 23:59:59
Informacija apie būdus, naudotus metaduomenų vientisumui užtikrinti	"Registravimas" paskirties metaduomenų vientisumas užtikrintas naudojant "RCSC IssuingCA-2, VI Registru Centras - i.k. 124110246 LT" išduotą sertifikatą "Dokumentų valdymo sistema PAIS, LR generalinė prokuratūra, į.k.288603320 LT", sertifikatas galioja nuo 2026-05-20 13:41:39 iki 2029-05-19 13:41:39
Pagrindinio dokumento priedų skaičius	–
Pagrindinio dokumento pridedamų dokumentų skaičius	–
Pridedamo dokumento sudarytojas (-ai)	–
Pridedamo dokumento pavadinimas (antraštė)	–
Pridedamo dokumento registracijos data ir numeris	–
Programinės įrangos, kuria naudojantis sudarytas elektroninis dokumentas, pavadinimas	Dokumentų valdymo sistema Avilys, versija 3.5.90.2
Informacija apie elektroninio dokumento ir elektroninio (-ių) parašo (-ų) tikrinimą (tikrinimo data)	Atitinka specifikacijos keliamus reikalavimus. Visi dokumente esantys elektroniniai parašai galioja (2026-10-14 11:37:00)
Paieškos nuoroda	–
Papildomi metaduomenys	Nuorašą suformavo 2026-10-14 11:37:00 Dokumentų valdymo sistema Avilys

Nuorašas tikras
Prokuratūros administravimo informacinė sistema

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Signature Types

- Signed by a natural person
- Signed by a natural person with a registered profession
- Signed by a legal person or registered organisation

Levels of Electronic Signature

- Simple Electronic Signature
- Advanced Electronic Signature
- Qualified Electronic Signature

Grant Arthur Gochin
Lietuvos Respublikos pilietis
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2026 m. lapkričio 28 d. · Pareiškėjo nuoroda: OSI-GP-02

Lietuvos Respublikos generalinei prokuratūrai

Generalinei prokurorei Nidai Grunskienei

Rinktinės g. 5A, Vilnius · generaline.prokuratura@prokuraturos.lt

Kopija (informacijai): Lietuvos žydų (litvakų) bendruomenė, pirmininkė Faina Kukliansky, info@lzb.lt

Lietuviškas tekstas yra autentiškas. Po jo pateikiamas angliškas kontrolinis vertimas.

PRAŠYMAS PATEIKTI SPRENDIMŲ, KURIAIS PANAIKINTA NACIŲ OKUPACIJOS LAIKOTARPIO NUSIKALTIMAIS KALTINTŲ ASMENŲ REABILITACIJA, REGISTRĄ IR DOKUMENTUS

1. Prašymo esmė

Po 1990 m. Lietuva atkūrė teises daugeliui asmenų, kuriuos buvo nuteisusi sovietų valdžia. JAV teisingumo departamento istorija nurodo, kad vėliau Lietuva panaikino kelių dešimčių nacių kolaborantų reabilitaciją (A priedas, p. 465). Prašau pateikti šių sprendimų registrą ir viešintinus sprendimus, kad būtų galima nustatyti, kiek asmenų reabilitacija panaikinta, kada, kuo remiantis ir kiek iš jų buvo susiję su žydų persekiojimu ar žudynėmis.

Mano vertinimu, šie sprendimai nėra ikiteisminio tyrimo duomenys, nes tai sprendimai dėl asmenų teisių atkūrimo. Jei Generalinė prokuratūra laikosi kitos nuomonės, prašau dėl kiekvienos neteikiamos dalies nurodyti konkretų teisinį pagrindą ir pateikti likusią dalį. Šis prašymas skiriasi nuo mano ankstesnių prašymų dėl konkrečių asmenų (K. Braželio ir J. Bakanavičiaus) reabilitacijos duomenų: jis apima visą sprendimų registrą.

2. Dokumentinis pagrindas

JAV teisingumo departamento istorijoje (J. Feigin, 2008 m. gruodis; A priedas) nurodoma:

– 1991 m. Lietuvos Vyriausybė įsteigė tarnybą „nusikaltimams žmoniškumui“ tirti; į jos įgaliojimus įėjo nustatyti, ar valstybė nepagrįstai „reabilitavo“ nacių kolaborantus (p. 459, 25 išnaša, nurodant 1991 m. spalio 25 d. Lietuvos informacijos centro Niujorke pranešimą ir 1991 m. spalio 26 d. „Chicago Tribune“ straipsnį „Lithuania to Probe ‘Rehabilitations’“);

– BNS 2000 m. lapkričio 17 d. pranešimas „Nazi-Hunter Dismayed Over Secrecy of Derehabilitation of Nazi Suspects in Lithuania“ (25 ir 59 išnašos) rodo, kad reabilitacijos panaikinimo procesas buvo kritikuojamas kaip neviešas;

– Lietuva panaikino kelių dešimčių nacių kolaborantų reabilitaciją (p. 465); 59 išnašoje nurodomas ELTA 2001 m. rugsėjo 25 d. pranešimas „Prosecutors Strip 76 Persons of Rehabilitation Status“.

Skaičius 76 pateikiamas taip, kaip jį nurodo šaltinis; jį naudoju tik kaip nuorodą dokumentams surasti.

3. Prašomi dokumentai ir informacija

1. Pirmiausia – esami dokumentai, kuriais grindžiamas 2001 m. rugsėjį viešai nurodytas skaičius (76 asmenys): registras ar sąrašas, sprendimai ir lydimieji dokumentai; ar tai buvo bendras skaičius nuo proceso pradžios, ar tam tikro laikotarpio skaičius; koks yra dabartinis bendras skaičius.
2. Esamas visų nuo 1990 m. priimtų sprendimų registras ar sąrašas, atskirai nurodant tris sprendimų rūšis: (a) jau išduoto reabilitacijos (teisių atkūrimo) pažymėjimo panaikinimą; (b) pripažinimą, kad pažymėjimas išduotas nepagrįstai; (c) atsisakymą atkurti teises. Kiekvienam sprendimui – data, jį priėmusi institucija ir pareigūnas, teisinis pagrindas, bylos nuoroda ir ar sprendimas buvo paskelbtas.
3. Kiekvienam tokiam sprendimui – nurodymas, ar jis susijęs su nacių okupacijos laikotarpio nusikaltimais, ypač su žydų persekiojimu ar žudynėmis; jei taip – asmens vardas ir pavardė (mirusių asmenų atveju), sovietinio nuosprendžio data ir pagrindiniai veiksmai, už kuriuos asmuo buvo nuteistas.
4. Viešintinos sprendimų kopijos, bent tų, kurie susiję su žydų persekiojimu ar žudynėmis. Bendrasis duomenų apsaugos reglamentas mirusiųjų asmens duomenims netaikomas (BDAR 27 konstatuojamoji dalis); jei kuri nors informacija vis dėlto ribojama, prašau pateikti nuasmenintas kopijas.
5. Kiek reabilitacijos bylų iš viso buvo peržiūrėta, kokiais kriterijais buvo atrenkamos peržiūrai, ar peržiūra tęsiama ir kas už ją atsakingas.
6. Ar peržiūrose buvo naudojamos Lietuvos gyventojų genocido ir rezistencijos tyrimo centro ar kitų institucijų istorinės pažymos; jei taip – kurios.
7. Ar apie reabilitacijos panaikinimą buvo informuojamos kitos institucijos (pvz., suteikiančios valstybės apdovanojimus ar statusus), kad šie asmenys nebūtų pagerbti.
8. Kodėl sprendimai, kaip nurodoma 2000 m. BNS pranešime, nebuvo viešinami, ir ar jie dabar gali būti paskelbti.
9. Ar Aleksandras Lileikis, Kazys Gimžauskas ar Algimantas Dailidė kada nors buvo reabilituoti, ir, jei taip, ar reabilitacija panaikinta.

4. Tikslas ir teisinis pagrindas

Informacijos naudojimo tikslas. Prašoma informacija bus naudojama istoriniam ir teisiniam tyrimui, kurį rengiu Gratz College Holokausto ir genocido studijų doktorantūroje, ir viešoms publikacijoms apie tai, kaip Lietuvos Respublika po 1990 m. nagrinėjo Holokausto nusikaltimų bylas. Visuomenė turi teisėtą interesą žinoti, kaip valstybė vykdė baudžiamąjį persekiojimą dėl žydų genocido ir kuo šios bylos baigėsi.

Prašymą teikiu pagal Lietuvos Respublikos teisės gauti informaciją ir duomenų pakartotinio naudojimo įstatymą. Prašau nurodyti konkrečią teisių atkūrimo įstatymo nuostatą, pagal kurią sprendimai buvo priimami. Dėl kiekvieno atsisakymo prašau priimti motyvuotą sprendimą, kurį galima apskųsti (įstatymo 18 straipsnio 1 punktas).

Atsakymo tvarka

Prašau užregistruoti šį prašymą ir pranešti jo registracijos numerį bei datą. Į kiekvieną sunumeruotą punktą prašau atsakyti atskirai; bendras atsakymas priimtinas tik tuo atveju, jei jame

dėl kiekvieno punkto priimtas atskiras sprendimas. Turimus dokumentus prašau pateikti elektroninėmis kopijomis, nurodant bylų numerius, archyvinius šifrus ir lapų numerius.

Jei dalies informacijos neteikiate, prašau nurodyti konkrečią neteikiamą dalį ir jos teisinį pagrindą bei pateikti likusią dalį. Jei dokumento neradote, prašau nurodyti, kuriose bylose, fonduose ar sistemose ieškojote ir koks buvo rezultatas. Jei dokumentą saugo kita institucija, prašau ją įvardyti ir nurodyti dokumento nuorodą. Neigiamo sprendimo atveju prašau nurodyti apskundimo tvarką ir terminą.

Prašau prašymą išnagrinėti per Lietuvos Respublikos viešojo administravimo įstatymo 10 straipsnio 4 dalyje nustatytą terminą. Atsakymą prašau siųsti el. paštu ggochin@gmail.com.

Jei Jūsų institucija mano, kad šiame prašyme ar mano paskelbtuose tekstuose yra netikslumų, prašau nurodyti konkretų teiginį ir pateikti jį paneigiančius dokumentus bei jų nuorodas. Išnagrinėjęs pateiktus įrodymus, pagrįstas klaidas ištaisysiu.

Priedas

A priedas. JAV teisingumo departamento istorijos „The Office of Special Investigations: Striving for Accountability in the Aftermath of the Holocaust“ (Judy Feigin, 2008 m. gruodis) skirsnio „2. Lithuania“ kopija: spausdinti p. 459–465 ir išnašų p. 478–481 (25–59 išnašos), kaip juos paskelbė JAV teisingumo departamentas (kopijoje yra žymė „DRAFT“ ir departamento atlikti užtamsinimai). Viso leidinio nuoroda: https://www.justice.gov/sites/default/files/criminal/legacy/2011/03/14/12-2008osu-accountability.pdf

Pagarbiai
Grant Arthur Gochin
Lietuvos Respublikos pilietis
Pasirašyta kvalifikuotu elektroniniu parašu

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28 November 2026 · Applicant reference: OSI-GP-02

Prosecutor General's Office of the Republic of Lithuania

Prosecutor General Nida Grunskienė

Rinktinės g. 5A, Vilnius · generaline.prokuratura@prokuraturos.lt

Copy (for information): Lithuanian Jewish (Litvak) Community, Chair Faina Kukliansky, info@lzb.lt

English control translation. The Lithuanian text is authoritative.

REQUEST FOR THE REGISTER AND RECORDS OF DECISIONS CANCELLING THE REHABILITATION OF PERSONS ACCUSED OF NAZI-OCCUPATION CRIMES

1. The request

After 1990 Lithuania restored the rights of many people whom the Soviet authorities had convicted. The U.S. Department of Justice history states that Lithuania later cancelled the rehabilitation of several dozen Nazi collaborators (Annex A, p. 465). I ask for the register of those decisions and the releasable decisions themselves, so that it can be established how many rehabilitations were cancelled, when, on what basis, and how many concerned the persecution or murder of Jews.

In my view these decisions are not pre-trial data, because they are decisions on the restoration of rights. If the Office takes a different view, please state the specific legal basis for each part withheld and provide the remainder. This request differs from my earlier requests about the rehabilitation records of specific individuals (K. Braželis and J. Bakanavičius): it concerns the register of decisions as a whole.

2. Documentary basis

The U.S. Department of Justice history (J. Feigin, December 2008; Annex A) states:

– in 1991 the Lithuanian government established an office to investigate "crimes against humanity", whose mandate included determining whether the country had wrongly "rehabilitated" Nazi collaborators (p. 459, note 25, citing a 25 October 1991 press release of the Lithuanian Information Center in New York and the Chicago Tribune article "Lithuania to Probe 'Rehabilitations'" of 26 October 1991);

– a BNS report of 17 November 2000, "Nazi-Hunter Dismayed Over Secrecy of Derehabilitation of Nazi Suspects in Lithuania" (notes 25 and 59), indicates that the cancellation process was criticized for its secrecy;

– Lithuania cancelled the rehabilitation of several dozen Nazi collaborators (p. 465); note 59 cites an ELTA report of 25 September 2001, "Prosecutors Strip 76 Persons of Rehabilitation Status".

The figure of 76 is given as the source reports it; I use it only as a lead for locating the records.

3. Records and information requested

1. First, the existing records behind the figure of 76 persons publicly reported in September 2001: the register or list, the decisions and accompanying documents; whether it was a cumulative figure or a figure for a period; and the current total.
2. The existing register or list of all decisions since 1990, distinguishing three kinds of decision: (a) cancellation of an issued rehabilitation (restoration of rights) certificate; (b) a finding that a certificate was issued without grounds; (c) a refusal to restore rights. For each decision: the date, the authority and official who made it, the legal basis, the case reference, and whether it was published.
3. For each such decision, whether it concerned Nazi-occupation crimes, in particular the persecution or murder of Jews; if so, the person's name (where deceased), the date of the Soviet conviction, and the principal acts for which the person was convicted.
4. Releasable copies of the decisions, at least those concerning the persecution or murder of Jews. The GDPR does not apply to the personal data of deceased persons (Recital 27); if any information is nonetheless restricted, please provide anonymized copies.
5. How many rehabilitation files were reviewed in total, the criteria for selecting them, whether review continues, and who is responsible for it.
6. Whether the reviews used historical opinions of the Genocide and Resistance Research Centre of Lithuania or other institutions, and if so, which.
7. Whether other institutions (for example, those granting state awards or statuses) were informed of the cancellations so that these persons would not be honored.
8. Why the decisions, as the 2000 BNS report indicates, were not made public, and whether they can be published now.
9. Whether Aleksandras Lileikis, Kazys Gimžauskas or Algimantas Dailidė was ever rehabilitated and, if so, whether that rehabilitation was cancelled.

4. Purpose and legal basis

Purpose of use. The information will be used for historical and legal research that I am conducting as a doctoral candidate in Holocaust and Genocide Studies at Gratz College, and for public writing on how the Republic of Lithuania handled Holocaust crimes cases after 1990. The public has a legitimate interest in knowing how the State prosecuted the genocide of Jews and how those cases ended.

This request is made under the Law on the Right to Obtain Information and Data Reuse. Please identify the specific provision of the rehabilitation legislation under which the decisions were taken. For any refusal, please issue a reasoned decision subject to appeal (Article 18, point 1, of that Law).

Handling of this request

Please register this request and send me its registration number and date. Please answer each numbered item separately; a combined answer is acceptable only if it records a separate decision on each item. Please provide records you hold as electronic copies, with case numbers, archival references and folio numbers.

If any part is withheld, please identify that part and its legal basis and provide the remainder. If a record cannot be found, please state which files, fonds or systems were searched and with what result. If another institution holds a record, please name it and give the record's reference. If any decision is adverse, please state the route and time limit for appeal.

Please decide this request within the time limit set by Article 10(4) of the Law on Public Administration. Please send the reply to ggochin@gmail.com.

If your institution considers any statement in this request or in my published writing inaccurate, please identify the statement and supply the documents and locators that support a correction. I will examine the evidence and correct any error that is established.

Annex

Annex A. Copy of the subsection "2. Lithuania" of the U.S. Department of Justice history "The Office of Special Investigations: Striving for Accountability in the Aftermath of the Holocaust" (Judy Feigin, December 2008): printed pages 459–465 and endnote pages 478–481 (notes 25–59), as released by the Department of Justice (the copy bears a "DRAFT" watermark and the Department's redactions). Full publication: https://www.justice.gov/sites/default/files/criminal/legacy/2011/03/14/12-2008osu-accountability.pdf

Respectfully,
Grant Arthur Gochin
Citizen of the Republic of Lithuania
Signed with a qualified electronic signature

A PRIEDAS

ANNEX A

JAV teisingumo departamento istorija „The Office of Special Investigations: Striving for Accountability in the Aftermath of the Holocaust“ (J. Feigin, 2008 m. gruodis), skirsnis „2. Lithuania“: p. 459–465 ir išnašos p. 478–481 (25–59 išnašos)

U.S. Department of Justice history, "The Office of Special Investigations: Striving for Accountability in the Aftermath of the Holocaust" (J. Feigin, December 2008), subsection "2. Lithuania": pp. 459–465 and endnote pp. 478–481 (notes 25–59)

investigation but noted that material from OSI was "great and labor consuming, which makes it difficult for us at the moment to complete the case rapidly."[21]

Given that OSI had turned over only 36 pages of written material (plus 50 post-war interviews on a CD-ROM), OSI saw this as yet another example of Estonia's "bad faith in dealing with the Nazi cases."[22] In December 2003, Estonia formally opened an investigation into Gorshkow. The Prime Minister assured Representative Lantos that he would "personally follow" the investigation.[23] Several months later, the Estonians concluded that there was insufficient basis for an indictment.[24]

2. Lithuania

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Over the years, Lithuania has sent mixed messages about its commitment to prosecuting alleged war criminals. After gaining independence, Lithuania seemed committed to prosecuting those who had persecuted civilians on behalf of the Nazis. In 1991, the government established an office to investigate "crimes against humanity" committed during the Nazi and/or Soviet eras; its mandate included determining whether the country had wrongly "rehabilitated" any Nazi collaborators.[25] Lithuania also signed an agreement to assist Australia in its efforts to prosecute former Lithuanian war criminals now resident in Australia, and offered to enter into a similar pact with both Israel and the United States.[26] The following year, Lithuania adopted a statute punishing Nazis and Nazi collaborators for crimes committed against the Lithuanian people during World War II. There is no statute of limitations and punishments range from five years imprisonment to death.[27] Lithuania also negotiated a Memorandum of Understanding (MOU) with the United States, whereby each country agrees to assist the other in the investigation of alleged war criminals.

Despite these intentions, by September 1994, when OSI filed a denaturalization suit against Lithuanian-born Aleksandras Lileikas, Lithuania had not yet prosecuted any Nazi collaborators.[28] OSI saw the Lileikis prosecution as "one of the most important Nazi cases brought anywhere in the world in recent history."[29] As such, Lithuania's handling of Lileikas issues became, for OSI, the litmus test of Lithuania's commitment to prosecute those who had assisted the Nazis.

Lileikis had been chief of the Lithuanian Security Police (Saugumas) in Vilnius. On behalf of the Nazis, the Saugumas arrested Jews, suspected Jews, and those who aided, hid or did business with Jews. Tens of thousands of those incarcerated in Vilnius were marched or trucked to an excavation site at Paneriai, six miles away.

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Not all those incarcerated in Vilnius were arrested there, nor were all those arrested in Vilnius rounded up by the Saugumas. Nonetheless, even with very incomplete records available, it is certain that at least several hundred of those sent to Paneriai were arrested by the Saugumas during Lileikis' tenure. Once at Paneriai, the victims were stripped of their clothing and any remaining possessions, and then shot in groups of ten at the rim of pits by a Lithuainian volunteer unit. Vilnius had been home to 60,000 Jews before the war; at war's end, only 5,000 were alive.[30]

As chief of the Saugumas in Vilnius, Lileikis was the highest ranking Lithuanian prosecuted by OSI. The case, based on documents found by an OSI historian in the Lithuanian archives, included dozens of orders signed by Lileikis. There were arrest warrants as well as orders transferring many arrestees to the German Security Police, where they were "treated according to orders," *i.e.*, murdered. The documents also showed that, during Lileikis' tenure,

the Saugumas conducted a series of sting operations, in the course of which 38 Jews, including a ten year old boy, were lured out of the ghetto with a false promise of escape. The Saugumas then arrested the victims.[31]

Lileikis did not contest that he had been chief of the Saugumas and that as such he had ordered his men to arrest thousands of Jews and turn them over to the Nazis. Rather, he maintained that this was a "ministerial and custodial" position and did not amount to the "personal advocacy or assistance of persecution" necessary to revoke his admission to the United States under the RRA.[32]

Almost immediately after the case was filed, the Lithuanian ambassador to the United States made clear that it would be "very difficult" to prosecute Lileikis in Lithuania, no matter what the documentary evidence. He suggested that Lileikis would have a viable defense if he simply claimed he did not know that those he had arrested and turned over would be killed.[33] Yet barely two weeks later, the Lithuanian premier, in Israel to sign a cultural and scientific cooperation agreement, apologized for his country's persecution of Jews during the Nazi era and indicated that Lithuania would seek Lileikis' extradition.[34] The Department of Justice forwarded copies of pertinent documents to Lithuania. U.S. officials made clear that they hoped Lithuania would request extradition even before the district court ruled on denaturalization, as an extradition request would expedite Lileikis' departure.[35]

In February 1995, shortly before the Lithuanian president was due to visit Israel, his government claimed that there was insufficient evidence to warrant an investigation of Lileikis. The World Jewish Congress expressed outrage and warned that the upcoming trip might be "a diplomatic disaster."[36] On the eve of the visit, Lithuania opened an investigation.[37]

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A few months later, Lithuania again warned of pending problems. It suggested that since its 1924 extradition treaty with the United States did not cover genocide, it did not apply to Lileikis' alleged crimes.[38] Moreover, the Lithuanians indicated that the documentary evidence was insufficient; they wanted eyewitnesses.[39]

Forty-nine U.S. Congressmen urged Lithuania to reconsider its extradition analysis and to file charges against Lileikis.[40] Jewish groups argued the same.[41] Ninety-two members of the Israeli Knesset wrote to the Lithuanian president, prodding him to take action against Lileikis as well as against Kazys Gimzauskas, Lileikis' second in command, who had fled to Lithuania after OSI filed a denaturalization action against him in 1995.[42]

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In May 1996, a U.S. court stripped Lileikis of his citizenship and adopted OSI's analysis of the case.

> [A]s the government nicely put it at oral argument, Lileikis is attempting to stand the classic Nuremburg defense on its head by arguing that "I was only *issuing* orders.[43]

Within days of the denaturalization, Poland (which shares a border with Lithuania and lost tens of thousands of Polish Jews at Paneriai), announced that it had opened its own criminal investigation and might seek extradition.[44] The SWC asked Israel to do the same.[45]

Lithuania made clear that Lileikis was welcome to return home and suggested that he would not be prosecuted since there were no eyewitnesses.[46] Lileikis returned voluntarily within three weeks of this news. He was 89 years old and the first OSI defendant to return to one of the new republics formed after the dissolution of the Soviet Union.

The SWC demanded that Lithuania follow through on its promise to prosecute war criminals.[47] The United States too weighed in. At the time, all the Baltic states were seeking

admission to NATO. The United States asserted that prosecution of Lileikis and other war criminals would be strong evidence of adherence to "western values," a prerequisite to joining the alliance. Vice President Al Gore made this point when meeting with the president of Lithuania's parliament in April 1997,[48] and thirty members of Congress reiterated the message in a November 1997 letter to the Lithuanian president.[49]

Finally, in 1998, Lithuania charged Lileikis with genocide.[50] It was the first Nazi war crimes prosecution in post-Soviet Eastern Europe. Trial was suspended after a day, however, due to Lileikis' health. The State Department expressed "deep disappointment" and called on Lithuania to take "whatever steps are necessary" to ensure that Lileikis and others involved in war crimes during the Nazi era were brought to justice.[51] Three months later, trial not having resumed, Director Rosenbaum and a representative from the State Department's Office of War Crimes met with the Lithuanian Ambassador. They proposed having Lileikis examined by an international panel of doctors, including one U.S. physician, with the United States covering all costs. Lithuanian prosecutors presented the proposal to the court, but it was rejected by the judge.

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Lithuania's admittance into NATO was on the agenda for an April 1999 NATO summit meeting. In a meeting with the U.S. Attorney General just one month before the scheduled summit, Lithuania's Prime Minister asked for assistance in drafting a law allowing for the prosecution of war criminals *in absentia*. The Department of Justice forwarded material prepared by both OSI (concerning the standards for *in absentia* hearings) and OIA (concerning videoconferencing).

In January 2000, the State Department reiterated its call for Lithuania to prosecute Nazi

war criminals.[52] Two months later, Lithuania amended its criminal code to provide that those charged with war crimes, genocide, and crimes against humanity can participate in court proceedings via closed circuit television if they are mentally competent but physically unable to appear in court. While no punishment may be imposed unless the defendant is subsequently deemed healthy enough to withstand a jail sentence, a verdict is rendered for purposes of "historical judgment."

Lileikis' trial resumed in June 2000 and was the first case to proceed under the new statute. Thirty minutes into the hearing, Lileikis complained of difficulty in breathing and was taken to the hospital. Trial was suspended indefinitely; he died two months later, at age 93.

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Although the case had not proceeded to verdict, the Lithuanian Procurator General issued a press release stating that his office had enough evidence to substantiate Lileikis' role in the commission of genocide. He promised to seek "historic justice" in other cases of war crimes and genocide.[53]

He did so in the case of Lileikis' wartime deputy, Kazys Gimzauskas. Relying largely on documents pointed out by OSI, Lithuania had originally charged Gimzauskas with genocide in 1998, shortly after Lileikis' trial was first suspended. Gimzauskas' case was repeatedly delayed and ultimately suspended due to his deteriorating mental condition. Despite the court's finding that Gimzauskas was incapacitated from Alzheimer's disease, the trial resumed via closed circuit television after Lileikis' death.[54] Gimzauskas was convicted in 2001, at age 93, with the court finding that he had handed over at least three Jews to Lithuanian killing squads. The State Department and Director Rosenbaum lavished praise on Lithuania.[55]

Gimzauskas' conviction was the first Holocaust-related conviction in any of the successor

states to the former Soviet Union.

In June 2000, Lithuania's Procurator General met with the Deputy Attorney General and Director Rosenbaum. The Procurator General asked for DOJ's assistance in investigating Nazi-era war crimes. In response to that request, an OSI historian and an OSI attorney went to Lithuania in early 2001 to discuss several cases. The significance of the meetings was underscored by the fact that they were attended also by the U.S. Ambassador.

Lithuania has since asked for information about some subjects under investigation, although it has also declined to file charges against a Lithuanian ordered deported to Lithuania in May 2002.[56] Lithuania also initiated an extradition request to Scotland, although the subject died before court proceedings were completed.[57]

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In July 2004, Lithuania filed criminal charges against Algimantas Dailide, an OSI defendant who left for Germany during appeal of a court ruling ordering him deported to Lithuania. Lithuania did not seek his extradition, but expressed the hope that he would return voluntarily. He did, and was found guilty in March 2006 of collaborating with the Nazis and persecuting Jews. However, due to his advanced age, no sentence was imposed. The U.S. government praised Lithuania for the prosecution but expressed disappointment that Dailide was "not . . . punished for his crimes."[58] As of this writing, the case is on appeal.

Lithuania has also cancelled the rehabilitation of several dozen Nazi collaborators.[59] In 2002, Lithuania's parliament ratified a new extradition treaty with the United States. It covers genocide directly.

3. Latvia

As with Lithuania, Latvia has sent mixed signals about its perspective on its role in the

Translation bearing the seal of the [redacted] Consulate in Toronto and signed by the Consul General under the typed words: "This is to certify that the above text is a correct and factual translation from the German language into the English language from the original document produced."

I was registered in the [redacted] Omakaitse papers as a Stabsofficer [staff officer] from [redacted] From [redacted], I served in [redacted] Criminal Police which was later incorporated into the German Police. I was drafted to the [redacted] SS-Legion on [redacted]

20. Aug. 1, 2003 letter from Rep. Lantos to Ken-Marti Vaher, Estonian Minister of Justice.

21. Oct. 22, 2003 e-mail from Director Rosenbaum to Susan Siegal, Elizabeth White, Stephen Paskey, Jonathan Drimmer and Michael MacQueen re "Amazing Gorshkow Reply by the GOE to Rep. Lantos."

22. *Id.*

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23. Feb. 18, 2004 letter to Rep. Lantos from Prime Minister Juhan Parts.

24. Notes from SWC representative in Israel, Effriam Zuroff of his May 5, 2004 meeting with Estonian Ambassador to Israel, H.E. Marina Kaljurand.

25. Oct. 25, 1991 Press Release from the Lithuanian Information Center, New York, New York; "Lithuania to Prove 'Rehabilitations,'" *The Chicago Tribune*, Oct. 26, 1991. In 1990, the Lithuanian government had announced an official rehabilitation for 50,000 Lithuanians whom the Soviets had charged with Nazi collaboration. "Nazi-Hunter Dismayed Over Secrecy of Derehabilitation of Nazi Suspects in Lithuania," *BNS*, Nov. 17, 2000.

26. Oct. 25, 1991 Lithuanian press release, *supra*, n. 25.

27. Law Concerning Responsibility for Genocide of the People of Lithuania, Num. 1-2477 (1992).

28. Of course, OSI itself often took years, and sometimes decades, to develop a case. That was in part due to the fact that OSI had limited access to archival material during the Soviet era. While access was easier for the Lithuanians, they (and other Eastern bloc countries) had serious resource issues. Recorded interview with former OSI Chief Historian Peter Black, Dec. 26, 2000. *See also* p. 12.

29. "OSI Vows to Pursue Deportation Despite Setback from Lithuania," by Jennifer Batog, *JTA*, Feb. 15, 1995.

30. This was roughly in proportion to the percentage of Jews throughout Lithuania who died during the war. Over 90% of the 220,000 Jews in the country did not survive.

31. Lukiškis Prison records, LCVA Collection R 730, apy. 1, nos. 827, 1002, 1753, 2248, 2437; execution file cards of the Vilnius Sonderkommando, LCVA collection R 1673, opis 1, nos. 1425, 1426, 1606, 2494, 2676, 3330, 3715. Lukiškis Prison records, LCVA, R 681, apy. 2, folder 1, pp. 17-59.

In 1983, when OSI conducted an interview with Lileikis, they showed him an order requiring 52 Jews in Saugumas custody to be turned over to the Germans. Lileikis' name, but not signature, was on the order. He noted that it could have been issued without his knowledge and challenged his interviewers to find a document with his signature. It was not until the Cold War ended, and OSI's own historian could rummage through the Archives in Vilnius, that the "smoking gun" documents were found.

32. Lileikis had originally been denied a visa under the DPA. A 1947 CIC report references persecution of Poles by the men under his command. It goes on to state that "It has not been ascertained whether Lileikis was connected with the shooting of thousands of Jews in Vilna."

33. "Few Predict Swift Punishment for Alleged Collaborator," by Jon Auerbach, *The Boston Globe*, Sept. 23, 1994.

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34. "Among Lithuanians, Confusion on Alleged Nazi Collaborator," by Ethan Bronner, *The Boston Globe*, Oct. 5, 1994; RFE/RL Daily Report, Oct. 4, 1994; Oct. 2, 1994 *AP* release by Heather Smith.

35. "Lithuania Gets Evidence for War Crimes Decision," by Ed Stoddard, *Reuters*, Apr. 12, 1995; "OSI Vows to Pursue Deportation Despite Setback from Lithuania," by Jennifer Batog *JTA*, Feb. 15, 1995; "Lithuania Decides Against Charging U.S. Citizen with Nazi Crimes," by Michael Sniffen, *AP*, Feb. 9, 1995. For an explanation of why extradition is speedier, see pp. 41-42.

36. "Accused Norwood Nazi Won't be Prosecuted: Lithuania Drops Charges Against Lileikis but U.S. Still Pushes Deportation," by Jennifer Batog and Michael Sinert, *The Jewish Advocate*, Feb. 23, 1995.

37. "Man Faces War Crime Inquiry," by Judy Rakowsky, *The Boston Globe*, Feb. 28, 1995.

38. "Extradition Canceled," by C.F. Scott, *Washington Jewish Week*, Oct. 12, 1995; "Lithuania Wants New War Treaty," *Reuters*, Oct. 4, 1995; "Lithuania Says It Will Not Extradite Norwood Man," by Judy Rakowsky, *The Boston Globe*, Oct. 3, 1995. The U.S. maintained that since murder was covered, there was no need for a separate genocide listing in order to extradite Lileikis.

39. "Nazi Hunter Says Lithuania Stalls on Extraditions, by Ed Stoddard, *Reuters*, May 22, 1996.

40. "Nazi Hunter Says Lithuania Stalls on Extraditions," *supra*, n. 39.

41. *E.g.*, The WJC accused Lithuania of "betray[ing] the memories of tens of thousands of innocent people." *JTA Daily News Bulletin*, Feb. 15, 1995; the International Association of Jewish Lawyers and Jurists (IAJLJ), American Section, along with the SWC, met with the Lithuanian ambassador, and a followup meeting was held between the IAJLJ and officials at the Lithuanian Embassy. The group urged Lithuania to extradite and prosecute Lileikis. Feb. 27, 1995 IAJLJ press release.

42. "Israeli Knesset Letter to Lithuanian President," *ELTA* [Lithuanian News Agency], Feb. 28, 1996.

43. *U.S. v. Lileikis*, 929 F. Supp. 31, 39 (D. Mass. 1996).

44. "Poland Probes Nazi Collaborator," by David Talbot, *The Boston Herald*, May 30, 1996; "Alleged Lithuanian War Criminal Returns Home," by Ed Stoddard, *The Baltic Times*, July 3, 1996.

45. "Alleged Lithuanian War Criminal Returns Home," *supra*, n. 44.

46. "Lithuania Welcomes Lileikis to Return," by Ann Donlan, *The Boston Herald*, May 28, 1996.

47. "Accused World War II Criminal Flees to Lithuania," by Judy Rakowsky, *The Boston Globe*, June 20, 1996. The issue was complicated by the fact that the Lithuanians wanted to prosecute two former NKVD officers of Jewish origin, accused of torturing and murdering Lithuanians during the Soviet era. One was in Israel and the other in West Germany. Neither country was willing to extradite. "Ghosts from the Gulag, Lithuania Tries to Remember Stalin and Forget Hitler," by Christian Caryl, *U.S. News and World Report*, Oct. 20, 1997; "Germany Refuses to Hand Over Former KGB Agent, Accused of Genocide," *Draugas*, Apr. 23, 1997. (*Draugas* is a Lithuanian language daily published in Chicago.)

48. "Reno: Lithuania to Prosecute Nazi," by Michael Sniffen, *AP*, Feb. 9, 1998; "US Vice-President Meets Chairman of Lithuanian Parliament," *Draugas*, Apr. 10, 1997.

49. "Vilnius Turns Blind Eye to Its Nazi Past," by Richard Paddock, *The Los Angeles Times*, Jan. 4, 1998.

50. In Feb. 1998, Lithuania inaugurated a new president. Valdus Adamkus had fled the country as a teenager and spent 50 years in the U.S., most of it as an engineer employed by the U.S. government. The impact of this, if any, on the Lileikis filing is unknown.

51. Sept. 15, 1998 statement posted at www.secretary.state.gov/www/briefings/statements/1998 (last visited July 2005).

Director Rosenbaum publicly voiced skepticism that Lileikis was ill. "Lithuania War Crimes Suspect Said Ill," *AP*, Feb. 2, 1999.

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52. Jan. 8, 2000 statement posted at www.secretary.state.gov/www/briefings/statements/2000 (last visited Nov. 2005).

53. Sept. 27, 2000 Press Release of the Procurator General's Office of the Republic of Lithuania.

54. "Nazi War Crimes Trial to Resume in September Without the Suspect," *AP*, July 4, 2000. It is unclear how, under the statute, the hearing could proceed given the court's determination that Gimzauskas was mentally incompetent.

55. "U.S. State Department Hails Conviction of War-Crimes Suspect in Lithuania," *BNS*, Feb. 21, 2001. Rosenbaum gave an interview which was printed on the front page of Lithuania's largest circulation daily newspaper. He termed the conviction "historic" and credited the Lithuanian ambassador to the U.S. with helping improve relations between the two countries. Rosenbaum went on to discuss the difficulty countries face in acknowledging past misdeeds.

> I have told Lithuanian and other European officials more than once that this is not a situation where the United States comes as highest moral authority. Every country has its own problems with facing their past. The U.S. is no exception from the rule, because it was the USA who turned an entire race into slaves. More than 140 years after the abolition of slavery, we are still struggling with certain aspects of the inheritance of slavery.

"Nazi Hunter Praises Lithuania," by Gintautas Alksinis, *Lietuvos Rytas*, Feb. 19, 2001.

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56. "Nazi Hunter Urges Lithuania to Address US for Extradition of War Criminal," *BNS*, June 13, 2002.

57. *See* p. 493.

58. "U.S. Disappointed Over Non-Sentence Conviction of Lithuanian Nazi Collaborator," *BNS*, Mar. 28, 2006.

59. "Nazi-Hunter Dismayed Over Secrecy of Derehabilitation of Nazi Suspects in Lithuania," *supra*, n. 25; "Prosecutors Strip 76 Persons of Rehabilitation Status," *ELTA*, Sept. 25, 2001.

60. "Ulmanis Apologizes in Israel for Latvian War Crimes," *Deutsche Presse-Agentur*, Feb. 24, 1998.

61. "Old Ethnic Rifts Run Deep in Latvia," by Richard Paddock, *The Los Angeles Times*, Apr. 6, 1998.

62. Viktors Arajs was convicted by a West German court in 1978 for his role in causing over 13,000 murders. He was sentenced to life imprisonment and died in custody in 1988.

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Lietuviškas tekstas yra autentiškas. Po jo pateikiamas angliškas kontrolinis vertimas.

PRAŠYMAS GAUTI IR IŠTIRTI LUKIŠKIŲ KALĖJIMO IR VILNIAUS YPATINGOJO BŪRIO DOKUMENTUS, KURIAIS RĖMĖSI JAV BYLA PRIEŠ ALEKSANDRĄ LILEIKĮ, IR PRANEŠTI, KĄ JIE NUSTATO

1. Prašymo esmė

JAV byla prieš Vilniaus srities lietuvių saugumo policijos (Saugumo) viršininką Aleksandrą Lileikį buvo grindžiama dokumentais, kuriuos JAV Specialiųjų tyrimų tarnybos (OSI) istorikas rado Vilniaus archyvuose. Tarp jų buvo dešimtys A. Lileikio pasirašytų įsakymų: arešto orderiai ir įsakymai perduoti suimtuosius Vokietijos saugumo policijai, kur jie buvo „traktuoti pagal įsakymus“, t. y. nužudyti (A priedas, p. 460). JAV teisingumo departamento istorijos 31 išnaša nurodo konkrečias Lietuvos centrinio valstybės archyvo (LCVA) bylas.

Prašau Centro gauti šias bylas iš LCVA, jas ištirti ir pranešti, ką jos nustato apie žydų suėmimus, kalinimą, perdavimą ir nužudymą bei apie lietuvių pareigūnų, pasirašiusių atitinkamus dokumentus, veiksmus. Atskiro prašymo LCVA neteikiu: prašau, kad šį darbą atliktų institucija, kurios paskirtis – tirti genocido apraiškas.

2. Santykis su prašymu VIL-003

2026 m. spalio 31 d. prašyme VIL-003 prašiau Centro gauti ir ištirti Vilniaus Ypatingojo būrio bylas, turto nusavinimo dokumentus, 1941 m. liepos 3–4 d. įsakymą ir Dabulevičiaus bei Lileikio paskyrimo dokumentus. Šiame prašyme tų dokumentų nekartoju. Jis apima kitas, 31 išnašoje nurodytas LCVA bylas ir Centro santykį su Lietuvoje vykusiomis A. Lileikio, K. Gimžausko ir A. Dailidės baudžiamosiomis bylomis.

3. Dokumentinis pagrindas

JAV teisingumo departamento istorijoje (J. Feigin, 2008 m. gruodis; A priedas) nurodoma:

– Saugumas nacių naudai suiminėjo žydus, asmenis, įtariamus esant žydais, ir tuos, kurie žydams padėjo, juos slėpė ar su jais prekiavo; dešimtys tūkstančių Vilniuje kalintų žmonių buvo nuvaryti ar nuvežti į Panerius; ten aukas grupėmis po dešimt prie duobių šaudė lietuvių savanorių dalinys (p. 460);

– net turint labai neišsamius dokumentus, neabejotina, kad bent keli šimtai į Panerius išvežtų asmenų buvo suimti Saugumo per A. Lileikio vadovavimo laikotarpį (p. 460);

– per A. Lileikio vadovavimo laikotarpį Saugumas vykdė operacijas, kurių metu 38 žydai, tarp jų dešimtmetis berniukas, buvo apgaulingu pabėgimo pažadu išvilioti iš geto ir suimti (p. 461);

– 1983 m. OSI parodė A. Lileikiui įsakymą perduoti vokiečiams 52 Saugumo laikomus žydus; įsakyme buvo jo pavardė, bet ne parašas; jo parašu pasirašyti dokumentai rasti tik po Šaltojo karo pabaigos Vilniaus archyvuose (31 išnaša);

– 31 išnaša nurodo šias LCVA bylas: f. R-730, ap. 1, b. 827, 1002, 1753, 2248, 2437 (Lukiškių kalėjimo dokumentai); f. R-1673, ap. 1, b. 1425, 1426, 1606, 2494, 2676, 3330, 3715 (Vilniaus ypatingojo būrio (Sonderkommando) egzekucijų kortelės); f. R-681, ap. 2, b. 1, l. 17–59 (Lukiškių kalėjimo dokumentai). Šaltinyje nuorodos pateiktos angliškai („Collection R 730, apy. 1, nos. …“, „R 681, apy. 2, folder 1, pp. 17–59“); jas perrašiau įprastu lietuvišku šifrų formatu ir prašau patikrinti su saugotoju.

JAV teismo 1996 m. sprendimas byloje United States v. Lileikis: https://law.justia.com/cases/federal/district-courts/FSupp/929/31/1812830/. Bylą aptariu publikacijoje https://blogs.timesofisrael.com/lithuania-never-judged-lileikis/

4. Prašomi veiksmai ir dokumentai

1. Gauti iš LCVA ir ištirti 3 skyriuje nurodytas bylas.

2. Kiekvienai bylai pateikti ataskaitą: kas suėmė (institucija, pareigūnas), kas pasirašė suėmimo, kalinimo ir perdavimo dokumentus (įskaitant, jei taip yra, A. Lileikį, K. Gimžauską ir A. Dailidę), suimtųjų vardai, pavardės ir amžius, kalinimo vieta ir trukmė, perdavimas Vokietijos saugumo policijai ar Ypatingajam būriui ir žymos apie likimą (pvz., „befehlsgemäß behandelt“).

3. Nustatyti ir pateikti įsakymą perduoti vokiečiams 52 Saugumo laikomus žydus (31 išnaša) ir dokumentus apie operacijas, kurių metu iš geto išvilioti ir suimti 38 žydai, tarp jų dešimtmetis berniukas (p. 461).

4. Pateikti dokumentų kopijas arba transkripcijas su tiksliais šifrais ir lapų numeriais. Kiekvienai bylai nurodyti: gauta, ištirta, nerasta arba ribojama (su ribojimo pagrindu).

5. Nurodyti, ar Centras ar jo pirmtakai rengė istorines pažymas ar išvadas prokuratūrai ar teismams A. Lileikio, K. Gimžausko ar A. Dailidės bylose; pateikti viešintinas jų kopijas ir nurodyti, ar jose buvo naudotos šios LCVA bylos.

6. Palyginti nustatytus faktus su Centro publikacijomis apie lietuvių saugumo policiją ir Vilniaus Holokaustą, įskaitant dr. A. Bubnio straipsnį „Lietuvių saugumo policija ir holokaustas (1941–1944)“ (Genocidas ir rezistencija, 2003, Nr. 1(13), p. 22–40; https://www.journals.vu.lt/gr/article/view/39432) ir jo perspausdinimą Centro 2011 m. leidinyje „Holokaustas Lietuvoje 1941–1944 m.“ (p. 359–380; https://www.lituanistika.lt/content/28790). Nurodyti, ar reikia taisymų ar papildymų, ir ar Centro publikacijos tiksliai nurodo bylų baigtį: A. Lileikis mirė nesulaukęs nuosprendžio; K. Gimžauskas ir A. Dailidė pripažinti kaltais, tačiau laisvės atėmimo bausmės neatliko.

7. Dabar turimas išvadas pateikti iš karto. Papildomam tyrimui pateikti sprendimą, atsakingą padalinį ir terminus. Jei Centras nuspręstų dokumentų negauti ar tyrimo neatlikti, nurodyti sprendimo pagrindą ir kompetentingą subjektą.

5. Galimo interesų konflikto vertinimas

Šis prašymas iš dalies susijęs su paties Centro vadovo darbais. Dr. A. Bubnys yra 6 punkte nurodyto straipsnio autorius; jo santraukoje teigiama, kad tema tapo reikšminga po to, kai buvusiems lietuvių saugumo policijos pareigūnams A. Lileikiui ir K. Gimžauskui buvo iškeltos bylos (https://www.lituanistika.lt/content/28790). Šiuo prašymu Centras prašomas palyginti savo publikacijas, įskaitant šį straipsnį, su pirminiais dokumentais.

Netvirtinu, kad ši aplinkybė savaime sudaro teisinį interesų konfliktą. Prašau:

8. įvertinti, ar jam reikia nusišalinti nuo šio prašymo nagrinėjimo, kai tyrimas apima jo paties publikacijų vertinimą, ir nurodyti taikytas apsaugos priemones;

9. nurodyti, kas Centre nagrinės šį prašymą ir pasirašys atsakymą.

Mano nuomone, šiame kreipimesi nurodytiems dokumentais pagrįstiems neatitikimams išnagrinėti būtina nepriklausoma tarptautinė komisija; tai neatideda Jūsų atsakymo į konkrečius Jūsų kompetencijai priklausančius prašymus.

Informacijos naudojimo tikslas. Prašoma informacija bus naudojama istoriniam ir teisiniam tyrimui, kurį rengiu Gratz College Holokausto ir genocido studijų doktorantūroje, ir viešoms publikacijoms apie tai, kaip Lietuvos Respublika po 1990 m. nagrinėjo Holokausto nusikaltimų bylas. Visuomenė turi teisėtą interesą žinoti, kaip valstybė vykdė baudžiamąjį persekiojimą dėl žydų genocido ir kuo šios bylos baigėsi.

Atsakymo tvarka

Prašau užregistruoti šį prašymą ir pranešti jo registracijos numerį bei datą. Į kiekvieną sunumeruotą punktą prašau atsakyti atskirai; bendras atsakymas priimtinas tik tuo atveju, jei jame dėl kiekvieno punkto priimtas atskiras sprendimas. Turimus dokumentus prašau pateikti elektroninėmis kopijomis, nurodant bylų numerius, archyvinius šifrus ir lapų numerius.

Jei dalies informacijos neteikiate, prašau nurodyti konkrečią neteikiamą dalį ir jos teisinį pagrindą bei pateikti likusią dalį. Jei dokumento neradote, prašau nurodyti, kuriose bylose, fonduose ar sistemose ieškojote ir koks buvo rezultatas. Jei dokumentą saugo kita institucija, prašau ją įvardyti ir nurodyti dokumento nuorodą. Neigiamo sprendimo atveju prašau nurodyti apskundimo tvarką ir terminą.

Prašau prašymą išnagrinėti per Lietuvos Respublikos viešojo administravimo įstatymo 10 straipsnio 4 dalyje nustatytą terminą. Atsakymą prašau siųsti el. paštu ggochin@gmail.com.

Jei Jūsų institucija mano, kad šiame prašyme ar mano paskelbtuose tekstuose yra netikslumų, prašau nurodyti konkretų teiginį ir pateikti jį paneigiančius dokumentus bei jų nuorodas. Išnagrinėjęs pateiktus įrodymus, pagrįstas klaidas ištaisysiu.

Priedas

A priedas. JAV teisingumo departamento istorijos „The Office of Special Investigations: Striving for Accountability in the Aftermath of the Holocaust“ (Judy Feigin, 2008 m. gruodis) skirsnio „2. Lithuania“ kopija: spausdinti p. 459–465 ir išnašų p. 478–481 (25–59 išnašos), kaip juos paskelbė JAV teisingumo departamentas (kopijoje yra žymė „DRAFT“ ir departamento atlikti užtamsinimai). Viso leidinio nuoroda: https://www.justice.gov/sites/default/files/criminal/legacy/2011/03/14/12-2008osu-accountability.pdf

Pagarbiai
Grant Arthur Gochin
Lietuvos Respublikos pilietis
Pasirašyta kvalifikuotu elektroniniu parašu

Grant Arthur Gochin
Citizen of the Republic of Lithuania
10900 Winnetka Avenue, Chatsworth, CA 91311, United States of America
Telephone +1 818-625-6513 · Email ggochin@gmail.com

28 November 2026 · Applicant reference: OSI-LG-01

Genocide and Resistance Research Centre of Lithuania

Head of the Centre, Dr. Arūnas Bubnys

centras@genocid.lt

Copy (for information): Lithuanian Jewish (Litvak) Community, Chair Faina Kukliansky, info@lzb.lt

English control translation. The Lithuanian text is authoritative.

REQUEST TO OBTAIN AND EXAMINE THE LUKIŠKĖS PRISON AND VILNIUS SPECIAL SQUAD RECORDS ON WHICH THE U.S. CASE AGAINST ALEKSANDRAS LILEIKIS RELIED, AND TO REPORT WHAT THEY ESTABLISH

1. The request

The U.S. case against Aleksandras Lileikis, chief of the Lithuanian Security Police (Saugumas) for the Vilnius district, rested on documents that an historian of the U.S. Office of Special Investigations (OSI) found in the Vilnius archives. They included dozens of orders signed by Lileikis: arrest warrants and orders transferring arrestees to the German Security Police, where they were "treated according to orders", that is, murdered (Annex A, p. 460). Note 31 of the U.S. Department of Justice history identifies specific files of the Lithuanian Central State Archives (LCVA).

I ask the Centre to obtain these files from the LCVA, examine them, and report what they establish about the arrest, imprisonment, transfer and murder of Jews and about the acts of the Lithuanian officials who signed the relevant documents. I am not filing a separate request with the LCVA: I ask that this work be done by the institution whose purpose is to investigate manifestations of genocide.

2. Relationship to request VIL-003

In request VIL-003 of 31 October 2026 I asked the Centre to obtain and examine the Vilnius Special Squad files, the dispossession records, the order of 3–4 July 1941 and the appointment records of Dabulevičius and Lileikis. This request does not repeat those items. It covers the other LCVA files identified in note 31 and the Centre's relationship to the Lithuanian criminal cases against Lileikis, Gimžauskas and Dailidė.

3. Documentary basis

The U.S. Department of Justice history (J. Feigin, December 2008; Annex A) states:

– on behalf of the Nazis, the Saugumas arrested Jews, suspected Jews, and those who aided, hid or did business with Jews; tens of thousands of those held in Vilnius were marched or trucked to Paneriai, where the victims were shot in groups of ten at the rim of pits by a Lithuanian volunteer unit (p. 460);

– even with very incomplete records, it is certain that at least several hundred of those sent to Paneriai were arrested by the Saugumas during Lileikis's tenure (p. 460);

– during Lileikis's tenure the Saugumas conducted operations in which 38 Jews, including a ten-year-old boy, were lured out of the ghetto with a false promise of escape and arrested (p. 461);

– in 1983 OSI showed Lileikis an order to turn 52 Jews in Saugumas custody over to the Germans; it bore his name but not his signature; documents bearing his signature were found in the Vilnius archives only after the Cold War ended (note 31);

– note 31 identifies the following LCVA files: f. R-730, ap. 1, b. 827, 1002, 1753, 2248, 2437 (Lukiškės prison records); f. R-1673, ap. 1, b. 1425, 1426, 1606, 2494, 2676, 3330, 3715 (execution cards of the Vilnius Special Squad (Sonderkommando)); f. R-681, ap. 2, b. 1, l. 17–59 (Lukiškės prison records). The source gives the references in English ("Collection R 730, apy. 1, nos. …", "R 681, apy. 2, folder 1, pp. 17–59"); I have converted them to the standard Lithuanian citation form and ask that they be verified with the custodian.

The 1996 U.S. judgment in United States v. Lileikis: https://law.justia.com/cases/federal/district-courts/FSupp/929/31/1812830/. I discuss the case in https://blogs.timesofisrael.com/lithuania-never-judged-lileikis/

4. Actions and records requested

1. Obtain from the LCVA and examine the files listed in section 3.

2. For each file, report: who made the arrest (institution, officer); who signed the arrest, detention and transfer documents (including, where applicable, Lileikis, Gimžauskas and Dailidė); the names and ages of those arrested; the place and length of detention; transfer to the German Security Police or the Special Squad; and notations of fate (for example, "befehlsgemäß behandelt").

3. Identify and produce the order to hand 52 Jews in Saugumas custody to the Germans (note 31), and the records of the operations in which 38 Jews, including a ten-year-old boy, were lured out of the ghetto and arrested (p. 461).

4. Provide copies or transcriptions with exact archival references and folio numbers. For each file, state whether it was obtained, examined, not found or restricted (with the basis of any restriction).

5. State whether the Centre or its predecessors prepared historical opinions or findings for the prosecution or the courts in the Lileikis, Gimžauskas or Dailidė cases; provide releasable copies and state whether they used these LCVA files.

6. Compare the established facts with the Centre's publications on the Lithuanian Security Police and the Holocaust in Vilnius, including Dr. A. Bubnys's article "Lietuvių saugumo policija ir holokaustas (1941–1944)" (Genocidas ir rezistencija, 2003, No. 1(13), pp. 22–40; https://www.journals.vu.lt/gr/article/view/39432) and its reprint in the Centre's 2011 volume "Holokaustas Lietuvoje 1941–1944 m." (pp. 359–380; https://www.lituanistika.lt/content/28790). State whether corrections or additions are needed, and whether the Centre's publications state the outcome of the cases accurately: Lileikis died without a verdict; Gimžauskas and Dailidė were found guilty and served no prison sentence.

7. Provide findings already available now. For further research, state the decision, the responsible unit and the timetable. If the Centre decides not to obtain the records or not to carry out the research, state the basis and the competent body.

5. Assessment of a possible conflict of interest

This request partly concerns the work of the Centre's own head. Dr. Bubnys is the author of the article cited in item 6; its abstract states that the subject became significant after cases were brought against former Lithuanian Security Police officers Lileikis and Gimžauskas (https://www.lituanistika.lt/content/28790). This request asks the Centre to compare its publications, including that article, with the primary records.

I do not claim that this by itself constitutes a legal conflict of interest. I ask the Centre to:

8. assess whether he should recuse himself from this request, given that it involves evaluating his own publications, and state the safeguards applied;

9. state who in the Centre will handle this request and sign the reply.

In my view, the documented discrepancies identified here require examination by an independent international commission; this does not postpone your response to the specific requests within your competence.

Purpose of use. The information will be used for historical and legal research that I am conducting as a doctoral candidate in Holocaust and Genocide Studies at Gratz College, and for public writing on how the Republic of Lithuania handled Holocaust crimes cases after 1990. The public has a legitimate interest in knowing how the State prosecuted the genocide of Jews and how those cases ended.

Handling of this request

Please register this request and send me its registration number and date. Please answer each numbered item separately; a combined answer is acceptable only if it records a separate decision on each item. Please provide records you hold as electronic copies, with case numbers, archival references and folio numbers.

If any part is withheld, please identify that part and its legal basis and provide the remainder. If a record cannot be found, please state which files, fonds or systems were searched and with what result. If another institution holds a record, please name it and give the record's reference. If any decision is adverse, please state the route and time limit for appeal.

Please decide this request within the time limit set by Article 10(4) of the Law on Public Administration. Please send the reply to ggochin@gmail.com.

If your institution considers any statement in this request or in my published writing inaccurate, please identify the statement and supply the documents and locators that support a correction. I will examine the evidence and correct any error that is established.

Annex

Annex A. Copy of the subsection "2. Lithuania" of the U.S. Department of Justice history "The Office of Special Investigations: Striving for Accountability in the Aftermath of the Holocaust" (Judy Feigin, December 2008): printed pages 459–465 and endnote pages 478–481 (notes 25–59), as released by the Department of Justice (the copy bears a "DRAFT" watermark and the Department's redactions). Full publication: https://www.justice.gov/sites/default/files/criminal/legacy/2011/03/14/12-2008osu-accountability.pdf

Respectfully,
Grant Arthur Gochin
Citizen of the Republic of Lithuania
Signed with a qualified electronic signature

A PRIEDAS

ANNEX A

JAV teisingumo departamento istorija „The Office of Special Investigations: Striving for Accountability in the Aftermath of the Holocaust“ (J. Feigin, 2008 m. gruodis), skirsnis „2. Lithuania“: p. 459–465 ir išnašos p. 478–481 (25–59 išnašos)

U.S. Department of Justice history, "The Office of Special Investigations: Striving for Accountability in the Aftermath of the Holocaust" (J. Feigin, December 2008), subsection "2. Lithuania": pp. 459–465 and endnote pp. 478–481 (notes 25–59)

investigation but noted that material from OSI was "great and labor consuming, which makes it difficult for us at the moment to complete the case rapidly."[21]

Given that OSI had turned over only 36 pages of written material (plus 50 post-war interviews on a CD-ROM), OSI saw this as yet another example of Estonia's "bad faith in dealing with the Nazi cases."[22] In December 2003, Estonia formally opened an investigation into Gorshkow. The Prime Minister assured Representative Lantos that he would "personally follow" the investigation.[23] Several months later, the Estonians concluded that there was insufficient basis for an indictment.[24]

2. Lithuania

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Over the years, Lithuania has sent mixed messages about its commitment to prosecuting alleged war criminals. After gaining independence, Lithuania seemed committed to prosecuting those who had persecuted civilians on behalf of the Nazis. In 1991, the government established an office to investigate "crimes against humanity" committed during the Nazi and/or Soviet eras; its mandate included determining whether the country had wrongly "rehabilitated" any Nazi collaborators.[25] Lithuania also signed an agreement to assist Australia in its efforts to prosecute former Lithuanian war criminals now resident in Australia, and offered to enter into a similar pact with both Israel and the United States.[26] The following year, Lithuania adopted a statute punishing Nazis and Nazi collaborators for crimes committed against the Lithuanian people during World War II. There is no statute of limitations and punishments range from five years imprisonment to death.[27] Lithuania also negotiated a Memorandum of Understanding (MOU) with the United States, whereby each country agrees to assist the other in the investigation of alleged war criminals.

Despite these intentions, by September 1994, when OSI filed a denaturalization suit against Lithuanian-born Aleksandras Lileikas, Lithuania had not yet prosecuted any Nazi collaborators.[28] OSI saw the Lileikis prosecution as "one of the most important Nazi cases brought anywhere in the world in recent history."[29] As such, Lithuania's handling of Lileikas issues became, for OSI, the litmus test of Lithuania's commitment to prosecute those who had assisted the Nazis.

Lileikis had been chief of the Lithuanian Security Police (Saugumas) in Vilnius. On behalf of the Nazis, the Saugumas arrested Jews, suspected Jews, and those who aided, hid or did business with Jews. Tens of thousands of those incarcerated in Vilnius were marched or trucked to an excavation site at Paneriai, six miles away.

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Not all those incarcerated in Vilnius were arrested there, nor were all those arrested in Vilnius rounded up by the Saugumas. Nonetheless, even with very incomplete records available, it is certain that at least several hundred of those sent to Paneriai were arrested by the Saugumas during Lileikis' tenure. Once at Paneriai, the victims were stripped of their clothing and any remaining possessions, and then shot in groups of ten at the rim of pits by a Lithuainian volunteer unit. Vilnius had been home to 60,000 Jews before the war; at war's end, only 5,000 were alive.[30]

As chief of the Saugumas in Vilnius, Lileikis was the highest ranking Lithuanian prosecuted by OSI. The case, based on documents found by an OSI historian in the Lithuanian archives, included dozens of orders signed by Lileikis. There were arrest warrants as well as orders transferring many arrestees to the German Security Police, where they were "treated according to orders," *i.e.*, murdered. The documents also showed that, during Lileikis' tenure,

the Saugumas conducted a series of sting operations, in the course of which 38 Jews, including a ten year old boy, were lured out of the ghetto with a false promise of escape. The Saugumas then arrested the victims.[31]

Lileikis did not contest that he had been chief of the Saugumas and that as such he had ordered his men to arrest thousands of Jews and turn them over to the Nazis. Rather, he maintained that this was a "ministerial and custodial" position and did not amount to the "personal advocacy or assistance of persecution" necessary to revoke his admission to the United States under the RRA.[32]

Almost immediately after the case was filed, the Lithuanian ambassador to the United States made clear that it would be "very difficult" to prosecute Lileikis in Lithuania, no matter what the documentary evidence. He suggested that Lileikis would have a viable defense if he simply claimed he did not know that those he had arrested and turned over would be killed.[33] Yet barely two weeks later, the Lithuanian premier, in Israel to sign a cultural and scientific cooperation agreement, apologized for his country's persecution of Jews during the Nazi era and indicated that Lithuania would seek Lileikis' extradition.[34] The Department of Justice forwarded copies of pertinent documents to Lithuania. U.S. officials made clear that they hoped Lithuania would request extradition even before the district court ruled on denaturalization, as an extradition request would expedite Lileikis' departure.[35]

In February 1995, shortly before the Lithuanian president was due to visit Israel, his government claimed that there was insufficient evidence to warrant an investigation of Lileikis. The World Jewish Congress expressed outrage and warned that the upcoming trip might be "a diplomatic disaster."[36] On the eve of the visit, Lithuania opened an investigation.[37]

DRAFT

A few months later, Lithuania again warned of pending problems. It suggested that since its 1924 extradition treaty with the United States did not cover genocide, it did not apply to Lileikis' alleged crimes.[38] Moreover, the Lithuanians indicated that the documentary evidence was insufficient; they wanted eyewitnesses.[39]

Forty-nine U.S. Congressmen urged Lithuania to reconsider its extradition analysis and to file charges against Lileikis.[40] Jewish groups argued the same.[41] Ninety-two members of the Israeli Knesset wrote to the Lithuanian president, prodding him to take action against Lileikis as well as against Kazys Gimzauskas, Lileikis' second in command, who had fled to Lithuania after OSI filed a denaturalization action against him in 1995.[42]

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In May 1996, a U.S. court stripped Lileikis of his citizenship and adopted OSI's analysis of the case.

> [A]s the government nicely put it at oral argument, Lileikis is attempting to stand the classic Nuremburg defense on its head by arguing that "I was only *issuing* orders.[43]

Within days of the denaturalization, Poland (which shares a border with Lithuania and lost tens of thousands of Polish Jews at Paneriai), announced that it had opened its own criminal investigation and might seek extradition.[44] The SWC asked Israel to do the same.[45]

Lithuania made clear that Lileikis was welcome to return home and suggested that he would not be prosecuted since there were no eyewitnesses.[46] Lileikis returned voluntarily within three weeks of this news. He was 89 years old and the first OSI defendant to return to one of the new republics formed after the dissolution of the Soviet Union.

The SWC demanded that Lithuania follow through on its promise to prosecute war criminals.[47] The United States too weighed in. At the time, all the Baltic states were seeking

admission to NATO. The United States asserted that prosecution of Lileikis and other war criminals would be strong evidence of adherence to "western values," a prerequisite to joining the alliance. Vice President Al Gore made this point when meeting with the president of Lithuania's parliament in April 1997,[48] and thirty members of Congress reiterated the message in a November 1997 letter to the Lithuanian president.[49]

Finally, in 1998, Lithuania charged Lileikis with genocide.[50] It was the first Nazi war crimes prosecution in post-Soviet Eastern Europe. Trial was suspended after a day, however, due to Lileikis' health. The State Department expressed "deep disappointment" and called on Lithuania to take "whatever steps are necessary" to ensure that Lileikis and others involved in war crimes during the Nazi era were brought to justice.[51] Three months later, trial not having resumed, Director Rosenbaum and a representative from the State Department's Office of War Crimes met with the Lithuanian Ambassador. They proposed having Lileikis examined by an international panel of doctors, including one U.S. physician, with the United States covering all costs. Lithuanian prosecutors presented the proposal to the court, but it was rejected by the judge.

DRAFT

Lithuania's admittance into NATO was on the agenda for an April 1999 NATO summit meeting. In a meeting with the U.S. Attorney General just one month before the scheduled summit, Lithuania's Prime Minister asked for assistance in drafting a law allowing for the prosecution of war criminals *in absentia*. The Department of Justice forwarded material prepared by both OSI (concerning the standards for *in absentia* hearings) and OIA (concerning videoconferencing).

In January 2000, the State Department reiterated its call for Lithuania to prosecute Nazi

war criminals.[52] Two months later, Lithuania amended its criminal code to provide that those charged with war crimes, genocide, and crimes against humanity can participate in court proceedings via closed circuit television if they are mentally competent but physically unable to appear in court. While no punishment may be imposed unless the defendant is subsequently deemed healthy enough to withstand a jail sentence, a verdict is rendered for purposes of "historical judgment."

Lileikis' trial resumed in June 2000 and was the first case to proceed under the new statute. Thirty minutes into the hearing, Lileikis complained of difficulty in breathing and was taken to the hospital. Trial was suspended indefinitely; he died two months later, at age 93.

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Although the case had not proceeded to verdict, the Lithuanian Procurator General issued a press release stating that his office had enough evidence to substantiate Lileikis' role in the commission of genocide. He promised to seek "historic justice" in other cases of war crimes and genocide.[53]

He did so in the case of Lileikis' wartime deputy, Kazys Gimzauskas. Relying largely on documents pointed out by OSI, Lithuania had originally charged Gimzauskas with genocide in 1998, shortly after Lileikis' trial was first suspended. Gimzauskas' case was repeatedly delayed and ultimately suspended due to his deteriorating mental condition. Despite the court's finding that Gimzauskas was incapacitated from Alzheimer's disease, the trial resumed via closed circuit television after Lileikis' death.[54] Gimzauskas was convicted in 2001, at age 93, with the court finding that he had handed over at least three Jews to Lithuanian killing squads. The State Department and Director Rosenbaum lavished praise on Lithuania.[55]

Gimzauskas' conviction was the first Holocaust-related conviction in any of the successor

states to the former Soviet Union.

In June 2000, Lithuania's Procurator General met with the Deputy Attorney General and Director Rosenbaum. The Procurator General asked for DOJ's assistance in investigating Nazi-era war crimes. In response to that request, an OSI historian and an OSI attorney went to Lithuania in early 2001 to discuss several cases. The significance of the meetings was underscored by the fact that they were attended also by the U.S. Ambassador.

Lithuania has since asked for information about some subjects under investigation, although it has also declined to file charges against a Lithuanian ordered deported to Lithuania in May 2002.[56] Lithuania also initiated an extradition request to Scotland, although the subject died before court proceedings were completed.[57]

DRAFT

In July 2004, Lithuania filed criminal charges against Algimantas Dailide, an OSI defendant who left for Germany during appeal of a court ruling ordering him deported to Lithuania. Lithuania did not seek his extradition, but expressed the hope that he would return voluntarily. He did, and was found guilty in March 2006 of collaborating with the Nazis and persecuting Jews. However, due to his advanced age, no sentence was imposed. The U.S. government praised Lithuania for the prosecution but expressed disappointment that Dailide was "not . . . punished for his crimes."[58] As of this writing, the case is on appeal.

Lithuania has also cancelled the rehabilitation of several dozen Nazi collaborators.[59] In 2002, Lithuania's parliament ratified a new extradition treaty with the United States. It covers genocide directly.

3. Latvia

As with Lithuania, Latvia has sent mixed signals about its perspective on its role in the

Translation bearing the seal of the [redacted] Consulate in Toronto and signed by the Consul General under the typed words: "This is to certify that the above text is a correct and factual translation from the German language into the English language from the original document produced."

I was registered in the [redacted] Omakaitse papers as a Stabsofficer [staff officer] from [redacted] From [redacted], I served in [redacted] Criminal Police which was later incorporated into the German Police. I was drafted to the [redacted] SS-Legion on [redacted]

20. Aug. 1, 2003 letter from Rep. Lantos to Ken-Marti Vaher, Estonian Minister of Justice.

21. Oct. 22, 2003 e-mail from Director Rosenbaum to Susan Siegal, Elizabeth White, Stephen Paskey, Jonathan Drimmer and Michael MacQueen re "Amazing Gorshkow Reply by the GOE to Rep. Lantos."

22. *Id.*

DRAFT

23. Feb. 18, 2004 letter to Rep. Lantos from Prime Minister Juhan Parts.

24. Notes from SWC representative in Israel, Effriam Zuroff of his May 5, 2004 meeting with Estonian Ambassador to Israel, H.E. Marina Kaljurand.

25. Oct. 25, 1991 Press Release from the Lithuanian Information Center, New York, New York; "Lithuania to Prove 'Rehabilitations,'" *The Chicago Tribune*, Oct. 26, 1991. In 1990, the Lithuanian government had announced an official rehabilitation for 50,000 Lithuanians whom the Soviets had charged with Nazi collaboration. "Nazi-Hunter Dismayed Over Secrecy of Derehabilitation of Nazi Suspects in Lithuania," *BNS*, Nov. 17, 2000.

26. Oct. 25, 1991 Lithuanian press release, *supra*, n. 25.

27. Law Concerning Responsibility for Genocide of the People of Lithuania, Num. 1-2477 (1992).

28. Of course, OSI itself often took years, and sometimes decades, to develop a case. That was in part due to the fact that OSI had limited access to archival material during the Soviet era. While access was easier for the Lithuanians, they (and other Eastern bloc countries) had serious resource issues. Recorded interview with former OSI Chief Historian Peter Black, Dec. 26, 2000. *See also* p. 12.

29. "OSI Vows to Pursue Deportation Despite Setback from Lithuania," by Jennifer Batog, *JTA*, Feb. 15, 1995.

30. This was roughly in proportion to the percentage of Jews throughout Lithuania who died during the war. Over 90% of the 220,000 Jews in the country did not survive.

31. Lukiškis Prison records, LCVA Collection R 730, apy. 1, nos. 827, 1002, 1753, 2248, 2437; execution file cards of the Vilnius Sonderkommando, LCVA collection R 1673, opis 1, nos. 1425, 1426, 1606, 2494, 2676, 3330, 3715. Lukiškis Prison records, LCVA, R 681, apy. 2, folder 1, pp. 17-59.

In 1983, when OSI conducted an interview with Lileikis, they showed him an order requiring 52 Jews in Saugumas custody to be turned over to the Germans. Lileikis' name, but not signature, was on the order. He noted that it could have been issued without his knowledge and challenged his interviewers to find a document with his signature. It was not until the Cold War ended, and OSI's own historian could rummage through the Archives in Vilnius, that the "smoking gun" documents were found.

32. Lileikis had originally been denied a visa under the DPA. A 1947 CIC report references persecution of Poles by the men under his command. It goes on to state that "It has not been ascertained whether Lileikis was connected with the shooting of thousands of Jews in Vilna."

33. "Few Predict Swift Punishment for Alleged Collaborator," by Jon Auerbach, *The Boston Globe*, Sept. 23, 1994.

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34. "Among Lithuanians, Confusion on Alleged Nazi Collaborator," by Ethan Bronner, *The Boston Globe*, Oct. 5, 1994; RFE/RL Daily Report, Oct. 4, 1994; Oct. 2, 1994 *AP* release by Heather Smith.

35. "Lithuania Gets Evidence for War Crimes Decision," by Ed Stoddard, *Reuters*, Apr. 12, 1995; "OSI Vows to Pursue Deportation Despite Setback from Lithuania," by Jennifer Batog *JTA*, Feb. 15, 1995; "Lithuania Decides Against Charging U.S. Citizen with Nazi Crimes," by Michael Sniffen, *AP*, Feb. 9, 1995. For an explanation of why extradition is speedier, see pp. 41-42.

36. "Accused Norwood Nazi Won't be Prosecuted: Lithuania Drops Charges Against Lileikis but U.S. Still Pushes Deportation," by Jennifer Batog and Michael Sinert, *The Jewish Advocate*, Feb. 23, 1995.

37. "Man Faces War Crime Inquiry," by Judy Rakowsky, *The Boston Globe*, Feb. 28, 1995.

38. "Extradition Canceled," by C.F. Scott, *Washington Jewish Week*, Oct. 12, 1995; "Lithuania Wants New War Treaty," *Reuters*, Oct. 4, 1995; "Lithuania Says It Will Not Extradite Norwood Man," by Judy Rakowsky, *The Boston Globe*, Oct. 3, 1995. The U.S. maintained that since murder was covered, there was no need for a separate genocide listing in order to extradite Lileikis.

39. "Nazi Hunter Says Lithuania Stalls on Extraditions, by Ed Stoddard, *Reuters*, May 22, 1996.

40. "Nazi Hunter Says Lithuania Stalls on Extraditions," *supra*, n. 39.

41. *E.g.*, The WJC accused Lithuania of "betray[ing] the memories of tens of thousands of innocent people." *JTA Daily News Bulletin*, Feb. 15, 1995; the International Association of Jewish Lawyers and Jurists (IAJLJ), American Section, along with the SWC, met with the Lithuanian ambassador, and a followup meeting was held between the IAJLJ and officials at the Lithuanian Embassy. The group urged Lithuania to extradite and prosecute Lileikis. Feb. 27, 1995 IAJLJ press release.

42. "Israeli Knesset Letter to Lithuanian President," *ELTA* [Lithuanian News Agency], Feb. 28, 1996.

43. *U.S. v. Lileikis*, 929 F. Supp. 31, 39 (D. Mass. 1996).

44. "Poland Probes Nazi Collaborator," by David Talbot, *The Boston Herald*, May 30, 1996; "Alleged Lithuanian War Criminal Returns Home," by Ed Stoddard, *The Baltic Times*, July 3, 1996.

45. "Alleged Lithuanian War Criminal Returns Home," *supra*, n. 44.

46. "Lithuania Welcomes Lileikis to Return," by Ann Donlan, *The Boston Herald*, May 28, 1996.

47. "Accused World War II Criminal Flees to Lithuania," by Judy Rakowsky, *The Boston Globe*, June 20, 1996. The issue was complicated by the fact that the Lithuanians wanted to prosecute two former NKVD officers of Jewish origin, accused of torturing and murdering Lithuanians during the Soviet era. One was in Israel and the other in West Germany. Neither country was willing to extradite. "Ghosts from the Gulag, Lithuania Tries to Remember Stalin and Forget Hitler," by Christian Caryl, *U.S. News and World Report*, Oct. 20, 1997; "Germany Refuses to Hand Over Former KGB Agent, Accused of Genocide," *Draugas*, Apr. 23, 1997. (*Draugas* is a Lithuanian language daily published in Chicago.)

48. "Reno: Lithuania to Prosecute Nazi," by Michael Sniffen, *AP*, Feb. 9, 1998; "US Vice-President Meets Chairman of Lithuanian Parliament," *Draugas*, Apr. 10, 1997.

49. "Vilnius Turns Blind Eye to Its Nazi Past," by Richard Paddock, *The Los Angeles Times*, Jan. 4, 1998.

50. In Feb. 1998, Lithuania inaugurated a new president. Valdus Adamkus had fled the country as a teenager and spent 50 years in the U.S., most of it as an engineer employed by the U.S. government. The impact of this, if any, on the Lileikis filing is unknown.

51. Sept. 15, 1998 statement posted at www.secretary.state.gov/www/briefings/statements/1998 (last visited July 2005).

Director Rosenbaum publicly voiced skepticism that Lileikis was ill. "Lithuania War Crimes Suspect Said Ill," *AP*, Feb. 2, 1999.

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52. Jan. 8, 2000 statement posted at www.secretary.state.gov/www/briefings/statements/2000 (last visited Nov. 2005).

53. Sept. 27, 2000 Press Release of the Procurator General's Office of the Republic of Lithuania.

54. "Nazi War Crimes Trial to Resume in September Without the Suspect," *AP*, July 4, 2000. It is unclear how, under the statute, the hearing could proceed given the court's determination that Gimzauskas was mentally incompetent.

55. "U.S. State Department Hails Conviction of War-Crimes Suspect in Lithuania," *BNS*, Feb. 21, 2001. Rosenbaum gave an interview which was printed on the front page of Lithuania's largest circulation daily newspaper. He termed the conviction "historic" and credited the Lithuanian ambassador to the U.S. with helping improve relations between the two countries. Rosenbaum went on to discuss the difficulty countries face in acknowledging past misdeeds.

> I have told Lithuanian and other European officials more than once that this is not a situation where the United States comes as highest moral authority. Every country has its own problems with facing their past. The U.S. is no exception from the rule, because it was the USA who turned an entire race into slaves. More than 140 years after the abolition of slavery, we are still struggling with certain aspects of the inheritance of slavery.

"Nazi Hunter Praises Lithuania," by Gintautas Alksinis, *Lietuvos Rytas*, Feb. 19, 2001.

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56. "Nazi Hunter Urges Lithuania to Address US for Extradition of War Criminal," *BNS*, June 13, 2002.

57. *See* p. 493.

58. "U.S. Disappointed Over Non-Sentence Conviction of Lithuanian Nazi Collaborator," *BNS*, Mar. 28, 2006.

59. "Nazi-Hunter Dismayed Over Secrecy of Derehabilitation of Nazi Suspects in Lithuania," *supra*, n. 25; "Prosecutors Strip 76 Persons of Rehabilitation Status," *ELTA*, Sept. 25, 2001.

60. "Ulmanis Apologizes in Israel for Latvian War Crimes," *Deutsche Presse-Agentur*, Feb. 24, 1998.

61. "Old Ethnic Rifts Run Deep in Latvia," by Richard Paddock, *The Los Angeles Times*, Apr. 6, 1998.

62. Viktors Arajs was convicted by a West German court in 1978 for his role in causing over 13,000 murders. He was sentenced to life imprisonment and died in custody in 1988.

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2026 m. lapkričio 28 d. · Pareiškėjo nuoroda: OSI-TM-01

Lietuvos Respublikos teisingumo ministerijai

Teisingumo ministrei Ritai Tamašunienei

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Lietuvos Respublikos užsienio reikalų ministerijai

Užsienio reikalų ministrui Kęstučiui Budriui

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Kopija (informacijai): Lietuvos žydų (litvakų) bendruomenė, pirmininkė Faina Kukliansky, info@lzb.lt

Lietuviškas tekstas yra autentiškas. Po jo pateikiamas angliškas kontrolinis vertimas.

PRAŠYMAS PATEIKTI LIETUVOS IR JAV BENDRADARBIAVIMO NACIŲ NUSIKALTIMŲ BYLOSE 1991–2008 M. DOKUMENTUS: MEMORANDUMĄ, EKSTRADICIJOS SPRENDIMUS IR PROCESO ĮSTATYMO PAKEITIMUS

1. Prašymo esmė ir adresatai

JAV teisingumo departamento istorijoje (J. Feigin, 2008 m. gruodis; A priedas) aprašyta, kaip Lietuva 1991–2008 m. bendradarbiavo su JAV dėl asmenų, kaltinamų nacių okupacijos laikotarpio nusikaltimais, ypač Vilniaus srities lietuvių saugumo policijos viršininko Aleksandro Lileikio, jo pavaduotojo Kazio Gimžausko ir pareigūno Algimanto Dailidės. Prašau pateikti Lietuvos pusės dokumentus apie šį bendradarbiavimą: susitarimus, ekstradicijos analizę ir sprendimus, gautą JAV pagalbą ir jos panaudojimą rengiant baudžiamojo proceso pakeitimus.

Prašymas vienu metu siunčiamas Teisingumo ministerijai ir Užsienio reikalų ministerijai, nes dalis dokumentų yra vienos, dalis – kitos institucijos kompetencijoje. Prašau kiekvienos ministerijos šį prašymą užregistruoti atskirai, pranešti savo registracijos numerį ir atsakyti dėl dokumentų, kuriuos ji turi. Prašau ministerijų susiderinti, kad kiekvienas punktas būtų atsakytas. Jei dokumentai perduoti valstybės archyvams (pvz., Lietuvos centriniam valstybės archyvui) ar kitai institucijai (pvz., Prezidento kanceliarijai ar Seimo kanceliarijai), prašau juos iš saugotojo gauti arba nurodyti saugotoją ir tikslias saugojimo nuorodas.

2. Prašomi dokumentai ir informacija

A. Susitarimai

1. Šaltinis teigia, kad Lietuva su JAV derėjosi dėl susitarimo memorandumo, pagal kurį kiekviena šalis įsipareigoja padėti kitai tiriant tariamus karo nusikaltėlius (p. 459). URM dvišalių sutarčių su JAV sąraše (https://www.mfa.lt/en/treaties/bilateral/usa/1309) nurodytos 1998 m. sausio 16 d. Sutartis dėl savitarpio teisinės pagalbos baudžiamosiose bylose (įsigaliojo 1999 m. rugpjūčio 26 d.) ir 2001 m. spalio 23 d. Ekstradicijos sutartis (įsigaliojo 2003 m. kovo 31 d.). Iš šio sąrašo negalima spręsti, ar atskiras memorandumas buvo sudarytas. Prašau pateikti bet kurį iš šių dokumentų: pasirašytą memorandumo tekstą (su data, pasirašiusiaisiais, teisiniu statusu ir nurodymu, ar jis galioja) ir jo įgyvendinimo

dokumentus; projektus; derybų dokumentus; arba dokumentą, rodantį, kad derybos baigtos be susitarimo, ir jų nutraukimo priežastis.

2. 1991 m. susitarimo padėti Australijai persekioti joje gyvenančius buvusius lietuvių karo nusikaltėlius tekstas ir dokumentai apie Lietuvos pasiūlymą sudaryti panašius susitarimus su Izraeliu ir JAV (p. 459, 26 išnaša); jų statusas.

B. A. Lileikio ekstradicijos klausimas, 1994–1999 m.

3. 1994 m. rugsėjo–spalio dokumentai: Lietuvos ambasadoriaus JAV pareiškimai, kad A. Lileikį Lietuvoje persekioti būtų „labai sunku“ nepriklausomai nuo dokumentinių įrodymų ir kad jis turėtų gynybą teigdamas nežinojęs, jog jo suimti ir perduoti žmonės bus nužudyti (p. 461, 33 išnaša); Ministro Pirmininko 1994 m. spalio pareiškimas Izraelyje, kad Lietuva sieks ekstradicijos (p. 461, 34 išnaša). Prašau pateikti šių pareiškimų pagrindu buvusias instrukcijas, sprendimus ir korespondenciją.

4. JAV teisingumo departamento Lietuvai perduotų dokumentų kopijų (p. 461) gavimo data, kanalas, lydraštis ir institucija, kuriai jie buvo perduoti.

5. 1995 m. teisinė analizė, kad 1924 m. Lietuvos ir JAV ekstradicijos sutartis neapima genocido ir todėl netaikytina A. Lileikio veikoms (p. 462, 38 išnaša); JAV pozicija, kad sutartis apima žmogžudystę; Lietuvos 1995 m. spalio prašymas sudaryti naują sutartį. Prašau nurodyti, kas analizę parengė, kada, ar ji buvo peržiūrėta ir kuo ji baigėsi.

6. Gautų kreipimųsi ir atsakymų kopijos: 49 JAV Kongreso narių raginimas peržiūrėti ekstradicijos analizę ir pareikšti kaltinimus (p. 462); 92 Izraelio Kneseto narių laiškas Lietuvos Prezidentui (1996 m. vasaris, 42 išnaša); 30 JAV Kongreso narių 1997 m. lapkričio laiškas Lietuvos Prezidentui (p. 463); JAV viceprezidento 1997 m. balandžio susitikimas su Seimo Pirmininku (p. 463); JAV valstybės departamento 1998 m. rugsėjo 15 d. ir 2000 m. sausio 8 d. pareiškimai (51, 52 išnašos).

7. JAV 1998–1999 m. pasiūlymas, kad A. Lileikio sveikatą ištirtų tarptautinė gydytojų komisija, kurioje būtų ir JAV gydytojas, o visas išlaidas apmokėtų JAV (p. 463): korespondencija ir dokumentai, rodantys, kaip pasiūlymas perduotas prokurorams ir teismui.

C. Baudžiamojo proceso pakeitimai

8. 1999 m. kovo mėn. Ministro Pirmininko prašymas JAV generalinei prokurorei padėti parengti įstatymą, leidžiantį karo nusikaltėlius teisti už akių; JAV teisingumo departamento perduota medžiaga (OSI parengti nagrinėjimo už akių standartai; Tarptautinių reikalų tarnybos parengta medžiaga apie vaizdo konferencijas) (p. 463). Prašau pateikti gautą medžiagą ir 2000 m. kovo baudžiamojo proceso pakeitimų rengimo bylą, nurodant, kaip JAV medžiaga buvo panaudota.

D. Kiti ekstradicijos ir deportacijos atvejai

9. Lietuvos 2001 m. prašymas išduoti Antaną Gecevičių (Anton Gecas) iš Škotijos (p. 465, 57 išnaša, kuri nurodo leidinio p. 493). „The Baltic Times“ (BNS) 2001 m. pranešė, kad Generalinė prokuratūra Škotijos prašytus papildomus paaiškinimus perdavė Teisingumo ministerijai siųsti toliau (https://www.baltictimes.com/news/articles/4938/), o 2001 m. rugsėjį Škotija atsakė, kad dėl jo sveikatos būklės prašymo įvykdyti negali (https://www.baltictimes.com/news/articles/5405/). JAV teisingumo departamento istorijoje (A priedas, p. 493) nurodoma, kad Lietuvos generalinio prokuroro prašymu į Lietuvą buvo išsiųsti OSI teisininkas ir istorikas padėti įvertinti šią ir kitas bylas, OSI komanda pateikė pasiūlymų, kaip pakeisti parengtą A. Gecevičiaus kaltinamąjį aktą, o Lietuva paprašė jį

išduoti, tačiau jis mirė Škotijoje, procesui nepasibaigus (50–53 išnašos). Prašau pateikti ministerijų turimą korespondenciją: prašymo perdavimo, papildomų paaiškinimų ir Škotijos atsakymo dokumentus.

10. Korespondencija su JAV dėl asmens, kurį 2002 m. gegužę nurodyta deportuoti į Lietuvą ir kuriam Lietuva kaltinimų nepareiškė (p. 465, 56 išnaša).
11. A. Dailidė: dokumentai apie sprendimą neprašyti jo ekstradicijos iš Vokietijos 2004–2006 m. (p. 465) ir JAV 2006 m. kovo mėn. išreikšto nusivylimo, kad jis nenubaustas (58 išnaša), gavimą bei atsakymą.
12. 2001 m. spalio 23 d. Ekstradicijos sutarties derybų dokumentai, rodantys, ar genocido įtraukimas buvo aptartas atsižvelgiant į A. Lileikio bylą (p. 465).

E. Koordinavimas

13. Kiekviena ministerija prašoma nurodyti, į kuriuos punktus atsako ji, kurie perduoti kitai institucijai (nurodant, kuriai ir kada), ir kurių dokumentų nerasta, nurodant atliktas paieškas.

Šias bylas aptariu publikacijoje https://blogs.timesofisrael.com/lithuania-never-judged-lileikis/

3. Tikslas ir teisinis pagrindas

Informacijos naudojimo tikslas. Prašoma informacija bus naudojama istoriniam ir teisiniam tyrimui, kurį rengiu Gratz College Holokausto ir genocido studijų doktorantūroje, ir viešoms publikacijoms apie tai, kaip Lietuvos Respublika po 1990 m. nagrinėjo Holokausto nusikaltimų bylas. Visuomenė turi teisėtą interesą žinoti, kaip valstybė vykdė baudžiamąjį persekiojimą dėl žydų genocido ir kuo šios bylos baigėsi.

Prašymą teikiu pagal Lietuvos Respublikos teisės gauti informaciją ir duomenų pakartotinio naudojimo įstatymą. Prašomi dokumentai yra 20 metų ir senesni valstybės institucijų dokumentai apie užbaigtus tarptautinio bendradarbiavimo veiksmus. Jei kuri nors dalis ribojama dėl tarptautinių santykių ar kitais pagrindais, prašau nurodyti konkretų pagrindą ir pateikti likusią dalį.

Atsakymo tvarka

Prašau užregistruoti šį prašymą ir pranešti jo registracijos numerį bei datą. Į kiekvieną sunumeruotą punktą prašau atsakyti atskirai; bendras atsakymas priimtinas tik tuo atveju, jei jame dėl kiekvieno punkto priimtas atskiras sprendimas. Turimus dokumentus prašau pateikti elektroninėmis kopijomis, nurodant bylų numerius, archyvinius šifrus ir lapų numerius.

Jei dalies informacijos neteikiate, prašau nurodyti konkrečią neteikiamą dalį ir jos teisinį pagrindą bei pateikti likusią dalį. Jei dokumento neradote, prašau nurodyti, kuriose bylose, fonduose ar sistemose ieškojote ir koks buvo rezultatas. Jei dokumentą saugo kita institucija, prašau ją įvardyti ir nurodyti dokumento nuorodą. Neigiamo sprendimo atveju prašau nurodyti apskundimo tvarką ir terminą.

Prašau prašymą išnagrinėti per Lietuvos Respublikos viešojo administravimo įstatymo 10 straipsnio 4 dalyje nustatytą terminą. Atsakymą prašau siųsti el. paštu ggochin@gmail.com.

Jei Jūsų institucija mano, kad šiame prašyme ar mano paskelbtuose tekstuose yra netikslumų, prašau nurodyti konkretų teiginį ir pateikti jį paneigiančius dokumentus bei jų nuorodas. Išnagrinėjęs pateiktus įrodymus, pagrįstas klaidas ištaisysiu.

Priedas

A priedas. JAV teisingumo departamento istorijos „The Office of Special Investigations: Striving for Accountability in the Aftermath of the Holocaust“ (Judy Feigin, 2008 m. gruodis) skirsnio „2. Lithuania“ kopija: spausdinti p. 459–465 ir išnašų p. 478–481 (25–59 išnašos), kaip juos paskelbė JAV teisingumo departamentas (kopijoje yra žymė „DRAFT“ ir departamento atlikti užtamsinimai). Priede taip pat pridėtas tos pačios istorijos p. 493 (apie A. Gecevičių). Viso leidinio nuoroda: https://www.justice.gov/sites/default/files/criminal/legacy/2011/03/14/12-2008osu-accountability.pdf

Pagarbiai
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Lietuvos Respublikos pilietis
Pasirašyta kvalifikuotu elektroniniu parašu

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28 November 2026 · Applicant reference: OSI-TM-01

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Copy (for information): Lithuanian Jewish (Litvak) Community, Chair Faina Kukliansky, info@lzb.lt

English control translation. The Lithuanian text is authoritative.

REQUEST FOR THE RECORDS OF LITHUANIAN–U.S. COOPERATION IN NAZI CRIMES CASES, 1991–2008: THE MEMORANDUM, THE EXTRADITION DECISIONS AND THE CHANGES TO CRIMINAL PROCEDURE

1. The request and its addressees

The U.S. Department of Justice history (J. Feigin, December 2008; Annex A) describes how Lithuania cooperated with the United States in 1991–2008 on persons accused of Nazi-occupation crimes, in particular Aleksandras Lileikis, chief of the Lithuanian Security Police for the Vilnius district, his deputy Kazys Gimžauskas, and officer Algimantas Dailidė. I ask for the Lithuanian records of that cooperation: the agreements, the extradition analysis and decisions, the U.S. assistance received, and its use in drafting changes to criminal procedure.

The request is sent at the same time to the Ministry of Justice and the Ministry of Foreign Affairs, because some records fall within the competence of one and some within the other. I ask each Ministry to register this request separately, send me its own registration number, and answer for the records it holds. Please coordinate so that every item is answered. If records have been transferred to state archives (for example, the Lithuanian Central State Archives) or to another institution (for example, the Office of the President or the Office of the Seimas), please obtain them from the custodian or name the custodian and give exact storage references.

2. Records and information requested

A. Agreements

1. The source states that Lithuania negotiated a Memorandum of Understanding with the United States under which each country agrees to assist the other in investigating alleged war criminals (p. 459). The Ministry of Foreign Affairs list of bilateral treaties with the United States (https://www.mfa.lt/en/treaties/bilateral/usa/1309) shows the Treaty on Mutual Legal Assistance in Criminal Matters of 16 January 1998 (in force 26 August 1999) and the Extradition Treaty of 23 October 2001 (in force 31 March 2003). The list cannot settle whether a separate memorandum existed. Please provide any of the following: the signed text of the memorandum (with its date, signatories, legal status and whether it is in force)

and its implementing records; drafts; the negotiating record; or a record showing that negotiations ended without agreement, and why.

2. The text of the 1991 agreement to assist Australia in prosecuting former Lithuanian war criminals resident there, and the records of Lithuania's offer to conclude similar agreements with Israel and the United States (p. 459, note 26), with their status.

B. The Lileikis extradition question, 1994–1999

3. Records from September–October 1994: the statements of Lithuania's Ambassador to the United States that it would be "very difficult" to prosecute Lileikis in Lithuania no matter what the documentary evidence, and that he would have a viable defense if he claimed he did not know that those he arrested and handed over would be killed (p. 461, note 33); and the Prime Minister's statement in Israel in October 1994 that Lithuania would seek extradition (p. 461, note 34). Please provide the instructions, decisions and correspondence behind these statements.

4. The date, channel, transmittal letter and receiving institution for the copies of documents that the U.S. Department of Justice forwarded to Lithuania (p. 461).

5. The 1995 legal analysis that the 1924 Lithuania–U.S. extradition treaty did not cover genocide and therefore did not apply to Lileikis's alleged crimes (p. 462, note 38); the U.S. position that the treaty covered murder; and Lithuania's October 1995 request for a new treaty. Please state who prepared the analysis, when, whether it was reviewed, and how the matter ended.

6. Copies of the following communications received and the replies: the call by 49 members of the U.S. Congress to reconsider the extradition analysis and file charges (p. 462); the letter of 92 members of the Israeli Knesset to the President of Lithuania (February 1996, note 42); the November 1997 letter of 30 members of the U.S. Congress to the President of Lithuania (p. 463); the April 1997 meeting of the U.S. Vice President with the Speaker of the Seimas (p. 463); and the U.S. State Department statements of 15 September 1998 and 8 January 2000 (notes 51, 52).

7. The 1998–1999 U.S. proposal that Lileikis be examined by an international panel of doctors, including a U.S. physician, with the United States covering all costs (p. 463): the correspondence and the records showing how the proposal was passed to the prosecutors and the court.

C. Changes to criminal procedure

8. The Prime Minister's request of March 1999 to the U.S. Attorney General for assistance in drafting a law allowing war criminals to be tried in absentia, and the material the U.S. Department of Justice forwarded (OSI standards for in absentia hearings; Office of International Affairs material on videoconferencing) (p. 463). Please provide the material received and the drafting file of the March 2000 amendments to criminal procedure, stating how the U.S. material was used.

D. Other extradition and deportation matters

9. Lithuania's 2001 request to Scotland for the extradition of Antanas Gecevičius (Anton Gecas) (p. 465, note 57, which refers to p. 493 of the history). The Baltic Times (BNS) reported in 2001 that the Prosecutor General's Office passed the additional explanations Scotland requested to the Ministry of Justice for onward transmission (https://www.baltictimes.com/news/articles/4938/), and that in September 2001 Scotland

replied that it could not honor the request because of his health (https://www.baltictimes.com/news/articles/5405/). The U.S. Department of Justice history (Annex A, p. 493) states that, in response to a request from Lithuania's Prosecutor General, the Department sent an OSI attorney and an historian to Lithuania to help assess this case and others; that OSI's team made various suggestions to modify a proposed Gecas indictment; and that Lithuania requested his extradition but he died in Scotland before the proceedings were complete (notes 50–53). Please provide the correspondence the Ministries hold: the transmission of the request, the additional explanations and Scotland's reply.

10. Correspondence with the United States about the person ordered deported to Lithuania in May 2002 against whom Lithuania filed no charges (p. 465, note 56).

11. Dailidė: the records of the decision not to seek his extradition from Germany in 2004–2006 (p. 465), and the receipt of and reply to the U.S. statement of March 2006 expressing disappointment that he was not punished (note 58).

12. The negotiating records of the Extradition Treaty of 23 October 2001 showing whether the inclusion of genocide was discussed with reference to the Lileikis case (p. 465).

E. Coordination

13. Each Ministry is asked to state which items it is answering, which it has transferred to another institution (naming that institution and the date), and which records were not found, describing the searches made.

I discuss these cases in https://blogs.timesofisrael.com/lithuania-never-judged-lileikis/

3. Purpose and legal basis

Purpose of use. The information will be used for historical and legal research that I am conducting as a doctoral candidate in Holocaust and Genocide Studies at Gratz College, and for public writing on how the Republic of Lithuania handled Holocaust crimes cases after 1990. The public has a legitimate interest in knowing how the State prosecuted the genocide of Jews and how those cases ended.

This request is made under the Law on the Right to Obtain Information and Data Reuse. The records requested are twenty or more years old and concern completed acts of international cooperation by state institutions. If any part is restricted on grounds of international relations or otherwise, please state the specific basis and provide the remainder.

Handling of this request

Please register this request and send me its registration number and date. Please answer each numbered item separately; a combined answer is acceptable only if it records a separate decision on each item. Please provide records you hold as electronic copies, with case numbers, archival references and folio numbers.

If any part is withheld, please identify that part and its legal basis and provide the remainder. If a record cannot be found, please state which files, fonds or systems were searched and with what result. If another institution holds a record, please name it and give the record's reference. If any decision is adverse, please state the route and time limit for appeal.

Please decide this request within the time limit set by Article 10(4) of the Law on Public Administration. Please send the reply to ggochin@gmail.com.

If your institution considers any statement in this request or in my published writing inaccurate, please identify the statement and supply the documents and locators that support a correction. I will examine the evidence and correct any error that is established.

Annex

Annex A. Copy of the subsection "2. Lithuania" of the U.S. Department of Justice history "The Office of Special Investigations: Striving for Accountability in the Aftermath of the Holocaust" (Judy Feigin, December 2008): printed pages 459–465 and endnote pages 478–481 (notes 25–59), as released by the Department of Justice (the copy bears a "DRAFT" watermark and the Department's redactions). The annex also includes p. 493 of the same history (on Antanas Gecevičius / Anton Gecas). Full publication: https://www.justice.gov/sites/default/files/criminal/legacy/2011/03/14/12-2008osu-accountability.pdf

Respectfully,
Grant Arthur Gochin
Citizen of the Republic of Lithuania
Signed with a qualified electronic signature

A PRIEDAS

ANNEX A

JAV teisingumo departamento istorija „The Office of Special Investigations:
Striving for Accountability in the Aftermath of the Holocaust“ (J. Feigin, 2008 m. gruodis),
skirsnis „2. Lithuania“: p. 459–465 ir išnašos p. 478–481 (25–59 išnašos)
ir p. 493 (Antanas Gecevičius / Anton Gecas)

U.S. Department of Justice history, "The Office of Special Investigations:
Striving for Accountability in the Aftermath of the Holocaust" (J. Feigin, December 2008),
subsection "2. Lithuania": pp. 459–465 and endnote pp. 478–481 (notes 25–59)
and p. 493 (Antanas Gecevičius / Anton Gecas)

investigation but noted that material from OSI was "great and labor consuming, which makes it difficult for us at the moment to complete the case rapidly."[21]

Given that OSI had turned over only 36 pages of written material (plus 50 post-war interviews on a CD-ROM), OSI saw this as yet another example of Estonia's "bad faith in dealing with the Nazi cases."[22] In December 2003, Estonia formally opened an investigation into Gorshkow. The Prime Minister assured Representative Lantos that he would "personally follow" the investigation.[23] Several months later, the Estonians concluded that there was insufficient basis for an indictment.[24]

2. Lithuania

DRAFT

Over the years, Lithuania has sent mixed messages about its commitment to prosecuting alleged war criminals. After gaining independence, Lithuania seemed committed to prosecuting those who had persecuted civilians on behalf of the Nazis. In 1991, the government established an office to investigate "crimes against humanity" committed during the Nazi and/or Soviet eras; its mandate included determining whether the country had wrongly "rehabilitated" any Nazi collaborators.[25] Lithuania also signed an agreement to assist Australia in its efforts to prosecute former Lithuanian war criminals now resident in Australia, and offered to enter into a similar pact with both Israel and the United States.[26] The following year, Lithuania adopted a statute punishing Nazis and Nazi collaborators for crimes committed against the Lithuanian people during World War II. There is no statute of limitations and punishments range from five years imprisonment to death.[27] Lithuania also negotiated a Memorandum of Understanding (MOU) with the United States, whereby each country agrees to assist the other in the investigation of alleged war criminals.

Despite these intentions, by September 1994, when OSI filed a denaturalization suit against Lithuanian-born Aleksandras Lileikas, Lithuania had not yet prosecuted any Nazi collaborators.[28] OSI saw the Lileikis prosecution as "one of the most important Nazi cases brought anywhere in the world in recent history."[29] As such, Lithuania's handling of Lileikas issues became, for OSI, the litmus test of Lithuania's commitment to prosecute those who had assisted the Nazis.

Lileikis had been chief of the Lithuanian Security Police (Saugumas) in Vilnius. On behalf of the Nazis, the Saugumas arrested Jews, suspected Jews, and those who aided, hid or did business with Jews. Tens of thousands of those incarcerated in Vilnius were marched or trucked to an excavation site at Paneriai, six miles away.

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Not all those incarcerated in Vilnius were arrested there, nor were all those arrested in Vilnius rounded up by the Saugumas. Nonetheless, even with very incomplete records available, it is certain that at least several hundred of those sent to Paneriai were arrested by the Saugumas during Lileikis' tenure. Once at Paneriai, the victims were stripped of their clothing and any remaining possessions, and then shot in groups of ten at the rim of pits by a Lithuainian volunteer unit. Vilnius had been home to 60,000 Jews before the war; at war's end, only 5,000 were alive.[30]

As chief of the Saugumas in Vilnius, Lileikis was the highest ranking Lithuanian prosecuted by OSI. The case, based on documents found by an OSI historian in the Lithuanian archives, included dozens of orders signed by Lileikis. There were arrest warrants as well as orders transferring many arrestees to the German Security Police, where they were "treated according to orders," *i.e.*, murdered. The documents also showed that, during Lileikis' tenure,

the Saugumas conducted a series of sting operations, in the course of which 38 Jews, including a ten year old boy, were lured out of the ghetto with a false promise of escape. The Saugumas then arrested the victims.[31]

Lileikis did not contest that he had been chief of the Saugumas and that as such he had ordered his men to arrest thousands of Jews and turn them over to the Nazis. Rather, he maintained that this was a "ministerial and custodial" position and did not amount to the "personal advocacy or assistance of persecution" necessary to revoke his admission to the United States under the RRA.[32]

Almost immediately after the case was filed, the Lithuanian ambassador to the United States made clear that it would be "very difficult" to prosecute Lileikis in Lithuania, no matter what the documentary evidence. He suggested that Lileikis would have a viable defense if he simply claimed he did not know that those he had arrested and turned over would be killed.[33] Yet barely two weeks later, the Lithuanian premier, in Israel to sign a cultural and scientific cooperation agreement, apologized for his country's persecution of Jews during the Nazi era and indicated that Lithuania would seek Lileikis' extradition.[34] The Department of Justice forwarded copies of pertinent documents to Lithuania. U.S. officials made clear that they hoped Lithuania would request extradition even before the district court ruled on denaturalization, as an extradition request would expedite Lileikis' departure.[35]

In February 1995, shortly before the Lithuanian president was due to visit Israel, his government claimed that there was insufficient evidence to warrant an investigation of Lileikis. The World Jewish Congress expressed outrage and warned that the upcoming trip might be "a diplomatic disaster."[36] On the eve of the visit, Lithuania opened an investigation.[37]

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A few months later, Lithuania again warned of pending problems. It suggested that since its 1924 extradition treaty with the United States did not cover genocide, it did not apply to Lileikis' alleged crimes.[38] Moreover, the Lithuanians indicated that the documentary evidence was insufficient; they wanted eyewitnesses.[39]

Forty-nine U.S. Congressmen urged Lithuania to reconsider its extradition analysis and to file charges against Lileikis.[40] Jewish groups argued the same.[41] Ninety-two members of the Israeli Knesset wrote to the Lithuanian president, prodding him to take action against Lileikis as well as against Kazys Gimzauskas, Lileikis' second in command, who had fled to Lithuania after OSI filed a denaturalization action against him in 1995.[42]

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In May 1996, a U.S. court stripped Lileikis of his citizenship and adopted OSI's analysis of the case.

> [A]s the government nicely put it at oral argument, Lileikis is attempting to stand the classic Nuremburg defense on its head by arguing that "I was only *issuing* orders.[43]

Within days of the denaturalization, Poland (which shares a border with Lithuania and lost tens of thousands of Polish Jews at Paneriai), announced that it had opened its own criminal investigation and might seek extradition.[44] The SWC asked Israel to do the same.[45]

Lithuania made clear that Lileikis was welcome to return home and suggested that he would not be prosecuted since there were no eyewitnesses.[46] Lileikis returned voluntarily within three weeks of this news. He was 89 years old and the first OSI defendant to return to one of the new republics formed after the dissolution of the Soviet Union.

The SWC demanded that Lithuania follow through on its promise to prosecute war criminals.[47] The United States too weighed in. At the time, all the Baltic states were seeking

admission to NATO. The United States asserted that prosecution of Lileikis and other war criminals would be strong evidence of adherence to "western values," a prerequisite to joining the alliance. Vice President Al Gore made this point when meeting with the president of Lithuania's parliament in April 1997,[48] and thirty members of Congress reiterated the message in a November 1997 letter to the Lithuanian president.[49]

Finally, in 1998, Lithuania charged Lileikis with genocide.[50] It was the first Nazi war crimes prosecution in post-Soviet Eastern Europe. Trial was suspended after a day, however, due to Lileikis' health. The State Department expressed "deep disappointment" and called on Lithuania to take "whatever steps are necessary" to ensure that Lileikis and others involved in war crimes during the Nazi era were brought to justice.[51] Three months later, trial not having resumed, Director Rosenbaum and a representative from the State Department's Office of War Crimes met with the Lithuanian Ambassador. They proposed having Lileikis examined by an international panel of doctors, including one U.S. physician, with the United States covering all costs. Lithuanian prosecutors presented the proposal to the court, but it was rejected by the judge.

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Lithuania's admittance into NATO was on the agenda for an April 1999 NATO summit meeting. In a meeting with the U.S. Attorney General just one month before the scheduled summit, Lithuania's Prime Minister asked for assistance in drafting a law allowing for the prosecution of war criminals *in absentia*. The Department of Justice forwarded material prepared by both OSI (concerning the standards for *in absentia* hearings) and OIA (concerning videoconferencing).

In January 2000, the State Department reiterated its call for Lithuania to prosecute Nazi

war criminals.[52] Two months later, Lithuania amended its criminal code to provide that those charged with war crimes, genocide, and crimes against humanity can participate in court proceedings via closed circuit television if they are mentally competent but physically unable to appear in court. While no punishment may be imposed unless the defendant is subsequently deemed healthy enough to withstand a jail sentence, a verdict is rendered for purposes of "historical judgment."

Lileikis' trial resumed in June 2000 and was the first case to proceed under the new statute. Thirty minutes into the hearing, Lileikis complained of difficulty in breathing and was taken to the hospital. Trial was suspended indefinitely; he died two months later, at age 93.

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Although the case had not proceeded to verdict, the Lithuanian Procurator General issued a press release stating that his office had enough evidence to substantiate Lileikis' role in the commission of genocide. He promised to seek "historic justice" in other cases of war crimes and genocide.[53]

He did so in the case of Lileikis' wartime deputy, Kazys Gimzauskas. Relying largely on documents pointed out by OSI, Lithuania had originally charged Gimzauskas with genocide in 1998, shortly after Lileikis' trial was first suspended. Gimzauskas' case was repeatedly delayed and ultimately suspended due to his deteriorating mental condition. Despite the court's finding that Gimzauskas was incapacitated from Alzheimer's disease, the trial resumed via closed circuit television after Lileikis' death.[54] Gimzauskas was convicted in 2001, at age 93, with the court finding that he had handed over at least three Jews to Lithuanian killing squads. The State Department and Director Rosenbaum lavished praise on Lithuania.[55]

Gimzauskas' conviction was the first Holocaust-related conviction in any of the successor

states to the former Soviet Union.

In June 2000, Lithuania's Procurator General met with the Deputy Attorney General and Director Rosenbaum. The Procurator General asked for DOJ's assistance in investigating Nazi-era war crimes. In response to that request, an OSI historian and an OSI attorney went to Lithuania in early 2001 to discuss several cases. The significance of the meetings was underscored by the fact that they were attended also by the U.S. Ambassador.

Lithuania has since asked for information about some subjects under investigation, although it has also declined to file charges against a Lithuanian ordered deported to Lithuania in May 2002.[56] Lithuania also initiated an extradition request to Scotland, although the subject died before court proceedings were completed.[57]

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In July 2004, Lithuania filed criminal charges against Algimantas Dailide, an OSI defendant who left for Germany during appeal of a court ruling ordering him deported to Lithuania. Lithuania did not seek his extradition, but expressed the hope that he would return voluntarily. He did, and was found guilty in March 2006 of collaborating with the Nazis and persecuting Jews. However, due to his advanced age, no sentence was imposed. The U.S. government praised Lithuania for the prosecution but expressed disappointment that Dailide was "not . . . punished for his crimes."[58] As of this writing, the case is on appeal.

Lithuania has also cancelled the rehabilitation of several dozen Nazi collaborators.[59] In 2002, Lithuania's parliament ratified a new extradition treaty with the United States. It covers genocide directly.

3. Latvia

As with Lithuania, Latvia has sent mixed signals about its perspective on its role in the

Translation bearing the seal of the [redacted] Consulate in Toronto and signed by the Consul General under the typed words: "This is to certify that the above text is a correct and factual translation from the German language into the English language from the original document produced."

I was registered in the [redacted] Omakaitse papers as a Stabsofficer [staff officer] from [redacted] From [redacted], I served in [redacted] Criminal Police which was later incorporated into the German Police. I was drafted to the [redacted] SS-Legion on [redacted]

20. Aug. 1, 2003 letter from Rep. Lantos to Ken-Marti Vaher, Estonian Minister of Justice.

21. Oct. 22, 2003 e-mail from Director Rosenbaum to Susan Siegal, Elizabeth White, Stephen Paskey, Jonathan Drimmer and Michael MacQueen re "Amazing Gorshkow Reply by the GOE to Rep. Lantos."

22. *Id.*

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23. Feb. 18, 2004 letter to Rep. Lantos from Prime Minister Juhan Parts.

24. Notes from SWC representative in Israel, Effriam Zuroff of his May 5, 2004 meeting with Estonian Ambassador to Israel, H.E. Marina Kaljurand.

25. Oct. 25, 1991 Press Release from the Lithuanian Information Center, New York, New York; "Lithuania to Prove 'Rehabilitations,'" *The Chicago Tribune*, Oct. 26, 1991. In 1990, the Lithuanian government had announced an official rehabilitation for 50,000 Lithuanians whom the Soviets had charged with Nazi collaboration. "Nazi-Hunter Dismayed Over Secrecy of Derehabilitation of Nazi Suspects in Lithuania," *BNS*, Nov. 17, 2000.

26. Oct. 25, 1991 Lithuanian press release, *supra*, n. 25.

27. Law Concerning Responsibility for Genocide of the People of Lithuania, Num. 1-2477 (1992).

28. Of course, OSI itself often took years, and sometimes decades, to develop a case. That was in part due to the fact that OSI had limited access to archival material during the Soviet era. While access was easier for the Lithuanians, they (and other Eastern bloc countries) had serious resource issues. Recorded interview with former OSI Chief Historian Peter Black, Dec. 26, 2000. *See also* p. 12.

29. "OSI Vows to Pursue Deportation Despite Setback from Lithuania," by Jennifer Batog, *JTA*, Feb. 15, 1995.

30. This was roughly in proportion to the percentage of Jews throughout Lithuania who died during the war. Over 90% of the 220,000 Jews in the country did not survive.

31. Lukiškis Prison records, LCVA Collection R 730, apy. 1, nos. 827, 1002, 1753, 2248, 2437; execution file cards of the Vilnius Sonderkommando, LCVA collection R 1673, opis 1, nos. 1425, 1426, 1606, 2494, 2676, 3330, 3715. Lukiškis Prison records, LCVA, R 681, apy. 2, folder 1, pp. 17-59.

In 1983, when OSI conducted an interview with Lileikis, they showed him an order requiring 52 Jews in Saugumas custody to be turned over to the Germans. Lileikis' name, but not signature, was on the order. He noted that it could have been issued without his knowledge and challenged his interviewers to find a document with his signature. It was not until the Cold War ended, and OSI's own historian could rummage through the Archives in Vilnius, that the "smoking gun" documents were found.

32. Lileikis had originally been denied a visa under the DPA. A 1947 CIC report references persecution of Poles by the men under his command. It goes on to state that "It has not been ascertained whether Lileikis was connected with the shooting of thousands of Jews in Vilna."

33. "Few Predict Swift Punishment for Alleged Collaborator," by Jon Auerbach, *The Boston Globe*, Sept. 23, 1994.

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34. "Among Lithuanians, Confusion on Alleged Nazi Collaborator," by Ethan Bronner, *The Boston Globe*, Oct. 5, 1994; RFE/RL Daily Report, Oct. 4, 1994; Oct. 2, 1994 *AP* release by Heather Smith.

35. "Lithuania Gets Evidence for War Crimes Decision," by Ed Stoddard, *Reuters*, Apr. 12, 1995; "OSI Vows to Pursue Deportation Despite Setback from Lithuania," by Jennifer Batog *JTA*, Feb. 15, 1995; "Lithuania Decides Against Charging U.S. Citizen with Nazi Crimes," by Michael Sniffen, *AP*, Feb. 9, 1995. For an explanation of why extradition is speedier, see pp. 41-42.

36. "Accused Norwood Nazi Won't be Prosecuted: Lithuania Drops Charges Against Lileikis but U.S. Still Pushes Deportation," by Jennifer Batog and Michael Sinert, *The Jewish Advocate*, Feb. 23, 1995.

37. "Man Faces War Crime Inquiry," by Judy Rakowsky, *The Boston Globe*, Feb. 28, 1995.

38. "Extradition Canceled," by C.F. Scott, *Washington Jewish Week*, Oct. 12, 1995; "Lithuania Wants New War Treaty," *Reuters*, Oct. 4, 1995; "Lithuania Says It Will Not Extradite Norwood Man," by Judy Rakowsky, *The Boston Globe*, Oct. 3, 1995. The U.S. maintained that since murder was covered, there was no need for a separate genocide listing in order to extradite Lileikis.

39. "Nazi Hunter Says Lithuania Stalls on Extraditions, by Ed Stoddard, *Reuters*, May 22, 1996.

40. "Nazi Hunter Says Lithuania Stalls on Extraditions," *supra*, n. 39.

41. *E.g.*, The WJC accused Lithuania of "betray[ing] the memories of tens of thousands of innocent people." *JTA Daily News Bulletin*, Feb. 15, 1995; the International Association of Jewish Lawyers and Jurists (IAJLJ), American Section, along with the SWC, met with the Lithuanian ambassador, and a followup meeting was held between the IAJLJ and officials at the Lithuanian Embassy. The group urged Lithuania to extradite and prosecute Lileikis. Feb. 27, 1995 IAJLJ press release.

42. "Israeli Knesset Letter to Lithuanian President," *ELTA* [Lithuanian News Agency], Feb. 28, 1996.

43. *U.S. v. Lileikis*, 929 F. Supp. 31, 39 (D. Mass. 1996).

44. "Poland Probes Nazi Collaborator," by David Talbot, *The Boston Herald*, May 30, 1996; "Alleged Lithuanian War Criminal Returns Home," by Ed Stoddard, *The Baltic Times*, July 3, 1996.

45. "Alleged Lithuanian War Criminal Returns Home," *supra*, n. 44.

46. "Lithuania Welcomes Lileikis to Return," by Ann Donlan, *The Boston Herald*, May 28, 1996.

47. "Accused World War II Criminal Flees to Lithuania," by Judy Rakowsky, *The Boston Globe*, June 20, 1996. The issue was complicated by the fact that the Lithuanians wanted to prosecute two former NKVD officers of Jewish origin, accused of torturing and murdering Lithuanians during the Soviet era. One was in Israel and the other in West Germany. Neither country was willing to extradite. "Ghosts from the Gulag, Lithuania Tries to Remember Stalin and Forget Hitler," by Christian Caryl, *U.S. News and World Report*, Oct. 20, 1997; "Germany Refuses to Hand Over Former KGB Agent, Accused of Genocide," *Draugas*, Apr. 23, 1997. (*Draugas* is a Lithuanian language daily published in Chicago.)

48. "Reno: Lithuania to Prosecute Nazi," by Michael Sniffen, *AP*, Feb. 9, 1998; "US Vice-President Meets Chairman of Lithuanian Parliament," *Draugas*, Apr. 10, 1997.

49. "Vilnius Turns Blind Eye to Its Nazi Past," by Richard Paddock, *The Los Angeles Times*, Jan. 4, 1998.

50. In Feb. 1998, Lithuania inaugurated a new president. Valdus Adamkus had fled the country as a teenager and spent 50 years in the U.S., most of it as an engineer employed by the U.S. government. The impact of this, if any, on the Lileikis filing is unknown.

51. Sept. 15, 1998 statement posted at www.secretary.state.gov/www/briefings/statements/1998 (last visited July 2005).

Director Rosenbaum publicly voiced skepticism that Lileikis was ill. "Lithuania War Crimes Suspect Said Ill," *AP*, Feb. 2, 1999.

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52. Jan. 8, 2000 statement posted at www.secretary.state.gov/www/briefings/statements/2000 (last visited Nov. 2005).

53. Sept. 27, 2000 Press Release of the Procurator General's Office of the Republic of Lithuania.

54. "Nazi War Crimes Trial to Resume in September Without the Suspect," *AP*, July 4, 2000. It is unclear how, under the statute, the hearing could proceed given the court's determination that Gimzauskas was mentally incompetent.

55. "U.S. State Department Hails Conviction of War-Crimes Suspect in Lithuania," *BNS*, Feb. 21, 2001. Rosenbaum gave an interview which was printed on the front page of Lithuania's largest circulation daily newspaper. He termed the conviction "historic" and credited the Lithuanian ambassador to the U.S. with helping improve relations between the two countries. Rosenbaum went on to discuss the difficulty countries face in acknowledging past misdeeds.

> I have told Lithuanian and other European officials more than once that this is not a situation where the United States comes as highest moral authority. Every country has its own problems with facing their past. The U.S. is no exception from the rule, because it was the USA who turned an entire race into slaves. More than 140 years after the abolition of slavery, we are still struggling with certain aspects of the inheritance of slavery.

"Nazi Hunter Praises Lithuania," by Gintautas Alksinis, *Lietuvos Rytas*, Feb. 19, 2001.

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56. "Nazi Hunter Urges Lithuania to Address US for Extradition of War Criminal," *BNS*, June 13, 2002.

57. *See* p. 493.

58. "U.S. Disappointed Over Non-Sentence Conviction of Lithuanian Nazi Collaborator," *BNS*, Mar. 28, 2006.

59. "Nazi-Hunter Dismayed Over Secrecy of Derehabilitation of Nazi Suspects in Lithuania," *supra*, n. 25; "Prosecutors Strip 76 Persons of Rehabilitation Status," *ELTA*, Sept. 25, 2001.

60. "Ulmanis Apologizes in Israel for Latvian War Crimes," *Deutsche Presse-Agentur*, Feb. 24, 1998.

61. "Old Ethnic Rifts Run Deep in Latvia," by Richard Paddock, *The Los Angeles Times*, Apr. 6, 1998.

62. Viktors Arajs was convicted by a West German court in 1978 for his role in causing over 13,000 murders. He was sentenced to life imprisonment and died in custody in 1988.

OSI investigation of someone in Gecas' unit. In 1987, he gained local notoriety when a Scottish television show charged that he had commanded a platoon which had massacred Jews and Soviet citizens in Lithuania and Belarus. Gecas sued the station for libel. In ruling against him, a Scottish judge said he was "clearly satisfied" that Gecas had taken part in atrocities, including the slaughter of more than 1,000 civilians over two days.[50] Despite this finding, the government concluded that there was not sufficient evidence to sustain a criminal prosecution.[51]

Lithuania, however, was willing to consider the matter. The Department of Justice, responding to a request for assistance from Lithuania's Prosecutor General, sent an OSI attorney and an historian to Lithuania to help them assess this case and others on their docket. OSI's team made various suggestions to modify a proposed Gecas indictment.[52] Lithuania requested his extradition but Gecas died in Scotland before the proceedings were complete.[53]

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Lastly, in 2003, a British television producer, checking names from rosters which OSI had used in court proceedings and forwarded to him at his request, made a "hit." He discovered in England a concentration camp guard who allegedly had participated in the liquidation of both the Warsaw and Bialystok ghettos. In response to the publicity generated by this story, the British government agreed to investigate the case.[54] OSI forwarded copies of several pertinent German documents as well as an historian's report used in a related case. In April 2003, two detectives from the Anti-Terrorist Branch of Scotland Yard came to OSI to discuss the case. They met with several historians in the office as well as with OSI's director and former chief historian, now working at the U.S. Holocaust Memorial Museum. Whether charges would have been filed will never be known; the subject died in a car accident before a prosecutorial determination had been made.[55]