

**Congress of the United States**  
**Washington, DC 20515**

December 3, 2009

His Excellency Andrius Kubilius  
Prime Minister Of The Republic Of Lithuania  
Gedimino Ave. 11  
Lt - 01103 Vilnius  
Lithuania

Prime Minister Kubilius:

As Members of Congress, we are deeply committed to maintaining strong ties between the United States and Lithuania.

We are writing because we are troubled by the continuing investigation into the activities of wartime Jewish partisans. These ongoing investigations—alongside Lithuania's minimal record of prosecuting Nazi criminals—concern us as to your country's willingness to seriously confront its Holocaust-era history.

We had worked with the previous government in Lithuania and sent them a letter on this specific issue, but never received a response. Although we were unable to resolve this ongoing situation with your predecessor, we are hopeful that your government will address this serious issue.

There have been international calls for prosecution of Lithuanian collaborators of Nazi-era atrocities towards Lithuanian Jews that have been largely ignored, and alleged war criminals and collaborators have not been investigated or indicted.

Lithuania's post-Communism record of prosecuting former Nazi war criminals is limited. Only three Nazi collaborators have been investigated and all of the cases were developed in the United States. Two of these cases were dismissed due to death and severe illness, and in the only remaining case, after arriving at a guilty verdict, the Lithuanian courts refused to carry out the sentence.

While we acknowledge and respect the right of your nation's Judiciary, including the Office of the General Prosecutor, to investigate any alleged crimes of the past or present, it is baffling and deeply troubling to us that the Office has opened investigations exclusively on Jewish members of the Nazi-era resistance movement, including Rachel Margolis, Fania Brantsovsky, and Yitzhak Arad.

Ms. Brantovsky and Ms. Margolis have been questioned by your government and have claimed harassment, intimidation, and defamation by the media. While we do appreciate the closing of Mr. Arad's case in 2008 and some verbal assurances, there have still been no written statements indicating that Ms. Brantovsky and Ms. Margolis are no longer

subject to investigation, and no attempt to clear their names since the drawn-out investigations have not proven their guilt.

The General Prosecutor still maintains that the larger investigation into the wartime activities of Jewish partisans remains open.

Investigations into Jewish resistance fighters under the accusation of war crimes charges serve to discredit heroic Jewish resistance fighters, and create an imbalance in the public discourse over this painful era in a manner that diverts attention from efforts to bring those individuals responsible for atrocities against Lithuanian Jews to justice.

We are particularly concerned about your government's continuing investigation of Rachel Margolis. As you may be aware, Ms. Margolis recently published her memoirs recounting her experiences as a survivor of the Vilnius ghetto and heroic efforts as a fighter in the Lithuanian anti-Nazi resistance movement.

After the war, Ms. Margolis helped to found Vilnius' Green House, whose mission is to educate about Lithuania's history during the Holocaust. In 1998, she moved to Israel, but continued to return to Lithuania to give tours of the Green House museum during the summer, when international tourism is at its peak. Unfortunately, Ms. Margolis has not been able to travel to Lithuania for the past couple of years, because she fears that she will be the object of harassment and intimidation, and of continued defamation by Lithuanian media.

In 2005, Ms. Margolis was honored by the former Prime Minister of Lithuania for her heroism fighting in the anti-Nazi resistance. In spite of this official national recognition of her heroism, on May 5 and 13, 2008, Lithuanian police initiated a search for Ms. Margolis, as part of an investigation into alleged war crimes. This is truly an unfortunate turn of events, given that Ms. Margolis' autobiographical works were unconscionably being used to prosecute her and other partisans.

Despite the lack of proven guilt, and the claims from your government that they will no longer be investigated, certain Lithuanian media outlets have referred to Ms. Margolis and other prominent former anti-Nazi resistance heroes Fania Branstovsky and Yitzhak Arad as terrorists and murderers. This brings rise to serious concerns about anti-Jewish sentiment in national media.

Prime Minister Kubilius, we request your written assurance that Ms. Margolis can return to Vilnius without fear of being questioned by the Prosecutor. We also urge the Office of the General Prosecutor to officially close these investigations, including the cases still open on Ms. Brantovsky and Ms. Margolis. Ms. Margolis and other partisans should not have to live in continued fear from reprisals, media defamation or harassment from authorities. As the leader of Lithuania, please take this opportunity to speak directly to your citizens and set the record straight on this critical issue.

We further request your assistance in helping us understand the sudden energetic pursuit of investigations into the activities of Jewish partisans, particularly in contrast to the failure of Lithuanian prosecutors to develop any cases against Nazi collaborators since Lithuania's independence in 1991.

We look forward to your timely response to our letter. Please know we stand ready to work with you and your government on this issue along with others of mutual concern to the United States and Lithuania, including Lithuania's energy security and other matters of mutual interest.

Sincerely,



Paul Hodes  
Member of Congress



Howard Berman  
Chairman, House Foreign Affairs



Shelley Berkley  
Member of Congress



Robert Wexler  
Chairman, House Subcommittee on Europe



James P. Moran  
Member of Congress

cc: Secretary of State Hillary Clinton  
President Dalia Grybauskaitė  
Minister of Foreign Affairs Vygaudas Ušackas  
Speaker of the Seimas Irena Degutienė