

2010 06 17 11:32

Historians don't see Lithuania's law criminalizing USSR, Nazi crimes as threatening

VILNIUS, Jun 17, BNS - The law that provisions liability for denying or trivializing the Soviet Union's or Nazi Germany's aggression could impede historic research, Lithuania's historians acknowledge, however sense no major threat in it.

Representatives of the Lithuanian Institute of History had voiced concerns in the first stage of drafting such amendments to the Criminal Code, that by trying to avoid legal persecution for scientific attitudes the country will preempt research into certain periods in Lithuania's history, however certain safety catches later installed in the legislative proposal appeased their worry.

Deputy Director of the Lithuanian Institute of History Zita Medisauskiene said that in the mulling stage, the legislative proposal was supplemented to provision liability only in cases when USSR or Nazi Germany's crimes are trivialized "grossly" and only in when this is done in a threatening or offensive way or leads to public unrest.

"I think the current formulations are no longer threatening to historians," Medisauskiene told BNS.

On Tuesday, the Seimas adopted amendments to the Criminal Code to, among other things, envisage criminal penalties including imprisonment for up to two years for publicly supporting, denying or trivializing crimes committed by the Soviet Union or the Nazi Germany against the Republic of Lithuania, as well as the 1990-1991 soviet aggression.

Moreover, once in effect, the law will provision criminal liability for those who approved of aggression against the Lithuanian Republic in the period ranging 1990 to 1991 or took part in it, denied or trivialized it.

If proven guilty of aforementioned acts performed in a threatening, insulting or abusive manner that led to disturbance of peace, individuals will face penalties.

The provisioned punishment includes fines, probation, arrest or imprisonment for up to two years.

"It is difficult to imagine a serious scientific text that would threaten or present information in an abusive or offensive manner. (The law - BNS) demands responsibility for validity of any scientific research in the field and understanding of the public context," Medisauskiene said.

According to her, it's still possible that with this law in place, there may be attempts to indict some historians, however the bill's formulation is grounds enough for rejecting any such accusations.

"In the legal sense, there's nothing to be afraid of here. There is, also, another side - public groups, which do not accept a different opinion. Historians are left with public pressure. We hope the bill will leave public pressure with no legal instruments and will not become grounds for legal persecution," the director of the Lithuanian Institute of History said.

Initiators behind the legislative proposal said it was drafted in line with the Council of the European Union (EU) framework decision on combating certain forms and expressions of racism and xenophobia by means of criminal law, wherein countries agreed to bring to justice people who among other things, condone, deny or grossly trivialize crimes of genocide, crimes against humanity and war crimes when this could lead to hate or violence.

Authors say they expanded the list of criminal acts in consideration of the fact that Lithuania's historic and political situation is first of all linked with the painful USSR experience and Nazi Germany's aggression. An explanatory note on the bill also underlines crimes committed during soviet aggression on Jan. 13 of 1991.

"There are cases in Lithuania when all sorts of disinformation denying Soviet aggression against Lithuania, especially the Jan. 13 events of 1991, is being circulated without any consequences. There have also been attempts to justify USSR aggression, trivialize or deny crimes committed by the aggressors, including the holocaust," reads an explanatory note by one of the initiators of the bill, Vilija Aleknaite-Abramikiene.

European countries have differing regulation of criminal responsibility for trivializing or denying very serious crimes.

Authors of the amendments said that if adopted, the law would work to "reduce negative public influence of organizations and persons that

propagate anti-democratic ideas and spread disinformation."