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President Sees No Problem with Law to Criminalize Denial of USSR Aggression

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President Dalia Grybauskaite said Tuesday she doesn't see any major problems in signing into law legislation that prescribes punishments for denying or grossly underestimating the scope of aggression by the Soviet Union and Nazi Germany against Lithuania.

The head of state said the law passed by parliament last week is gentler than an earlier version.

“It's a lot more compromising, gentler, it is only to be applied in cases where this is done very aggressively, disturbing the public order. In principle I don't see any big problems,” Grybauskaite told reporters Tuesday.

Last week the parliament adopted amendments to the criminal code providing for two years imprisonment for those who openly express approval for aggression by the USSR or Nazi Germany against Lithuania, for Soviet or Nazi genocide carried out in Lithuania or against Lithuanian residents and for other crimes against humanity, war crimes, as well as for denying or greatly belittling these crimes.

Further, when the law comes into force it will allow criminal punishment of people who express approval of other grave crimes of aggression committed against the Republic of Lithuania in 1990 and 1991, or for approval of people who took part in those crimes, including those who deny or greatly belittle these crimes.

Punishment is to be meted out if it is proven that these actions are performed in a threatening, hostile or insulting manner, or if they cause disturbance of public order.

Punishment for these crimes include a fine, limitation of freedom, arrest and imprisonment of up to two years.

The authors of the amendments say they were inspired by a fundamental decision of the European Union made in 2008, by which member-states pledged to ensure prosecutability for publicly expressing support for the crimes of genocide, crimes against humanity and war crimes, for refusing to acknowledge or recognize these crimes or for greatly diminishing the scope of these crimes when this could lead to violence or hatred.

The authors of the legislation say they expanded the list of prosecutable actions taking into account that Lithuania's historical and political situation is primarily connected with the painful experience of aggression by the USSR and Nazi Germany. An explanatory note also points to crimes committed during the January 1991 Soviet aggression.

“There have been cases in Lithuania when disinformation denying aggression by the USSR against Lithuania has been distributed without consequence, especially concerning the events of January 13, 1991, and there have been other kinds of attempts to justify USSR aggression, to belittle it and to deny the crimes committed by the aggressors, including the Holocaust,” the explanatory note accompanying the legislation, prepared by one of the initiators of the amendments, Vilija Aleknaite Abramikiene, says.

European states regulate denial or belittling of extremely grave crimes in different ways. The Czech Republic and Poland prescribe criminal prosecution for approval, denial and belittling of the crimes of genocide, crimes against humanity and war crimes committed by both the Nazi and the Soviet regimes.

Austria, Belgium, Slovakia, Germany and France call to criminal account those who express approval of, deny or belittle genocide crimes, crimes against humanity and war crimes committed by the Nazis. The above mentioned states and Spain, Portugal, Luxembourg, Romania and Switzerland have also criminalized approval or justification, denial or belittlement of other similar crimes without specifying the perpetrators. France has expanded the application of these laws to the Armenian genocide.

The authors of the criminal code amendments say they believe that after they are adopted “the negative influence of organizations and people propagating anti-democratic ideas and spreading information will diminish in society.”

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