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COMPLAINT
Regarding false information
November 26, 2020
Vilnius

Valdas Rakutis's interview was published on the www.bernardinai.lt website on November 12, 2020, with the title "Karo istorikas V. Rakutis: Istorijai tapus kovos lauku pasirinkimas nekariauti tampa pralaimėjimu" [Military Historian V. Rakutis: When History Has Become a Military Arena, Not Fighting Becomes Defeat] at the URL https://www.bernardinai.lt/karo-istorikas-v-rakutis-istorijai-tapus-kovos-lauku-pasirinkimas-nekariauti-tampa-pralaimejimu/ .

This publication talks about the occupation of Lithuania, Lithuanian participation in the Holocaust and information warfare. Among other things, it advertises Dalius Stančikas's book "Kūju per Lietuvos istoriją" [With a Hammer through the History of Lithuania]. Valdas Rakutis presents himself as a military historian and answers questions from reporter Rasa Baškienė.

In reply to the reporter's question "How do you assess the actions by Vilnius politicians in changing the name of Kazys Škirpa Alley or the removal of the plaque commemorating Jonas Noreika, aka General Storm? These people were accused of collaborating with the Nazis, whereas the monument to collaborator Petras Cvirka who helped those carrying Stalin's sun still stands in central Vilnius, and Vilnius residents pay with their taxes for maintaining the Venclovai house and museum with an exhibit dedicated to education commissar Antanas Venclova," Valdas Rakutis replied:

"I'm surprised that the actions of the Vilnius city government didn't elicit a reaction from the Lithuanian Government. These are issues of national importance. ... **Because there is a decision from the Supreme Court of the Republic of Lithuania exonerating Jonas**

Noreika, the Vilnius city municipality is not allowed to assume to itself the role of court and one-sidedly organize campaigns of violence. That this activity elicited symbolic condemnation just shows our state's inability to put the activities of certain municipal bodies and separate individuals into order. The state must defend the people who have done so much for it, if they haven't become intentional criminals."

Valdas Rakutis further states: "Speaking of collaboration, I could use the following question: is a woman who washed SS shirts a Holocaust participant? She seems to have participated, but can we blame her for that?"

Examining the published text systematically, linguistically and logically, the conclusion is unavoidable that in reply to the reporter's question "How do you assess the removal of a plaque commemorating a man who was accused of collaborating with the Nazis," Valdas Rakutis said this person, Jonas Noreika, had been exonerated by a finding of the Supreme Court of Lithuania, and condemned the Vilnius municipality as if this body had reconsidered the decision at which the Supreme Court had arrived. Thus Valdas Rakutis states the Supreme Court of the Republic of Lithuania exonerated Jonas Noreika regarding the Nazi collaboration indicated by the reporter. This information is false.

According to a finding of history issued by the Center for the Study of the Genocide and Resistance of Residents of Lithuania, [1] "According to information from the criminal case, in January of 1946 Jonas Noreika along with others established the Lithuanian National Council (hereinafter LNC) as the organizational center which was supposed to unite all operating underground organizations. The LNC included under its jurisdiction the Supreme Leadership of Lithuanian Armed Forces (hereinafter SLLAF). Noreika (codenamed General Storm) was appointed head of the SSLAF in March of 1946 (Lithuanian Special Archive f. K-1, ap. 58, b. 9792/3, t. 1, l. 149-150). The LNC was preparing in the event of war to stage an uprising and published more than a dozen directives and orders concerning the structure of the organization. **The main goal of the LNC was to restore an independent, sovereign Lithuanian state based on principles of democracy**. The conclusion to accuse in the Noreika criminal case (Lithuanian Special Archive f. K-1, ap. 58, b. 9792/3, t. 4, l. 200-222) and the verdict (Lithuanian Special Archive f. K-1, ap. 58, b. 9792/3, t. 4, l. 148-153) did not accuse him of murdering people (Lithuanian Special Archive f. K-1, ap. 58, b. 9792/3, t. 4, l. 200-222). The Vilnius Garrison Military Tribunal in Vilnius found Noreika guilty on November 20 to 22, 1946, under article 58-1 "A" of the criminal code of the Russian Soviet Federative Socialist Republic and sentenced him to death by firing squad, and confiscating all property belonging to him."

Judging from the historical finding, Jonas Noreika was sentenced to death under article 58, section 1 of the criminal code of the Russian Soviet Federative Socialist Republic for treason against the motherland, i.e., organizing a resistance movement against the Soviet government. [2] The military court did not consider Jonas Noreika's collaboration with the Nazis, did not express charges and did not issue a verdict concerning Nazi collaboration.

On July 28, 1989, the Presidium of the Supreme Soviet of the Lithuanian Soviet Socialist Republic issued order no. XI-3123 entitled "Concerning the Rehabilitation of People Convicted of Certain Actions." This directive was reaffirmed as law no. XI-3243 of September 29, 1989. The first point of the law proclaims: "To rehabilitate people convicted or imprisoned without due process by courts:

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[1] http://genocid.lt/UserFiles/File/Pazymos/201510_noreika_pazyma01.pdf
[2] http://lt.wikipedia.org/wiki/Rusijos_TFSR_baud%C5%BEiamojo_kodekso_58_straipsnis

"a) **for acts defined in article 58 of the criminal code of the Russian Soviet Federative Socialist Republic in force in the territory of the Lithuanian Soviet Socialist Republic, provided these acts are not connect with mass murder, terrorist acts, looting and collaboration with the Nazis** in mass murders of civilians carried out."

On May 27, 1991, the Supreme Court of Lithuania adopted finding no. 8-17228 which, based on the law indicated above, rehabilitated Jonas Noreika. Because Jonas Noreika had been sentenced to death in 1946 based on an act defined in article 58 of the criminal code of the RSFSR (treason against the motherland), and not for collaborating with the Nazis, and furthermore because law no. XI-3243 of September 29, 1989, did not offer the possibility of rehabilitation to people recognized by the Soviets to have collaborated with the Nazis, legally Jonas Noreika was rehabilitated by the Supreme Court of Lithuania in 1991 for treason against the Soviet motherland, not for Nazi collaboration, i.e., he was recognized as innocent only of treason against the Soviet motherland, of having committed the act in article 58 of the criminal code of the RSFSR.

Valdas Rakutis's reply that "there is a decision from the Supreme Court of the Republic of Lithuania exonerating Jonas Noreika" in reply to the reporter's statement that "these people were accused of collaborating with the Nazis" is false information. A specific statement is not an opinion. It a distorted and mendacious interpretation of facts misleading the public in media presenting information to the public. This statement by Valdas Rakutis is disinformation forbidden by law and violates article 19, section 2 of the Lithuanian Law on the Provision of Information to the Public.

Based on the above explained circumstances and based on article 14, parts 1 and 3, article 19, part 2, article 44 and article 50 of the Lithuanian Law on the Provision of Information to the Public, I request the honorable inspector of journalistic ethics:

Order the administration of www.bernardinai.lt publish a retraction of the false information in the article "Karo istorikas V. Rakutis: Istorijai tapus kovos lauku pasirinkimas nekariauti tampa pralaimejimu" at the URL https://www.bernardinai.lt/karto-istorikas-v-rakutis-istorijai-tapus-kovos-lauku-pasrinikimas-nekariauti-tampa-pralaimejimu , or order them to include an editorial note in the text after the line "there is a decision from the Supreme Court of the Republic of Lithuania exonerating Jonas Noreika" stating that (Finding No. 8-17228 of the Supreme Court of Lithuania on May 27, 1991, rehabilitated Jonas Noreika only for the criminal act defined in article 58 (treason against the motherland) of the criminal code of the RSFSR).

Appended:

1. Publication from bernardinai.lt "Karo istorikas V. Rakutis: Istorijai tapus kovos lauku pasirinkimas nekariauti tampa pralaimėjimu";

2. Law on the Rehabilitation of People Convicted of Certain Acts, Lithuanian Soviet Socialist Republic, 1989;

3. Finding no. 8-17228 of the Supreme Court of Lithuania on May 27, 1991;

4. Copy of contract for legal representation.

Respectfully,

Rokas Rudzinskas, attorney