Whitewashing the Holocaust: Lithuania and the Rehabilitation of History

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There are new monuments on some of the sites of the mass murder of the Jews in Lithuania; new monuments and new inscriptions. These inscriptions no longer feature red stars to symbolize the country's liberation by the Red Army; nor do they use stock Communist slogans commemorating "Soviet citizens murdered by Hitlerite fascists." In independent Lithuania, it is no longer forbidden to identify the victims as Jews, and Lithuania has openly inscribed their identity in marble and stone. But these new inscriptions tell only half the story. For while the victims are restored to their true identity, the Lithuanians are still exceedingly reluctant to admit publicly the extent to which the local population participated in the murders. In view of its history during World War II, Lithuania's failure to face up to its past is hardly surprising.

Unlike most of the Nazis' Jewish victims, who were killed in concentration camps in Central and Eastern Europe, the overwhelming majority of the Jews of Lithuania were murdered near their homes. The perpetrators, moreover, were in many cases local collaborators. In Lithuania, the Nazis encountered enthusiastic support for their anti-Jewish policy in all strata of Lithuanian society.

During the initial days of the Nazi invasion, even before the Germans occupied the country, pogroms took place in scores of towns and villages. When the Nazis occupied the country, thousands volunteered to serve the occupiers and actively helped to carry out the Final Solution. Collaborators showed such zeal in the murder of Jews that units of Lithuanians were sent to other areas to carry out similar actions. Numerous Lithuanians served as guards in Polish death camps.

The most notorious Lithuanian participants in the Final Solution were the members of the special murder squads established under theegis of the Nazis. The Ypatinga bura (the Vilnius Sonderkommando, or "the special ones") carried out the murders of approximately seventy thousand Jews at Ponar outside Vilna, and the Twelfth Lithuanian Auxiliary Police Battalion murdered thousands of Jews in Kaunas and Byelorussia. These units specialized in mass murder and earned a reputation for their cruelty, which on occasion shocked even their German allies. In late October 1941, for example, Carl, the German Gebietskommissar of Slutsk, complained to his superiors in Minsk about the brutality of the Twelfth Lithuanian Auxiliary Police Battalion, which had murdered the local Jews. "I beg you to grant me one request," he concluded his letter. "In the future, keep this police unit away from me by all means."

Besides these special units, the Lithuanian police persecuted and murdered Jews in more than two hundred cities, towns, and villages. Local policemen played an important role in every stage of the Nazis' extermination plans. This large-scale collaboration yielded horrifying results. Approximately 95 percent of the two hundred and twenty thousand Jews who remained in Lithuania during the Nazi occupation were murdered during the Holocaust. (About seven thousand were deported to Siberia shortly before the Nazi invasion and some fifteen thousand managed to escape to the Soviet interior during the initial days following the outbreak of the war.) And while there were some brave Lithuanians who at great risk extended assistance to Jews, the number of their compatriots who actively collaborated in or carried out the murders was immeasurably greater.

After the war, the Communists commemorated the victims as "Soviet citizens" as if their being Jewish played no role in their fate. And the perpetrators were usually referred to as "fascists" or "bourgeois nationalists" as though Lithuanians per se played no role in the events of World War II. Under these circumstances, the Lithuanian people were spared a painful confrontation with the scope and extent of their collaboration.

The recent emergence of Lithuanian independence, however, brought this issue to the surface. From the
in Lithuania," it evades the issue of Lithuanian participation in the murders. Thus the declaration notes that "among the hangmen who served the occupiers were Lithuanian citizens as well." Instead of explicitly referring to the role of "the Lithuanian people" or "Lithuanians," the declaration, which specifically notes that it was issued by "the Supreme Council of the Republic of Lithuania on behalf of the Lithuanian people" (my emphasis), chooses to classify the murderers as Lithuanian citizens—a category that is not restricted to Lithuanians and could even (by a twist of perverted logic) include Jews as well. It also effectively distinguishes between the ostensibly blameless "Lithuanian people" and the murderers, who according to this formulation were merely "Lithuanian citizens," i.e. not necessarily Lithuanians by nationality.

The speech Prime Minister Vagnorius delivered at the dedication of the monument at Ponar was still more revealing. Instead of admitting widespread Lithuanian complicity in the murders, Vagnorius bemoaned that "these representatives of our society cast a shadow of evil and wrongdoing over all of our nation." Instead of accurately describing the proportions of Lithuanians' crimes, Vagnorius tried to minimize their scope: "This tragedy lasted for more than an eye-blink, but at least three months," Vagnorius declared. In fact, however, Lithuanian Jewry suffered at the hands of their neighbors for three years, not three months.

More distressingly, Vagnorius sought to depict the assistance Lithuanians gave to Jews during the Holocaust as though it had been much more widespread than it was. He tried, in addition, to link it to contemporary Jewish support for Lithuanian independence, as if it were somehow justified by the assistance some Lithuanians extended to Jews during the war: "The noble humanity of a Lithuanian priest who dared to shelter Jewish children in an hour of sorrow, the loaf of dark Lithuanian bread shared by one ordinary farmer, and the active cooperation in raising a Sajudis banner in the common land of our forebears, are repeated proof that a group of criminals cannot outweigh the good name of a nation, nor can it rob it of its conscience and decency." The prime minister's assertions regarding conscience and dignity might be true. However, one is likely to draw a different conclusion if the crimes committed were the norm rather than the exception, as was the case in Lithuania during World War II.

Such public pronouncements are in a sense only the tip of the iceberg. On a practical level, the Lithuanian government has taken measures that seriously harm Jewish interests. Thus, for example, Parliament's recently
ratified law regarding the return of stolen property was formulated in such a way as to effectively exclude most Lithuanian Jews. The law restricts the restoration of property to present-day residents of Lithuania, and thus prevents 99 percent of the Jews who originally lived in that country—and their heirs—from reclaiming their possessions. In addition, many communities have made no effort to restore Jewish communal property (schools, synagogues, etc.) to Jewish hands or to make financial compensation to the present-day Jewish community.

Despite such discouraging developments, some still have hoped that the Supreme Council’s proclamation on genocide and the government’s other recent efforts were signs that a rapprochement was indeed possible. But this hope was severely put to the test by the news of the rehabilitations granted to convicted Nazi war criminals in Lithuania. This revelation clearly demonstrated the drastic differences between the Jewish and Lithuanian perspectives on Lithuania’s complicity in the Holocaust.

The rehabilitation scandal first came to light thanks to a Lithuanian Holocaust survivor named Rytka Bogomolna. An eyewitness to the persecution and murder of the Jews of Butrimonys, Bogomolna learned over a year and a half ago that Juozas Krasinski, a collaborator who had participated in the murders in her hometown, had been granted rehabilitation and was living in Kaunas. (Those rehabilitated are given 5000 rubles and the return of whatever property was confiscated by the Soviets in the wake of the conviction. The average monthly salary in Lithuania today is approximately 320 rubles.) She protested to Lithuania’s Procurator General Arturas Paulauskas, but he refused to rescind the rehabilitation, despite Bogomolna’s affidavit verifying Krasinski’s role in the murders and her list of prospective corroborating witnesses.

Bogomolna and a group of Jewish activists in Vilnius then sought to arouse public opinion in the West, but their initial attempts were unsuccessful. But in late June 1991, MK Dov Shilansky, MK David Libai, and I met with Paulauskas, and the rehabilitation issue began to gain more attention. Paulauskas adamantly denied that his office had made any mistakes. He pointed out that the May 2, 1990 law on “Rehabilitation of Persons Repressed for Resistance to the Occupying Regime” specifically forbade granting rehabilitation to individuals who had participated in genocide. He offered to submit all problematic cases to a committee of local Jewish lawyers. Paulauskas explained that the individuals being rehabilitated had been tried by “troikas,” special Soviet courts in which defendants were unable to defend themselves properly. In his opinion, the lack of due process and the use of illegal means to obtain confessions invalidated these convictions.

Paulauskas’s explanations seemed plausible for a nation emerging out of decades of Communist repression. But additional research and subsequent meetings with Lithuanian officials and members of parliament in late October made it clear that the situation was far worse than anyone had realized. During my trip to Vilnius in June, I received a list of eleven other men convicted of participation in war crimes and then rehabilitated. The local Jews who had played an active role in publicizing this issue had previously informed us of only two such cases. While these cases were being investigated, the Simon Wiesenthal Center in Jerusalem obtained the original trial documents of eleven convicted Nazi collaborators who had been granted rehabilitation during the past two years.

Despite Paulauskas’s claim to the contrary, rehabilitations were being granted to individuals who had served in murder squads and death camps—and on a much larger scale than his account of things had led us to believe. Either the review process had broken down completely, or the official criteria were being deliberately ignored. How else could rehabilitation have been granted to people such as Aloizas Juodis, who admitted that he participated in the shooting of hundreds of Jews.
while he served with the Twelfth Lithuanian Auxiliary Police Battalion in Byelorussia, or Petras Krikscuinas, who had served as a guard at the Majdanek death camp? There are scores, if not hundreds, of similar cases in the records on rehabilitation in Lithuania, which are still coming to light.

How can such miscarriages of justice be explained? Were they caused by fanatic nationalism, anti-Semitism, the bureaucratic inefficiencies of a new and inexperienced administration—or perhaps by a combination of all three factors? Meetings with President Vytautas Landsbergis, Paulauskas, and leading Lithuanian officials have produced some tentative answers. The key issues are legal and political, but they reflect more broadly on the worldview of nationalist Lithuanians. Although the law forbade the rehabilitation of people who had participated in genocide, the officials in charge of the law's implementation sought to apply the most narrow definition of that term. In their zeal to undo the convictions handed down by the Soviet courts, they granted rehabilitations even to individuals who had been convicted of participation in murder. When evidence of this practice was brought to the attention of the procurator-general, it became clear that he regarded only people who had personally murdered civilians as ineligible for rehabilitation. Although witnesses recently testified that they had seen Krasinskas lead Jews to the murder site, none of them could report that they had seen him shoot any Jews; thus the procurator-general confirmed his rehabilitation.

Equally revealing is the legal issue of the burden of proof. People who served in police units or vigilante squads were not asked to prove their innocence. On the contrary, the procurator-general expected those protesting the rehabilitations to prove the guilt of the petitioners. Given the relative inaccessibility of Holocaust documentation in Lithuania and the very small number of survivors, that task is extremely difficult. In addition, Lithuanian authorities made no effort to check archival sources outside the country, or to seek survivor witnesses living abroad. With such procedural considerations working in their favor, it is small wonder that so many participants in genocide were granted rehabilitation.

To date, approximately thirty-five thousand Lithuanians have been granted rehabilitation, but their names have never been publicized. In his recent meeting with representatives of the Wiesenthal Center, President Landsbergis said he was concerned that publicizing the lists would mean that everyone granted rehabilitation would automatically be suspected of collaboration. Yet this very point is what is at issue: Unless all the names can be checked against Holocaust documentation worldwide, we will never know which of the persons rehabilitated really deserved exoneration.

This problem came to the fore recently in the cases of five men from Kelmė who were granted rehabilitation. Once their exoneration became public, several local non-Jews came forward to testify that the individuals in question had aided in the murder of the Jews. Who knows how many more cases like this exist?

Many Lithuanians have sought to explain the country's complicity in the Holocaust by invoking the leading role played by Jewish Communists in the establishment of Soviet rule in Lithuania and in the deportation of Lithuanians to Siberia in 1941. Journalists and members of parliament have adopted this argument in an apparent effort to balance the record and thereby deflect the blame. But this kind of specious historical analogy only bears further testimony to the failure of Lithuanians to face up to their dismal record during the war. (The same objection applies with equal force to the references that Lithuanian officials make to Jewish policemen convicted by the Soviets of collaboration with the Nazis.)

Lithuania's small Jewish community of approximately six thousand, meanwhile, has greeted the rehabilitation scandal with some ambivalence. There are many who perhaps would have preferred that the whole question had never been raised. The specter of local anti-Semitism looms ominously in a country full of mass graves. Others, however, were adamant that the memory of the victims not be desecrated by granting rehabilitations to their murderers. But even if Lithuania were to argue for such demands, the Jews' position will be precarious and troubled in a country overrun with nationalistic fervor and enthralled by its independence, but bereft of any countervailing democratic tradition. As long as Lithuania hopes for aid from the West, however, their freedom and welfare are relatively assured.

Last June, when I visited my grandfather's shtetl of Lingmiany (Linkmenys), I found a dramatic contrast between the two Jewish burial sites. A brand new marble monument had just been erected on the site where the Jews had been murdered in the summer of 1941, but the Jewish cemetery was unmarked and in a total shamble. Given the Lithuanians' current preoccupation with commemorating the Holocaust's victims, this contrast was not surprising. Nor was it surprising that the inscription on the new monument does not note the participation of Lithuanians in the murders. From everything the rehabilitation scandal has taught us, the ruins of the original Jewish cemetery in Lingmiany are a far more eloquent monument to Lithuania's neglect of its past than the Holocaust monuments are testimony to the newly independent state's recovered memory.
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**Wiesenthal Center Annual Report on Worldwide Investigation and Prosecution of Nazi War Criminals Reveals Dramatic Rise of Almost 100% in New Investigations; Slams Ukraine and Others for Failure to Bring Nazis to Justice; Praises US for Outstanding Success During Past Year**

The Simon Wiesenthal Center’s fifth Annual Status Report on the Worldwide Investigation and Prosecution of Nazi War Criminals for the period from April 1, 2004 – March 31, 2005 points to the continuing success of the United States in prosecuting Holocaust perpetrators during the past year and the surprising potential for future prosecutions as the number of new investigations initiated (in at least eleven countries) during the past twelve months reached the figure of six hundred and fifty-nine (an increase of 97% over the previous year) and the number of cases currently under investigation (in fifteen countries) reached at least one thousand two hundred and eighteen (an increase of almost 30% over the figure for the period from April 1, 2003 – March 31, 2004).

The report singles out Ukraine as the country which has done the least in recent years to bring Nazis to justice in comparison to the efforts which it should have invested to deal with former Holocaust perpetrators, and highlights the failure of Croatia and Austria to prosecute Milivoj Asner, the notorious police chief of Pozega, Croatia who played an important role in the persecution and murder of hundreds of innocent civilians, and who following his exposure by the Wiesenthal Center’s “Operation: Last Chance” project in June 2004 escaped to Klagenfurt Austria, where he presently resides.

The report praised the Nazi-hunting activities of the Office of Special Investigations of the US Justice Department as the most successful agency of its kind in the world, and awarded grades ranging from A (highest) to F to more than three dozen countries which were either the site of Nazi crimes or admitted Holocaust perpetrators after World War II.
The author of the report, Israel director Dr. Efraim Zuroff, who coordinates the Center's research on Nazi war criminals worldwide, noted that the statistics in the report clearly show that a significant measure of justice can still be achieved against Nazi war criminals. "Since January 2001, thirty-two convictions against Holocaust perpetrators have been obtained, thirty-five new indictments have been filed, and hundreds of new investigations have been initiated. Despite the somewhat prevalent assumption that it is too late to bring Nazi murderers to justice, the figures clearly prove otherwise, and it is clear that numerous cases of such criminals will continue to come to trial during the coming years. While it is generally assumed that it is the age of the suspects that is the biggest obstacle to prosecution, in many cases it is the lack of political will, more than anything else, that has hindered the efforts to bring Holocaust perpetrators to justice, along with the mistaken notion that it was impossible at this point to locate, identify, and convict these criminals. The success achieved by dedicated prosecution agencies, and especially by the US Office of Special Investigations, should be a catalyst for governments all over the world to make a serious effort to maximize justice while it can still be obtained."

Zuroff went on to explain that the Report's purpose was to focus public attention on the issue and thereby "encourage all the governments involved to maximize their efforts to ensure that as many as possible of the unprosecuted Holocaust perpetrators will be held accountable for their crimes. In that respect, we seek to highlight both the positive results achieved by countries like the United States, as well as the abject failures of countries like Ukraine, which has so many potential suspects but has not taken the necessary measures to bring them to justice, as well as Sweden and Norway which in principle refuse to investigate, let alone prosecute (due to a statute of limitations), and others who have either chosen to ignore the issue (Syria) or which have consistently failed to deal with it effectively primarily due to a lack of the requisite political will (Estonia and many others)."
Executive Summary

1. During the period in question the investigation and prosecution of Nazi war criminals continued in fifteen countries, among them countries such as Germany, Austria and Poland in which the crimes of the Holocaust were committed and others like the United States and Canada which afforded a postwar haven to Holocaust perpetrators.

2. From April 1, 2004 until March 31, 2005, five convictions of Nazi war criminals were obtained – all in the United States. Most of those convicted served as armed guards in concentration and death camps in Poland and Germany. The number of convictions is lower by two than the number achieved during the previous year. From January 1, 2001 until March 31, 2005, a total of thirty-two convictions of Nazi war criminals were obtained all over the world. Of these convictions, twenty-three were in the United States with the others convicted in Germany (3), Canada (3), Poland (1), France (1), and Lithuania (1).

3. During the period under review, legal proceedings were initiated against at least six Nazi war criminals in four countries - three in the United States, one in Hungary, one in Denmark and one in Lithuania. The number of indictments obtained this year is lower by four than the figure achieved during the previous year. From January 1, 2001, thirty-five indictments have been submitted against Nazi war criminals, the majority in the United States.

4. During the period under review, new investigations were initiated in eleven countries against at least six hundred and fifty-nine suspected Holocaust perpetrators (an increase of 97% from the previous year), and at the moment there are ongoing investigations against more than one thousand two hundred and twelve suspected Nazi war criminals in fifteen countries (an increase of almost 30% from last year), with the large number of cases being investigated in Poland (450), the United States (226), Austria (199), Canada (190), Latvia (58) and Germany (46).
5. This year we have chosen the United States as the country with the most outstanding record in bringing Nazi war criminals to justice.

At the same time we have singled out Ukraine for its total failure to address the issue of Holocaust perpetrators, and are highlighting the failure of Croatia and Austria to prosecute Milivoj Asner who served as police chief of Pozega, Croatia during World War II and played an important role in the persecution and murder of hundreds of Jews, Serbs and Gypsies. After Asner was exposed living in Croatia by the Wiesenthal Center’s “Operation: Last Chance” project, he escaped to Klagenfurt, Austria where he currently resides.

We also want to point to the continued in-principle refusal of Sweden and Norway to investigate Nazi war criminals due to existing statutes of limitation.
INVESTIGATION AND PROSECUTION REPORT CARD

As part of this year’s annual status report, we have given grades ranging from A (highest) to F which reflects the Wiesenthal Center’s evaluation of the efforts and results achieved by various countries during the period under review. (Countries that failed to respond to the questionnaire and in which there is no indication of any activity to investigate and/or prosecute Nazi war criminals were included in category X.)

The grades granted are categorized as follows:

**Category A: Highly Successful Investigation and Prosecution Program**
Those countries, which have adopted a proactive stance on the issue, have taken all reasonable measures to identify the potential suspected Nazi war criminals in the country in order to maximize investigation and prosecution and have achieved notable results during the period under review.

**Category B: Ongoing Investigation and Prosecution Program Which Has Achieved Practical Success**
Those countries, which during the period under review, have obtained at least one conviction and/or filed an indictment accompanied by an extradition request (if the suspect was living elsewhere).

**Category C: Minimal Success That Could Have Been Greater, Additional Steps Urgently Required**
Those countries which have failed to obtain any convictions or register at least one indictment (with an extradition request) during the period under review, but have either advanced ongoing cases currently in litigation or have opened new investigations which have serious potential for prosecution.

**Category D: Insufficient and/or Unsuccessful Efforts**
Those countries which have ostensibly made at least a minimal effort to investigate Nazi war criminals but which failed to achieve any practical results, or those countries in which the issue had no practical dimension during the period under review. In many cases these countries have stopped or reduced their efforts to deal with this issue long before they should have and should achieve important results if they were to change their polic

**Category F: Total Failure**
Those countries, which refuse in principle to investigate, let alone prosecute, suspected Nazi war criminals despite clear-cut evidence that such individuals were residing within their borders.
A: USA
B: Denmark, Hungary
C: Australia, Canada, Germany, Holland, Italy, Latvia, Lithuania, Poland
D: Austria, Colombia, Croatia, Estonia, Finland, Great Britain, New Zealand, Romania, Slovakia, Slovenia
F: Norway, Sweden, Syria, Ukraine
X: Argentina, Belarus, Belgium, Bolivia, Bosnia-Herzegovina, Brazil, Chile, Costa Rica, Czech Republic, France, Greece, Luxemburg, Paraguay, Russia, Spain, Uruguay, Venezuela, Yugoslavia
TEN MOST PROMINENT CURRENT CASES OF NAZI WAR CRIMINALS

1. Alois Brunner – Syria
   Key operative of Adolf Eichmann
   Responsible for deportation of Jews from Austria (47,000) Greece (44,000) France (23,500) and Slovak (14,000) to Nazi death camps
   Status – Syrian refusal to cooperate stymies prosecution efforts; convicted in absentia by France

2. Dr. Aribert Heim - ?
   Doctor in Mauthausen and Buchenwald concentration camps
   Murdered hundreds of camp inmates by lethal injection
   Status – disappeared in 1962 prior to planned prosecution; strong evidence that he is still alive

3. Ivan Demjanjuk – USA
   Participated in mass murder of Jews in Sobibor death camp; also served in Majdanek death camp and Trawniki SS-training camp
   Status – denaturalized in USA; facing deportation from USA; under investigation in Poland

4. Ladislav Niznansky - Germany
   Commander of Nazi “Edelweiss” unit that murdered dozens of Jews and Slovak anti-Nazi partisans
   Status: currently on trial in Germany

5. Milivoj Asner – Austria
   Police chief of Slavonska Pozega, Croatia throughout World War II
   active role in persecution and deportation to death of hundreds of Jews, Gypsies and Serbs
   Status – discovered in 2004 on framework of “Operation: Last Chance;” under investigation in Croatia and Austria

6. Jack Reimer – USA
   Participated in murder of Polish Jews as officer of Trawniki SS-training camp
   Status: denaturalized in USA; faces deportation

7. Mikhail Gorshkow – Estonia
   Participated in murder of Jews in Belarus
   Status: denaturalized in USA, under investigation in Estonia

8. Karoly (Charles) Zentai – Australia
   Participated in manhunts, persecution, and murder of Jews in Budapest in 1944
Status – discovered in 2004 by “Operation: Last Chance;” Hungary has issued an international arrest warrant against him and has asked for his extradition from Australia

9. Algimantas Dailide – Germany
Arrested Jews murdered by Nazis and Lithuanian collaborators
Status: deported from USA; indicted by Lithuania, which has not yet sought his extradition

10. Harry Mannil – Venezuela
Arrested Jews and Communists executed by Nazis and Estonian collaborators
Status: under investigation in Estonia

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