

**[to:] Human Rights Committee  
Parliament of the Republic of Lithuania  
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**Plaintiff:**

Grant Arthur Gochin

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**COMPLAINT**

**On the public denial of the Holocaust and the distortion of historical facts**

March 24, 2022

Vilnius

**1. Description of the problem**

I am a citizen of the Republic of Lithuania of Jewish ethnicity. I am contacting you regarding the actions of the Center for the Study of the Genocide and Resistance of Residents of Lithuania (hereinafter Center).

Since 2016 I have been working actively with the goal of getting the Center to remove from public view their finding of history regarding Jonas Noreika, since this finding belittles Jonas Noreika's role in the genocide of the Jews in the Telšiai and Šiauliai districts in 1941. <sup>1</sup> This finding is based on "convenient" sources, ignoring the "inconvenient" documents extant in the archives, and with total disregard for the facts recorded in the documents and testimonies by eye-witnesses which show that Jonas Noreika, as the delegate of the Lithuanian Activist Front government in these districts, did in fact operate at this time there when the volunteer soldiers of the Lithuanian Activist Front and the National Labor Defense (TDA in Lithuanian) isolated, looted and murdered Lithuanian citizens of Jewish ethnicity.

Since 2019 I have been working actively with the goal of getting the Center to remove from public view their finding of history on Jonas Noreika's activities in the anti-Nazi underground, because this finding is based on a single testimony given almost 50 years after the events in Šiauliai and is not supported by any other documented sources. <sup>2</sup> This finding asserts Jonas Noreika organized and headed the anti-Nazi underground which rescued Jews in the Šiauliai district.

I have repeatedly sent complaints to the Center concerning this goal, demanding these findings of history be removed from public view. The Center has rejected my complaints. I went to the Vilnius District Administrative Court but my complaints and appeals were rejected based on the argument the Center's findings of history are not administrative acts and that the composing of historical findings is not an administrative activity carried out by the Center, and that therefore

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<sup>1</sup> [http://genocid.lt/UserFiles/File/Pazymos/201510\\_noreika\\_pazyma01.pdf](http://genocid.lt/UserFiles/File/Pazymos/201510_noreika_pazyma01.pdf)

<sup>2</sup> [http://genocid.lt/UserFiles/File/Titulinis/2019/20191218\\_pazyma.pdf](http://genocid.lt/UserFiles/File/Titulinis/2019/20191218_pazyma.pdf)

the examination of these findings of history does not lie within the jurisdiction of the administrative courts.

After investigating in detail the testimony which the Center used to write their finding about Jonas Noreika's activities in the anti-Nazi underground, in February of 2022 I presented a well-founded complaint to the Center again demanding this finding of history be removed from public view. The Center rejected the complaint and refused to even consider it, making the argument the issue had been considered in detail already by the administrative courts (actually the courts only said consideration of the question did not lie within their jurisdiction). (The Center's response and the resolutions by the administrative courts are appended).

Since 2016 no institution (the president, the general prosecutor, the Journalism Ethics Service or the courts) has undertaken to examine the case of Jonas Noreika. None of the aforementioned institutions has had sufficient political will and resolution to evaluate the existing documents which I have discovered in the Lithuanian archives which negate the assertions made in the Center's historical findings.

## **2. On sending the complaint to parliament**

In agreement with article 6, point 12 of the law establishing the Center, the Center is responsible for its actions to the parliament and government. In line with article 70 of the Statute of the Lithuanian Parliament, the Human Rights Committee performs the following activities:

- 1) Considers complaints received by the Committee regarding actions by institutions insuring the protection of human rights and freedoms and accountable to the parliament;
- 2) Performs parliamentary supervision of institutions deciding questions regarding the insuring of human rights and freedoms;
- 3) Provides to government ministries, state institutions and other state organizations, and parliamentary committees recommendations and suggestions on issues within the competency of the committee.

In concert with the information announced by the Human Rights Committee, the Committee decides questions regarding ethnic minorities and protection from torture and the sowing of hatred and violence.

The Center was established by a law adopted by the Lithuanian parliament, the parliament appoints its head and the institution is accountable to parliament. One of the main legislative tasks of the Center is research into the physical and spiritual genocide of residents of Lithuania carried out from 1939 to 1990 and the restoration of historical truth and justice (article 4 of the law). The Center's activities are connected with the violations of human rights in Lithuania by the occupational regimes. In consequence of this, the conclusion should be drawn that the Center's research activity falls within the area of activity of the Human Rights Committee and that the Human Rights Committee as an institution performing parliamentary supervision has the competency to examine issues regarding the Center's research activity in the sphere of human rights violations.

## **3. European Union initiative**

In the fall session of parliament in 2020, the Committee's report indicated the Committee had acquainted itself with the work program of the European Commission and had selected three European Commission initiatives as urgent or extremely urgent for the Lithuanian parliament's

Human Rights Committee: "... 3. Communiqué on the European Union's strategy for fighting anti-Semitism (urgent)."

On page 21 of the European Union's strategy for battling anti-Semitism it says Holocaust denial, the distortion of facts and their belittlement, are often used to spread hatred against people of Jewish ethnicity and in the attempt to re-write European and Jewish history. It says "hate-speech connected with approval for the Holocaust, denying the Holocaust or grossly belittling it" are forbidden under the EU's Framework Decision for combating racism and xenophobia.

In fighting Holocaust denial and the distortion of facts, the European Commission used the definition provided by the IHRA (International Holocaust Remembrance Alliance) which says **Holocaust denial in its various forms is an expression of anti-Semitism.**

It is an attempt to deny the genocide of the Jews by making efforts to relieve national socialism and anti-Semitism from fault and responsibility. **The distortion of the facts of the Holocaust is considered an intentional effort to write off or diminish the consequences of the Holocaust or basic parts of it, including collaborators and the allies of Nazi Germany.**

In implementing the EU's strategy for combating anti-Semitism, **member-states are called upon to participate actively in consciousness-raising campaigns concerning Holocaust denial, the distortion of facts and their gross belittlement.**

#### **4. Holocaust denial, belittlement and distortion of facts**

The Center in publishing its findings of history on Jonas Noreika is publicly denying this person contributed to the isolation of people of Jewish ethnicity, the theft of their property and their extermination in the Telšiai and Šiauliai districts. Arguments for the denial of specific documented facts which exist in the archives on the actions of Jonas Noreika and his contribution to the Holocaust (the Center's arguments) are discussed in detail in written explanations (appended as a separate document) as well as in the plaintiff's case of February, 2022, for the annulment of this finding of history from 2019.

Based on the documentary evidence collected and court jurisprudence regarding the definition of contributing to the crime of genocide, and taking into consideration the concept of Holocaust denial adopted by the IHRA, it is clear that the Center in its publications is not only violating articles 19 and 22 of the Lithuanian law on the provision of public information banning the publication of non-objective information and disinformation, but is also committing the crime defined in article 170 (2) of the Lithuanian criminal code, namely, grossly belittling the war crimes committed by Jonas Noreika. Through these illegal acts the Center is encouraging anti-Semitism and is failing to perform the essential task for which it was founded: to restore historical truth and justice (article 4 of the law for the establishment of the Center).

#### **5. Request**

**In light of the above, I ask the Human Rights Committee of the Parliament of the Republic of Lithuania in implementing its function of parliamentary oversight and within the directions set by the EU strategy for combating anti-Semitism to consider this complaint, to stop Holocaust denial and anti-Semitic propaganda and to require the Center for the Study of the Genocide and Resistance of Residents of Lithuania to remove from public view its findings of history regarding Jonas Noreika which distort the facts of the Holocaust.**

Respectfully,  
Grant Arthur Gochin  
[signed]

APPENDED:

1. Finding on Jonas Noreika's activities in the anti-Nazi underground, December 18, 2019
2. Finding on Jonas Noreika's activities in occupied Lithuania, October, 2015
3. Complaint for the annulment of the historical finding, February, 2022
4. Center response to complaint, March, 2022
5. Vilnius District Administrative Court finding No. e12-2846-535-2020 of March 17, 2020
6. Supreme Administrative Court finding eAS-312-552-2020 of May 6, 2020
7. Explanations in written form on the illegality of the historical findings
8. Copy of agreement for legal services

**The plaintiff has in his possession copies of the archival documents which are cited in the written explanations. The plaintiff also has copies of earlier responses from the Center to his complaints. If the Human Rights Committee does undertake to consider the facts outlined in this complaint, the plaintiff is fully prepared to present these documents to the Committee for their consideration and to provide addition explanations, and to respond to questions presented.**