

**International Commission for the Evaluation of the Crimes of the Nazi and Soviet Occupation  
Regimes in Lithuania**

**ARRESTS AND OTHER COERCIVE MEASURES**

**(1940-41)**

**CONCLUSIONS**

*(Approved by the Commission on December 17, 2003)*

1. ***Repression periods and criteria.*** The first period of unlawful arrests in Lithuania: 19 September 1939 - 22 October 1939, at the time when the Soviet Union controlled Vilnius region occupied through the use of military power. On 10 October 1939, according to the Agreement on the Transfer of Vilnius City and Vilnius Region to the Republic of Lithuania and Lithuanian-Soviet Union Mutual Assistance Agreement, a part of Vilnius region was transferred to Lithuanian authority. The rest of country's population remained in the territory annexed by the Soviet Union (in Švenčionys, Rudnia, Gervėčiai etc.) and were subjected to the repressive measures applied on the territory of the Soviet Union. The second period of arrests in Lithuania – 15 June 1940 – 22 June 1941, when the Soviet Union occupied and annexed Lithuania. On 11 October 1939 formulation of first doctrines for perpetration of the repression against people of annexed countries and those intended to be annexed. Political repression was in the first place planned in such a way as to organise groups of people on the basis of their social background and formerly held status as well as professional and political activities. Criteria for classifying the repressed individuals were established on the basis of requirements of Communist-Bolshevik ideology.
2. ***Preconditions leading to unlawful repression.*** Perpetrators of the Soviet policy of terror on 17 June – 3 August 1940 employed the institutions of state power, which functioned in Lithuania at that time, including the State Security Department, which had been infiltrated with members of anti-state organisation – the Lithuanian Communist Party. “For the reasons of state security” all organisations active on the territory of the country were suspended. Interpretation of their activities in the light of the Soviet Union Criminal Code started. New preconditions for the unlawful repression were also created by decisions of the so-called People's Seimas and the official annexation of Lithuania.
3. ***First massive political arrests.*** First unlawful arrests (10-19 July 1941) were carried out following the orders of the Lithuanian Communist Party leaders (who also were at the lead of repressive bodies) of 6 and 7 July 1940, also controlled by representatives of the Soviet Union

NKVD. Representatives of all former political parties and ethnic communities fell victims to political repression. The arrests did not aim to eradicate some underground organisations. The basis for political repression was the factor of “social threat” to the totalitarian state and state regime.

4. ***Application of the Soviet Union law.*** Application of the Soviet Russia laws, which formally had not been introduced in the country, was launched with respect to citizens of Lithuania. The groups of arrested people were being unlawfully deported outside the territory of Lithuania already prior to Lithuania’s annexation. On 30 November 1940 the Presidium of the Supreme Council of the Lithuanian SSR in its decree announced the entry into force in Lithuania of Article 58 of the Criminal Code of the Russian SFSR, although the arrests made in June-November 1940 were justified on the basis of provisions of this code. The first goal was reached – the first wave of unlawful arrests had paralysed all attempts to stage any unorganised resistance with respect to the policy of annexation and sovietisation pursued against an independent state.
5. ***The role of Soviet institutions in organising the terror.*** An indispensable part link in the implementation of the Soviet policy of terror was performed by the special ad hoc tribunals and extra-judicial bodies, to which the judicial functions had been delegated. It was the [institution of a] Special Meeting, which in 1940-1941 passed a verdict against many people in Lithuania, arrested by the NKVD. In July 1940 the registration of anti-Soviet elements was introduced in Lithuania and widened on 28 November. Registration in the format of lists had to cover all individuals, who “for the reasons of their social and political background, nationalist and chauvinist views, religious beliefs, moral and political instability are opposed to the socialist regime and could therefore be used for the anti-Soviet purposes”. It was planned that all such individuals had to be secretly registered and their names entered on the lists of persons planned to be arrested. The number of registrable persons – 320 thousand former members of parties and organisations. The lists of unreliable persons were supplemented with ethnic minorities’ representatives – Poles, Jews, Russians, and Ukrainians.
6. ***Circumstances and scope of political arrests.*** In 1940 some 2 785 and in January-May 1941 – 1 768 people were arrested. More than a half of political prisoners (around 55 per cent) were indicted on the basis of Article 58 (mostly for work in police, secret collaboration with Security police and leading positions in the formerly legal organisations), around 40 percent – for illegal border crossing, and the remaining – for war crimes. Around 60 per cent of political prisoners were kept in imprisonment in violation of norms of even the Soviet Code of Criminal Procedure: people were imprisonment without formulation of charges, without extension of terms of arrest and interrogation.

7. ***Other coercive measures (torture).*** In the first place the political prisoners were subjected to “the indispensable measures of interrogation”. Physical and mental coercion in the system of NKVD and NKGB were concealed under the terms of “physical affect”, “active interrogation” etc. Torture was sanctioned at the highest level. In 1937 the Central Committee of the All-Union Communist Party (Bolshevik) gave the official permit to apply measures of “physical affect”. Majority of political prisoners experienced torture during interrogation.
8. ***Appropriation of property of detainees.*** Immediately after the arrest, without waiting for judgements, the NKVD appropriated personal belongings of arrested persons, seized other property – apartments, private cars. After the outbreak of war all seized personal property of detainees (money, gold and silver coins, foreign currency, and awards) were taken to the Soviet Union and have never been returned.
9. ***Judgements and their execution.*** Out of 1 671 cases, which include written judgements by one or another type of judicial institutions, in 1 020 cases judgements were rendered by the Special Meeting institution. By 26 June 1941, 3 565 prisoners were deported to the distant parts of the Soviet Union (excluding victims of deportations of 14-18 June, who were taken directly to camps, avoiding the prisons). The majority of Lithuanians imprisoned in the Soviet Union camps and prisons in 1941 in formal terms were still in the stage of interrogation, and no articles of the Soviet Russia’s Criminal Code were invoked against them. They were held criminally liable according to the USSR Supreme Court Ruling of 11 December 1941 On the Investigation of Cases against Persons who Committed Crimes on the Territory Temporarily Occupied by Hostile Forces. Death penalty was applied against 618 residents of Lithuania and 568 citizens of Lithuania were executed. The procedure for the validity and adoption of the judgement was simplified. The judgements passed by the Special Meeting institution were final and not subject to appeal. The Military Chamber of the USSR Supreme Court nor the Penal-Judicial Chamber did not approve judgements; they were not reviewed by the Political Bureau Commission of the CC of AUCP (B) nor approved by the CC of AUCP (B). The remaining political prisoners (70 per cent) were imprisoned for 5-10 years. Exception was made in the case of President Stulginskis (together with 17 ministers, academicians, police officers), who was kept in imprisonment without any formal judgement for 11 years - until 1952.
10. ***Falsification of records (dates of death).*** In an effort to conceal the circumstances of executions of 1941-1943, in 1955 the CC of CPSU and the KGB started the falsification of circumstances and dates of deaths. On the basis of this decision, falsification of the dates of death continued up until the start of 1990.
11. ***[Ethnic] Structure of prisoners.*** Political prisoners in Lithuania imprisoned in 1939 and in 1940-1941 included representatives of all ethnic groups: 58.1% of them were Lithuanians,

25.2% - Poles, 5.1% - Jews, and 4.0% - Russians. The group of arrested and imprisoned people included representatives of all social strata and professional groups. Among the arrested and imprisoned people in Lithuania the majority were white-collar workers, blue-collar workers, craftsmen and farmers.

12. ***Consequences of unlawful arrests.*** In 1940-1941 prior to the Great deportation of 14 June, some 6 606 people were arrested after being accused of political crimes. Out of them 3 434 were taken to camps (this number of names is known, data available in archival sources maintains that 3 565 prisoners were deported). Of those, 24.7% perished in GULAG camps, the rest disappeared went missing. Certain ethnic affiliation (being a Lithuanian, Latvian, Estonian, or German) and imprisonment and charges of anti-Soviet activity or the factor of “social threat” formed an inalienable mix, which implied that no amnesties or conditional release from the places of imprisonment was valid for political prisoners of certain nationalities. After the expiry of imprisonment sentence and given the absences of additional punishment (deportation) Lithuanians nevertheless were forcibly held in camps, without the right to leave the area of labour camp until the end of the war. From 1946, [the relevant authorities] started creating new cases against former prisoners, who during the time of their sentence were or were not engaged in anti-Soviet activities, but posed a “social threat” (because of their earlier activities), and sent them to the Special Meeting institution. According to the Order of USSR Supreme Council Presidium of 21 February 1948, political prisoners who have served their entire sentence had to live in deportation under the MGB’s supervision and were resettled to certain areas of Siberia and certain Northern territories. Only 14% of former political prisoners returned to Lithuania.
13. ***Qualitative changes in the Lithuanian society.*** Unlawful arrests of 1940-1941 and deportations to camps left an impact on the society of Lithuanian whose consequences are difficult to define quality-wise:
  - (a) it exterminated a large proportion of professionals who had been trained in the independent Lithuania (politicians, lawyers, teachers, army and police officers etc).
  - (b) it destroyed a large proportion of the moderate opposition (of populist and social democratic orientation), and paralysed the attempts to stage unorganised resistance to the pursued policy and created conditions for untroubled implementation of policy of annexation and sovietisation;
  - (c) it generated an atmosphere of suspicion and intolerance in society, laid the groundwork for the tendencies of national intolerance to develop;
  - (d) the process of selection of groups of people carried out on the basis of Communist ideology, secret massive arrests, massive deportation of prisoners beyond Lithuania and wide use of

torture against the political opponents created the climate in which a certain portion of society accepted and learned the principles of a totalitarian state – first the Communist-Bolshevik, and later – National socialist.

Chairman

Emanuel Zingeris

Executive Director

Ronaldas Račinskas