

INTERNATIONAL COMMISSION FOR THE EVALUATION OF THE CRIMES OF  
THE NAZI AND SOVIET OCCUPATION REGIMES IN LITHUANIA

**Rules of Procedure**

*Approved by the Commission of 2 June 2000*

**Legal Framework and Structure of the Commission**

1. The International Commission for the Evaluation of the Crimes of the Nazi and Soviet Occupation Regimes in Lithuania (hereinafter referred to as the Commission) shall be composed of the Commission members approved by the decree of the President of the Republic of Lithuania.
  - 1.1. The composition of the Commission can be changed by the decree of the President of the Republic of Lithuania upon the proposal of the Commission. The decision on the composition of the Commission shall be taken by consensus.
2. The Commission's work shall be administrated by its Chairman approved by the decree of the President of the Republic of Lithuania.
3. The Commission aims at generalising research performed by specialists and experts on the crimes of the Nazi and Soviet occupational regimes as well as delivering the evaluation and informing the public thereof.
4. Taking into account that the Nazi and Soviet crimes were committed while pursuing different goals and applying different methods, the Commission shall divide its members into two sub-Commissions which coordinate and monitor how two expert groups investigate the crimes of the Nazi and Soviet occupational regimes.
  - 4.1. The sub-Commission for investigation of the crimes of the Nazi occupational regime in Lithuania shall aim at generalising the output and conclusions of expert research on the crimes, particularly the Holocaust, committed by the Nazi occupational regime in Lithuania, which would be submitted to the Commission for approval;
  - 4.2. The sub-Commission for investigation of the crimes of the Soviet occupational regime in Lithuania shall aim at generalising the output and conclusions of expert research on the crimes committed by the Soviet occupational regime in Lithuania, which would be submitted to the Commission for approval;
  - 4.3. The Commission members shall split into sub-Commissions by consensus, which are approved by the decision of the Commission;
  - 4.4. The work of the sub-Commissions shall be administrated by the Chairman of the sub-Commission who is approved by the decision of the Commission.
5. The work of the Commission shall be organised by the Secretariat which is administrated by the Executive Director of the Commission.
  - 5.1. The Secretariat is a budgetary institution established by the Resolution of the Government of the Republic of Lithuania;
  - 5.2. The decision on the appointment and dismissal of the Executive Director shall be

made by the Government of the Republic of Lithuania upon the proposal of the Commission.

6. The working languages of the Commission are Lithuanian and English.

### **Chairman of the Commission**

7. Rights and duties of the Chairman of the Commission are as follows:

- 7.1. To represent the Commission in Lithuania and abroad;
- 7.2. To call meetings and consultations of the Commission;
- 7.3. To chair the meetings and consultations of the Commission and either authorise other member of the Commission or the Executive Director of the Commission thereof;
- 7.4. To sign contracts and other documents on behalf of the Commission with the authorisation thereof
- 7.5. To sign resolutions and other documents of the Commission.

### **Members of the Commission**

8. Rights and duties of the Commission members are as follows:

- 8.1. To take part in the meetings and consultations of the Commission;
- 8.2. To vote on all the debated issues;
- 8.3. To take part in the discussion on the debated issues and submit proposals, comments and amendments orally and in writing;
- 8.4. To prepare, draft and submit issues for the debate in the Commission;
- 8.5. To make statements, pass remarks and make proposals on the operation and procedure of holding the meeting of the Commission;
- 8.6. To express one's own opinion on all the issues of the Commission's work;
- 8.7. To receive all the documents and information related to work of the Commission;
- 8.8. To call a meeting of the Commission at the request of one third of the Commission members;
- 8.9. To call a consultation of the Commission at the request of three members of the Commission;
- 8.10. To chair the meetings and consultations of the Commission upon authorisation by the Chairman of the Commission;
- 8.11. To popularise the activity and conclusions of the Commission.

### **Meetings of the Commission**

9. A meeting of the Commission shall be called on the initiative of the Chairman of the Commission or that of one third of the Commission members.
10. A meeting of the Commission shall be held taking into account the need, generally twice annually.
11. The meetings of the Commission shall be attended by:
  - 11.1. Chairman, members and Executive Director of the Commission;
  - 11.2. Approved members of the expert groups;

- 11.3. Coordinators of research programmes;
- 11.4. Approved researchers;
- 11.5. Staff of the Secretariat of the Commission;
- 11.6. Other experts and guests can take part in the meeting in the capacity of a guest upon the decision of the Commission.
- 11.6.1. After an efficient discussion in the Commission, the Commission may ask the guest to express his/her opinion on the debated issue.

**12. Meeting of the Commission shall make the decisions on the following:**

- 12.1. Evaluation of individual episodes of the crimes of the Soviet and Nazi occupational regimes in Lithuania;
- 12.2. address to the President of the Republic of Lithuania on the changes in the composition of the Commission;
- 12.3. Appointment to and dismissal from the office of the Executive Director of the Commission;
- 12.4. Composition of and chairing the sub-Commission;
- 12.5. Formation and composition of the expert groups;
- 12.6. Approval and amendments to the research programme and the work plan of the Commission;
- 12.7. Approval and amendments to the tends in activity of the Commission;
- 12.8. Approval of research time-schedule and priorities;
- 12.9. Approval of researchers;
- 12.10. Evaluation of the report by the Executive Director;
- 12.11. Evaluation of the report by the programme coordinator;
- 12.12. Other essential issues in the Commission's work.
- 13. The information on the decision to call a meeting of the Commission shall be provided two months in advance and the preliminary agenda of the meeting shall be sent out.
- 14. The agenda of the Commission shall be drawn by the Chairman of the Commission together with the Executive Director of the Commission and Chairmen of the sub-Commissions. The Commission members can make proposals in writing on the inclusion of issues into agenda within a month.
- 15. The agenda of the meeting, draft resolutions of the Commission and other materials shall be sent to the Commission members a month before the meeting.
- 16. The final agenda of the meeting shall be approved at the beginning of the meeting. Additional issues may be included into the agenda at the request of one third of the Commission members whereas the issue can be excluded from the agenda if more than a half of the Commission members are against it.
- 17. The debate of the issues in the meetings of the Commission.
- 17.1. The Commission members may submit the proposals in writing on the draft resolutions and other debated issues by the Commission no later than two weeks before the meeting.
- 17.2. Additional proposals may be submitted for the debate at the request of one third of the Commission members.
- 18. The meeting of the Commission shall be lawful given the attendance by two thirds

- of the Commission members.
19. Decisions on the evaluation of the crimes of the Nazi and Soviet occupational regimes shall be taken by consensus (the procedure shall be described in Items 50 – 55 of the Rules of Procedure). Other decisions by the Commission shall be made by simple majority voting.
  20. Minutes shall be taken during the meetings of the Commission.
  21. The decisions of the Commission shall be registered as resolutions. The resolution shall have its number and date. The resolution shall be signed by the Chairman or the Executive Director of the Commission. (Resolutions on the evaluation of the crimes of the Nazi and Soviet occupational regimes in Lithuania shall be signed by all the Commission members).

### **Meetings of sub-Commissions**

22. Meeting of the sub-Commissions shall be held individually. The member of the other sub-Commission may take part in the meeting of the sub-Commission and express his/her opinion on the debated issues upon the permission of the Chairman of the sub-Commission; however, he/she shall have no right to vote.
23. Sub-Commissions shall discuss and generalise the outcome and conclusions of the research of the specialists and experts into the crime of the Nazi and Soviet occupational regimes in Lithuania at the time of the Commission's work and prepare them for final approval by the Commission.
24. The agenda of the meetings of sub-Commission shall be drafted and approved and comments on the debated issues shall be submitted following the same procedure as for the meetings of the Commission. Chairmen of sub-Commissions and corresponding coordinators of research programmes shall be obliged to draft the agendas of the sub-Commissions.
25. Minutes shall be taken during the meetings of the sub-Commissions. Decisions of the sub-Commission shall be signed by its Chairman and the corresponding coordinator of a research programme.

### **Work in between the Meetings of the Commission and Consultations of the Commission Members**

26. Consultations of the Commission may be held between the meetings of the Commission for debating current issues.
27. Consultations may be called on the initiative of the Chairman of the Commission, three members of the Commission or the Executive Director of the Commission.
28. Consultations of the Commission shall be held taking into account the needs.
29. The information on holding the consultations of the Commission shall be announced ten days before the consultations. Preliminary agenda and draft decisions on the debated issues shall be sent out.
30. The Commission members may submit proposals in writing on the issues to be debated no later than two days before the consultation.
31. The Commission member may take part in the consultation by correspondence

- and expressing his/her opinion in writing (by fax, e-mail). The absence of reply to the submitted draft decision shall be considered as an approval.
32. Decisions shall be made during the consultations of the Commission by simple majority voting.
  33. Minutes shall be taken during the consultations of the Commission. The minutes shall be signed by the Chairman of the consultation and the person who took the minutes.

### **Secretariat of the Commission**

34. The Secretariat shall be directly subordinated to the Commission.
- 35. The Secretariat shall perform the following functions of:**
  - 35.1. Maintaining contacts between the Commission members and regularly informing them about the implementation of the decisions by the Commission;
  - 35.2. Ordering the research into history from research establishments in the Republic of Lithuania and abroad, evaluating the crimes of the Nazi and Soviet occupational regimes in Lithuania, upon the authorisation by the Commission;
  - 35.4. Accumulating and systematising the materials on the conducted research;
  - 35.5. Organising scientific conferences and seminars;
  - 35.6. Taking part in the activities for historical education of the public;
  - 35.7. Informing the public on the activity of the Commission and the Secretariat;
  - 35.8. Maintaining contacts with corresponding commissions abroad;
  - 35.9. Promoting the interest of foundations and other organisations and that of the public in the conducted research;
  - 35.10. Preparing the meeting upon the authorisation of the Commission;
  - 35.11. Implementing the decisions by the Commission;
  - 35.12. Accounting for the work carried out by the Commission.
36. The Secretariat shall be administrated by the Executive Director of the Commission who is appointed to and dismissed from the office by the Government of the Republic of Lithuania upon the proposal of the Commission.
- 37. Executive Director of the Commission shall:**
  - 37.1. Administer the Secretariat and be obliged for performing the functions commissioned to the Secretariat;
  - 37.2. Ensure that the activity of the Secretariat complies with the Constitution, laws and international treaties of the Republic of Lithuania, other legal acts adopted by the Seimas of the Republic of Lithuania, decrees of the President of the Republic of Lithuania, resolutions of the Government of the Republic of Lithuania, decisions of the Commission, other legal acts and these Rules of Procedure;
  - 37.3. Represent the Commission and the Secretariat in the Republic of Lithuania and abroad;
  - 37.4. Call consultations of the Commission;
  - 37.5. Define the structure of the Secretariat; approve the list of the staff without exceeding the maximum permitted number of staff as established by the Government of the Republic of Lithuania;
  - 37.6. Approve the job descriptions of the Secretariat staff;

- 37.7. Approve the rules of procedure of the Secretariat;
- 37.8. Employ and dismiss the staff, give incentives and provide for disciplinary penalty where needed.
38. The Executive Director shall have two deputies – the coordinators of research programmes who are responsible for the research of the crimes of the Nazi and the Soviet occupational regimes respectively.

**39. Coordinator of research programmes shall:**

- 39.1. Be directly subordinated to the Executive Director of the Commission;
- 39.2. Draft programmes and work plans for research programmes;
- 39.3. Be the member of a corresponding expert group, organise its activity according to the approved programmes and work plans and call meetings;
- 39.4. Be responsible for the outcome of the work by the expert group and the researchers;
- 39.5. Be responsible for organising work of the corresponding sub-Commission;
- 39.6. Regularly account to the Commission for the work performed;
- 39.7. Upon the decision of the Commission, make draft contracts with Lithuanian and foreign researchers for conducting historical research and submit thereof the Executive Director;
- 39.8. Accept the research by researchers by signing the act on the receipt of the performed work.

**Drafting and Evaluating Conclusions by the Commission**

**Expert Groups**

**40. Functions of the expert groups shall be as follows:**

- 40.1. To debate and define the priorities and problem areas in an individual research topic (within the framework established by the Commission);
- 40.2. To draft the plan for conducting research and submit thereof to the Commission for approval;
- 40.3. To select researchers and submit their list to the Commission for the approval;
- 40.4. To debate and approve the descriptions of problem areas and research drafts submitted by the researchers;
- 40.5. To define the structure of the conclusions to be drawn;
- 40.6. To debate the outcome of work of individual researchers and propose possible additional research;
- 40.7. To form conclusions and submit thereof to the corresponding sub-Commission.

**41. Composition and structure of the expert group.**

- 41.1. The international expert group shall be composed of and dismissed by the decision of the Commission.
- 41.2. Individual expert groups shall be set up for the expertise of the research on the Nazi and Soviet occupational regimes;
- 41.3. The members of the expert group shall be proposed by the members of the Commission and the coordinators of research programmes;

- 41.4. The most outstanding Lithuanian and foreign researchers shall be invited to the expert group;
- 41.5. The Commission shall approve the experts;
- 41.6. The coordinator of research programmes is the member of the expert group, who is responsible for organising work within the group.
- 41.7. The compositions of the experts groups are considered non – final. If required, the experts shall be invited for every research additionally.
- 42. Organising work in the expert group.**
- 42.1. The meetings of the expert group shall be called on the initiative of the coordinator of the research programme;
- 42.2. Meetings can be held by employing modern means of communication (Internet conferencing etc.);
- 42.3. Submitting the statement of opinion in writing shall also be considered as taking part in the meeting;
- 42.4. The decisions taken are lawful given that no less than two thirds of the Commission members take part in the meeting of the expert group;
- 42.5. Generally, the decisions of the expert group shall be taken by simple majority voting;
43. The work of the members of the expert group may be paid.

### **Process of Drafting Conclusions by the Commission**

#### **44. Selection of researchers.**

- 44.1. Researchers shall be selected individually for each individual item of the Commission's research programme;
- 44.2. One item in the Commission's research programme may be researched by several researchers;
- 44.3. The most outstanding specialists in corresponding areas shall be invited as researchers from Lithuania and abroad;
- 44.4. Member of the Commission or the expert group can also be the researcher (in such a case he/she will sustain from voting on the decision when the completed work is debated);
- 44.5. The coordinator of research programmes shall identify the persons and institutions conducting corresponding research in Lithuania and abroad;
- 44.6. The meeting of the expert group shall discuss and define priorities in an individual topic of research, possible problem areas, as well as discuss and define potential candidates;
- 44.7. Address all potential researchers proposing cooperation;
- 44.8. Potential researchers shall submit the abstract of the problem areas and the project of research;
- 44.9. The expert group shall discuss and approve the list of researchers, abstracts on problem areas and projects of research drafted thereby;
- 44.10. The chosen candidate by the expert group shall be approved by the Commission;

#### **45. Conducting research.**

- 45.1. Copyrights contract (drafted by the coordinator of the research programmes and submitted for the approval to the Executive Director of the Commission) shall be concluded between the researcher and the Secretariat of the Commission to carry out research;
- 45.2. After the work provided in the research programme is completed (according to the terms established in the contract), the coordinator of research programmes shall periodically draft acts on performed work, which are approved by the Executive Director of the Commission.

**46. Stage I of research.**

- 46.1. Contracts shall be concluded with researchers on the in-depth analysis of the work that has been performed on a corresponding topic and sources thereof during Stage I of research;
- 46.2. The following structure of the conclusions is approved, including:
  - 46.2.1. Historiography (key concepts);
  - 46.2.2. Bibliography;
  - 46.2.3. Conclusions (text in the form of a thesis);
  - 46.2.4. Explanation of the concepts of terminology used;
  - 46.2.5. Annex of records (copies and translations of the original documents mentioned in the conclusions);
- 46.3. Stage I of research is generally aimed at work of one quire (excluding the annex of records);
- 46.4. The work conducted by the researcher is debated in a corresponding expert group and is returned for improvement where needed;
- 46.5. Having approved the corresponding work, the expert group shall draft general conclusions on the researched topic and together with the major work submit them for the debates in the corresponding sub-Commission; (where the research has been conducted by several researchers, the expert group shall draw one general conclusion).
- 46.6. The conclusion drafted by the expert group shall be debated in the meeting of the sub-Commission and, where needed, the existing conclusion can be improved and returned to the expert group or researcher;
- 46.7. The coordinator of the research programme and a corresponding researcher must present and take part in presentation of the conclusions, and other members of the expert group may also take part in the debate;
- 46.8. The meeting of the sub-Commission shall take the decisions on:
  - 46.8.1. Whether the compiled materials can ground the formulation of final conclusions of the Commission and submission of the draft conclusions to the Commission;
  - 46.8.2. Whether additional research is required by specifying it.
- 46.9. In both the cases the completed extensive bibliographies prepared by the researchers and debated by the expert group are prepared as individual report and made public (the Commission has all the copyright thereof).
- 46.10. Pursuant to the recommendation of the sub-Commission to approve final conclusions, the Commission may make a decision to approve, amend or return them for furnishing with additional research.



#### **47. Stage II of research.**

- 47.1. After the decision is taken in the meeting of sub-Commission to conduct additional research, the researchers shall be selected individually (additional research may be ordered from other researchers) as in Stage I of research (Item 44);
- 47.2. The research shall be ordered and performed according to the same procedure as in Stage I of research;
- 47.3. The conclusions drafted by the expert group and approved in the sub-Commission shall be submitted to the Commission for final approval.
48. Where needed the experts of the International Commission shall submit legal evaluation of the conclusions by historians-experts.
49. To ensure transparency in the research process and formulations of the conclusions, it shall be advisable to initiate research and final conclusions by the experts during the research seminars and conferences.

#### **Adoption of the Conclusions by the Commission**

50. The conclusions shall be submitted for the approval to the members of the Commission two months in advance.
51. Within one month the Commission members shall submit their comments in writing, which shall be generalised by the corresponding research coordinator no later than two weeks before the meeting of the Commission, and information shall be provided thereof to the Commission members.
52. The comments submitted after the deadline may be debated if only more than a half of the Commission members are in favour.
53. Usually the final conclusions of the Commission shall be adopted by consensus.
54. The Commission member who disagrees with the text of the conclusions must provide the motivation in writing on the reasons for disapproval specifying where his/her disagreement lies and why.
55. In case one or few Members of the Commission disagree with the conclusions proposed by the majority, their opinion shall be considered and announced together with the main conclusions of the Commission as an inseparable part of whole material.

#### **Announcement of the Conclusions and Research Outcome of the Commission**

56. Approved conclusions of the Commission, different opinions of the Members of the Commission, research outcome and additional materials shall be made public.
58. The Secretariat of the Commission shall be concerned with making the conclusions public.