

Rudzinskas and partners

To: Birutė Burauskaitė, director  
Center for the Study of the Genocide and Resistance of Residents of Lithuania  
e-mail: birute\_burauskaite@genocid.lt

cc: internet editorial office, Lithuanian Public Radio and Television  
e-mail: portalas@lrt.lt

ON THE RETRACTION OF FALSE INFORMATION  
February 2, 2020, Vilnius

I address you representing the interests of Lithuanian citizen Grant Arthur Gochin (hereinafter Client).

The Lithuanian Public Radio and Television internet page on December 27, 2019, published an article called "Genocido centro vadovė: svarbu ne istorinis išsilavinimas, o tikėti tyrimų rezultatais" [Genocide Center Director: History Education Not Important, Believing in Results Is] which contained false information. <sup>1</sup> The publication was also made in the English language (and possibly Russian as well). <sup>2</sup>

The publication is a transcription from the Lithuanian Public Radio and Television radio show Aktualijų studija [Current Events Studio] hosted by Mindaugas Jackevičius in which you, Teresė Birutė Burauskaitė, said the following words, which were later published in written form. Quoting your words, it is written:

According to her, "it has never happened in this way, that our (the Genocide Center's--LRT.lt) conclusions or findings were annulled." **"We know that suit was filed the finding on J. Noreika with the administrative court," the director of the Center for the Study of the Genocide and Resistance of Residents of Lithuania said, 'but the Vilnius Administrative Court found the findings were made based on academic methodology.'"**

The English-language translation on the site stated that (cit.):

**"The Center's conclusions have never been dismissed," said the Center's director. 'A [report] on Noreika was once taken to an administrative court [in Vilnius], but it ruled that the conclusions were made using scientific methodology.'"**

**This is false information.** It's clear this is discussion about finding of the Vilnius District Administrative Court of March 27, 2019, in case no. el-534-281/2019 concerning the call for annulling the historical finding on Jonas Noreika which is now undergoing appeal.

**The court finding in the case has not come into legal force, it is under appeal with the request to return the case to the court for full reconsideration.** The call for annulment of the finding was rejected because of one technicality. The court felt the plaintiff contacted the Genocide Center with a request (rather than a complaint) on an administrative procedure, the

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<sup>1</sup> <https://www.lrt.lt/naujienos/lietuvoje/2/1128465/genocido-centro-vadove-svarbu-ne-istorinis-issilavinimas-o-tiketi-tyrimu-rezultatais>

<sup>2</sup> <https://www.lrt.lt/en/news-in-english/19/1133937/lithuanian-officer-in-holocaust-controversy-saved-jews-does-evidence-stack-up>

provision of information, which was presented to the plaintiff in the Genocide Center's letter no. 14R-52 dated July 18, 2018.

**The court didn't consider the content of the Genocide Center's historical finding.** The court did not consider historical documents and arguments presented by the plaintiff which show the finding needs to be changed. The court made no statement regarding these matters because it didn't consider them. The court never said or even hinted "that the historical findings were made based on academic methodology."

This information presented to the public is not in keeping with the truth. You spread disinformation via the state broadcaster which has the reputation of being a reliable and objective broadcaster. The false statement was made, using the authority of the courts for cover, in order to defend the reputation of the Genocide Center from the criticism of scholars from Vilnius University and the Lithuanian History Institute regarding the Genocide Center's new historical finding.

In light of the facts and circumstances, this knowingly false statement was made out of self interest, attempting to defend your authority as director of the Genocide Center and the authority of the Genocide Center itself. You signed your signature to the historical finding on Jonas Noreika criticized by the historians. By telling the public via the state broadcaster that "the court found the findings were made based on academic methodology," you are attempting to defend your authority by lying.

This does harm to the honor, dignity and public reputation of my Client. The Client's suit for changing the historical finding on Jonas Noreika has attracted much public attention.

**Mendacious claims that the Genocide Center's research methodology was approved by a decision of the court creates a negative public opinion about the Client.** The fake news item gives the impression the Client is presenting baseless demands for changing the historical finding on Jonas Noreika, since, as alleged but not in fact the case, a court considered the case and confirmed the historical finding had met academic standards.

The demand the historical finding be changed was presented to the court with the argument the finding was not academic since it ignored and failed to include documents demonstrating Jonas Noreika's culpability in the Holocaust, and that it subjectively and illogically (unacademically) interpreted the historical events. The non-academic nature of the historical finding forms the basis for the complaint, but you tell the public the court has recognized the finding as academic. In view of the large audience of Lithuanian Public Radio and Television listeners and readers, this does great harm to the ongoing legal proceedings and to the Client's public image. It does damage to the Client's dignity and honor and belittles his authority in his efforts to restore historical justice.

Based on the foregoing and in keeping with article 19, part 2 and article 11, parts 1 and 2 of the Law on the Provision of Information to the Public, and on article 2.24 of the Civil Code, I demand that, not later than February 9, 2020, at your expense and through your own efforts, the news section of the Lithuanian Public Radio and Television web page (or within the existing articles in Lithuanian and English) <sup>3</sup> carry without further comment in Lithuanian and English the following:

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<sup>3</sup> <https://www.lrt.lt/naujienos/lietuvoje/2/1128465/genocido-centro-vadove-svarbu-ne-istorinis-issilavinimas-o-tiketi-tyrimu-rezultatais> , <https://www.lrt.lt/en/news-in-english/19/1133937/lithuanian-officer-in-holocaust-controversy-saved-jews-does-evidence-stack-up>

"The statement Teresė Birutė Burauskaitė made on the Lithuanian Public Radio and Television radio program Aktualijų studija on December 27, 2019, that 'the Vilnius Administrative Court found the findings were made based on academic methodology' is not true. The court did not consider the content of the historical finding in the case and said nothing about it in its verdict."

Respectfully,  
Rokas Rudzinskas, attorney

APPENDED:

- 1) Contract on legal representation
- 2) Copy of the decision of the Vilnius District Administrative Court of March 27, 2019, in case no. el-534-281/2019 (not in legal force), exclusively to Lithuanian Public Radio and Television

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