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Transitional Justice in a Post-Soviet Nation: The case of Lithuania

Abstract. Transitional justice issues of Lithuania are typical for the post-Communist countries of the Eastern and Central Europe. Unlike in post-conflict societies, transitional justice under the conditions of non-violent change involves principally social justice, restitution of property and, in certain cases, compensation to the victims of the former regime and minority rights issues. Scarcity of available resources and lack of political will limit the capability of the post-Communist regimes to deal effectively with transitional justice issues and contribute to the growth of social cleavages and, ultimately, of political instability.

Transitional justice by definition has been a topical issue throughout the history of mankind, especially during the periods of revolutions, constitutional developments, political and social reform, and other major changes. Somewhat paradoxically, despite the fact that human rights became a major political issue with the inception of the United Nations and various specialized NGOs, it is only since mid-1990s that transitional justice has emerged as a specific branch of human rights. International Center for Transitional Justice was founded in 2001 with the aim of "providing assistance to justice and truth-seeking institution, civil society organizations, governments and international organizations" and is actively working in 28 countries, typically those that have experienced major internal conflicts¹. The number of international institutions dealing with transitional justice is growing, reflecting the increasing concern for justice issues. In the European Parliament suggestions have been made in 2006 to make transitional justice an integral part of the Common Foreign and Security Policy of the European Union².

Typically, transitional justice deals with the consequences of war and mass crime and violation of human rights, as redressing the victims of violence is of primary importance for post-conflict societies. Hence it is logical that the focus is on the countries that have recently experienced large-scale conflicts and repression, such as in Bosnia, Afghanistan, Iraq,

¹ <http://www.ictj.org/en/about/mission/>

Rwanda, South Africa, to mention but a few. However, there is a growing understanding that transitional justice is a major issue for the countries in different stages of transition from authoritarian, notably communist, regimes to democracy as large sections and specific groups of the population in post-totalitarian and post-communist countries have numerous grievances and claims to justice: elimination of discrimination (on the basis of gender, race, ethnicity, etc.), compensation for imprisonment, exile or deportations, restitution of property, for the loss of their savings, etc. Solving these issues is complicated since the new democratic regimes cannot be held responsible for the actions of previous regime, especially if it was imposed from outside (as in former "socialist" countries of Central and South-Eastern Europe), or, in the case of constituent republics of the former Soviet Union, independent states were annexed and the puppet governments had been turned into local administrative bodies of the centralized system of government. In all cases, there is fairly strong quest for justice, influencing the political process in the post-communist countries of Eastern and Central Europe.

Lithuania: Interpreting the Transitional Justice

Lithuania is a small country (population about 3.4 million), but it is a typical case. From the viewpoint of transitional justice the Lithuanian case is an excellent object of analysis, as it comprises nearly all issues³ of transitional justice in post-Communist nations. After two decades of independence during the interwar period, it was annexed by the Soviet Union under Ribbentrop-Molotov pact of 1939, occupied by Nazi German troops during the World War II, again reannexed ("liberated") by the USSR in 1944-45. It regained its independence during the breakup of the Soviet Union, although it had declared its independence unilaterally on March 11, 1990.

During the decolonization period (1940s to 1960s) the term 'revolution of rising expectations' was widely used in the analysis of postcolonial developments. Similarly, in the

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http://www.futurdeleurope.parlament.gv.at/meetdocs/2004_2009/documents/pv/630/630509/630509en.pdf

³ No ethnic cleansing and warfare, similar to those in some regions of the Balkans and the Caucasus, has taken place in Lithuania. In this respect, the Lithuanian situation is like in other post-Communist states of Central Europe.

post-communist countries both the political elites and the population at large seemed to be convinced that with the advent of independence and collapse of the Communist system all problems would be solved, that truth and justice would prevail. Less optimistic warnings by some analysts were brushed aside as irrelevant or even provocative.

However, after one and a half decades since independence it seems that discontent and dissatisfaction in Lithuania are more widely spread than under the Soviet regime, although it is difficult to make a balanced assessment as during the Soviet period claims and opinions could not be articulated openly and were not monitored. On the positive side, the state reappeared on the map of the world, joined the NATO security system and the European Union, representative system of government has been established, and political rights of the people are respected. However important these changes might be from the historical and political perspective, they are perceived by the wide strata of the population and particular groups not as an end but as a means of achieving such diverse and often even incompatible aims as personal well-being and a welfare state, gaining group privileges and achieving justice and equality. The record of the present democratic regime in dealing with these issues is a mixed one: in some areas obvious progress has been made, in other areas the developments have been slow, while in some areas new problems have come to the fore as the result of political inefficiency, lack of political will, or resistance of influential groups.

Unlike in post-conflict societies that have experienced mass violence and achieving justice is principally a legal issue, in post-communist societies the lines between justice and injustice are blurred, and dealing with the issue in many cases depends upon value systems, political affiliation, social status, and the perception of the emerging master project of the future society.

There is a number of justice issues, each of them ranked in a different way by particular social strata, membership in different social, ethnic and other groups. Except for the common denominator of 'justice', different groups of the population have no consensus over the contents of the term. Paradoxically, the very term *transitional justice* is totally absent from the Lithuanian political idiom, and the only instance I found of it being used was in a translation of the minutes of the public hearings on transitional justice of the Subcommittee of

Human rights of the European Parliament, dated August 28, 2006⁴. The absence of the term is a symptom of the fact that despite the introduction of the rule of law the political and intellectual elites have no comprehensive vision of justice, and in each particular case much of the debate revolves around basic principles. Generally, the issues fall into four broad categories, viz. victims of the communist regime, the Holocaust issue, restitution of property, rights of ethnic minorities.

Victims of the communist regime

There were several important landmarks in the research and evaluation of the consequences of the Nazi and Soviet regimes in Lithuania.

Before independence, in July 1988 a commission of enquiry into the crimes of stalinism was set up by the democratic movement *Sajudis*. In 1992 State Centre for the Enquiry of Genocide in Lithuania was created, reorganized in 1998 into the present *Genocide and Resistance Research Centre of Lithuania*.

In 1998 an *International Commission of Enquiry into the Crimes of the Nazi and Soviet Occupation Regimes in Lithuania*, including well-known intellectuals from Lithuania, Israel, United Kingdom, Germany, and the Jewish community of the United States. One of the aims of the commission is to assist in establishing historical justice, especially concerning genocide and the Holocaust.

Vilnius International Public Tribunal on the Evaluation of Crimes of Communism, which had its sessions from June to September 2000, was an important ideological landmark for the formulation of justice in post-communist countries. Experts from Lithuania, Latvia, the United States, Slovakia, Hungary, Albania, Ukraine, Bulgaria, Estonia participated. The Tribunal established that during 1941 to 1953 the communist regime practiced genocide in Lithuania as 132,000 persons, including 50,000 women and 39,000 children were exiled, of whom 29,000 died of hunger, illness, cold, and hard work. During 1940 to 1957 over 1,000 persons have been executed, and over 20,000 were killed during the resistance movement 1944-1953. In the face of Communist repression, 444,200 persons fled from Lithuania to the

⁴ See footnote 2.

West during the World War II. The total losses of the population amounted to 780,922 persons, or nearly one-quarter of the total population of 3 million (in 1939)⁵.

Most of those who survived were permitted to return after the partial de-stalinization of the regime in 1956 following the Twentieth congress of the Communist Party. At present only few thousand victims of the Soviet regime are alive (in 2002 the Union of the Exiles and Prisoners had 15,400 members). After the break-up of the Soviet Union the government of Lithuania made approaches to the government of Russia, the successor state to the Soviet Union, indicating the need of compensations and pointing to the example of Germany. However, no meaningful dialogue took place, and the government of Lithuania in 1994 adopted a law, providing special state pensions to nine categories of victims, viz. (1) persons who became partly or totally disabled during the events of January 11-13, 1991 (2) former political prisoners and exiled persons (3) participants of the resistance movement of the period 1940 to 1990, (4) persons deported for forced labour, survivors of the ghettos and concentration camps of the World War II, (5) persons who served in the armies of the anti-Nazi coalition states, (6) Chernobyl disaster participants, (7) persons, who became disabled as a consequence of the service in the Soviet armed forces during 1945 to December, 1991, (8) persons who during their military service in the Soviet army had been sent to Afghanistan and (9) persons who under the agreement between the USSR and Nazi Germany of January 10, 1941 on the exchange of population have been settled in Lithuania⁶. State pensions were also allotted to the parents, spouses and children of the persons who perished while participating in the resistance movement, events of January, 1991 (when Soviet troops attacked the Vilnius TV station and 13 people were killed), and during the military service in the Soviet army. The size of the pensions was correlated with one of these categories and the degree of incapacity inflicted and varied from eightfold basic state pension (i.e. litas 172x8 = litas 1376, or about \$530 at the current rate of exchange – somewhat below the average wage) to twofold (i.e. litas 172x2 = litas 344, or about \$130).

De-stalinization process in the former Soviet Union has never been fully completed, and except for Lavrenti Beriya, who was shot at at a Communist party Politburo meeting on July 10, 1953, no one was condemned or tried for the crimes of the regime. At present, half a

⁵ http://ok.w3.lt/cgi-bin/tribunal/En_Tr_ruling.htm#RULING

⁶ <http://www.socmin.lt/index.php?1575288711>

century after the end of mass repressions, the number of those suspected of having committed crimes, is insignificant, besides, in Lithuania a large part of the relevant archives have been either destroyed, or removed to Moscow, so there is virtually no one to be prosecuted for the crimes of genocide. The only exception are persons, involved in January 1991 events, mentioned above, and the massacre at the Medininkai border post, where on July 31, 1991 seven unarmed guards were killed by a group of Soviet special police force from Riga. The identity of some of the killers has been established by Lithuanian court, however they are beyond the reach of the Lithuanian justice in Russia, Belarus and probably some other post-Soviet republics. Only two top-level members of the pro-Moscow communists⁷ have been tried and convicted.

Like in other post-communist countries lustration law, entitled “Concerning the evaluation of the USSR State security committee (NKVD, NKGB, MGB, KGB) and the current activity of the cadre employees of that organization”, which barred the former security staff members to work in state offices, communications systems, security, banks, private detective bureoes, and education institutions. Several of the affected persons have sued the government in the European Human Rights Court and have won their cases, however the government has ignored the court decisions.

One of the most visible forms of decommunisation in Lithuania and other post-communist countries (Russia being the major exception) was the demolition of numerous monuments to communist revolutionaries, statesmen, and World War II heroes. In Lithuania the monuments in military cemeteries remained intact, and only the the monument to a famous Russian General, twice hero of the Soviet Union was removed from the centre of Vilnius in 1991 and reinstalled in his native town Voronezh, while his remnants, following the request of the general’s daughter, were re-buried in Moscow’s prestigious Novodevichye cemetery Dismantling of the monument and re-burial took place when Russia was preoccupied with economic crisis and other domestic developments, and, unlike in the case of the military monument (the Bronze Soldier) and grave in Tallinn, Estonia in April 2007, the case did not evoke any reaction in Russia. Many other monuments were collected in Lithuania

⁷ In 1989, during the period of political liberalization in the Soviet Union, the Communist party organization, seceded from the Communist party of the Soviet Union, except for a faction which remained loyalto Moscow and subsequently participated in the events of January 13, 1991 and later supported the failed coup in August.

by a local businessman and exhibited in a special park (Grutas) near the resort town of Druskininkai, it became a major attraction, especially for foreign tourists. Thus, unlike in Estonia, demolition of the Soviet-period monuments did not turn into a justice issue.

The Holocaust Issue

From the legal viewpoint the holocaust issue is of marginal importance as there were only few cases brought before the court. However, the issue is highly ideological and often makes headlines due to the international pressures.

Before the World War II there were about 220,000 Jews in Lithuania including the Vilnius region, attached in 1939. About 90 per cent of them were killed during the war in Nazi concentration camps, the percentage of the victims being among the highest in Europe (alongside with Poland and Latvia). Although many Lithuanians risked their lives while trying to save their Jewish neighbours, there was a number of persons who collaborated with the Nazis and actually took part in mass killings. After independence the Lithuanian government started issuing certificates of exoneration to Lithuanians accused of anti-Soviet activities and of war crimes by Soviet courts after World War II. However, international Jewish organizations protested that some of those pardoned had actually participated in the mass murder of Jews during the World War II, and the process was suspended. The government admitted it had acted too hastily, and established an independent commission to review individual cases more carefully. President of Lithuania Algirdas Brazauskas also admitted the fact that some Lithuanians participated in mass murder of the Jews, expressed his excuses and shouldered the responsibility to persecute war criminals in his speech at the Israeli parliament in March 1995⁸. However, there were only few, rather controversial trials of the suspected participants. In 2000 one of the suspects died at the age of 93 before his case was completed, in 2001 another one of the same age was accused of genocide crime, but no penalty was applied as the culprit had a mental illness. Jewish organizations in Israel (notably Simon Wiesenthal Center, Association of Lithuanian Jews in Israel) and some members of the remaining small Jewish community in Lithuania claim that the Lithuanian commission is not sincere, and accuse the courts of being too lenient to the persons, accused of genocide.

Generally, except for brief outbursts of debate and a share of anti-Semitic comments by readers of online press, the holocaust problem in Lithuania has not turned into a major issue of transitional justice.

Restitution of Real Estate

For its economic, social, and legal importance it is by far the most important issue of transitional justice. Under Soviet regime all land was nationalized and legally belonged to the state, so did all the industries, public buildings and municipal housing. However, unlike in Russia, rural population, many inhabitants of smaller towns and, to a lesser degree, even in the cities many had privately owned houses.

After the collapse of the communist regime a law on limited restitution (as part of land reform) was adopted in 1991 and amended in 1997, providing that all of the nationalized property had to be restored to (a) persons who inherited property rights from their parents or other relatives who owned the property till the annexation in 1940, and (b) to religious communities⁹.

The restitution issue in Lithuania is very similar to that in other countries of Central and Eastern Europe, especially neighbouring Poland. The issue is highly complicated, as in both countries (to lesser extent in other states of the region) both the territory of the state and the ethnic composition of the population changed dramatically. Poland lost her Eastern provinces to the Soviet Union and was allotted smaller, but much more developed, areas that before World War II belonged to Germany. Lithuania acquired her historical capital Vilnius and the surrounding region from Poland, and the Klaipeda region (*Memelgebiet* in German), which it had annexed in 1923 and ceded again to Germany in 1939. Before the war the population of Vilnius region was mostly Polish and Jewish (in the urban areas), while in the Klaipeda region the urban population was mostly German. During the war the Jewish minority was virtually exterminated, some 150,000, or nearly half of the ethnic Poles left for Poland, while the inhabitants of the former *Memelgebiet* – both ethnic Germans and Lithuanians – after

⁸ <http://www.urm.lt/index.php?-595976267>

⁹ *Lietuvos Aidas* 02 Aug., 1991; *Valstybes ziniuos* 23 July, 1997.

1956 were permitted to move to West Germany. Thus, much of the real estate, notably in the capital Vilnius and port city Klaipeda, could not be legally claimed by the present population of Lithuania.

On July 25, 1991, i.e. before Lithuania became independent *de facto* (although independence had been proclaimed unilaterally on March 11, 1990) the parliament adopted *The Land Reform Law*. It recognized two forms of land ownership, viz. private and state owned. The land under roads, airports, state owned industries, the plots used for public purposes was to remain state property. The right to private ownership of land was conferred exclusively to the citizens of Lithuania permanently residing in the state (later the right was extended to all citizens of the European Union). The citizens could purchase the land up to 50 hectares (0.2 hectares, or 0.5 acres in cities and health resorts and 0.3 hectares in smaller towns and settlements). The right to restitution of property was limited to the citizens of Lithuania (except for particular cases, parallel citizenship of other states is not legally recognized) permanently residing within the country.

After twelve years, the land reform is not completed. Proving property rights and overcoming diverse obstacles that came into being during half a century proved to be complicated and provided ground for administrative corruption, especially when the property concerned was close to cities (particularly the capital Vilnius), the seacoast, lakes and rivers. Legally, the situation became even more complex when the law was amended to permit the restoration not of the original property, but equivalent real estate in other region. Thanks to this legal trick, thousands of influential persons, including politicians, bureaucrats, businessmen and even criminal bosses, residing in the major cities, were able to “restore” property in Vilnius region in lieu of real estate owned by their (grand)parents in remote areas, despite the obvious difference of the market price of the plots concerned. Restitution of valuable property (near the cities and the Baltic seacoast) to the ordinary citizens who lacked influence or money turned into a highly tedious process. Even more complicated is the restitution of real estate in major towns, especially Vilnius and Kaunas. The real estate restitution law was later amended to permit the residents of the houses to privatize their apartments, while the successors to the ownership rights were to be paid compensations. This solution in many cases produced tensions between the parties concerned, and created more ground for red tape and opportunities for administrative corruption. Restitution issue has

become one of the reasons why Lithuania ranks low in the Transparency International corruption perception scale¹⁰ and to certain extent low trust of the citizens in the parliament, the government, and courts.

Restitution of communal property

During the Soviet period many Catholic and Russian Orthodox churches, monasteries, Jewish synagogues and other buildings belonging to the religious communities were closed, turned into depots, picture galleries, museums and even factories. Already during the *perestroika* period in late 1980s the process of returning the property to the communities was initiated. In 1995 a law on the restitution of property rights of the religious communities was adopted. The process was generally smooth and did not lead to conflicts, except in the case of the Jewish community, despite the fact that it is quite small, numbering about 4,000 citizens. However, before the war the Jewish community in Lithuania, like in many other countries of Europe, had property, valued between 10 to 15 billion USD (prewar value). In Western Europe, the compensations paid to the Jews amounted to about one-fifth of the lost property value¹¹, although in France, Germany and Belgium the compensation was proportional to the pre-war value¹². In former Communist countries of the Eastern and Central Europe no compensations were paid to those who could claim property rights.

In Lithuania, the Jewish claims were advanced by the Lithuanian Jewish Community (LJC) and the Jewish Heritage of Lithuania Foundation, set up in 2005 jointly by LJC and American Jewish Joint Distribution Committee. Among its Board members was secretary of the foreign department of the US Jewish committee Rabbi Andrew Baker. Unofficially it was known, that the issue of Jewish property could influence the admission of Lithuania to the NATO and the European Union¹³, despite the fact that international Jewish organizations had declared their support for Lithuanian

¹⁰ 2006 Lithuania ranked 46th, markedly below the developed countries, although slightly above Latvia, Slovakia, Greece, and Poland not to mention Russia (121st) or Belarus (151st).

¹¹ Associated Press quoted by Lietuvos Rytas, Jan. 22, 2007.

¹² Lietuvos rytas, Feb. 03, 2007.

¹³ Kauno diena. April 9, 2002.

membership in the NATO. The legal basis of the restitution of, or compensation for the property of religious communities was an act adopted in 1995. However, during the following years restitution of Catholic church property was going on, while the interests of other communities were given scant attention. Finally, a governmental working group was set up in January 2002. The Lithuanian Jewish community and several foreign Jewish organizations initially claimed the rights to 145-150 buildings, while the Archives department of the government stated that the relevant documents were available for 63 buildings (24 in Vilnius and 22 in Kaunas) as having belonged to the Jewish community¹⁴. Later the claims grew to 438 buildings, followed by 900 and finally reached 1,600 objects, including former schools, hospitals, welfare organizations. (For comparison, the Czech government has agreed to return about 200 buildings, while in Poland, which had over 3 million Jews in 1939, the Jewish community claimed about 3,500 buildings). The government argued that only the property of religious communities was to be returned (or compensated for) while the Jewish organizations insisted that in the Jewish community no difference existed between religious and public, or communal property. The government planned to start the restitution and compensation process not earlier than 2009, i.e. after the compensation of lost savings in the banks was completed, and to complete by 2020. It was estimated that the restitution and compensation would total up to 170 million litas, or about \$65 million at the current exchange rate¹⁵, which is a surprisingly low figure, considering the cost of the buildings, located in central parts of towns. In 2006 the law of restitution of religious property was amended, and the provisions were included that in case of the Jewish community the property rights belonged exclusively to the Jewish Heritage Foundation of Lithuania, established by LJC and several international Jewish organizations, and that the property returned and the compensations paid would be used for the religious, cultural, educational, scientific and charity purposes of the Lithuanian Jews or other purposes fixed in the Statute of the Foundations. On several occasions Rabbi Andrew Baker, director of International Jewish Affairs of the American Jewish Committee, discussed the issue with the Prime Minister Algirdas Brazauskas and President Valdas Adamkus. A

¹⁴ Lietuvos rytas, Dec. 29, 2003.

¹⁵ <http://www.delfi.lt/archive/article.php?id=10809164>.

compromise solution seemed in sight as the difference narrowed down to some 400 claimed by the Foundation and 138 buildings recognized by the Archives department as having belonged to the Jewish religious community before the World War II, and valued about 500 million litas (c. 200 million USD), and the government agreed to pay the mentioned compensation of 170 million litas. However, the process stalled while the draft was coordinated with different Jewish organizations and the US Embassy. Several Jewish organizations, notably the *World Federation of United Jews Litvaks (WFUJL)*, *Litvaks Movement Center (LMC)*, *Jewish Rabbinical Court of Vilnius*, questioned the exclusive right of the Jewish Heritage Foundation to the Jewish property, as the LJC represented only about 20 percent of Lithuanian Jews and there were both individuals and organizations that actually inherited the right to particular buildings¹⁶. On June 14, 2007 Prime Minister Gediminas Kirkilas received a letter from Rabbi Samuel Jacob Pfeffer, Dean of the Jewish Rabbinical Court of Vilnius and President of the WFUJL, stating *inter alia*: “It is astonishing and extremely troubling, that neither the Lithuanian Jewish Community, nor the Lithuanian Jewish Heritage Foundation, nor the United States Government, nor the World Jewish Committee informed us about an ongoing process of negotiations” [between the Lithuanian Jewish Heritage foundation and the government of Lithuania. – A.P.]¹⁷. Also, suspicions have been articulated that significant part of the expected compensation would go to foreign Jewish organizations. The intrigue increased with the involvement of the United States. In 2002 an agreement has been signed between US and Lithuania concerning the preservation of cultural objects, with Lithuanian party believing that the US had few, if any, interests in Lithuania. However, at the end of 2006 the Americans presented the Ministry of Culture a list of some 100 objects, mostly synagogues, Jewish cemeteries, burial grounds of the Holocaust victims. Incidentally, similar lists have been presented to Poland and Ukraine. Lithuanian government reacted swiftly. A special commission was set up in February 2007 which produced a list of 118 objects of Lithuanian concern in the United States,

¹⁶ Lietuvos žinios, Feb. 5, 2007.

¹⁷ Respublika, June 15, 2007.

including a number of churches that have been closed or demolished in Chicago, New York and other cities¹⁸.

Restitution of Jewish property remains a live issue with international reverberations and occasional anti-Semitic outpourings in the Internet news homepages.

Compensating the lost savings

Due to hyperinflation of the early 1990s in the Soviet Union, most inhabitants of Lithuania lost their savings in the state-owned Savings bank of the USSR. After independence the government undertook an obligation to compensate the losses up to the amount of 6,000 litas (c. 2,300 USD). The compensations amounted to several billion litas and were paid from the amount received for the sale of telecommunications net to Finnish-Swedish company Telesonera and the Mazeikiiai oil refinery to the PKN Orlen company of Poland.

Claims of ethnic minorities

Ethnic minorities – mainly Poles and Russians - constitute 17 per cent of the total population of Lithuania. The protection of minority rights, including the use of mother tongue for official purposes, in the mass media and education up to high school level, corresponds to the requirements of the Framework Convention on the Protection of National Minorities and other international treaties. With this qualification, Lithuania, like other post-Communist states, has adopted the model of a nation-state, rather than multicultural society: the official language is Lithuanian, all high-school students who wish to enter a university, have to pass state exam of Lithuanian language. Occasionally certain grievances are voiced by the Polish minority, compactly settled in southeast Lithuania, concerning the low level of investment in the region and the refusal of the government to open a Polish university. After prolonged talks with the government of Poland, the right to use authentic spelling of Polish names has been recognized. One of the reasons for fairly smooth interethnic relations is that all permanent

¹⁸ Kauno diena, April 19, 2007.

residents as of 1990 have been granted Lithuanian citizenship and enjoy the freedom of movement within the European Union.

Situation is markedly different in the neighbouring countries Latvia and Estonia. During the Soviet period the share of Russian-speaking minority increased up to nearly 40 per cent thus causing serious problems for national integration. After independence, citizenship was granted only to the persons who themselves, or whose (grand)parents were citizens of Latvia and Estonia before the annexation by the Soviet Union in 1970, and naturalization opportunities were restricted. The principal reason for this choice was that Russian-speaking minority was concentrated mostly in the industries, and there were fears that in the course of privatization most industries would become owned by non-indigenous population. Thus, situation bears certain resemblance to that in Southeast Asia. In Latvia and Estonia, members of the Russian-speaking minority became “resident non-citizens” and thus were not entitled to the share of privatized property. This policy has aroused discontent among the minorities, especially as Russia engaged in active propaganda campaign against what it called discrimination of the “compatriots”. Another cause for discontent is the fact that both Latvia and Estonia are implementing the model of nation-state, similar to that of Lithuania. However, despite the obvious fact that the status and rights of minorities are a transitional justice issue in Latvia and Estonia, no ethnic violence has taken place, except for some looting during the “Bronze Soldier” episode in Tallinn in May, 2007.

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To sum up, transitional justice is an important social and political issue in Lithuania. Like in neighbouring countries of East and Central Europe, it is not dramatic enough to cause violent conflicts, political instability, or pose a threat to democracy and political freedoms. Due to lack of resources, political will and power struggles, political elites of the new democracies generally lack a master program for establishing the transitional justice and in most cases adopt an instant coffee approach to the problems that cannot be ignored further. The inability of the government and the political elite generally to deal effectively with the issues of justice is a major cause of disillusionment and of extremely low rating of the principal state institutions, including government, parliament, political parties, and courts, and for providing political space to populist politicians and parties.

