

# **Law on Compensation of Damage Resulting from the Occupation by the USSR**

## **REPUBLIC OF LITHUANIA LAW**

### **ON COMPENSATION OF DAMAGE RESULTING FROM THE OCCUPATION BY THE USSR**

June 13, 2000. No. VIII - 1727

Vilnius

The Seimas of the Republic of Lithuania,

in line with:

the universally recognised norms and principles of international law as well as the international practice of compensation of damage caused by occupations, including the damage caused by the German occupations to other countries and the citizens thereof, during the World War II period,

Republic of Lithuania Supreme Council-Reconstituent Seimas Resolution of June 4, 1991, "On Compensation of the Damage Inflicted by the USSR on the Republic of Lithuania and its Citizens During 1940-1991,"

the July 29, 1991 Treaty between the Republic of Lithuania and the Russian Soviet Federated Socialist Republic on the Basis for Relations between States, in which the Parties declared to be "convinced that once the Union of Soviet Socialist Republics annuls the consequences of the 1940 annexation violating Lithuania's sovereignty, created will be additional conditions for mutual trust between the High Contracting Parties and their peoples",

the will of the people expressed by the universal vote of the Republic of Lithuania citizens in the June 14, 1992 Referendum On the Withdrawal of the Russian Army and Compensation for the Caused Damage and demand that "the damage inflicted upon the Lithuanian people and the State of Lithuania be compensated," which was approved by the June 30, 1992 Resolution of the Supreme Council-Reconstituent Seimas,

Article 15 of the Helsinki Summit Declaration of July 10, 1992 and the accompanying explanatory statement by the Delegation of Lithuania, which notes that the compensation of the losses experienced by Lithuania, as well as withdrawal of the Russian occupation army from the territory of sovereign Lithuania, is an essential precondition for elimination of the consequences of the occupation and annexation;

taking into account the fact that according to international law, the Russian Federation is the state continuing the rights and obligations of the USSR, and this it acknowledged itself by the Resolution of the Council of the Leaders of the Commonwealth of Independent States, of December 21, 1991, the letter of the President of the Russian Federation, B. Yeltsin, addressed to the United Nations Secretary General of December 24, 1991, the January 13, 1992 note of the Foreign Ministry of the Russian Federation addressed to heads of the diplomatic representations, and other documents, as well as the fact that, on December 23, 1991, the European Community and the Member States thereof, stated that, "Russia shall continue and implement the international rights and obligations of the former USSR";

stating that although Russia demonstrated a great deal of good will and withdrew its army in accordance with the procedure and within the terms established by the agreements of September 8, 1992, it has not yet eliminated all the consequences of the USSR occupation and annexation of Lithuania, and it still occupies the land and building belonging to Lithuania in Paris and similar issues in Rome have not been resolved as yet,

p a s s e s t h i s L a w:

#### Article 1. Periods of Damage Inflicted by the USSR Occupation on Lithuania

The periods of damage inflicted by the USSR occupation on Lithuania shall be as follows:

- 1) the USSR occupation and damage during 1940-1990, including the damage caused to the Lithuanian people deported and forcibly detained in the USSR territory during 1941-1945, as well as the damage inflicted by the USSR Army and repression structures during that period;
- 2) damages caused by the USSR, its repression structures and the army during 1990-1991, and damages caused by the Army of the USSR (the Russian Federation 1992-1993) during the period between 1991 and 1993.

#### Article 2. Obligations of the Government of the Republic of Lithuania

The Government of the Republic of Lithuania shall:

- 1) prior to September 1, 2000 form a delegation for negotiations of the Republic of Lithuania with the Russian Federation concerning the compensation of the USSR occupation damage to the Republic of Lithuania;
- 2) prior to October 1, 2000 in accordance with the work programme approved by Government Resolution No.242 of February 13, 1996 "On the Work Programme on the Evaluation of the Damage Inflicted on the Republic of Lithuania by the Army of the former USSR during 1940-1991 and the Army of the Russian Federation during 1991-1993", specify more accurately and finish calculations of the damage caused by the USSR occupation, including payments to the Lithuanian citizens for the damage caused

during the USSR occupation and its consequences, as well as expenses related to the homecoming of the deportees and their descendants;

3) prior to November 1, 2000 appeal to the Russian Federation for the compensation of the damage caused during the period of the USSR occupation, submitting the calculations of damage, also inform the United Nations Organisation, the Council of Europe and the European Union about this, and constantly seek the support of these Organisations and the Member States thereof when solving the issues of the compensation of the USSR occupation damage to Lithuania;

4) initiate negotiations and constantly seek that the Russian Federation compensate to the Lithuanian people and the State of Lithuania for the damage caused by the USSR occupation;

5) accumulate funds received from the Russian Federation as the compensation of the damage caused by the USSR occupation, in the separate occupation damage compensation account in the State Treasury, and primarily allocate such funds to compensate for the damage caused to the Lithuanian people due to deportations, forced labour, occupation regime repression and lost property.

### Article 3. The Fund for the Return to the Homeland of the Persons Deported by the USSR

Bearing in mind that on January 25, 1996, the Russian Federation committed itself before the Council of Europe to assist the persons, previously deported from the occupied Baltic States and (or) their descendants, to return to their country according to special repatriation and compensation programmes, the Government of the Republic of Lithuania shall create a Fund for the Return to the Homeland of the Persons Deported by the USSR, and shall appeal to the Russian Federation regarding the allocation of funds for the return to the Homeland of the persons deported from Lithuania, and their descendants.

Based upon the second paragraph of Article 71 of the Constitution of the Republic of Lithuania, I promulgate this Law passed by the Seimas of the Republic of Lithuania.

CHAIRMAN OF THE SEIMAS

OF THE REPUBLIC OF LITHUANIA VYTAUTAS LANDSBERGIS