

Testimony of Dr. Vytautas Matulevicius

Dear Helsinki Commission Members, Dear meeting participants.

First of all, I would like to sincerely thank you for inviting us to this important event and giving us the opportunity to speak. Thank you for giving your attention to Lithuania as well.

I will talk about the problem under discussion, based on one particular conflict. I think that in the history of any country you can find such cases where like in a mirror all the main problems of that country are reflected. It is enough to remember the classic Dreyfus affair in France and the famous Emile Zola article, and you will understand what I am talking about. The pedophilia case that shook Lithuanian society, and the judicial persecution of Neringa Venckiene became such a mirror in Lithuania.

Until recently, this woman was one of the most popular politicians in the country, a leader in the parliamentary party, a symbol of the fight against the court corruption and maybe even a future president. However, now she is a prisoner in Chicago prison and she can be deported to Lithuania where dozens of accusations and uncertain future are awaiting her. What happened that such a respectable and successful woman who worked as a judge for 13 years suddenly became an internationally sought for criminal?

It happened as something that I would not wish on anyone of you.

One day, her brother's daughter began to tell and visually demonstrate how her mother's friend and two more men were using her body. As she always stood on the side of justice, now N. Venckienė also remained loyal to herself - she began to defend the child. The scale of such a fight can be judged from the fact that over the years, she and her brother wrote over 200 complaints and statements to law enforcement and other state authorities. However, none of the alleged pedophiles ended up on a defendant's bench.

One of the three men, who worked as a judge, was shot by someone, the other was not identified, and the third one, who was the only one against whom the charges of molestation were brought, on the eve of the court hearing fell from a four-wheeled motorcycle and drowned in a knee-high puddle of water (incidentally, he was the assistant to the speaker of Lithuanian parliament). The girl's father, who became disappointed due to the inaction of law enforcement, videotaped his daughter's testimony and began distributing it to journalists, and he was also found dead.

When the main parties to the proceedings were murdered, or died in suspicious circumstances, the court tried the deceased defendant. According to the court, there was no pedophilia, as the allegations were deliberately made up by the girl's father who wanted to harm his ex-wife.

This is a short plot of this case. It shows what can happen to people who are determined to fight against influential pedophiles who have important connections. Unfortunately, even in the old European democracies with long legal traditions, pedophilia cases are faced with

enormous difficulties and the resistance of extremely influential forces. This can be confirmed by Great Britain's example, where children were sexually exploited by the famous television star and other exceptionally high-ranking people for many decades, but their crimes began to be investigated only in recent years when many of them were already standing before God's court.

A similar situation was in Belgium where the investigation of the famous pedophile case also encountered obstacles that have not yet been seen, and where the case has moved from the point of death only when hundreds of thousands of people came to the streets protesting the inactivity of the law enforcement and the country's parliament decided to step in (*the cases of Marc Dutroux and his wife Michelle Martin*).

In Lithuania, which has still not eliminated the flaws and corrupt practices of the Communist period, the situation is even more complicated in this respect. And the case of N. Venckienė itself can be regarded as a typical recurrence of the Soviet legal system - a person who talks too much about the crimes of influential people can be turned into a criminal herself. This was the way that KGB behaved when the facts brought about by the dissidents, or other truth seekers became too dangerous for the system. One of the former fighters against the Soviet regime, Nijolė Sadūnaitė, commented on the case of N. Venckienė: "This is the same KGB script." By the way, N. Sadūnaitė is a Honorary Citizen of the City of Texas, and she was also awarded by the Republican Party of California with a medal for her long fight for human rights. This is a person who knows what she says.

I understand that the Chicago judge who examined the extradition case of N. Venckienė could not know the specifics of all post-communist countries and therefore she decided that the refugee would have every opportunity to defend her rights in the Lithuanian court. However, for those who know the specifics, the judge's argument has only caused a bitter smile.

Here, I will list at least some of the main violations of the norms of international law that N. Venckienė would need to endure, if she was deported to Lithuania.

First of all, there would be an imminent danger to her life. I have already mentioned that the pedophilia case in question has already claimed the lives of at least six people - including those who were killed or died under suspicious circumstances. One of the leaders of the prosecutor's office even publicly described the case as a "killer," but the protection of the state was appointed not to the victims who suffered from the actions of pedophiles, but to the mother of the sexually exploited girl who was supposed to be indicted as an accomplice in this case based on a court order (however, prosecutors did not comply with this order). Therefore, there is a high probability that no appropriate attention will be given to N. Venckienė's safety this time, and something might happen to her in a prison cell - as is often the case in Lithuanian prisons. To send a person to death prohibits not only the rules of international law, but also elemental humanitarian principle.

Second. According to the Universal Declaration of Human Rights, every person has the right to a fair and impartial court hearing (Article 10). If N. Venckienė was returned to Lithuania, her case would sooner or later be considered by the Supreme Court, whose chairman G. Kryževičius publicly named N. Venckienė "an abscess in the judicial system." In these words, he

preliminarily made it clear that only a verdict that N. Venckiene is guilty is acceptable, and by doing so he limited her right to a fair and impartial trial. Although currently G. Kryževičius is in charge of another position, he continues to be a very influential judicial figure – the head of the Supreme Administrative Court of Lithuania.

Third. Then the Chairman of the Supreme Court proceeded even further calling N. Venckienė "an abscess in the political system." And this was almost an open call for the politicians to deal with the common enemy who constantly criticized both the judiciary and the political authorities. This happened when Mrs. Venckiene was elected to the Seimas of the Republic of Lithuania. When she, fearing for her own safety, left for the United States, the Seimas impeached her for not attending Seimas meetings and expelled her from parliament. This was done behind her back without giving even a chance to defend herself and even in violation of the Statute of the Seimas, which has the power of law. The same principles would be followed if N. Venckiene was returned to Lithuania, since her fate would be again in the hands of the same conspired politicians and judges.

Thank you for your attention! I will be happy to answer your questions.