



Save Vilna

Leading the struggle against Antisemitism and cemetery desecration

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Violation of Republic of Lithuania Law on the Provision of Information to the Public

2 July 1996 - No I-1418

(As last amended on 23 December 2015 - No XII-2239)

Vilnius

Mr Mindaugas Sinkevičius,

We represent the cause of 15 Jewish leading authorities and organizations, together with 44 Human Rights organizations - The [LIST](#) of these authorities and organizations can be reviewed on our [WEBSITE](#).

Accordingly, we bring to your attention that the Turto Bankas website is replete with distortions, consisting of fictitious information and inaccuracies. The manner in which the statements are portrayed are offensive to the Jewish religion and undermine the established Jewish position relating to Jewish cemeteries.

1) We refer you to the Turto Bankas press release page entitled:

“THE COURT SEES NO OBSTACLES TO THE RECONSTRUCTION OF THE VILNIUS CONCERT AND SPORTS HALL.”

The respective URL is: <https://www.turtas.lt/lt/2021/05/11/teismas-nemato-kliuciu-vykdyti-vilniaus-koncertu-ir-sporto-rumu-rekonstrukcija/> (See Reference Links towards end for Screenshot)

2) The second paragraph on the page reads:

During the reconstruction of the building, efforts will undoubtedly be made to properly commemorate the site of the old cemeteries of the old Vilnius residents, to tidy up the territory without land movement works, and it is planned to establish a museum in the reconstructed building to commemorate this place.

However, a [January 2020](#) agreement outlining the terms of the Vilnius Congress Center development, of which one the signatories is Turto Bankas, provides for excavation in respect to the Vilnius Congress Center. In note 2 of the respective protocol, the agreement gives designated management blanket authority stating that it has “the full right and ability to hold work (excavation) when necessary.” Accordingly, use of the term “without land movement works,” is false and misleading.

3) The second paragraph on the page states “... to establish a museum in the reconstructed building to commemorate this place.”

Jewish law prohibits use of a Jewish cemetery for any purpose other than as a cemetery. Accordingly, establishing a museum would be a violation of Jewish law and undermine efforts to protect the cemetery.

It is important to know that the Jewish community is in favor of providing signage, and information boards which articulate the history of the Jewish cemetery and community. But it can never accept using the cemetery as a museum, which fundamentally undermines the basic tenets of Judaism and Jewish culture by using the cemetery for an alternative purpose, besides a resting place for the deceased. The Jewish law on cemetery protection is not about memory commemoration. It is about protecting graves and the skeletal remains of the deceased.

4) The third paragraph on that page reads:

“Not only are we in compliance with all applicable legislation, but we are also obliged by the Government to cooperate with the European Committee for the Preservation of Jewish Cemeteries.”

We advise:

The project's developers are not in compliance with applicable legislation. The development proposal is a violation of Lithuanian law. See point 13 and point 20 below for precise details on these infringements of the law.

The Committee for the Preservation of Jewish Cemeteries in Europe (CPJCE) has not been associated with the project for more than a year. A rabbinical court in Israel and the Conference of European Rabbis (CER) has barred the CPJE from representing any Jewish community. Notice of this development was served on the Ministry of Culture for the Republic of Lithuania in 2020 and is publicly available. See copy and details of the [CES Notice](#). A copy of the [Rabbinical Court Ruling](#) can also be reviewed.

The [CER](#), as you are aware, is the supreme body that manages Jewish Affairs in Europe. It officiates more than 800 Rabbis and Jewish communities in Europe. Accordingly, the CPJCE has accepted the respective ruling. All agreements of which the CPJCE was a party and in which the CPJCE represented itself as an agent of the Jewish community constitutes misrepresentation and are invalid.

5) No court or government would oblige Turto Bankas to comply with an agreement in which the CPJCE, a principle party to the terms thereto, to falsely represent itself as an agent of the Jewish Community or authority of the Jewish law. Certainly Turto Bankas is not obliged to comply with any such agreement.

There is no evidence to suggest that the CPJCE continues to actively promote itself as an authority of Jewish law or an agent of the Jewish community, as Turto Bankas implies. Conversely, the mischaracterization is the work of Turto Bankas alone.

The statement by Turto Bankas that it **"is obliged to cooperate with the CPJCE"** is **false and misleading**.

7) Turto Bankas' press release states in the third paragraph: ***"Thus, the religious provisions of the Jewish faith will be taken into account in the reconstruction works."***

This statement is false and misleading. Nothing could be further from the truth. The Vilnius Congress Center development is a *de facto* violation of Jewish law. A partial list of the leading authorities and Jewish organizations that have voiced their opposition to the Turto Bankas development can be reviewed at: [LIST OF JEWISH AUTHORITIES OPPOSING VILNIUS CONGRESS CENTER](#).

There are no legitimate Jewish authorities that dispute that the proposed development is contrary to Jewish law. It is impossible to perform the reconstruction and at the same time believe that the developers can comply with Jewish law. The suggestion is a contradiction in terms. Any development on the cemetery including the Sports Palace, constitutes a violation of Jewish law. The suggestion that it is possible, is misleading and insulting to the sages and to the interred that lie buried on this Holy Site.

8) In the third paragraph, the Turto Bankas Press Release states: ***"Both the preparatory works and later reconstruction will be carried out under the supervision of Rabbis in order to protect the remains and cemeteries and perpetuate the memory of this place."***

This statement is false and impossible to achieve. The ***preparatory works and any reconstruction for the purposes of redeveloping the conference center constitutes a violation of Jewish law.*** There are no Rabbis that would ever agree to supervise the redevelopment on the cemetery and Sports Palace. Even the CPJCE, who initially tried to find a way to circumvent the prohibition in Jewish law, would agree that it is not possible to develop an international conference center on the Šnipiškės Jewish cemetery and Sports Palace. That conclusion did not come to fruition through a lack of trying to accommodate the vision of the Vilnius Congress Center. Jewish law however is a function of a very precise set of principles. The application of Jewish law is based on sound precedent. It is this structure that has been the mark of the Jewish nation for over 3,500 years.

9) We find the statement that Turto Bankas wishes to ***"protect the remains and cemeteries and perpetuate the memory of this place,"*** anything but true. Developing a conference center on a cemetery, on the graves of over 50,000 deceased, on their human and skeletal remains, can hardly be called "protection."

The desecration of the cemetery through this brazen act and violation of Jewish law, should not be called an act which perpetuates the memory of the deceased. The international Jewish community finds it incomprehensible that a violation of Jewish law, and the desecration of over 50,000 graves, can in any way be interpreted as an effort to perpetuate the memory of the deceased. The Vilnius Congress Center proposal constitutes a fundamental desecration of the cemetery and a disregard for Jewish law.

10) The Turto Bankas press release states: ***"There is no objective evidence in the (court) file to suggest that there were human remains or parts of them in the area of the building to be reconstructed (ie under the building or its structures), so that there is no basis for the applicants' allegations that the building is located in a cemetery."***

This is totally false and a misrepresentation of the facts. The court records show in fact that there is no dispute to confirm that the Sport Palace building is located in the middle of the cemetery. Turto Bankas agreed with that assertion.

What Turto Bankas argued in court was that there was no evidence to show that there are any skeletal bones or human remains in the building. We disagree. Similarly, the plaintiffs in the respective court case concur that there are skeletal bones and human remains encrusted in the Sports Palace. Accordingly, the plaintiffs will be appealing the court decision.

Further, human rights attorney Evelina Dobrovolka, and now Minister of Justice for the Republic of Lithuania, passionately argued the case to prevent the Government from building the conference center, prior to her appointment as a Minister. In her quest to prevent the development from occurring, Minister Evelina Dobrovolka stated that there is bona fide evidence to show that there are skeletal and human remains encrusted in the building. We believe her. Justice Minister Evelina Dobrovolka's statement can be reviewed at: [YOUTUBE LINK](#)

It is important to understand that irrespective of whether Justice Minister Evelina Dobrovolka's statement is true, according to Jewish law Jewish graves always retain the status of a cemetery, even if the deceased are exhumed. Accordingly, Jewish cemeteries can never be used for any purpose, other than as a resting place for the deceased.

11) Pointedly, the Turto Bankas website on the page entitled "HISTORY" describing the history of the cemetery, in the last paragraph states at URL: <https://www.kongresucentras.lt/en/jewish-heritage/history/> (See Reference Links towards end for Screenshot)

"Some burials, which were not destroyed during the construction of the fortress, the Palace of Concerts and Sports and various underground routing have survived to the present day, and the Government of the Republic of Lithuania,

together with the Committee for the Preservation of Jewish Cemeteries in Europe, makes efforts to properly manage and preserve this territory. The Government of the Republic of Lithuania has recognized the site of the old Šnipiškės Jewish cemetery in Vilnius as the area protected by the state."

Even by Turto Bankas' own admission, there were burials (graves) in the building **"which were not destroyed during the construction of the fortress, the Palace of Concerts and Sports (Sports Palace)"**.

Further, the Turto Bankas' website states: **"The Palace of Concerts and Sports and various underground routing have survived to the present day."**

Turto Bankas could not have said it more clearer. There are indeed "underground tunnels" beneath the building, where graves exist and which still "have survived to the present day."

We find the statement in the press release that there are no bones and skeletal remains under and within the building, irreconcilable with the Turto Bankas' admission on their website.

12) We have already discussed Turto Bankas' reference to the CPJCE in Point 4 above and the fact that:

- A. According to multiple rabbinical rulings, the committee is prohibited from participating in the development of the Vilnius Congress Center, and
- B. The committee is forbidden to represent any Jewish community.

Accordingly, the CPJCE has accepted and abided by this ruling.

13) The last paragraph on the respective webpage confirms that the site of the old Šnipiškės Jewish cemetery in Vilnius is ***"protected by the state."***

The Vilnius Congress Center development on the Šnipiškės Jewish cemetery and the Sports Palace is prohibited according to Jewish law and culture. Because both the cemetery and the Sports Palace are registered and protected landmarks, the proposed development is prohibited and illegal.

Pursuant to Lithuanian law on the Protection of Immovable Cultural Heritage, December 22, 1994, No. I – 733 (As amended by 25 June 2002. No. IX-991), Vilnius, **the Turto Bankas initiative is a violation of Lithuanian law.**

A letter to the Ministry of Culture servicing notice of the respective violation of Lithuanian law can be reviewed at: [Notice of Violation of Law on Protection of Immovable Cultural Heritage](#)

14) The fifth paragraph of the press release partially quoting the CPJCE, states:

“We want to emphasize that every step taken to preserve the said cemetery is carried out in strict accordance with the detailed instructions of our Rabbis. We act as their representatives (...). We are convinced that only in this way were we able to stop the destruction of the cemetery, which took place before our involvement,” says the letter of the European Committee for the Preservation of Jewish Cemeteries, which takes care of the preservation of as many as 200 Jewish cemeteries and mass graves in Lithuania.

The statement in the letter, requires that the CPJCE will carry out the instructions of their Rabbis. “Carrying out the instructions of their Rabbis” means complying with the order not to represent any Jewish community, as stated in the CER letter. We believe the CPJCE is complying. Turto Bankas' implication that they are not, is another mischaracterization and distortion of the bank's effort to deliberately misinform the public.

We have submitted a request to Turto Bankas asking for the bank to supply us with a copy of the CPJCE letter referred to in the press release. The request for the said letter can be reviewed at [REQUEST FOR COPY LETTER FROM TURTO BANKAS](#). As of today's date, Turto Bankas has not elicited a response. We believe the CPJCE letter is fictitious or outdated. This disinformation by Turto Bankas is yet another attempt by the bank to misinform and fraudulently curry favor with the public.

15) The press release stating that the CPJCE is charged with taking care of "***as many as 200 Jewish cemeteries and mass graves in Lithuania,***" is brazenly inaccurate. The CER together with all other leading Jewish authorities have expressly forbid the CPJCE from representing any Jewish community or taking care of any cemetery in Lithuania.

In the last paragraph of the press release it states:

In December 2019, the Property Bank, the Lithuanian Jewish Community and the European Jewish Cemetery Preservation Committee reached and signed an agreement on the arrangement of the Šnipiškės Jewish Cemetery, the reconstruction of the Vilnius Concert and Sports Hall and the possibility to continue cooperation during the contract works. Cooperation on the territory of the Vilnius Congress Center and the Old Jewish Cemetery with Jewish organizations at the state level has been going on since 2009.

16) Turto Bankas' attempt to portray the CPJCE as a representative of the Jewish community, brazenly misrepresents the situation, especially considering that the bank is aware that the CPJCE is prohibited from doing so.

17) The statement in the last paragraph that implies that the Lithuanian Jewish community supports the Vilnius Congress Center and that they continue to invoke an agreement is invalid, meaningless, and grossly misrepresents the situation. The notion that the Lithuanian community currently supports the international conference center development is untrue. The fact is: the Vilnius Jewish community has vigorously opposed the Turto Bankas initiative. Further, Turto Bankas has recently removed text from its site stating that Chairperson Faina Kukliansky would not agree to any project that was a violation of Jewish law. Ms. Kukliansky has also publicly stated that she is not qualified to express an opinion on matters of Jewish law. Accordingly, Ms. Kukliansky does not support an initiative that undermines Jewish law and does not support the project. Any attempt to portray her as though she does, is inaccurate and misleading.

18) The Turto Bankas webpage entitled "JEWISH LITHUANIAN COOPERATION" attempts to show that the Lithuanian community supports the Vilnius Congress Center proposal. However, this is not the case, as articulated in point 17 above. The respective webpage is located at URL: <https://www.kongresucentras.lt/en/jewish-lithuanian-cooperation/> (See Reference Links towards end for Screenshot)

The page also contains a photo of some members of the Jewish Lithuanian community and the CPJCE sitting together, ostensibly sharing efforts to build the conference center. The information contained on the page is from a different era, at a time when the CPJCE and the Lithuanian community were attempting to find a way to circumvent Jewish law and potential cultural violations. However they did not. All Jewish authorities agree with the fact that it is impossible to achieve. The parties in the photograph are not

in favor to proceed with the conference center development, if the initiative violates Jewish law. Turto Bankas would like the public to think otherwise.

Even according to Turto Bankas' false logic that the individuals in the photo are in favor of the project, it is not within the province of those individuals to make that call or to represent the Jewish nation. The webpage is inaccurate and a distortion of the facts.

19) Turto Bankas has argued that it purchased the Sports Palace in about 2015 as a means to protect the Jewish cemetery. However, nothing could be further from the truth. If Turto Bankas was really concerned about protecting a Jewish cemetery, it would consider the opinions and rulings of leading Jewish authorities and terminate the plan for the international conference center. Instead it remains fixated on its Vilnius Congress Center initiative, with full knowledge that the proposal in any form, executed partially or completely, fundamentally violates Jewish law.

20) The Vilnius Congress Center proposal is also a Violation of the International Agreement on the Protection and Preservation of Certain Cultural Properties between the US and Lithuania, signed on October 15, 2002. You can review details of the respective violations and NOTICE SERVED on the Ministry of Culture of the respective violation of the International Agreement.

International agreements are important and violations thereto undermine national security. Violations risk damage to relationships with international partners. Clearly, the Vilnius Congress Center is a danger to Lithuanian State security.

21) The statements that Turto Bankas have expressed on their respective webpages are untrue, a distortion of facts and insulting to the Jewish community. The misrepresentations of Jewish law by Turto Bankas are a direct attack on Judaism. These are being conducted under the guise that Turto Bankas wishes to enhance Jewish values and protect Jewish cemeteries. Turto Bankas has not acted in good faith. The international Jewish community feels betrayed and is offended by these deliberate distortions. The distribution of the false information on the website is the result of efforts by Turto Bankas to deliberately harm the Jewish community, to solicit public support for its Vilnius Congress Center proposal, using information which is false, incorrect and a distortion of the truth, to fraudulently propagate its agenda. No member of the Lithuanian Jewish community would wish to be part of such an initiative. They are not. Turto Bankas goal is to build the conference center, with unethical intention to cajole Jewish victims of the Jewish community who are not familiar with its unbecoming ethical

conduct, to be part of its plan, using information that is outdated, fictitious, untrue, devoid of the truth, regardless of the consequential desecration, irrespective of the religious suppression that Turto Bankas is enacting against the Jewish community, preventing community members from protecting cemeteries, executed with total disregard for consideration to human rights violations and without consideration for Lithuanian and International law.

22) The public release webpage referred to in Point 1 above, in order to reflect the facts and true turn of events, should read as follows:

REVISED TURTO BANKAS PRESS RELEASE

The Vilnius City District Court decided not to accept the claim of the preventive lawsuit of the descendants, which sought to prevent the construction of the Vilnius Congress Center.

After examining the case, the court did not establish that there was sufficient cause to prevent the development. This does not necessarily mean that the development is legal.

It has been brought to Turto Bankas' attention that according to Jewish law a cemetery cannot be used for any purpose other than as a resting place for the deceased. This ruling is the unanimous decision of leading Jewish authorities. There are no dissenting opinions. Accordingly, Turto Bankas appreciates that the proposed development, including the blueprint for a museum must be scrapped.

Turto Bankas comprehends that the Jewish community is interested in preserving the graves and Holy Site in its entirety. Memorializing the cemetery, can never justify or compensate for any level of desecration as defined by Jewish law.

Despite the court ruling that there are no skeletal remains in the Sports Palace, Turto Bankas understands that there is significant evidence to show that there is. This has been confirmed by the Honorable Minister of Justice, Evelina Dobrovolka. Further, this fact is also stated on the Turto Bankas website.

Also, as previously confirmed on the Turto Bankas website, the chairperson of the Lithuanian Jewish community, Ms. Faina Kukliansky has stated that she will not agree to any procedure that violates Jewish law. In accordance with these sentiments, Ms. Kukliansky and the Lithuanian Jewish community are opposed to the Vilnius Congress

Center. There are no Rabbinical authorities which have authorized the Vilnius Congress Center.

Further, we note that the Vilnius Jewish community has vehemently opposed the proposed development, since the idea was initially hatched, back in 1915.

The CPJCE previously did make attempts to accommodate and approve the Vilnius Congress Center proposal within the framework of Jewish law. Those initiatives failed. After extensive efforts to do so, it became clear that it is not possible, under any circumstances.

The CPJCE has been barred from representing any Jewish community by a leading rabbinical court and by leading Jewish authorities. Accordingly, the CPJCE has been forbidden to participate in the Vilnius Congress initiative. The CPJCE has accepted this ruling.

Turto Bankas understands that because the development is a fundamental violation of Jewish law and culture, there are no other Jewish Rabbis that would ever agree to be part of such development. The respective ruling is the unanimous decision of all legitimate Jewish authorities.

The Ministry of Culture will work with legitimate Jewish authorities to restore and aesthetically upgrade the cemetery.

END OF PRESS RELEASE

23) The Law on the Provision of information to the Public 2 July 1996 - No I-1418 (As last amended on 23 December 2015 - No XII-2239), Vilnius, Article 15, titled "Right of Reply" instructs that the perpetrator of the false information rectify the situation:

"Any natural person whose honor and dignity have been degraded by false, inaccurate or biased information published about him in the media, also any legal person whose professional reputation or other legitimate interests have been damaged by false, inaccurate or biased information shall have the right of reply, refuting the false information or correcting the published information, or shall have the right to require that the producer and / or disseminator of public information issue a refutation of false information in accordance with the procedure established in Article 44 of this Law."

In accordance with Article 15's "Right of Reply", we demand that Turto Bankas:

- 1) removes all the offensive and false information from its website, as articulated above, that
- 2) Turto Bankas publishes the above REVISED PRESS RELEASE which correctly and fairly reflects events as they occurred and exist.

The Jewish community has incurred insufferable harm by the comments on the Turto Bankas website. The respective text, the displayed inaccuracies and misconceptions undermine the Jewish community's efforts from protecting cemeteries, and in complying with the basic tenets of Jewish law.

We thank you for your attention in this matter. We trust that you will move to comply with the law and issue an appropriate statement of apology for publishing the distorted information, failing which we will be compelled to take further action.

Please issue us with a letter of confirmation of receipt with a unique reference number for this communication. For your records our reference number is: ŠnipiškėsA31052021
This request should be treated separate from any other request which we have previously addressed to you.

Yours truly,



Dov Fried
Chairman - Save Vilnius Coalition

REFERENCE LINKS:

1. 15 Jewish leading authorities and organizations, together with 44 Human Rights organizations: <https://www.savevilna.org/post/jewish-world-in-push-to-prevent-desecration-of-jewish-cemetery>
2. January 2020 Protocol/Agreement - <http://ec2-52-26-194-35.us-west-2.compute.amazonaws.com/x/d?c=12354392&l=46ceb88b-d71f-4fd5-a227-5b42d7bf02b0&r=9e256cb2-71c6-40e9-a457-4e881e66763a>

3. CES Notice - <https://www.savevilna.org/post/conference-of-european-rabbis-serves-notice-on-lithuanian-government>
4. Notice of Violation of Law on Protection of Immovable Cultural Heritage- https://d8e56abc-a1c4-4ba7-9c2a-e6e08a52cf19.usrfiles.com/ugd/d8e56a_7e587c490d4140c989aad7f215bb69b3.pdf
5. Notice served on the Ministry of Culture of the violation of the 2002 International Agreement - https://d8e56abc-a1c4-4ba7-9c2a-e6e08a52cf19.usrfiles.com/ugd/d8e56a_24fb59db0059450a9085f28243fea2a2.pdf
6. Rabbinical Court ruling - <http://ec2-52-26-194-35.us-west-2.compute.amazonaws.com/x/d?c=12354392&l=e4b7f675-1fb5-4905-a8a1-c5178847ec1d&r=9e256cb2-71c6-40e9-a457-4e881e66763a>
7. Information on the Conference of European Rabbis (CER) — https://en.wikipedia.org/wiki/Conference_of_European_Rabbis
8. Minister Evelina Dobrovolska's statement on video — <https://youtu.be/N9Dp0Q2uOk8?t=65>
9. Request for copy of letter from Turto Bankas - https://d8e56abc-a1c4-4ba7-9c2a-e6e08a52cf19.usrfiles.com/ugd/d8e56a_9dfe8ca266034f92a430ef7f5d98b508.pdf
10. "Court Sees No Obstacles" Screenshot https://static.wixstatic.com/media/d8e56a_b9c214e6042444398e3eae0a7885b80~mv2.png
11. "History Page" Screenshot - https://static.wixstatic.com/media/d8e56a_0409b845038047fab961afd454f99b22~mv2.png
12. "Jewish Lithuanian Cooperation" Screenshot - https://static.wixstatic.com/media/d8e56a_0125a704459d4de0ae7770427954aece~mv2.png
13. VIDEO (Insight into Jewish perspective on protection of a cemetery) — <https://youtu.be/gXpLfEreHJw>