

**GOVERNMENT OF THE REPUBLIC OF LITHUANIA  
RESOLUTION**

**REGARDING APPROVAL OF THE RULES FOR ACCESS TO RESTRICTED  
DOCUMENTS OF THE SPECIAL PART OF THE NATIONAL DOCUMENT FUND AND  
USE THEREOF**

13 June 2007 No 579  
Vilnius

Pursuant to Article 20(3) of the Republic of Lithuania Law on Documents and Archives (Official Gazette, No [107-2389](#), 1995; No [57-1982](#), 2004; No [4-154](#), 2007), the Government of the Republic of Lithuania hereby resolves:

1. To approve the Rules for Access to Restricted Documents of the Special Part of the National Document Fund and Use Thereof (attached).

2. To deem invalid Resolution No 364 of the Government of the Republic of Lithuania of 4 April 2005 “Regarding approval of the rules for use of the documents of the USSR intelligence services formerly operating on the territory of Lithuania, which contain agency-related information, criminal and deportation cases” (Official Gazette, No [45-1447](#), 2005).

Gediminas Kirkilas

Prime Minister

Petras Baguška

Minister of Justice

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APPROVED BY  
Resolution No 579 of the Government of the  
Republic of Lithuania of 13 June 2007

**RULES FOR ACCESS TO RESTRICTED DOCUMENTS OF THE SPECIAL PART OF THE  
NATIONAL DOCUMENT FUND AND USE THEREOF**

**I. GENERAL PROVISIONS**

1. The Rules for Access to Restricted Documents of the Special Part of the National Document Fund and Use Thereof (hereinafter – the Rules) shall establish the conditions for access to the restricted documents in the special part of the National Document Fund and information contained therein.

2. Definitions used in the Rules:

**Person aggrieved by the USSR intelligence services** shall mean a natural person whose data is contained in the documents compiled by the USSR intelligence services that are held in the special part of the National Document Fund and who, according to the Republic of Lithuania Law on Restoring the Rights of Persons Repressed for Resistance Against the Occupation Regimes (Official Gazette, 1990, No [14-386](#); 1998, No [28-729](#)), has been proven innocent towards the Republic of Lithuania and all his/her civil rights have been restored, or who, according to the Republic of Lithuania Law on the Legal Status of Victims of the Occupations of 1939–1990 (Official Gazette, 1997, No [66-1609](#)), has been granted the legal status of a victim or, according to the Republic of Lithuania Law on Legal Status of Participants in Resistance Against the Occupations of 1940-1990

(Official Gazette, 1997, No [12-230](#)), has been granted the legal status of a volunteer soldier or freedom fighter.

**Restricted documents** shall mean the documents in the special part of the National Document Fund containing criminal intelligence agency information disclosing the persons who admitted to secret collaboration with the USSR intelligence services and entered into the records of persons who admitted to collaboration, as well as the documents, in respect of which the person aggrieved by the USSR intelligence services expressed the will to restrict the use of their personal information until his/her death.

Other concepts used in the Rules shall correspond to those set out in the Republic of Lithuania Law on Documents and Archives (Official Gazette, 1995, No [107-2389](#); 2004, No [57-1982](#)) and the Republic of Lithuania Law on Law on Registering, Confession, Entry Into Records and Protection of Persons who have Admitted to Secret Collaboration with Special Services of the former USSR (Official Gazette, 1999, No [104-2976](#)).

*Amended:*

No [6](#), 09-01-2013, *Official Gazette*, 2013, No 4-105 (12-01-2013)

3. The courts, prosecutors' office, intelligence agencies, other pre-trial institutions, criminal intelligence subjects and the Genocide and Resistance Research Centre of Lithuania shall have access to and use all restricted documents (receive copies of such documents, and in the procedure prescribed by the legal acts, to temporarily take over the original copies of the documents for use) pursuant to the functions attributed to these institutions and agencies by the legal acts.

*Amended:*

No [6](#), 09-01-2013, *Official Gazette*, 2013, No 4-105 (12-01-2013)

4. The employees of the institutions and agencies indicated in paragraph 3 of the Rules may familiarise with all the restricted documents and use them upon provision of the statement from that institution to the Lithuanian Special Archives confirming that for the purposes of performance of the assignment (research) these employees are permitted to access and use the documents indicated in the statement.

5. The persons who familiarised with the documents containing criminal intelligence agency information disclosing the persons who admitted to secret collaboration with the USSR intelligence services and entered into the records of persons who admitted to collaboration, may not use the information, which could disclose the state and official secret, as well as the personal data, which could allow to determine the identity of the data subject, except in cases prescribed by law.

*Amended:*

No [6](#), 09-01-2013, *Official Gazette*, 2013, No 4-105 (12-01-2013)

6. The persons can familiarise with the restricted documents about them and use these documents in the procedure for the provision of private information set forth in the Republic of Lithuania Law on the Right to Obtain Information from the State and Municipal Institutions and Agencies (Official Gazette, 2000, No [10-236](#); 2005, No [139-5008](#)).

## **II. CONDITIONS FOR ACCESS AND USE OF THE DOCUMENTS CONTAINING CRIMINAL INTELLIGENCE AGENCY INFORMATION DISCLOSING THE PERSONS WHO ADMITTED TO SECRET COLLABORATION WITH THE USSR INTELLIGENCE SERVICES AND ENTERED INTO THE RECORDS OF PERSONS WHO ADMITTED TO COLLABORATION**

*Amended (title):*

No [6](#), 09-01-2013, *Official Gazette*, 2013, No 4-105 (12-01-2013)

7. The persons, except the institutions and agencies indicated in paragraph 3 of the Rules, can familiarise with and use the documents containing criminal intelligence agency information disclosing the persons who admitted to secret collaboration with the USSR intelligence services and entered into the records of persons who admitted to collaboration upon receipt of the written consent of the Genocide and Resistance Research Centre of Lithuania by the Lithuanian Special Archives.

*Amended:*

No [88](#), 26-01-2011, *Official Gazette*, 2011, No 12-526 (29-01-2011)

No [6](#), 09-01-2013, *Official Gazette*, 2013, No 4-105 (12-01-2013)

8. Having established that the document request indicates documents containing criminal intelligence agency information disclosing the persons who admitted to secret collaboration with the USSR intelligence services and entered into the records of persons who admitted to collaboration, the Lithuanian Special Archives shall within one business day, however no later than within 10 business days, and in the event of a high volume of document requests (more than 5 cases), no later than within 20 business days, contact the Genocide and Resistance Research Centre of Lithuania regarding the consent to issue the indicated documents for perusal and use. The statement shall indicate the document search information: page numbers of the fund, inventory, file, whenever necessary.

*Amended:*

No [88](#), 26-01-2011, *Official Gazette*, 2011, No 12-526 (29-01-2011)

No [6](#), 09-01-2013, *Official Gazette*, 2013, No 4-105 (12-01-2013)

9. Upon receipt of the statement from the Lithuanian Special Archives indicated in paragraph 8 of the Rules, the Genocide and Resistance Research Centre of Lithuania shall no later than within 15 business days, and in the event of a high volume of document requests (more than 5 cases), no later than within 30 business days, verify whether the indicated documents contain any criminal intelligence agency information disclosing the persons who admitted to secret collaboration with the USSR intelligence services and entered into the records of persons who admitted to collaboration. Upon completion of verification, the Genocide and Resistance Research Centre of Lithuania shall within 5 business days present to the Lithuanian Special Archives a written consent for the issue and use of the documents or a written refusal to issue the restricted documents to the person/persons for perusal.

*Amended:*

No [88](#), 26-01-2011, *Official Gazette*, 2011, No 12-526 (29-01-2011)

No [6](#), 09-01-2013, *Official Gazette*, 2013, No 4-105 (12-01-2013)

### **III. CONDITIONS OF ACCESS TO AND USE OF THE DOCUMENTS IN RESPECT OF WHICH THE PERSON AGGRIEVED BY THE USSR INTELLIGENCE SERVICES EXPRESSED THE WILL TO RESTRICT THE USE OF THEIR PERSONAL INFORMATION UNTIL HIS/HER DEATH**

10. The persons aggrieved by the USSR intelligence services (hereinafter – the victims) can express their will to restrict the use of their personal information until their death by presenting a written request to the Lithuanian Special Archives, indicating the following:

10.1. name and surname, personal ID number, contact details (address and telephone number) and a document confirming the victim's legal status;

10.2. The documents on the victim held in the special part of the National Document Fund systematised according to respective features, such as criminal, deportation or other files, shall be indicated according to the record data available to the Lithuanian Special Archives; if the file is made for a group of persons, the specific documents related to the applicant shall be indicated, except the documents referring to other victims;

10.3. restriction conditions: potential subjects permitted to familiarise with and use the documents, purposes of access and use (education, scientific research), and other conditions.

11. The victim can write the request for restriction of his/her personal information directly at the Lithuanian Special Archives, send it by post or by messenger services. The document confirming the victim's status and identity, or copies of these documents certified by a notary public, shall be attached to the request. Where such a request is presented by the victim's representative, he/she shall produce the documents confirming identity and representation.

12. The documents restricted by the will of the victims until their death may be familiarised with and used under the conditions for access and use of the documents indicated in the victim's request. If one of the conditions is the consent of the victim, the persons wishing to access the restricted documents shall present the victim's written consent certified by a notary public or signed personally at the Lithuanian Special Archives.

13. After the victim's death, the documents referring to this person can be accessed and used in the procedure set forth in Article 19(2) and (3) of the Republic of Lithuania Law on Documents and Archives.

#### IV. ISSUE OF RESTRICTED DOCUMENTS FOR INFORMATION PURPOSES

14. In all the cases provided for in these Rules, the person wishing to access the restricted documents shall produce an identity document to the Lithuanian Special Archives, which shall be subsequently returned.

The issued restricted documents can be familiarised with at the reading room of the Lithuania Special archives.

15. The restricted documents shall not be issued to the persons, except the employees of the institutions and agencies indicated in paragraph 3 of the Rules, in the following cases:

15.1. if with regard to the documents requested, the Lithuanian Special Archives received the written refusal of permission to issue the restricted documents for information purposes from the Genocide and Resistance Research Centre of Lithuania;

15.2. if the request of the victim expressing his/her will to restrict the use of his/her personal information until his/her death contains a condition prohibiting the issue of restricted documents for information purposes.

*Amended:*

No [88](#), 26-01-2011, *Official Gazette*, 2011, No 12-526 (29-01-2011)

16. The Lithuanian Special Archives shall inform the person that the restricted documents shall not be issued for information purposes, indicating the legal ground and reasons of refusal to issue the documents.

17. The persons holding the consent to use the restricted documents indicated in paragraphs 7 or 12 of the Rules shall be permitted to order and receive copies of these documents.

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Amendments:

1.

The Government of the Republic of Lithuania, Resolution

No [88](#), 26-01-2011, *Official Gazette*, 2011, No 12-526 (29-01-2011)

REGARDING AMENDMENT OF RESOLUTION NO 579 OF THE GOVERNMENT OF THE REPUBLIC OF LITHUANIA OF 13 JUNE 2007 ON THE APPROVAL OF THE RULES FOR ACCESS TO RESTRICTED DOCUMENTS OF THE SPECIAL PART OF THE NATIONAL DOCUMENT FUND AND USE THEREOF

**Resolution effective as of 01-03-2011**

2.

The Government of the Republic of Lithuania, Resolution

No [6](#), 09-01-2013, *Official Gazette*, 2013, No 4-105 (12-01-2013)

REGARDING AMENDMENT OF RESOLUTION NO 579 OF THE GOVERNMENT OF THE REPUBLIC OF LITHUANIA OF 13 JUNE 2007 ON THE APPROVAL OF THE RULES FOR ACCESS TO RESTRICTED DOCUMENTS OF THE SPECIAL PART OF THE NATIONAL DOCUMENT FUND AND USE THEREOF

\*\*\* End \*\*\*

Edited by Aušra Bodin (14-01-2013)

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