

**International Criminal Court**  
**Mrs. Fatou Bensouda**  
**Prosecutor**  
**Maanweg 174, 2516 AB**  
**The Hague**  
**The Netherlands**

**Information pertaining to offenses against human rights committed**  
**on the territory of the Czech Republic**

As it pertains to factual circumstances

1. We, the cosigners to this information, are turning our attention to the Prosecutor of the International Criminal Court with information that may contribute to the decision of starting the examination of actions that appear to us as crimes against human rights, quoted in Article 7. Paragraph 1, Letters f) and h) of the Roman Statute
2. We are aware, as we experienced personally and heard the stories of persons in question living in various parts of the world, as well as from public sources, of facts that actual top representatives of Justice, political representation and the courts, incl. the Constitutional Court, within their common activities have established a system that has been used continually to cause considerable mental anguish to thousands affected people, moreover persecuting these persons in a fashion noted in the Roman Statute as conduct completing an act constituting the offence subject to the International Criminal Law.
3. As long as we point out systematic and long lasting offenses of actual mental anguish, than we have in mind a situation, when thousands of persons, presently citizens of various countries of the world have been demanding to their best conviction without results until today, legally in line with the laws of the Czech Republic and International agreements applicable to the Czech Republic, the restitution of their property, mainly real estate, confiscated for various reasons in 1945 and thereafter by Czechoslovak authorities.
4. Also persons of Jewish origin belong to this group of citizens, whose property was confiscated by the German Reich because of their race origin already in 1939 and years following, when Czechoslovakia was occupied.
5. Property of these persons of Jewish origin was not restituted to them after the end of the war, but has been held by Czechoslovakia and not returned even to this date (*see Attachment No. 1*)

6. All persons belonging to the group of affected ones, regardless of nationality, origin or religion, find themselves in the identical legal situation, namely such, when they demand without results the return of their property, are being systematically humiliated by the Czech Republic, respectively those that act in the name of the Republic as officials continually constructing and inventing further hurdles that make it impossible to return property to those who have in the past acquired such property originally, or legal descendants of such persons.
7. In 1989, affected persons accepted with great hopes the news which spread throughout the world of the collapse of the Communist rule after many years of existence which in fact was aiming towards the absolute rule of the world in cooperation with similar regimes. The conquest of Czechoslovakia in 1945 and following years was only one step on the road towards the conquest of the whole world. Part of the strategy in the conquest of individual countries meant the destruction of general social structures in existence at that time, the seizure of properties, the seizure of the material base, and thus the subsequent destruction of their existing way of life.
8. Thousands of such individuals emigrated from the country and settled in other countries that would provide for them at least a lifestyle of freedom.
9. After 1989 Czechoslovakia introduced and accepted a number of restitution acts of law that represented great hopes to the affected citizens, including those settled in foreign countries worldwide.
10. Partial disappointments appeared the moment the restitution laws demonstrated various restricting conditions making it impossible to those, who rather selected emigration, to apply for the return of their properties. It was demanded, in contradiction to International law, protecting basic human rights that conditions of permanent residence in Czechoslovakia existed as of the day of existence of the restitution laws, as well as the existence of the Czechoslovak citizenship. Both conditions are evidently discriminatory. The Constitutional Court, in its composition of that day, quashed the first condition, nevertheless the second discriminatory condition of the existence of the Czech citizenship is still enforced, in spite of the fact that the UN Committee for Human Rights in Geneva repeatedly proclaimed in a number of cases, that this is an unacceptable discrimination forbidden by Article 26 of The International Agreement on Human and Political Rights (*see Attachment No. 2*)
11. The affected persons include also such cases, whose property was seized by the government without the State having a proper legal title to the property. During the time of Nazi occupation and the Communist follow-up it was impossible for decades to apply effectively for the return of such property. Following the fall of Communism it is possible to apply utilizing valid Civil right laws that always allowed and still allow to demand the illegal holder to return a thing, eventually to ask the court for the determination of ownership, and to determine the real owner whose ownership title has not expired.

12. A number of affected persons regained dominion over their property using the above procedure, and thus the possibility of free disposal of it (*see Attachment No. 3*)
13. The post Communistic establishment, however, had no intention of giving up advantages endowed to them by the former Communistic regime, and mainly through courts and their judges that have remained in place, supported by theoreticians of law of the Communist era. The procedure was made impossible by issuing decisions that dismissed complaints of individual persons addressing Czech courts in hopes that their decisions will allow them free disposition of their properties, which have been illegally occupied.
14. Following the change of the political system in Czechoslovakia in 1989 the Supreme Court as well as the Constitutional Court of the Czech Republic was the source of decisions on the justification of causes on the determination of ownership. These courts issued many decisions resulting in acknowledging the efforts of individual subjects to achieve renewed tenure of their property through calls on courts as justified.

*The following cases and judgments are of interest:*

*The judgments of the Supreme Court of the Czech Republic*

- |    |    |             |        |                  |
|----|----|-------------|--------|------------------|
| a) | of | 16.12.1999, | number | 22 Cdo 1620/1998 |
| b) | of | 5.2.2003,   | number | 22 Cdo 1115/2002 |
| c) | of | 29.4.2003,  | number | 22 Cdo 1949/2001 |

*The judgments of the Constitutional Court of the Czech Republic*

- |    |    |             |        |              |
|----|----|-------------|--------|--------------|
| d) | of | 20.3.2001,  | number | 1 US 99/98   |
| e) | of | 3.6.2004,   | number | III US 50/04 |
| f) | of | 21.12.1998, | number | IV US 403/98 |
| g) | of | 6.10.1999,  | number | PI, US 9/99  |

15. Persons affected by the animosity of Czech administration could finally consider towards the end of their lives that justice has arrived and that their demands will be heard. All of this in the context of published conclusions by the Constitutional Court, as indicated in paragraph 14, letter g) above.
16. It reads in the conclusions of the Constitutional Court Number PI.US 9/99: "*In case of by the court rehabilitated persons who do not comply with the citizenship conditions and thus cannot claim the return of their property in accordance with the statute extrajudicial rehabilitation, and that were proclaimed free of previous criminal judgments for their imprisonment and the forfeiture of their property, **no such new judgment of forfeiture will occur.** As much as these persons cannot apply*

*for the release of property according to statute no. 87/1991 Coll., **one cannot a priori exclude the application of law on vindication per Civil Code** (see judgment No. II US 43/94 in US coll. 3 p. 99-102). The difference in the statute of the two groups, i.e., those rehabilitated by the courts, satisfying the conditions for citizenship, and those not satisfying this condition, one can express the right for the return of particular items as follows. The first group, in the field of laws on extrajudicial rehabilitation, is favored by the removal of possible application of prescription by a mandatory person, the other group in the area of the Civil Code would have no other choice, but to face this possible objection by the occupying person.” (see Attachment No. 4)*

17. As far as the restitution law is concerned, the Supreme Court of the Czech Republic adopted in its judgment of 27.10.1998 No. 28 Cdo 49/98 the following conclusions: *“The Act on Land in paragraph 6 does not enact the removal of ownership rights of physical persons to real estate. The possibility of proposing the issuance of a thing that the state has been using illegally, does not remove the right of the owner to demand the application of his rights in line with the Civil Code.”*(see Attachment No. 5)
18. The members of the Post Communistic nomenclature were aware of the fact that the findings of the Constitutional Court have been binding in accordance with article 89 of the Czech Constitution to all authorities as well as private individuals. They decided, therefore, assisted by the President of the Republic, Mr. Vaclav Klaus, to originate such personal changes in the Constitutional Court that would guarantee a change in the present binding practice of the Constitutional Court of the Republic.
19. The first set of Constitutional Court judges were active starting with the year 1993, with the establishment of the independent Czech Republic after the division of Czechoslovakia, and were appointed by President Vaclav Havel and consisted in their majority of persons persecuted and/or jailed by the preceding regime (Communist). It was impossible to expect that these judges would change without a serious reason their existing practice and opinions, and mainly, that they would allow the validity of principles in contradiction to the principles of the democratic state that the Czech Republic has been promulgating in Article No. 1 of the Constitution.
20. The restitution of property to the owners after 1989 was realized very slowly. Those whose rights were not acknowledged were thousands, even 10 years after the establishing of the Czech Republic (2003). These citizens mentally harassed by unceasing delays in their individual cases had no idea about the fact that the new Minister of Justice for the leftist Czech political party CSSD (Social democrats) is in the process of preparing ways of how to prevent the return of property, while utilizing such processes which have the character of a crime in terms of Article 7, § 1, letter h) of the Roman Statute.

**To the case which had been misused to elaborate conditions for reaching the goal – of depriving**

**thousands of people of their ownership rights**

21. The key element for the revival of Communist structures for the purpose of achieving their goal, namely to prevent the citizens whose property has been seized by Czechoslovakia, to regain its release and full and unlimited ownership, was the issue of several judgments in 2003 that declared the still existing ownership right to properties of Mr. František Oldřich Kinsky (Citizen of Argentine and of Austria).
22. The property of Mr. František Oldřich Kinsky was occupied by the officials of Czechoslovakia in 1945, when he was only an 8 years old child, under the pretext of confiscation according to the decrees of President Benes.
23. The seizure of properties in line with the confiscation decrees was an administrative precaution regulated by the rules of administration laws. According to the finding of the Constitutional Court, published in the Collection of Statutes under No. 55/1995 Coll. Those affected by confiscation decrees should have been only people, who were personally responsible for actions relating to WWII (*see Attachment No. 6*)
24. Czech judges that decided in favor of Mr. František Oldřich Kinsky in the cases of the determination of his ownership rights, ruled that he is the owner of the properties specified in the individual claims. The judges found that the confiscation administration procedure against his property had not been conducted within the legal scope of the procedure regulating confiscation proceedings that is if any such proceedings actually took place.
25. Post-Communist structures, established also in the meantime in the structures of the two main political parties in the country, namely the ODS (Civil democratic party) although presenting itself as a right wing party, with a strong national-socialistic wing , and the leftist oriented party, CSSD (Czech social democratic party), understood that although they managed to prevent the restitution of property to persons that have not overcome the discriminating existence of the Czech citizenship prerequisite, that such persons could achieve justice and gain their real estate by using claims for the determination of ownership, submitted outside the framework of restitution regulations, utilizing generally valid Civil Code legal rules the way the above mentioned Mr. Frantisek Oldřich Kinský was successful in the middle of 2003. The discriminatory prerequisite of State citizenship included in restitution legislation is not required with this type of claim.
26. An unprecedented media campaign was purposefully launched in summer 2003 with the aim to intimidate judges using insults and to defame Mr. František Oldřich Kinský by calling him a Nazi, in spite of the fact that he lived in Argentina since March 1940 (he was less than 4 at that time) and obviously, he was only 8 in 1945 (*see Attachments No.7 and 8*).
27. The media campaign lasted right through the summer of 2003. Under its cover, however, all prominent politicians, including the President Vaclav Klaus, the Prime Minister Vladimir Spidla,

the Minister of Justice Pavel Rychetsky, the Minister of Culture Pavel Dostal, and others started to organize meetings of political top organizations etc. for one single purpose only. (see Attachment No. 9)

28. A method was searched for that would prevent persons affected by crimes of Nazism and/or Communism to achieve the possibility of filing claims in Civil Courts for the determination of their ownership. (see Attachments No. 9 and 10)
29. The media publicly presented the argument, that a means is being searched for in order for Nazis like Mr. František Oldřich Kinský to be prevented in regaining their previously confiscated property.
30. As has been quoted in Article 18 of this document, the President of the Republic was allowed to propose to the Senate new members of the Constitutional Court, since some of the original members of the Court had died and others left the Court after their 10 years of service.
31. In this manner the Minister of Justice and former Communist, Mr. Pavel Rychetsky, has become a Constitutional Court member and chairman. Three more former Communists have been appointed members in due time.
32. We draw your attention to the fact that in Statute No. 198/1993 Coll. "On the illegality of the Communist Regime" the Parliament of the Czech Republic states in its preamble that *"The Communist Party of Czechoslovakia, its leadership and members have been responsible for the kind of government in our Country in the years 1948-1989, mainly for the programmed destruction of traditional values of the European civilization, for the conscious violation of human rights and freedoms, for the moral and economic deterioration accompanied by judicial crimes, and terror against those bearing different opinions, for the substitution of a functional market economy by mandatory management, for the destruction of traditional ownership principles, for the misuse of learning, education, science and culture to political and ideological purposes, senseless destruction of nature....."*
33. In Article 1 § 1 of the subject Statute it is mentioned:....*"The Communist Regime and its active supporters,*
  - a) *prevented the citizens the application of a whatsoever free expression of political will, it forced them to keep their views of the situation in the country and society secret, and forced them to express their agreement with such ideas considered by them to be lies or crime, by persecution or threats of persecution against them themselves, their families and close ones,*
  - b) *systematically and permanently breached their human rights, while seriously repressing some political, social, and religious groups of citizens,*
  - c) *breached basic principles of a democratic, and legal state, International agreements, even its own laws, and thus it presented the will and interests of the Communist Party and its top members* as *supreme,*
  - d) *it applied all power based instruments for the persecution of the citizens, mainly by execution,*

*murder, jailing, and forced labor. During investigation and jailing it used physical as well as mental torture and inhuman treatment. It seized their property arbitrarily and contravened their ownership rights. Prevented rightful employment, vocation, or functions, and achievement of higher and/or professional education, prevented citizens from travelling abroad and returning safely home. Called citizens to perform unlimited services in the Armed forces, and Technical battalions.*

*e) For the realization of their goals it didn't hesitate to commit crimes without due punishment, and provided dishonest advantages to those that participated in their commission.*

*f) It joined forces with a foreign government and since 1968 maintained such condition relying on its occupation forces.*

34. For persons in question, victims of the wanton seizure of property by the Communists the installation of four former Communists into the 15 member group of the Constitutional Court Judges was nothing less than a spank in their face.
35. Following a number of meetings and consultations the Prime Minister of the day, Mr. Vladimir Spidla, announced that during the search for the method of how to prevent the possibility of further successful determination of ownership court rulings to a particular piece of real estate, the agreement has been reached that instead of the amendment to the Constitution, the change in the interpretation of existing laws will be made and thus also a gradual change of court practice will be reached. This route anticipated gaining favorable practice of the court by the Supreme Court as well as by the Constitutional Court. (*see Attachment No. 9 and 10*)
36. The post Communists didn't display enough political strength to amend the Civil Code or restitution legislation in a legal manner within the Parliament.
37. Already in July of 2003, Pavel Rychetsky, Minister of Justice of the day, requested the Supreme Court of the Czech Republic to adopt the posture of "a unified standpoint" towards restitutions. Under the words "unified standpoint" one should understand a decision meaning that one cannot agree with claims according to the Civil Code and civil law legislation, thus, not even with claims for the determination of ownership.
38. In view of the speed of the decision of the Supreme Court of the Czech Republic Mr. Pavel Rychetsky was accommodated very quickly indeed, namely by 11.9.2003. The Grand Senate of the Civil-legal collegiums stated: *"An authorized person, whose real estate had been seized by the state during the specified period of 25.2.1948 to 1.1.1990 without a legal reason or title, cannot demand protection of his ownership rights utilizing general legislation (mainly according to Article 126 § 1 of the Civil Code) and not even in the form of determination of ownership (according to Article 80. Letter c) of the Civil Procedure Code)."* In the introduced legal sentence the euphemism *"Authorized person, whose real estate property had been seized by the state...."* actually replaces the expression reflecting reality *"Authorized person whose real estate property had been usurped by the state...."*

39. This judgment of the Supreme Court of the Czech Republic, adopted in the first place on the basis of a political demand, breached the Constitution, since it did not respect any of the previous findings of the Constitutional Court, expressing a completely discrepant legal opinion. Thus, it contravened the constitution of the country.
40. Furthermore, the issued judgment was unacceptable to the majority of judges of the Civil-Legal Collegium. It was rejected 17 to 12 votes. Not to mention it did not satisfy the time period specified, May 1945 to 25.2.1948, in which the Communists gradually usurped power in the country and started their boundless repressions after February 1948.
41. One cannot overlook that the strife between democratically thinking judges on one side and the Post Communists on the other continued also in May 2004. At the assembly of the Civil- Legal and the Commercial-Legal Collegiums of the Supreme Court of the Czech Republic the judgment was not accepted to be published in the official Collection of Court Decisions and Opinions. Thus, it became binding only for parties to such cases, and only to courts that were deciding in such cases. (*see Attachment No. 12*)
42. To completeness, the cosigners inform herewith that the legal version of the sentence cited in Article 38. herein is understood in the Czech Republic so that persons whose property the state simply seized, loses the property by expropriation without compensation, that is, after tens of years of its occupation, on the basis of restitution legislation established by a democratic legal system of a democratic legal state originated in 1993 as the legal successor of Czechoslovakia!
43. The above provided commentary displayed a flagrant disregard for the Charter of Fundamental Rights and Basic Freedoms, concretely its Article 11, § 4 which states: *“Expropriation or forced limitation of ownership rights is possible only if in public interest, as based on the law and for compensation only.”*
44. The efforts of Mr. Pavel Rychetsky, the Minister of Justice of the day, to obtain from the Supreme Court a generally binding judgment was in vain, moreover, the obtained judgment did not cover the period between the end of World War II and February 25<sup>th</sup> 1948. (This is the day considered to be the day of the complete and definitive takeover of Czechoslovakia by the Communists)
45. Persons, whose real estate property had been usurped by the Czechoslovakian state prior to February 25<sup>th</sup> 1948, were not justified in demanding its return under the restitution legislation, since they did not satisfy the timeline conditions for them to be included among the so called authorized persons.
46. Moreover, the impossibility of being included among the so called authorized persons was applicable to all physical persons who did not fulfill the conditions for Czechoslovak citizenship.
47. The Minister of Justice, Mr. Pavel Rychetsky, and other persons were looking for means to make it impossible to transfer unjustifiably held property from the state to the original holders or their offspring.



48. Following the appointment of Mr. Pavel Rychetsky as the Chairman of The Constitutional Court, he took it upon himself to look after the decision making in the constitutional complaint filed by the above mentioned František Oldřich Kinský under number file No. II. US 14/04, and was “designated” to become the judge-reporter, and although the complainant objected to him being biased in the matter, he did not exclude himself from being involved in the matter as it should have been expected due to his previous “ engagement” in the role of a politician, who was actively putting out efforts to prevent Mr. František Oldřich Kinský from regaining his property legally.
49. As Chairman of the Court, he engineered the actual process of discussing the complaint at the Constitutional Court with the help of other judges in such a way, that even without providing viewpoints as administered by Article 23 of statute 182/1993 Coll. “On the Constitutional Court”, the matter was passed to be questioned by the entire Plenum of the Constitutional Court.(see *Attachment No. 13*)
50. The II. Senate of the Constitutional Court, with Mr. Rychetsky, the Chairman of the Court, present as Judge-Reporter, namely a person with the fundamental influence on the decision of the constitutional complaint, presented the matter to the plenum under the pretext of having a legal opinion different from the legal opinion formulated in findings of the Constitutional Court under I. US 539/98 and IV. US 403/98.
51. The called findings resolved the question of possible legal applications of protecting ownership rights according to the Civil Code in relation to properties that were seized between 25.2.1948 and 1.1.1990.
52. The Court findings were not deal with questions of ownership rights that were to be inflicted by various proceedings of the state prior to the time period, outlined in point 51.
53. In opposition to that, the Constitutional complaint submitted by Mr. František Oldřich Kinský was firmly anchored in the period prior to 25.2.1948, thus in the period not affected by restitution legislation.
54. Arguments substantiating the presentation of the submitted constitutional complaint to the consideration of the Plenum of the Constitutional Court for the purpose of obtaining an opinion of the Plenum were clearly intentional. The purpose was to fulfil a political order aiming to the achievement of change in the practice of courts in relation to persons having property occupied by the State, so that the State could retain such property in its possession even in future, contrary to the international obligations of the State (e.g. contrary to the International Covenant on Civil and Political Rights).
55. The II. Senate of the Constitutional Court was not in a position, where the competition of restitution legislation and general provisions of the Civil Code had to be resolved, and should have decided on its own about the submitted complaint. (see *Attachment No. 13*)

56. While the Plenum had decided to accept the problem of contravening restitution legislation and general provisions of the Civil Code presented by the II. Senate of the Constitutional Court, and proceeded completely outside the framework outlined by the Constitutional Court Act since it decided to deal with the matter as with a Standpoint. Namely without being competent to act in that manner.
57. It became obvious that the political task presented by the Post Communistic hierarchy represented in the Constitutional Court, mainly in the person of its Chairman, Mr. Pavel Rychetsky, prevailed over the public interest of protecting the Constitution of the country, primarily in the field of human rights.
58. Only upon its decision in the form of a Standpoint of the Constitutional Court Plenum dated 1.11.2005 did eleven judges of the Constitutional Court formulate conditions for the reversal of present practice of courts and, moreover, it manipulated the interpretation of restitution legislation in such a way that it added to it the character of expropriation legislation without corresponding compensation, which is guaranteed by Article 11, § 4 of the Declaration of Basic Rights and Freedoms, which is incorporated as part of the Constitution of the Czech Republic. (see Attachment No. 11 and 13).

**To the character of the Standpoint of the Constitutional Court dated November 1, 2005, file No. PI.US-st. 21/03 pertaining to crimes against humanity.**

59. The reasoning of the Standpoint of the Constitutional Court in relation to present case law of the Constitutional Court regarding restitution legislation, inverts the meaning of restitution legislation to such an extent that it grants restitution legislation an expropriating factor and thus derives legal ownership of property by the State, which the State seized on the basis of confiscations, nationalization and other property measures. Under this definition it is understood the euphemistic description of illegal usurpation of properties by the state, which really means physical occupation or seizure of things.
60. The above described Standpoint accepted by 11 judges of the Constitutional Court Plenum affected the lives of hundreds and thousands of persons, that have demanded in the year 2005 and the following years the right to recovery of their property, in a devastating manner. The devastating manner struck the sole existence of these persons affected by the Standpoint and continues to bring these persons mental anguish affecting their health and their lifestyle.
61. **We, the cosigners of this proposal, are of the opinion that the Standpoint of the Constitutional Court Plenum dated November 1<sup>st</sup> 2005 file No. PI.US-st.21/05, that caused and is still causing unjustified withholding of mainly real estate properties in the hands of the Czech Republic as well as other subjects, and is causing considerable, mainly mental, anguish is of a criminal nature, which must be considered as a CRIME AGAINST HUMANITY because of its extent and systematic application, belonging to the category of International Criminal Law, in accordance with No. 5 letter b) of the Roman Statute.**

62. We are of the opinion that persons holding important State or political positions or other influential positions, as mentioned below, accomplished, by their acts, factual elements of an international crime - the crime against humanity, namely as direct perpetrators of such crime or as instigators or aiders and abettors of such perpetrators.
63. In view of the factual circumstances pertaining to the acceptance of the Standpoint of the Constitutional Court and its affect on the realm of fundamental human rights of victims of the pertinent crime, it seems to be obvious to us that the actions taken to adopt the Standpoint fall within the meaning of Article 7, § 1 letter h) and g) of the Roman Statute.
64. Such acts must not remain unnoticed by the international community, in particular by countries-signatories of the Rome Statute and by the International Criminal Court established by them.
65. We, the cosigners of this information, are pointing out that the acceptance of the Standpoint of the Constitutional Court was the bases for a systematic attack against the ownership rights of a large group of citizens, of various sexes, citizenship, identified and connected by the similar legal position. The fact is that they are persons whose property has been usurped by the Czechoslovak Republic without a proper legal acquiring title. The legal follower, the Czech Republic via its Constitutional Court since the 1.11.2005, makes it impossible to transfer the ownership of property back into the hands of the afflicted, eventually to the hands of their legal successors, appealing to the Standpoint of the Constitutional Court dated 1.11.2005.
66. In our opinion the subject of Persecution as defined in Article 7 § 2 letter g) of the Roman Statute has been fully realized, since with regard to the Standpoint and its application by general courts in the Czech Republic it reaches the relevant situation of depriving of the right to property and of the right to a just process, which is contrary to the International Law.
67. Persecuted individuals are simultaneously agonized "by the process of justice" in the Czech Republic as per Article 7 letter f) of the Roman Statute, since the courts must be conscious, at least by virtue of the erudition of the judges, that the Standpoint had been adopted contrary to the Constitutional Court Act and by its content is a breach of Constitutional Law, since it has deprived an extensive group of citizens of their right to receive just reverse transfer of their property and that by the denial of justice such people have been subject to psychological harassment. Simultaneously, such afflicted persons have been left completely in the hands of Czech judges, since without their decision they will not have their seized property returned through the process of law.
68. The structures of the post-communistic era have elaborated conditions for the increase of tension within society, which in view of the general dissatisfaction and extensive corruption in the Czech Republic, together with pilfering of state owned assets with the effective assistance of political parties participating in political power and adjoining "friendly" formations, threatens with the emergence of social explosions and bloodshed. (see Attachment No. 16)

69. The Roman Statute has become valid and effective for the Czech Republic in line with its Article 126 § 2, on October 1<sup>st</sup> 2009. The ratification documents have been deposited in the hands of the Secretary General of United Nations, depository of the Status as of July 21<sup>st</sup> 2009.
70. We, the cosigners of this information, do not consider the fulfillment of the facts of the crime of the International recognized crime Crime Against Humanity only in the adoption of the Standpoint by the Constitutional Court Plenum dated 1.11.2005, file No. Pl. US-st. 21/05, **but mainly and foremost by its application on hundreds and thousands of persons that turned in good will and trust to Czech courts** with their claims for the determination of ownership, claims for the return of things, nullity claims and renewal claims, while these claims have not been met with acceptance referring to the Standpoint of the Constitutional Court.
71. The dismissal of claims classified as in the above Article No. 70 took place even after October 1<sup>st</sup> 2009, as well as presently with reference to the interpretation of the Constitutional Court dated 1.1.2005, according to which the Standpoint of the Constitutional Court should be considered as generally binding, in breach with the will of the Legislator who in the Act on the Constitutional Court expressly stated that only the Senate of the Constitutional Court who requested the Standpoint from the Plenum of the Constitutional court is bound by such a Standpoint.
72. In the way as indicated in the Point 71, the Constitutional Court has breached the constitutionality by infringing the division of government into the executive, judicial and legislative branches, as the legislator expressly stipulated that the Constitutional Court decides the case on its merits by a judgment and in other matters by a resolution. By the provision of Sect. § 23 of the Constitutional Court Act No. 182/1993 Sb., the legislator attributed the binding effect to the opinion of a Plenum only for that Panel or Chamber [of the Constitutional Court] who requested such opinion.
73. The fact that the Constitutional Court infringed on the Constitution when accepting the Standpoint of 1.11.2005 must have been obvious in the past as well as it is today to all judges of general courts, who have been called upon to decide cases classified in Article 70. above. In general this applies, as it does in the Czech Republic that "Iura novit curia".
74. Nevertheless, these judges, who are in the positions of being able to decide on the fundamental right to own property, in spite of being made aware by the claimants demanding full exercise of their rights to property, pointing out the unconstitutionality of the Standpoint of the Constitutional Court, have continuously been ignoring this fact for a considerable length of time. They do not apply and refuse to provide the real owners with principles on which the Czech Republic is based at least nominally, namely the owners whose property has been seized by the State without a legal acquiring title do not receive justice by being identified as the actual and real owner, and the courts/judges do not even force the false owners to surrender the seized property.

75. One cannot neglect to mention that the Czech Republic declares in Article 1 § 2 of its Constitution:

*“Czech Republic honors obligations arising from International Law”*

76. Article 1 § 2 of the Constitution relates to the so called extra-contract section of International Law. It is the matter of fundamental principles of International Law, namely, general International legal customs, like:

- *Honorable respects for obligations*
- *Sovereign equality of States*
- *Territorial unity*
- *Avoidance of strength*
- *Peaceful settlement of disputes*
- *Nonintervention in internal affairs*
- *Cooperation of States*
- *Self-determination of nations*
- *Inviolability of frontiers*
- *Respect to human rights and basic freedoms.*

And also relates to the ban on conducting crimes against humanity

77. One can, therefore, adopt the conclusion that in view of the Article 1 § 2 of the Constitution which has the character of a special law with regards to the rest of the Constitutional provisions, consequently even in relation to articles of the Constitution that safeguard the immunity of Czech government officials, the Constitution provides no protection against the application of the Roman Statute on persons that have committed crimes against humanity, and therefore these persons can be tried by the International Criminal Court.

78. In the case we are proposing to the Prosecutor of the International Criminal Court the suggested location, as depicted in Article 77., where such persons that we suspect of having committed in the past and/or now crimes against humanity within the Czech Republic should be prosecuted, then we are doing so because we do not believe that the Czech Republic would ever start prosecution of such persons, let alone to have them eventually punished.

79. We do not believe that the proceedings conducted by authorities of the Czech Republic would be done independently or fairly in line with the norms of a recognized regular court proceeding, such that would be conformable with international law along with the intentions of bringing that person to justice.

80. Just as we have pointed out the well known case of František Oldřich Kinský, which is known as well among International circles, as an example of the limitless manipulation with the legal order of the Czech Republic, aiming at making a remedy of Communist crimes committed since 1945 to

1990 on the territory of Czechoslovakia impossible, we therefore present here in this section of our information an example that confirms our conviction that the authorities of the Czech Republic in charge of investigations of criminal actions and the punishment of perpetrators thereof cannot be trusted. We do not believe that they will effectively respect International obligations of the Czech Republic binding it in the field of pursuing crimes according to the International criminal law.

81. It is the case of Ms. Ivana K o h o u t k o v á, citizen of Germany, before that of Czechoslovakia, who had decided to leave Czechoslovakia with her husband and children, and settle in Germany.
82. The decision of Ms. Kohoutkova and her husband was followed by the loss of all their property, including the family house that they had constructed as young people by their own hands. Moreover, they were sentenced in absentia to prison.
83. Following the transfer of power in the country by the Communist structures, and the establishment of democratic orders in Czechoslovakia, Ms. Kohoutkova, at that time widowed, joined the restitution process, just as thousands of other persons suffering by the oppression of Communism.
84. Unfortunately, she was excluded from a successful application of restitution because of the discriminatory provisions included in the legal order of Czechoslovakia and inherited by the Czech Republic. It is the discrimination that applies to persons of other than Czech citizenship, who are excluded from recovering their impounded property.
85. Ms. Kohoutkova hasn't succeeded with her case before the courts of the Czech Republic, since they all applied the above described discriminatory principle. She brought her case to the attention of the Committee for Human Rights of the United Nations (hereafter only *The Committee*). She was aware of the fact that the Czech Republic had joined the International Covenant on Civil and Political Rights (hereafter only *The Covenant*) that has become valid and effective for Czechoslovakia on March 23rd 1976 and was published in the official publication of the Ministry of Foreign Affairs No. 120/1976 Coll.
86. The Committee accepted her complaint and filed it under Communication No. 1448/2006. The submitted complaint was considered acceptable, and the Committee decided on July 17<sup>th</sup> 2008 by ruling under Article 8. of the decision that **Ms. Kohoutková was subject to discriminatory proceedings, namely that Article 26 of the Covenant, prohibiting discrimination for whatever reason, had been breached.**
87. The Committee further reminded in Article 9. of its decision that the Czech Republic is bound by the Covenant and must provide Ms. Kohoutkova an effective remedy including compensation for the real estate, if it cannot be transferred to her. Moreover it had been reminded to the Czech Republic to install a remedy into its legislation in order to provide all persons with equality before law and equal legal protection.

88. The Committee granted the Czech Republic 180 days to provide the Committee with a report on the manner to be used in resolving the Ms. Kohoutkova affair.
89. Czech Republic has reacted by ostentatious silence.
90. The Committee answered Ms. Kohoutkova's urgency on July 14<sup>th</sup> 2010 with a letter from Mr. Ibrahim Salami, the Director of the Civil Rights Division, informing her that the Czech Republic has not reacted with an explanation of the affair.
91. Ms. Kohoutkova requested the Government Representative, JUDr. Vit Alexander Schrom, through her legal representative Mgr. Jaroslav Čapek utilizing Act No. 106/1990 Coll." On the free access to information", to adopt a clear standpoint to the position of the Government in the matter of conclusions adopted by the Committee to her case.
92. On October 23<sup>rd</sup> 2010, Mgr. Jaroslav Čapek received the answer from JUDr. Vit A. Schorm declaring that the Government has no intention of accepting the views of the Committee, simultaneously appealing to an aged standing of the Czech Government of May 22<sup>nd</sup> 2002 number 527. For all those reasons, the Czech Republic cannot be considered as an entity which honestly observes its covenants.
93. In this way, it has been determined that the executive branch of the Czech Republic has no intention of respecting International obligations of the Country, and Ms. Kohoutková turned her efforts to the organs of justice. First, she tried to convince the Ministry of Justice to be paid the value of the house that was not returned to her. Unfortunately to say, without success. She afterwards turned to court proceedings by filing a civil suit on May 23<sup>rd</sup> 2011
94. The court didn't accept Ms. Kohoutkova action, arguing that the accuser's claim has lapsed due to time, since the limit for filing suit was three years following legal validity of the decision of the case in which she was discriminated.
95. This case was the restitution case, in which she had been discriminated due to her citizenship. This case had been cognizably completed on January 1<sup>st</sup> 1999. At that time, however, it had not been determined with proper authority if she had been discriminated, and who or which subject had been responsible for the discrimination. This fact had been determined by the Committee in 2008, and the knowledge that Ms. Kohoutkova's damages were due to the lack of grace of the Czech Republic to respect the view of the Committee and compensate her, had become known to her in September 2010.
96. Thus, the specified lapse of time has quite clearly not expired to the day of submitting the complaint.
97. The submitted appeal against the decision of the court of the first instance has not been acknowledged by the court of appeal, and the decision of the first court has been confirmed.

98. It has become quite obvious, based on the example of Ms. Kohoutková's case, that the judicial body within the Czech Republic has adopted a standpoint of not respecting conclusions of the Committee and the regulations of the Covenant on the territory of the Czech Republic.
99. In Articles 81. and 98. above, we are submitting to the International Criminal Court proof of a single case, that can be easily authenticated through the Committee, documentation of the Kohoutková case deposited with courts of the Czech Republic, and finally in the client's documentation in the offices of Mgr. Jaroslav Č a p e k, Attorney at Law in the city of Hradec Králové, about the negative approach of the authorities of the Czech Republic, evidently infected by former Communist elements, in their compliance to their International commitments.
100. To promote the goals set out by the Statute of the International Criminal Court one cannot in our opinion expect that the individual bodies of the Czech Republic will accede to a consistent examination of the action, which we consider within this submission as a Crime Against Humanity according to Article 7 § 1 letters f) and h) of the Statute. We consider it the only effective procedure to have the Prosecutor of the Court to open and conduct the case according to Article 15 § 1 of the Statute.
101. To support the effective examination the cosigners of this information have agreed to provide and continue to provide in the future to the court all personal evidence, documentary documents in their holding or accessible to them, as well as other required cooperation.
102. The cosigners further believe that other persons will also eventually add support to this information, not only persons as citizens of the Czech Republic but also citizens of other United Nation member states.

*To the issue of persons which are considered as those who committed acts accomplishing factual elements of an international crime - the crime against humanity*

103. It is necessary to call JUDr. Pavel Rychetský one of the principal persons who promoted and organised the adoption of measures which inflict long-term mental anguish to hundreds or thousands of people, in particular due to the impossibility of implementation of their right to the restitution of their title to unlawfully retained property.
104. JUDr. Pavel Rychetský, the incumbent president of the Constitutional Court of the Czech Republic, acknowledged his role which he played in the infringement of basic human rights and infliction of mental anguish to hundreds or thousands of people and openly boasted about it in public media (*see Attachment No.14*).
105. In fact, there were other accomplices who contributed to the acts of JUDr. Pavel Rychetský, as he alone would not be able to achieve the pursued objective which is considered to be a crime against humanity by the signatories of this Information.



106. It applies in particular to those justices of the Constitutional Court who pushed through, together with JUDr. Pavel Rychetský, the adoption of the Opinion of the Constitutional Court, File No. Pl.ÚS–st.21/05 (without regard to a warning presented by their colleagues, JUDr. Eliška Wagnerová and JUDr. Miloslav Výborný, who considered the character of the adopted Opinion as an unconstitutional measure expropriating affected property without compensation and hence going completely beyond the framework of the legal order of the Czech Republic - *see Attachment No.13*). In their dissenting opinion, the Constitutional Court justices JUDr. Eliška Wagnerová and JUDr. Miloslav Výborný warned implicitly of the fact that the Constitutional Court acceded, by adopting the above mentioned Opinion, to wilful and grave deprivation of basic rights, contrary to the International Law, for reasons of the identity of affected group of persons. It relates in particular to those persons who were unlawfully dispossessed by the former Czechoslovak Republic without any justifiable acquisition title [i.e. by means of usurpation], or on the basis of specific measures which can be designated as the crimes of communism perpetrated on the territory of the present Czech Republic after 1945 (*see Attachment No.13*).
107. The following justices of the Constitutional Court abused their positions in the attack on basic human rights of persons affected by the Opinion of the Constitutional Court, File No. Pl.ÚS–st.21/05:
- JUDr. Stanislav Balík
  - JUDr. František Duchoň
  - JUDr. Vlasta Formánková
  - JUDr. Vojen Güttler
  - JUDr. Pavol Holländer
  - JUDr. Dagmar Lastovecká
  - JUDr. Jiří Mucha
  - JUDr. Jan Musil
  - JUDr. Jiří Nykodým
  - JUDr. Michaela Židlická
108. The signatories of this Information would like to inform the Prosecutor of the International Criminal Court that the Standpoint of the Constitutional Court, File No. Pl.ÚS–st.21/05, was adopted on 1. 11. 2005, that is before the Rome Statute of the International Criminal Court came into force for the Czech Republic (in fact, this latter event happened on 1. 10. 2009), however, such a Standpoint of the Constitutional Court is still applied until now, i.e. the application of the Standpoint in relation to respective victims continued even after 1. 10. 2009.
109. The measure in the form of the subject Standpoint of the Constitutional Court, which is considered by all the signatories of this Information as a criminal measure having the intensity of the crime against humanity as it accomplishes by all its factual elements such crime, inflicts mental anguish on its victims and destroys basic human rights of its victims even after 1. 10. 2009.
110. Further, the signatories of this Information are of the opinion that not only those justices of the Constitutional Court who contributed to the preparation and adoption of the Standpoint of the Constitutional Court (as indicated in the Articles 103. and 107. of this Information) can be considered as the accomplices of the crime against humanity as perpetrated by some judges of the Czech Republic, but this also relates to those judges of general courts who rely in their judgments on the conclusions of the subject Opinion and, by doing this, such judges in the end

deprive persons affected by such judgments of their rights in property which are protected by the International Law and included in basic human rights; such judges thus inflict considerable mental anguish to such persons. In this occasion, it is necessary to mention that many victims come from those families who possessed respective property for several generations and in some cases for hundreds of years.

111. At present, the signatories of this Information know the names and places of activity of only some judges of general courts who contributed to the infliction of mental anguish and infringement of basic human rights as mentioned above. A complete overview on such judges can be provided by the Ministry of Justice of the Czech Republic which can call on the Presidents of respective Regional Courts to ascertain relevant facts from appropriate civil bench cases adjudicated by any court of first or second instance with proper jurisdiction, i.e. to document those cases which have been resolved adversely with the reference to the Standpoint of the Constitutional Court, File No. Pl.ÚS–st.21/05, together with names of respective judges who have decided in such cases.

112. Similarly, the Ministry of Justice of the Czech Republic can get relevant information from the President of the Supreme Court with regard to appropriate appellate bench cases which may have been decided within respective appellate reviews and dismissed with the reference to the Standpoint of the Constitutional Court as mentioned above.

113. At present, it is reliably known that the following judges actively applied the Standpoint of the Constitutional Court, File No. Pl.ÚS–st.21/05 even after 1<sup>st</sup> October, 2009, i.e. after the date when the Statute of the International Criminal Court (ICC) came into force for the Czech Republic:

114. Judges of the Constitutional Court of the Czech Republic

- JUDr. Stanislav Balík
- JUDr. František Duchoň
- JUDr. Vlasta Formánková
- JUDr. Vojen Güttler
- JUDr. Pavol Holländer
- JUDr. Dagmar Lastovecká
- JUDr. Jiří Mucha
- JUDr. Jan Musil
- JUDr. Jiří Nykodým
- JUDr. Michaela Židlická
- JUDr. Vladimír Kurka
- JUDr. Pavel Rychetský

115. Judges of the Supreme Court of the Czech Republic

- JUDr. Ludvík David, CSc.
- JUDr. Jan Eliáš, PhD.
- JUDr. Josef Rakovský
- Mgr. Jan Kraus

116. Judges of the City Court in Prague

- JUDr. Ivana Hasalová
- JUDr. Ladislava Mentbergerová
- Mgr. René Fischer

117. Judges of the Regional Court in Hradec Králové

- Mgr. Miloš Zdražil
- JUDr. Alena Pokorná
- JUDr. Vít Pejška
- Mgr. Radek Kopsa

Victims of excruciating mental anguish with regard to dispossession of property and deprivation of right to due process in consequence of application of the Standpoint of the Constitutional Court, File No. Pl.ÚS–st.21/05 by specific judges and officials of the Czech Republic after 1<sup>st</sup> October, 2009

118. The signatories of this Information would like to present several names of such victims to the Prosecutor of the International Criminal Court (ICC) for the time being. After the delivery of this Information into the hands of the Prosecutor of ICC, the text of this Information will be made available to the public together with the call to other victims to contact the Prosecutor of ICC and indicate their names and claims with calculated sustained damage inflicted by judges of Czech courts or other officials.

119.

<i>Victim</i>	<i>Citizenship</i>	<i>Names of judges or other officials who applied the Opinion of the Constitutional Court, File No. Pl.ÚS–st.21/05 of 1.11.2005</i>
1) Dr. Johannes <b>Tietze</b>	German	JUDr. Lastovecká, JUDr. Balík, JUDr. Nykodým
2) Ing. Antonín <b>Vokoun</b>	Czech	JUDr. Formánková, JUDr. Židlická, JUDr. David, CSc., Mgr. Kraus, JUDr. Eliáš PhD., Mgr. Fischer,

		JUDr. Hasalová, JUDr. Mentbergerová
3) Jindřich <b>Růžička</b>	Czech	JUDr. Kurka, JUDr. Mucha, JUDr. Musil, JUDr. Eliáš, PhD., JUDr. David, CSc., Mgr., Kraus
4) Ing. Arch. Jasan <b>Burin</b>	USA	JUDr. Güttler, JUDr. Janů, JUDr. Duchoň, JUDr. Rakovský, JUDr. David , CSc., Mgr. Kraus
5) Eva <b>Hejlová</b> , Hana <b>Suchá</b>	Czech	Mgr. Zajíček, Ing. Miroslav Kalousek
6) Jan Alexander <b>Herberstein</b>	Austria	JUDr. Rychetský, JUDr. Holländer, JUDr. Musil, JUDr. Mucha, JUDr. Güttler, JUDr. Kurka, JUDr. Balík, JUDr. Nykodým, JUDr. Formánková, JUDr. Židlická, JUDr. Lastovecká
7) Carlos Maximilian <b>Kinsky Y Kavanagh</b>	Austria Argentina	JUDr. Pokorná, Mgr. Zdražil, JUDr. Pejška, Mgr. Kopsa,

120. Victims presented with their names and surnames in the previous point of this Information designate their legal representative, Mgr. Jaroslav Čapek, attorney-at-law, member of the Czech Bar Chamber, Reg. No. 1223, with the office at Komenského 241/35, 500 03 Hradec Králové, Czech Republic.

121. Mgr. Jaroslav Čapek is fully qualified for his role of the legal representative as he satisfies appropriate conditions contained in Rule 22, Item 1 from *The Rules of Procedure and Evidence* which represent an instrument for the application of the *Rome Statute of the International Criminal Court*. He also acts as a defending counsel in criminal cases and a legal representative of persons injured by criminal activities.

122. In conclusion, the signatories of this Information, some of them also victims, as they believe, of the crime against humanity in those boundaries as such crime is delimited in Article 7 § 1, letters f) and h) of the Statute of the International Criminal Court, present for consideration to the Prosecutor or other relevant body within the International Criminal Court to call upon the Ministry of Justice of the Czech Republic to submit the information as follows:

- a) How many actions to determine the title to property have been dismissed by general courts in respective Regional Court jurisdictions [in the Czech Republic] in 2009 after 1. 10. 2009 and in 2010, 2011 and 2012 with the reference to the content of the Standpoint of the Constitutional Court, File No. Pl.ÚS–st.21/05.
- b) How many applications for appellate review submitted to the Supreme Court of the Czech Republic have been dismissed or rejected in the period between 1. 10. 2009 and 21. 12. 2012 with the reference to reasons contained in the Standpoint of the Constitutional Court, File No. Pl.ÚS–st.21/05 of 1. 11. 2005.

123. Further, it is presented for consideration to call upon the Constitutional Court of the Czech Republic to submit the information as follows:

- a) How many complaints and/or complaints connected with the motion for derogation repealing a part of a law submitted to the Constitutional Court of the Czech Republic in the period between 1. 10. 2009 and 31. 12. 2012 have been dismissed or rejected by the Constitutional Court from reasons relying on the conclusions of the Standpoint of the Constitutional Court, File No. Pl.ÚS–st.21/05 of 1. 11. 2005.

124. Presumed evidence resulting from Articles 122. and 123. is essential for the consideration of the extent and systemisation of attack against a clearly identifiable group of persons seeking appropriate restitution and reparation of property in compliance with principles of the International Law.

125. Presumed evidence resulting from Articles 122. and 123. is also essential for the consideration of repeatability of perpetration of crimes as defined in Article 7 § 1 letters f) and h) of the Statute of the International Criminal Court which have been perpetrated in compliance with the political course of the State and in the name and by authority of the Czech Republic.

*To the position of the Czech Republic*

126. The signatories of this Information inform the Prosecutor of the International Criminal Court, that the conducts which the persons indicated in Article 119. of this Information find to be a breach of International law, has been and is being participated by the Czech Republic.

127. The participation of the Czech Republic is viewed in such a manner, that this entity of International Law is still seizing, over twenty years after the fall of the Communist regime, a vast amount of property value, to which the victims of the above mentioned Crimes Against Humanity are claiming their rights, on the basis of ownership rights or heritage rights.

128. The Czech Republic is managing the property of the victims, is generating profits from these properties and even actually selling them to third parties.

129. The Czech Republic must be aware that it is part of an International Society and also a member of a number of International Agreements of Worldwide or Regional significance, which bind it to provide guardianship to Human Rights and Basic Freedoms.
130. Instead of providing the guardianship the Czech Republic has allowed and allows persons performing in its name to breach these rights and freedoms. It is necessary to identify such actions as a gross violation of Internationally identified Human Rights.
131. The Czech Republic has failed to implement its obligations to respect and secure the respect of International Human Rights, having their basis in International Agreements, in which it is a contracting party. The same applies for International Customs law even though the Czech Republic refers to these customs in Article 1 of its Constitution and finally also in its legislation.
132. The Czech Republic has failed and continues to fail for over twenty years in securing persons falling under its jurisdiction an adequate, effective and prompt compensation including reparation.
133. The signatories of this Information inform the Court of the fact, that the Czech Republic is not at all ready for the eventuality of having to proceed to reparations for the benefit of victims of gross violations of Internationally identified Human Rights.
134. The Czech Republic to this day has not taken any steps to founding a national program for reparations and the assistance of victims. Nevertheless it is the Czech Republic which should be ascribed the burden for a number of actions and failures, which have established a gross violation of Internationally identified Human Rights.
135. The Czech Republic must therefore expect that thousands of victims will one day require reparation and assistance for the unacceptable acts of the Czech Republic. Further the Czech Republic must expect that the victims of the International Crime, Crime against Humanity, will not be fully satisfied in terms of reparation from the property of the convicted.
136. The Czech Republic to this day does not dispose with any effective mechanisms to enforce a decision on the reparation of damages. This fact signalizes for the future that great delays will occur during the realization of any forms of reparation - those being restitution, financial compensation, rehabilitation, satisfaction or guarantees of not repeating the committed actions.

#### Conclusion

137. We, the signatories of this Information re of the opinion, that this presented initiating and general Information, submitted to the Prosecutor of the International Criminal Court, presents a tolerable basis for a decision to proceed with a thorough investigation of the issue.

In Prague 2.1.2013

**Please address all enquires directly to the address below:**

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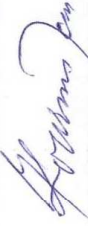




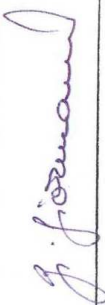
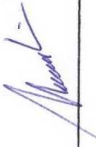
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I UNDERSIGNED, DECLARE THAT I FULLY ASSOCIATE MYSELF WITH THE VIEWS AND FACTS INCORPORATED IN THIS INFORMATION.

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**List of attachments :**

1. Human Rights Committee – Communication No. 774/1997 (to Article 1.)
2. Human Rights Committee – Communication No. 1448/2006 (to Article 11.)
3. Decision of the District Court of the City of Ústí nad Orlicí dated 3 April, 2003, Ref. # 8C 14/2001-94 (to Article 12.)
4. Judgment of the Plenum of the Constitutional Court of the Czech Republic, File No. Pl. US 9/99 (to Article 16.)
5. Decision of the Supreme Court of the Czech Republic of 27. 10. 1998, File No. 28Cdo 49/98 (to Article 17.)
6. Judgment of the Plenum of the Constitutional Court of the Czech Republic, published in *Sbírka zákonů (Collection of Laws)* under No. 55/1995 Coll. (partial translation - to Article 23.)
7. Daily Právo of 2. 7. 2003 (to Article 26.)
8. Daily Hospodářské noviny of 2. 7. 2003 (to Article 26.)
9. Daily MF Dnes of 4. 7. 2003 (to Articles 27., 28., 35.)
10. Daily Právo of 12. 7. 2003 (to Articles 28., 35.)
11. Opinion of the Constitutional Court of the Czech Republic of 1. 11. 2005, File No. Pl. US – st.21/05, published in *Sbírka zákonů (Collection of Laws)* under No. 477/2005 Sb. (to Article 58.)
12. Právní zpravodaj (*Newsletter of Law*), August 2004, “*To the issue of relation between restitution and general regulations from a different point of view*” (to Article 41.)
13. Dissenting opinion of JUDr. Eliška Wagnerová, the Constitutional Court Justice, to the judicial opinion of the Plenum of the Constitutional Court, File No. Pl. ÚS –st. 21/05, supported by JUDr. Miloslav Výborný, the Constitutional Court Justice (to Articles 49., 55., 58., 106.)
14. Daily Hospodářské noviny of 2. 2. 2007, “*Pavel Rychetský: Present-day politics is merely a caricature*” (to Article 104.)
15. Communication of the Ministry of Justice of the Czech Republic of 26. 2. 2009 on the number of dismissed actions to determine the title [to property] from 2006 to 2008 (to Article 60.)
16. Daily Hospodářské noviny of 22. 8. 2011 “*Shameful agrarian restitutions*” (to Article 68.)
17. Letter of the Director of the Human Rights and Conventions Division of the UN Human Rights Committee of 14. 7. 2010 (to Article 90.)
18. Communication of the Agent of the Government of the Czech Republic, JUDr. Vít Schorm, of 21. 9. 2010 (to Article 92.)
19. Communication of the Director of the Human Rights Section of the Office of the Government of the Czech Republic of 30. 12. 2010, Ref. No. 18760/10-OLP (to Article 92.)
20. Letter of Mgr. Jaroslav Čapek, attorney-at-law, to Mr. Ibrahim Salam, Director of the Human Rights and Conventions Division of the UN Human Rights Committee in Geneva of 11.10.2010 (to Article 92.)