

PRESS RELEASE

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Liechtenstein has filed an international complaint against the Czech Republic

On its meeting on 18 August 2020, the Liechtenstein government decided to file today an international complaint at the European Court of Human Rights in Strasbourg to ensure the sovereignty of the country. According to the government, it is not sufficiently respected in the Czech Republic at this moment. The background is the current verdict of the Czech Highest Court which has again denied fundamental rights to Liechtenstein citizens, reasoning that due to the application of the Decrees of the President of the Republic from 1945 they must be considered as Germans. Applying the Decrees again in 2020 is a flagrant disrespect of Liechtenstein's sovereignty and personal identity of its nationals.

Liechtenstein has protested and, emphasizing its sovereignty, it has used the international complaint as a legal tool embedded in the European Convention on Human Rights.

Since 1945 the unacceptable labelling of Liechtenstein nationals as persons with German ethnicity has been repeatedly used in Czech legislation as the ground for verdicts against them. The current lawsuit is about verdicts and measures delivered by the Czech administration bodies and courts after 2014. Without any prior notification, the Prince of Liechtenstein Foundation was served the motion filed by the Czech authority which in the end resulted in deleting the Foundation as an owner of land in the Czech Republic from the Land Registry. Ownership rights to these land plots have existed for centuries and were confirmed by the Land Registry Office only in 2013. The deletion was reasoned by the provably false statement that Prince František Josef II registered German ethnicity in the sense of the Decrees of the President of the Republic. The Czech courts said they were not competent to accept evidence proving opposite despite the fact that the proof was available as a written document. The Constitutional Court of the Czech Republic in its final verdict, dated 20 February 2020, did not correct this unacceptable approach which treats Liechtenstein nationals as Germans. The incorrect application of the Decrees of the President of the Republic from 1945 and erroneous labelling of Liechtenstein nationals as ethnic Germans were confirmed in 2020.

The attitude and approach of Czech authorities and courts affect more than twenty other proceedings with Liechtenstein citizens. It means that in connection to the properties in the Czech Republic before 1945 they cannot raise their claims because they are regarded as Germans. In case of other neutral states, for example Switzerland, the Czech Republic was willing to negotiate a bilateral solution in past decades concerning open issues of similar character. However, no dialogues have ever been held with Liechtenstein on open property-related legal issues. The attitude of the Czech Republic rejecting any dialogues damages the legal successors of all 29 Liechtenstein nationals from which properties were illegally confiscated on the territory of the current Czech Republic and to whom the compensations were denied.

By filing the international complaint, the Liechtenstein government decided to defend against the breach of fundamental rights, especially the right for a fair trial, for private family and life (including the right of an individual to choose his or her own ethnicity), protection

against discrimination and protection of properties by Czech authorities. Given the fact that this approach might become a precedent, the Liechtenstein government cannot ignore the possibility that the Czech authorities and courts systematically continue to regard Liechtenstein nationals as Germans despite clear facts. Since 1806, Liechtenstein is a sovereign state. The Liechtenstein government must provide as best legal protection as possible to its nationals. Liechtenstein does not challenge the Decrees of the President of Republic from 1945 by themselves, but their incorrect application on Liechtenstein nationals. Filing the international complaint, Liechtenstein emphasizes its will to settle all open issues in the relationship with the Czech Republic in a legal way. This approach is in line with the foreign policy of Liechtenstein which has traditionally promoted the principles of legal state.

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