

GOVERNMENT ANNOUNCES SCHEME OF PUNISHMENT

May 7, 1944

In the name of the Czechoslovak Government, Minister Namec read on the London Czechoslovak broadcast, the additional Government declaration on the punishment of war criminals. The broadcast took place on Sunday night, May 7th. The declaration emphasizes that legislative measures to be taken against the Nazi criminals and their assistants and executors, must be valid in retrospect from the date when the enemy attack against the Republic could not be doubted. Conspiracy against the State, endangering its security, treachery, disclosure of state secrets, military treachery, violence against constitutional representatives, punishable by imprisonment during the Republic, will be included among the crimes punishable by death. All cases of murder, violence, plundering, even if committed in the form of ostensibly legal sentences and executions and confiscations perpetrated in the form of ostensibly legal juridical acts, will be punished more severely. Destruction of life in every case will be punished by death.

Members of the Gestapo, SS men and similar murderous gangs will first answer for the individual crimes committed but the mere fact of belonging to such an organization will be regarded as a crime punished accordingly. Public propagation of Nazism and Fascism will be punished whether it was carried out directly or through the medium of certain Nazi and fascist organizations. Those particularly will be punished who in their activities, defended and praised in the press or public meetings, the foreign government's usurping of power in Czechoslovakia or the individual illegal acts of their organs.

Those who have taken advantage of the stress arising out of national, political or racial persecution in order to enrich themselves at the expense of the state and of individuals, shall not escape punishment. As to collaboration, punishment is excluded in the case of extreme compulsion and none will be punished who have been the unwilling victim of forced collaboration. Popular tribunals will investigate whether accused persons were willing or unwilling servants of the enemy.

If retribution is also to become a purge of public life, it must not rest solely on criminal retribution. Confiscation of property, loss of civil honor and civil rights, may be meted out as subsidiary punishment. But besides proved criminal guilt, there exists the guilt of those who have not behaved as befits true and brave Czechoslovak citizens at a time of national trial, although obligation was laid on them by their social position to set an example for the rest of the population. Such people will be

excluded from all participation in public and economic life by a special order, even though they have only been guilty of failing in their duties due to their responsible position.

Special popular tribunals will consist of three laymen appointed by the Government, selected from among reliable patriots, presided over by professional, civil or a military judge and assisted by a deputy with legal training. Procedure similar to those of the martial courts will be adopted for culprits who have escaped but have been summoned by public notice or wireless. No appeal will be permitted against conviction but in the case of acquittal, the public prosecutor will be able to call for an examination by ordinary courts after three months.

The Government is appealing to all citizens to prepare for all this. It appeals also to guilty persons to mitigate or make good the harm they have done by joining the fighters against the enemy. Their guilt, of course, can be wiped out only if service is rendered in causing harm to the enemy, and exceeds the harm done to the nation.