

The Liechtensteins were not Germans. Judge Uhlíř thinks the Czech courts' decision-making is absurd

The Czech courts' ruling on the Liechtensteins is absurd, Constitutional Court Judge David Uhlíř has said. Franz Joseph II, Prince of Liechtenstein, was a citizen of a state that maintained neutrality throughout World War II and there is no reason to view him differently, the judge said. The Liechtensteins have long sought to recover property confiscated from them after World War II under the Beneš Decrees. Uhlíř is now the only one to side with the princely family after a series of court cases.

The Princely House of Liechtenstein has been claiming property seized under the Beneš Decrees since the communist takeover. They have repeatedly pointed out that the last holder of the family's property, Franz Josef II of Liechtenstein, was not a citizen of Germany, but of neutral Liechtenstein, and that he was the head of a sovereign state, so the Beneš Decrees should not have applied to him. "While the Liechtenstein party assumed that after 1989 the two countries would come to an agreement, which they were entitled to do even thanks to the written promise of Foreign Minister Dienstbier, the Czech political representation hoped that the problem would "go away with time" and the Liechtenstein state assets would remain with the Czech state. In 2014, the Czech state even sued the Foundation, because the court for Prague 10 transferred a forest near Říčany to the Foundation in the inheritance proceedings. Since 2020, this initial lawsuit has been handled by the European Court of Justice in Strasbourg based on Liechtenstein's international complaint," reminds the Foundation Prince Liechtenstein in a press release available to FORUM 24.

A certain twist however came in mid-May when the Constitutional Court announced its decision in a case concerning lands in the Kolín district. While two judges voted in favour of the Czech Republic, Constitutional Court Judge David Uhlíř expressed his fundamental disagreement with the previous decisions of the Czech courts in his judgment, when he stated, among other things: *"Franz Joseph II the Prince of Liechtenstein, the legal predecessor of the party currently raising the complaint, whose disputed property was to be confiscated by the Presidential Decree No. 12/1945 Coll., was a citizen of a state that maintained neutrality throughout the Second World War. There is no reason to regard him differently than as any other German-speaking citizen of another neutral state would, e.g. Switzerland. The idea that Franz Joseph II the Prince of Liechtenstein was collectively responsible for the crimes of the Third Reich and therefore covered by the decree of the President of the Republic is absurd,"* said Uhlíř and added that, in his opinion, the decisions of the general courts and of the Constitutional Court are influenced not only by legal considerations, but also by political and economic ones.

Despite years of court disputes with the Czech Republic, the Liechtensteins have maintained a connection with the country. Last Wednesday, the Silesian State Museum in Opava officially opens the exhibition "The Princes of Liechtenstein. Lords of the lands of Opava and Krnovsko", which, among other things, will present over forty unique items from the Prince's collections. These were lent to Opava free of charge by Hans Adam II and transported to the Opava Museum at Liechtenstein's expense.

On this occasion, the Liechtenstein delegation visited Opava and then Krnov, including, for example, Princess Nora of Liechtenstein, the sister of the reigning prince, Princess Maria-Pia Kothbauer of Liechtenstein, the ambassador of the principality in Austria and the Czech Republic, or Prince Alfred of Liechtenstein, the chairman of the Council of the House of Liechtenstein.

"The example of Opava shows what cooperation between the Foundation Prince Liechtenstein and the individual regions of the Czech Republic could look like, if instead of going to courts, the Czech Republic and the family agreed to resolve the long-standing dispute diplomatically," says Konstantin of Liechtenstein, the youngest son of Hans Adam II., the CEO of the Liechtenstein Group, which manages all the Princely companies except for the financial and banking ones. *"We can imagine a creative solution that is beneficial for both parties,"* he adds.

In his opinion, Liechtensteins are fighting for the historical family values and for the works of our ancestors, therefore they do not want to give up. *„When this is at stake, you never want to give up. If we were primarily concerned with money, it would probably be better to invest and do business elsewhere. We don't fight for money.“*