

*Office for the Documentation and Investigation of the Crimes of Communism
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The Office for the Documentation and Investigation of the Crimes of Communism came into being on January 1, 1995, when two other offices were merged. The first of these two predecessor offices was a commission, in the Ministry of the Interior, which had authority to initiate criminal proceedings, but only in the case of crimes committed by members of the former State Security Service (StB). The second was the Center for Documentation of the Unlawfulness of the Communist Regime, which functioned under the aegis of the Prosecutor General and later under the Ministry of Justice. This office had only a documentary function and could not prosecute the perpetrators of Communist crimes. The merger of these two offices created the present-day Office for Documentation and Investigation (UDV), which has the authority to initiate criminal proceedings. It investigates and prosecutes these crimes from the years 1948-1989 which, because of political conditions incompatible with the legal principles of a democratic state, were not convicted or acquitted by due process of law. In accordance with statute no. 27/1995 of the Ministry of the Interior, the UDV also gathers and publishes documents on the unlawfulness of the Communist regime and on the resistance to it.

As of today, our office has prosecuted 100 individuals. Of these, 39 have had their records turned over to the state prosecutor's office with a recommendation for their indictment. Thus far, state prosecutors have indicted 26 individuals, of whom 15 have been brought to trial or are presently standing trial. So far, one individual has been convicted and sentenced to five years without parole.

The cases that the UDV has pursued have been very heterogeneous. They may be generally divided into the following categories:

- a) The torture, beating to death, or shooting of convicts and suspects under interrogation by members of the Penal Service and State Security Service in various camps, prisons and detention centers.

- b) The shooting of persons who attempted to cross the state border, either on the territory of a foreign state or deep within the interior of the country, where an imaginary border 'was created,
- c) Cases of treason in connection with the invasion of the Czechoslovak Socialist Republic: by Warsaw Pact forces in 1968.
- d) Persecution of opponents of Communism by the pre-November 1989 regime.

The second part of our task is the documentation of crimes committed in the time of the Communist dictatorship, particularly in those cases where it is no longer possible to proceed in the manner described above, because the perpetrators are dead, or because the statute of limitations has expired. The office devotes considerable effort to revealing the structure and activities of organizations and authorities which were active in the totalitarian period and which took part in the repression of human rights. Because the Communist regime was based on crime from the very beginning, it is impossible to ever reconstruct a complete mosaic of all the crimes which were committed in this period, and so we must focus on those cases which we consider to be most important.

Among the most well known cases one might mention the following: the investigation of the death of former Foreign Minister Jan Masaryk; cases of treason in connection with the advance of Warsaw Pact forces onto the territory of the Czechoslovak Socialist Republic in 1968; the illegal armament of the People's Militias; and the investigation of experiments allegedly performed on American prisoners of war during the conflicts in Korea and Vietnam.