



International Conference

# Crimes of the Communist Regimes

an assessment by historians and legal experts

Main Hall of the Senate, Parliament of the Czech Republic, Prague  
(24-25 February 2010)

Office of the Government of the Czech Republic, Prague  
(26 February 2010)

The Conference is hosted by

**Mr Jiří Liška, Vice-President of the Senate, Parliament of the Czech Republic**  
and the Office of the Government of the Czech Republic

and organized by

**the Institute for the Study of Totalitarian Regimes**  
together with partner institutions from the working group  
on the Platform of European Memory and Conscience

under the kind patronage of

**Mr Jan Fischer**  
Prime Minister of the Czech Republic

**Ms Miroslava Němcová**  
First Deputy Chairwoman of the Chamber of Deputies, Parliament of the Czech Republic

**Ms Heidi Hautala (Finland)**  
Chairwoman of the Human Rights Subcommittee of the European Parliament

**Mr Göran Lindblad (Sweden)**  
President of the Political Affairs Committee of the Parliamentary Assembly of the Council of Europe  
and Chairman of The Swedish Delegation to the PACE

**Ms Sandra Kalniete (Latvia)**  
former dissident, Member of the European Parliament

**Mr Tunne Kelam (Estonia)**  
former dissident, Member of the European Parliament

**Mr László Tökés (Romania)**  
Bishop, former dissident, Member of the European Parliament

**Mr Milan Zver (Slovenia)**  
Member of the European Parliament

**Ms Jana Hybášková (Czech Republic)**  
former Member of the European Parliament

and **Mr Martin Mejstřík (Czech Republic)**  
former Senator, Parliament of the Czech Republic

in Cooperation with

**Konrad Adenauer Stiftung**      **MENE TEKEL festival**  
**Information Office of the European Parliament**      **Czech Museum of Music**      **DEMAS**  
**Representation of the European Commission in the Czech Republic**  
**Robert Schuman Foundation** for cooperation between Christian Democrats in Europe  
**Polish Institute in Prague**

## About the conference

*The conference “Crimes of the Communist Regimes” has been convened in response to calls formulated in particular in the following documents:*

*the Resolution of the Parliamentary Assembly of the Council of Europe of 25 January 2006 on the Need for international condemnation of crimes of totalitarian communist regimes;*

*the Prague Declaration on European Conscience and Communism of 3 June 2008;*

*and the Resolution of the European Parliament on European Conscience and Totalitarianism of 2 April 2009.*

*Twenty years after the fall of the Iron Curtain and almost six years after the accession of post-communist countries to the EU, a major issue of our common European legacy remains unresolved. Although Europe has gathered extensive experience in dealing with the Nazi dictatorship, starting with the trials of Nazi war crimes and culminating in detailed information on the crimes and on the Holocaust, very little has been done in order to come to terms with the crimes committed by the communist dictatorships in Central and Eastern Europe. There has been no comprehensive disclosure and evaluation of the crimes, many of which probably classify as crimes against humanity as defined by international law since 1945. The united Europe of today founds its existence on a strong commitment to the protection of the human rights of its citizens. However, there are innumerable victims of crimes of the communist regimes living in the new EU member states, with unknown numbers of perpetrators living alongside them. Only little justice has been done, which has led to a disillusionment of citizens and their lack of trust in democratic institutions. Communism and its legacy require an approach comparable to the one Nazism has received. We need to publish the facts about it, to subject it to a legal judgment and to come to terms with its consequences in an honest way.*

*This conference held in the heart of Europe wants to create an overview of the crimes committed by the communist regimes behind the Iron Curtain, to assess them from a legal point of view and to search for possible solutions to the situation today, its goal being reconciliation within the post-communist societies and a strengthened European integration across the former East-West divide.*

## About the Institute for the Study of Totalitarian Regimes

*The Institute was founded by Act No. 181/2007 Coll. of the Czech Republic and assumed work on February 1, 2008. Its mission includes the study and evaluation of the period of Nazi occupation and Communist rule, the anti-democratic and criminal activities of the state, especially its security services, and of the Communist party of Czechoslovakia; the analysis and documentation of the reasons for the liquidation of the democratic regime, and the active support for and resistance against the dictatorships; and the documentation of Nazi and Communist crimes. Through and together with its subordinate entity, the Security Services Archive, which administers over 18 km of files, the Institute acquires relevant documents, ensures their digitization and makes them accessible to the public. The Institute's further mission is to raise awareness, disseminate information and educate the public, in cooperation with like-minded institutions and persons at home and abroad. The Director of the Institute is Dr. Pavel Žáček.*

## 24 FEBRUARY - THE CRIMES COMMITTED

8.00 - 8.30 registration

8.30 Opening of the conference

**Jiří Liška (Czech Republic)**, Vice-President of the Senate

**Pavel Žáček (Czech Republic)**, Director, Institute for the Study of Totalitarian Regimes

9.00 - 9.30 Inaugural Address

**Harry Wu (USA)**, former dissident and political prisoner in China, Director, Laogai Research Foundation, Washington, D.C.

9.30 - 10.30

I. Communist regimes and crimes against humanity

Crimes committed by communist governments against their own citizens in the 20th century. Twenty years since the fall of communism in Europe. Definition of crimes against humanity. The nature of communist crimes from the point of view of international legislation. Our commitment to justice. International treaties and resolutions.

Host: **Jiří Liška**, Vice-President of the Senate

**Naděžda Kavalírová (Czech Republic)**, Chairwoman, Confederation of political prisoners of the Czech Republic, Chairwoman, Council of the ISTR

**Martin Mejstřík (Czech Republic)**, former student leader of the Velvet Revolution, former Senator

**Dainius Žalimas (Lithuania)**, Head of the Institute of International and European Union Law, Faculty of Law, Vilnius University

Discussion

10.30 - 11.00 coffee break

11.00 - 13.00

II. Crimes committed by communist regimes in the former Soviet Union, the new EU member states, Germany and the Balkans - studies of individual states I

Host: **Alexandr Vondra**, Senator, former dissident, former Deputy Prime Minister of European Affairs

**Russia - Nikita V. Petrov**, Vice-chairman, Memorial

**Estonia - Toomas Hiio**, Member of the Board, Institute of Historical Memory, and Research Director, Estonian War Museum

**Latvia - Valters Nollendorfs**, Director of External Affairs, Museum of the Occupation of Latvia 1940-1991

**Lithuania - Emanuelis Zingeris**, Chairman, International Commission for the Evaluation of the Crimes of the Nazi and Soviet Occupation Regimes in Lithuania

**Ukraine - Igor Yukhnovsky**, Director, Institute of National Memory of Ukraine; **Vlodymyr Viatrovych**, Director of the Branch state archive, the Security Service of Ukraine

Discussion

13.00 - 14.00 lunch

14.00 - 15.30

III. Crimes committed by the communist regimes - studies of individual states II

Host: **Zuzana Vittvarová (Czech Republic)**, founder, Association Enemy's Daughters

**Belarus - Zianon Pazniak**, former leader of the Belarusian opposition

**Poland - Władysław Bułhak**, Head, Division of Research, Expertise, Documentation and Library Holdings at the Public Education Office, Institute of National Remembrance

**Slovakia - Lubomír Morbacher**, Institute of the Nation's Memory

**Hungary - Janos M. Rainer**, Director, Institute for the history of the 1956 Hungarian revolution

**Germany - Hans Altendorf** - Director, Federal office for the records of the national security services of the former GDR

Discussion

15.30 - 16.00 coffee break

16.00 - 17.30

IV. Crimes committed by the communist regimes - studies of individual states III

Host: **Zdeněk Křivka (Czech Republic)**,  
Member, Confederation of political prisoners  
of the Czech Republic

**Slovenia - Andreja Valič**, Director,  
Study Centre for National  
Reconciliation

**Romania - Marius Oprea**, President,

*Institute for the Investigation of  
Communist Crimes in Romania*

**Bulgaria - Vasil Kadrinov**, Director,  
*Hannah Arendt Centre*

**Serbia - Marina Jelić**, Executive  
Director, Center for Peace and  
Democracy Development

18.30-20.00

**Reception and Concert  
at the Czech Museum of Music**

## 25 FEBRUARY - THE JUSTICE (TO BE) DONE

8.00 - 8.30 registration

8.30 Welcome

**Hubert Gehring (Germany)**, Director,  
*Konrad-Adenauer-Stiftung Prague*

8.35 Opening

**Miroslava Němcová (Czech Republic)**, First  
deputy chairwoman, Chamber of Deputies,  
Parliament of the Czech Republic

9.00 - 10.10

**V. Case study: Communist crimes in  
Czechoslovakia and their prosecution.**  
Czechoslovakia as an example: classification  
of crimes committed in 1948-1989 and their  
prosecution after the fall of the communist  
regime.

**Host: Milan Hulík**, lawyer, member of the  
Committee for the Defense of the Unjustly  
Persecuted (VONS)

**Miroslav Lehký**, 1st deputy director,  
*Institute for the Study of Totalitarian  
Regimes*

**Pavel Gregor**, former Head of  
investigation, UDV (Office for the  
Documentation and Investigation of  
Communist Crimes)

**Eduard Stehlík**, head of the  
education department and of the  
military library, *Institute for Military  
History*

### Discussion

10.15-11.45

**VI. Sentencing of communist criminals -  
country studies.**

Germany, Poland - countries with long  
experience in prosecution of communist  
crimes. Shootings at the Berlin wall, other  
sentences of criminals from the former GDR.  
Experiences of the Institute of the Nation's  
Memory. The Jaruzelski trial? Slovenia - legal  
responses to totalitarian communist crimes.  
Romania - the road to justice and problems  
with application of international law. Was  
international law ever applied or considered?

**Host: Göran Lindblad (Sweden)**, President,

*Political Affairs Committee, Vice-President,  
Parliamentary Assembly of the Council of  
Europe*

**Christoph Schäfergen (Germany)**,  
former General prosecutor, Berlin

**Witold Kulesza (Poland)**, Professor of  
criminal law, University of Łódź

**Jernej Letnar Čerňič (Slovenia)**,  
researcher in international human  
rights law, European University  
Institute, Firenze, Italy

**Raluca Grosescu (Romania)**, Head of  
the Research and Documentation  
Office, Institute for the Investigation  
of Communist Crimes in Romania

### Discussion

11.45 - 12.30 refreshments

12.30 - 14.00

**VII. Thick lines, limited justice and the  
consequences.**

Why has the road to justice been so  
unsatisfactory? The "thick line" (gruba  
kreska) - an explicit or unspoken phenomenon  
and its consequences. The rights of the  
victims. The role of law and the judiciary in  
post-totalitarian countries. What happened to  
the communist regime's judges, prosecutors  
and police? Were the approaches different in  
the post-communist countries? What are the  
consequences in today's societies in Central  
and Eastern Europe?

**Host: László Tökés (Romania)**, Bishop,  
former dissident, MEP

**Joachim Gauck (Germany)**, former  
Federal Commissioner for the records  
of the Stasi, chairman, association  
'Against oblivion - for democracy'

**Hynek Baňouch (Czech Republic)**,  
lawyer, sociologist, judge of the  
district court in Chrudim

**Vytautas Landsbergis (Lithuania)**,  
former dissident and President of  
Lithuania, MEP

### Discussion

## 26 FEBRUARY - THE SOLUTION?

8.00 - 8.30 *registration*

8.30 **Opening**

**Jana Hybášková, (Czech Republic), former MEP**

9.00-10.30

**VIII. Crimes of Communism and Nazism - what have we learned?**

Can we compare the crimes committed by the two dictatorships of the 20th century? The similarities, the differences. What did Western democracies know about the extent of human rights violations in the communist bloc? The Nazi crimes have been documented and prosecuted. Should we try to achieve the same for the communist crimes, and how?

**Host: Sandra Kalniete (Latvia), former dissident, MEP**

**Anders Hjemdahl (Sweden), founder, Institute for Information on the Crimes of Communism**

**Petr Brod (Czech Republic), journalist, former head of BBC Czech Republic**

**Milan Zver (Slovenia), political scientist, sociologist, Member of the European Parliament**

### Discussion

10.30-11.00

**IX. European Union and Human Rights.**

The role of the European Union. How to achieve progress in integration in a Europe in which severe violations of fundamental rights remain unpunished? The report of the European Commission on the crimes of communist regimes.

**Introduction: Heidi Hautala (Finland), Chairwoman, Human Rights Subcommittee, European Parliament**

**Representative of the European Commission, DG Justice, Freedom and Security**

11.00 - 11.30 *coffee break*

11.30 - 13.00

**X. International justice: UN tribunals, the**

**South African Truth and Reconciliation Commission.**

Transitional justice at the end of the 20th and beginning of the 21st centuries. Can parallels be found with the situation in Central and Eastern Europe? How to deal with communist crimes in the former communist countries?

**Host: Tunne Kelam (Estonia), former dissident, MEP**

**Ivana Janů (Czech Republic), Justice of the Constitutional Court, former judge of the International criminal tribunal on former Yugoslavia**

**Alexandra Mihalcea (Romania), lawyer, former collaborator of the International criminal tribunal for Rwanda**

**Dumisa Ntsebeza (South Africa), former dissident and political prisoner, lawyer, former Head of the Investigative Unit, Truth and Reconciliation Commission, tbc**

**Boris Burghardt (Germany), lawyer, Department of criminal law, Humboldt University, Berlin**

### Discussion

13.00-14.00 *lunch*

14.00-16.00

**XI. How to attain justice in post-communist societies, notably in the new EU member states? The lessons drawn. How to overcome the non-action of national courts?**

**Host: Pavel Žáček (Czech Republic), Director, Institute for the Study of Totalitarian Regimes**

**Roundtable discussion**

with **Sandra Kalniete, László Tökés, Joachim Gauck, Harry Wu, Milan Zver, Vytautas Landsbergis, Tunne Kelam, Göran Lindblad** and other speakers and VIP guests of the conference

16.00 - 16.30 *coffee break*

16.30-16.45 **Conclusion of the conference**

17.00-17.30

### Press conference

## Accompanying programme

- **Milan Svoboda Jazz Quartet**  
Musical evening with jazz standards by one of the finest Czech jazz ensembles  
Date and time: 24 February 2010, 18.30-20.00  
Location: Czech Museum of Music, Prague 1, Karmelitská 2/4  
Entrance free & exclusive for conference participants
- **Screening of the film “The Living” (“Zhivi”) by Sergiy Bukovsky (Ukraine 2008)**  
Date: 25 February, 15.30-17.30  
Location: the Polish Cultural Centre, Malé nám. 144/1, Prague 1  
Entrance free to the public  
*to be confirmed*
- **Exhibition “Common denominator: Death”**  
Exhumations of victims of Securitate  
Exhibition within the festival MENE TEKEL (see below)  
Author: Institute for the investigation of communist crimes in Romania  
Date: 22 February - 7 March 2010  
Location: historical building of the Charles University, Prague 1, Ovocný trh  
Entrance free to the public
- **Festival MENE TEKEL**  
festival against totalitarianism and violence  
4th annual event, this year’s topic: Intellectual resistance  
Date: 22 February - 7 March, 2010  
Location: various events, programme: [www.menetekel.cz](http://www.menetekel.cz)  
Entrance free to the public

---

Conference website:

[www.crimesofcommunism.eu](http://www.crimesofcommunism.eu)

registration:

tel.: +420 - 221 008 325 or by e-mail at [coc@ustrcr.cz](mailto:coc@ustrcr.cz)