

German-Czech Declaration on Mutual Relations and their Future Development of 21 January 1997

The Government of the Federal Republic of Germany and the Czech Republic,

Recalling the Treaty of 27 February 1992 on Good-neighbourliness and Friendly Cooperation between the Federal Republic of Germany and the Czech and Slovak Federal Republic with which Germany and Czechs reached out to each other,

Mindful of the long history of fruitful and peaceful, good-neighbourly relations between Germans and Czechs during which a rich and continuing cultural heritage was created,

Convinced that injustice inflicted in the past cannot be undone but at best alleviated, and that in doing so no new injustice must arise,

Aware that the Federal Republic of Germany strongly supports the Czech Republic's accession to the European Union and the North Atlantic Alliance because it is convinced that this is in their common interest,

Affirming that trust and openness in their mutual relations is the prerequisite for lasting and future-oriented reconciliation,

jointly declare the following:

I

Both sides are aware of their obligation and responsibility to further develop German-Czech relations in a spirit of good-neighbourliness and partnership, thus helping to shape the integrating Europe.

The Federal Republic of Germany and the Czech Republic today share common democratic values, respect human rights, fundamental freedoms and the norms of international law, and are committed to the principles of the rule of law and to a policy of peace. On this basis they are determined to cooperate closely and in a spirit of friendship in all fields of importance for their mutual relations.

At the same time both sides are aware that their common path to the future requires a clear statement regarding their past which must not fail to recognize cause and effect in the sequence of events.

II

The German side acknowledges Germany's responsibility for its role in a historical development, which led to the 1938 Munich Agreement, the flight and forcible expulsion of people from the Czech border area and the forcible breakup and occupation of the Czechoslovak Republic.

It regrets the suffering and injustice inflicted upon the Czech people through National Socialist crimes committed by Germans. The German side pays tribute to the victims of National Socialist tyranny and to those who resisted it.

The German side is also conscious of the fact that the National Socialist policy of violence towards the Czech people helped to prepare the ground for post-war flight, forcible expulsion and forced resettlement.

III

The Czech side regrets that, by the forcible expulsion and forced resettlement of Sudeten Germans from the former Czechoslovakia after the war as well as by the expropriation and deprivation of citizenship, much suffering and injustice was inflicted upon innocent people, also in view of the fact that guilt was attributed collectively. It particularly regrets the excesses which were contrary to elementary humanitarian principles as well as legal norms existing at that time, and it furthermore regrets that Law No. 115 of 8 May 1946 made it possible to regard these excesses as not being illegal and that in consequence these acts were not punished.

IV

Both sides agree that injustice inflicted in the past belongs in the past, and will therefore orient their relations towards the future. Precisely because they remain conscious of the tragic chapters of their history, they are determined to continue to give priority to understanding and mutual agreement in the development of their relations, while each side remains committed to its legal system and respects the fact that the other side has a different legal position. Both sides therefore declare that they will not burden their relations with political and legal issues, which stem from the past.

V

Both sides reaffirm their obligations arising from Articles 20 and 21 of the Treaty of 27 February 1992 on Good-neighbourliness and Friendly Cooperation, in which the rights of the members of the German minority in the Czech Republic and of persons of Czech descent in the Federal Republic of Germany are set out in detail.

Both sides are aware that this minority and these persons play an important role in mutual relations and state that their promotion continues to be in their common interest.

VI

Both sides are convinced that the Czech Republic's accession to the European Union and freedom of movement in this area will further facilitate the good-neighbourly relations of Germans and Czechs.

In this connection they express their satisfaction that, due to the Europe Agreement on Association between the Czech Republic and the European Communities and their Member States, substantial progress has been achieved in the field of economic cooperation, including the possibilities of self-employment and business undertakings in accordance with Article 45 of that Agreement.

Both sides are prepared, within the scope of their applicable laws and regulations, to pay special consideration to humanitarian and other concerns, especially family relationships and ties as well as other bonds, in examining applications for residence and access to the labour market.

VII

Both sides will set up a German-Czech Future Fund. The German side declares its willingness to make available the sum of DM 140 million for this Fund. The Czech side, for its part, declares its willingness to make available the sum of Kc 440 million for this Fund. Both sides will conclude a separate arrangement on the joint administration of this Fund.

This Joint Fund will be used to finance projects of mutual interest (such as youth encounter, care for the elderly, the building and operation of sanatoria, the preservation and restoration of monuments and cemeteries, the promotion of minorities, partnership projects, German-Czech discussion fora, joint scientific and environmental projects, language teaching, cross-border cooperation).

The German side acknowledges its obligation and responsibility towards all those who fell victim to National Socialist violence. Therefore the projects in question are to especially benefit victims of National Socialist violence.

VIII

Both sides agree that the historical development of relations between Germans and Czechs, particularly during the first half of the 20th century, requires joint research, and therefore endorse the continuation of the successful work of the German-Czech Commission of Historians.

At the same time both sides consider the preservation and fostering of the cultural heritage linking Germans and Czechs to be an important step towards building a bridge to the future.

Both sides agree to set up a German-Czech Discussion Forum, which is to be promoted in particular from the German-Czech Future Fund, and in which, under the auspices of both Governments and with the participation of all those interested in close and cordial German-Czech partnership, German-Czech dialogue is to be fostered.

Prague, 21 January 1997

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