

**VZOR INFORMACE O ZAJIŠTĚNÍ PRÁV OBHAJOBY  
OSOBY ODSOUZENÉ V JEJÍ NEPŘÍTOMNOSTI  
v anglickém jazyce**

A)

The above-mentioned person has been convicted and sentenced in the proceedings against a fugitive. Since ... ..  
..., he/she was represented in these proceedings by attorney ... .., who was:

appointed by the court

given power of attorney

to represent the defendant in this case.

In case of his return to the Czech Republic, the above-mentioned person will have the right to re-trial in his presence in accordance with Section § 306a of the Code of Criminal Procedure. Section 306a of the Code of Criminal Procedure reads:

*Section 306a*

*(1) If the grounds for the proceedings against a fugitive have expired, the criminal proceedings shall continue pursuant to the general provisions. If the accused person requests it, the evidence produced in the previous trial proceedings shall be produced before the court again, if the nature of the evidence allows it and if the re-production is not prevented by another significant matter of fact; otherwise the protocol on production of such evidence shall be read to the accused person, or the audio and visual records made of the acts performed by the means of a video-conference device shall be played to him, and he shall be allowed to comment on them.*

*(2) If the proceedings against a fugitive ended by a final and effective convicting judgment and then the grounds on which the proceedings against a fugitive were conducted expired, the court of the first instance shall repeal such judgment upon a petition of the convict filed within eight days from the service of the judgment, and the trial shall be conducted again in the extent provided by sub-section (1). The convict must be instructed of the right to petition the repeal of the final end effective judgement upon the service of the judgement. The court shall proceed accordingly, if it is required by an international treaty binding the Czech Republic.*

*(3) The time from the full force and effect of the convicting judgment to its repeal pursuant to sub-section (2) shall not be included into the limitation period.*

*(4) The decision cannot be changed to the detriment of the accused person in the new proceedings.*

B)

The above-mentioned person has been convicted and sentenced in his absence in accordance with Section 202(2) of the Code of Criminal Procedure because:

he/she asked the court to try him/her in his/her absence

date: ..... manner: .....

without sufficient excuse has failed to appear at the trial, to which he/she had been duly and in time summoned

date of service of the indictment and summons to the trial: .....

the proof of service is avail

Date and place of the interrogation of the person sought in the pre-trial proceedings: .....

Authority that interrogated the person sought in the pre-trial proceedings: .....

Section 202(2) of the Code of Criminal Procedure reads:

*Section 202*

*(2) The trial may be conducted in the absence of the defendant only if the court believes that the matter can be reliably decided and that the purpose of criminal proceedings may be reached even without the presence of the defendant, while*

*a) the indictment was properly served to the defendant and the defendant was properly and duly summoned to the trial, and*

*b) the defendant has already been questioned by an authority involved in criminal proceedings about the act, which is the subject of the indictment, and the provision on initiation of criminal prosecution has been fulfilled (Section 160) and the accused person was notified about the possibility to study the file and make proposals for supplementation of the investigation (Section 166 (1)).*

In case of his return to the Czech Republic, the person sought will not have the right to re-trial in his presence, unless extradited by the Requested State under condition that the person sought is afforded re-trial.

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.....  
Official seal of the  
..... Court in .....