

## **Ing.arch.Marek Řičář**

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### **Fabricated Cause Bono publico – emergence and crucial points**

#### **Ing. arch. Marek Řičář**

- born in 1966 in the Czech Republic, change of his name because of a police program
- family with 5 children
- relatives persecuted during the communist regime, father was sent away from university, the family was watched by secret police until the year 1989, grandfather was the youngest deputy of the Czechoslovak Parliament of the People's party in the 30's years of the past century, in the Fifties he was sentenced to death by communists in a fabricated trial, the sentence was changed to life-long imprisonment, an amnesty was given to him in the 60's, a part of the mother's family was murdered by communists
- he studied architecture and urbanism, adult education, personal management and sociology
- co-author of noted projects in the Czech Republic
  - first hospice in CR
  - first full eco-village in CR
  - first catholic school in Liberec region
  - international centre in Hejnice – financed by EU
  - first multimedia network of communication for direct democracy in EU
- 2006 he testified against corruption and fraud among people surrounding the Prime Minister
- after five years in police "Witness Protection Program" he was sentenced in a fabricated trial exactly following threats expressed by the mafia

### **In the beginning there was the cause Budišov...**

In the spring of 2005, the politician of governmental ČSSD (Czech Social Democratic Party) and the Mayor of Budišov Municipality, ex-communist Ladislav Pěťa boasted in front of his contracting partner, the planner and architect Marek Řičář, with his contacts to Ministries and to the Cabinet Office, which would allegedly enable him to manipulate the obtaining grants from EU and CR State budget for the project in Budišov. He declared himself able to influence staff policy and decisions of ministers and thus to oblige officials to obedience... He boasted to have achieved the appointment of a special person to the position of Deputy Minister for Regional Development and this person will provide grants according to his wishes... He entrusted repeatedly that he had to distribute bribes of 5 million CZK for "ensuring" grants for the project of the castle reconstruction at Budišov...

Arch. Marek Řičář refuses to participate in this procedure and therefore gets into conflict with mayor Pěťa. The consequences are reflected immediately - architect Marek Řičář, who has worked on the project for Budišov since 1999, is being excluded from the management of the project and replaced by companies selected by Pěťa and his allies.

In the second half of 2005, L. Pěťa celebrates the acquisition of the grant according to his plan... and he boasts about his impunity and elusiveness - he presents his criminal activity without scruples again and again = corruption, manipulation of public procurement, abuse of the position of public officials, frauds... and in anticipation of his further success he offers the architect a ticket to the SYSTEM of political crime - all he would do would be to obediently join the company and its projects, to sign a personal bill of 100 million Czech crowns, to act according to the mayor's instructions and above all - to KEEP SILENT - this way the architect would become one of the „players“, he would become a part of the SYSTEM.

Architect Řičář repeatedly and clearly refuses to do anything like this....

At the end of 2005, L. Pét'a welcomes to his "Team" an important ally – a former Human Resources Director of the Czech Ministry of Interior and later head of the office of Prime Ministers Gross and Paroubek - Mr. Zdeněk Doležel, who later stepped out of office because of allegations about corruption and fraud (the cause „5 on the table in CZK” – Doležel was sentenced in 2011). L. Pét'a – under Doležel's influence - changes his attitude towards architect Řičář completely - he has not become a „player” = he is a risk = he has to be excluded ... and just for the case he would like to speak about the crimes, about which he had heard from the mayor, he is warned clearly: he would lose his business, he would suffer medial execution, criminalization, an accident, „suicide“, hired Ukrainians, a threat to his children, total destruction and extinction.

Architect Řičář in the presence of a witness Aleš Vébr (who later became a victim of a Czech bankruptcy mafia and will need more than 10 years to recover of liabilities) informs the unit of corruption and financial crime combat of the Czech police. As the police asks for evidence, the architect provides a tape record of a meeting with the mayor, which captures the mayor's confession to corruption, fraud, extortion, etc.

## 1) POLICE PERPETRATES CRIMINAL ACTIVITY

**The unit of corruption and financial crime combat of the Czech police is given this record of meeting with L. Pét'a provided by architect Řičář, but the police DESTROYS this proof and explains, that such a dangerous cause is impossible to investigate, that there are names of highly placed and powerful politicians, and that further investigation would threaten the investigators themselves.**

### X

**Architect Řičář in the presence of witness Aleš Vébr repeatedly asks police for help – without success..., in a situation of escalating extortion of the group he accepts the offer of journalist Janek Kroupa, who starts to document the cause for TV Nova and who later connects the architect with another police unit – ÚOOZ (Unit for the combat against organized crime), which connects the investigation of the cause to the investigations against Doležel who supposedly has prepared the murder of commander Col. Kubice.**

Police – ÚOOZ investigates under the supervision of the State Attorney of the Municipal Public Prosecution in Prague, the journalist Kroupa from TV Nova shoots... and the group around Doležel and Pét'a achieves its goal – they force, using methods of extortion, architect Řičář to withdraw from unfinished projects and to leave the company Bono publico, police documents and surveys everything, the lawyer advises the architect to give up and not to go against the SYSTEM.

Police is infiltrated – the police is a part of the SYSTEM, and therefore, in October 2006, Pét'a and Doležel know several days in advance: they shall be arrested..., they receive super secret information, they know that TV Nova shoots them, that police (ÚOOZ) investigates against them... and they try to stop all this using their political contacts – the secretariat of the governing party ČSSD wants to stop the publication of the recordings of TV Nova. Finally the arresting of Pét'a's and Doležel's group several days before Senate elections is under preparation. Additionally, V.Jourová, an ex – deputy minister is arrested based on an instruction by the state prosecutor. Information of police – ÚOOZ and TV Nova leaks out directly to the management of the party ČSSD, and police is forced to arrest Doležel and his allies prematurely before the key moment, when Pét'a is ready to hand over to minister Gandalovič a bribe of 2 millions of Czech crowns, which is accounted as a part of the promotional materials for the village Budišov and thereby would complete their efforts for fraudulently obtained grants.

Architect Řičář is presented medially as a key witness... and this brings the immediate consequences: the architect's business partners stop all communication with him, they are frightened, they do not want to be connected with the cause, they are afraid that the architect might also talk about them about corruption and bribing in public procurement and grants...they are almost omnipresent. Strange

people monitor architect Řičář in the neighbourhood of his office, fear of revenge is growing, police takes him to an unknown place and later they put him and his family according to a suggestion of the police and with agreement of the Minister of Interior into the Witness Protection Programme.

## **2) PRIME MINISTER PAROUBEK IS ACCUSED IN THE CAUSE**

**the former Deputy minister Jourová cooperates with police after arresting - she gives evidence that manipulation with EU grants has been done following instructions of Prime Minister Paroubek - that sets the party apparatus of ČSSD and their unofficial parallel structures in motion, and the result comes almost immediately: Jourová changes her statement, denies her confession and her accusation of Prime Minister Paroubek.**

### **X**

**From this moment architect Řičář, due to efforts of Prime Minister Paroubek, to persons in his vicinity and of all the accused persons, is identified as a criminal, who wants to destroy Prime Minister Paroubek and his party colleague Jourová and discredit the whole ČSSD party... The key witness architect Řičář, as a result of their media strategy, in mass media is now rather perceived as a criminal who wants to destroy the SYSTEM to hide own crimes - hysteria and unconcealed vindictiveness of threatened politicians transforms the witness architect Řičář to a despicable and extremely dangerous criminal, a crook, to the organizer of the fraud, and he is, according to Prime Minister Paroubek, a monster similar to a Colonel Kubice. Accused persons - mayor Pét'a et al., who are in custody, construct their defense on the old, time-tested trick: it was not them who had committed a crime, but the witness architect Řičář - apparently when applying for a grant - despite the fact that the architect has never asked for any grants, and has never been granted even one single Czech crown!**

In November 2006 arch. Marek Řičář gets an obituary – death notice: „died young...” symbolically on the same day of the arresting of Doležel and Pét'a... “and he died unnecessarily...” -the investigator of ÚOOZ, based on his knowledge of the situation, proposes to provide special protection under appropriate law. The Police President and the Minister of the Interior approve it, and the architect and his family stop to exist for their fellow persons and also for the public. On behalf of his security and (as it shows later) in the interest of accused persons – the architect’s disappearance gives them free space for their media games, lies, falsification, mystification and other frauds...

The end of 2006 stands in the sign of the slow turn of the cause against the investigators and witnesses – the accused deputy minister has changed her statement and is set free, Doležel and Pét'a leave detention later, Police director Kubice leaves police. Investigators are afraid of their lives and also leave police, media attacks against the architect continue. Probably on the basis of intimate contacts to a police officer, journalist Slonková from Czech public television contributes to the manipulation of legal causes, probably motivated by a political assignments against the competitor of Czech Television, the private TV NOVA group.

## **3) POLITICAL CORRUPTION WITHIN THE STATE SERVICES**

**The cause endangers not only interests and persons connected with former Prime Minister Paroubek's government, but also interests and people connected with the newly elected Topolánek government - the former deputy minister of health Dr. Pohanka appears in the investigative document as well as the mentioning of projects in billion CZK dimension in healthcare, connected with him and with politicians and businessmen from Topolánek's governing party ODS,. All this is happening more than half a year after the parliamentary elections, the newly appointed government of Prime Minister Topolánek "governs" without the confidence of Parliament, where the majority is the "opposition" and the government is short of 2 votes...**

## X

**Political corruption gets on in the interest of SYSTEM - Prieme Minister Topolánek and quasi-political structures – the interest to misuse the cause Bono publico in order to obtain 2 missing votes = 2 turncoats. This state-political corruption is confirmed by the new opposition leader – by former Prime Minister Paroubek, but also by people from the nearest circle around Topolánek - primarily by Mr. Dalík and especially by the two defectors themselves.... The result of this forceful „purchase“ is the stopping down of prosecution of people charged in the cause Budišov and a gradual rotation of the case against the key witness, architect Marek Řičář.**

In January 2007 „M. Dalík tells the main victim of corruption – witnesses architect Řičář and Aleš Věbr: „...this government belongs to you,... thanks“. It is shortly after Mr. Dalík and his companion Mirek Šlouf found two missing votes before the decisive vote in Parliament – the two turncoats are Pohanka and Melčák. The new opposition leader and former prime minister Paroubek speaks about a „government of corruption“ - he knows the price of these two votes very well, but he later uses the situation in his profit. Driven by his hatred against the investigator Col. Kubice and by his need to help Deputy Minister Jourová, who withdrew her accusation against him, Paroubek starts now to talk about “the pseudoscandal Budišov“, about Jourová as a victim of the criminal conspiracy of the villainous architect Řičář, and he even offers to pay her defense from money of the party.

The opposition leader Paroubek has exact informations telling him why his party colleague deputy Pohanka has betrayed him (apparently because of the threat of investigation of his connection to the SYSTEM around Pěťa and Doležel), and why the deputy of ČSSD Melčák has betrayed him. The latter even confesses in public to have undertaken this sudden political conversion because of his fear about the fate of former deputy Jourová, who Paroubek allegedly want to destroy in order to protect himself...). Political corruption connected with the cause Budišov is flagrant and public, even so-called reputable media do not express any doubt about it, but being happy that the politicians have managed to avoid the entry of communists into the government in a coalition with Paroubek’s party ČSSD, nobody wants to entitle consequences – the criminal cause concerning top politicians is warded off, the witness will be punished for his audacity and the real culprits will be rewarded.

## 4) THE HIGH PUBLIC PROSECUTOR’S OFFICE IN PRAHA STARTS

**The exchange of the supervising High Prosecutor plays a fundamental role in the political solution of the cause Budišov, where the High State Prosecutor’s Office in Prague, now controlled by the public prosecutor JUDr. Rampula and his deputy Dr. Grygárek, takes over the cause instead of the Prague City Public Prosecutor’s Office. The High State Prosecutor’s Office in Prague has been recently called a „sweeper“ of political causes and a protector of the power against criminal prosecution (see Transparency International report on the situation in the High State Prosecutor’s Office in Prague from 2012).**

## X

**Policemen from ÚOOZ investigating the cause Budišov cannot investigate and they are investigated themselves, and in the end they resign and one-by-one leave police: Although police has tens of hours of recordings of the evidences that concretely known persons should receive bribes of 2,000,000 + 3,000,000 CZK for fraudulent ensuring of state and EU grants, in spite of alleged finding of millions of Czech crowns in the garage of the former Deputy Minister Jourová, in spite of the fact that the organized group made no secret out of its extensive criminal activities and its intentions ...**

Dr. Havel from the High State Prosecutor’s Office in Praha takes over the cause personally. He has contacts with former Prime Minister Paroubek - he divides the cause Budišov into several isolated causes, and in spite of all logic and evidences, he derogates these cases to the lower levels of the State Prosecution. They cannot solve them, because single and isolated causes do not make any sense.

The Public Prosecutor has not done any constructive and substantial act for the investigation of the cause since mid-2007... Paroubek, Doležel, Jourová feel strengthened and they organize revenge. It builds on the argument of the former deputy Jourová that she was a victim of architect Řičář, that he wanted to destroy her in order to cover up his own crimes and that she herself were the victim, because she had defended him (which is a trivial lie and can be easily refuted by publicly available information).

## **5) THE CAUSA BUDIŠOV HAS SWEEPED... A MONSTROUS PROCESS STARTS**

In the spring of 2008, the police department ÚOKFK - which has committed a crime when it refused to accept the architect's announcement and when it destroyed the evidence against the organized group in 2005 (see the Report of Inspection of Czech Ministry of Interior, 2011) - takes over the persecution of the incommodious witness architect Řičář, under the leadership of the High Public Prosecutor's Office at Prague.

### **X**

Architect Řičář - key witness of crimes of organized group people around Prime Minister Paroubek, becomes suspicious, prosecuted, accused, arraigned. The former witness is under police supervision in the "Witness Protection Program", he can not defend himself, cannot communicate with media, can not freely choose a lawyer, can not communicate with a lawyer, can not study his court's file as he needs to...

In summer 2009 the police department ÚOKFK makes its decision about the initiation of criminal prosecution against architect Řičář in the case of the project Bono publico. In the middle of 2010, the public prosecutor Havel charges the architect, and already in summer 2010 there is a trial at the Municipal Court in Prague. After 3 months, the witness of corruption and criminality is sentenced, now under the name Marek. At the end of 2011, the judgment is confirmed by the Court of Appeal ...

## **6) JUSTICE REALIZES THE THREATS OF MAFIA**

The Municipal Court in Prague hears an indictment monstrously fabricated by the State prosecutor in July 2010. There is an alleged organized group in the dock, 4 completely different men:

1. The former policeman Kamenský, who is responsible for everything, who had handled and signed everything as a chairman of the Association of Municipalities of Podještědí (the grant applicant). He chooses a strategy of the „silly old man with selective amnesia”.
2. The former senior official of the Regional Office in Liberec Ing.Vít, by Ministry trained evaluator of projects, is an experienced bureaucratic expert .... - he chooses a strategy of- denying everything, including his own signature and including questions whether he has worked in the case.
3. The telecommunications technician and project coordinator J.Bažant – he is in court completely honest and open, and he pretends nothing.
4. Finally architect Řičář, co-author of many innovative projects, some of which were completely new in the Czech Republic at that time (an ecovillage, a hospice....). He tries to explain the project to the court repeatedly, to tell all the circumstances, he remembers the details and people very well.

The court hears also witnesses of the defense... and scoffs at them... The court refuses to investigate a file of the Budišov cause with all documents and evidence of crimes of mayor Pět'a et al. The public prosecutor Havel forces the witness Ing.Fajfr, a former director of the Ministry for Regional Development, to change his testimony according to the charge-construction - perhaps in exchange for not to prosecute him.

The witnesses comment mostly positively on the architect, they do not blame him, former police officers and witnesses of the Budišov cause appreciate his integrity and describe that he was robbed and extorted in the case Budišov (face-to-face to the public prosecutor Havel, who swept the cause Budišov ...). Representatives of partner companies, involved in the project Bono publico preparation, give a testimony to the architect's responsible and long-term work in the project ...

Only officials of the Ministry for Regional Development perform confusedly, contradict, attack each other, humiliate each other and try to wash away from themselves the responsibility for the evidently dysfunctional office ....

Former deputy Jourová, once accused in the cause Budišov and once accusing Prime Minister Paroubek, she who repeatedly negotiated the project, now states that the project was absurd, unfeasible, that she does not know it, that she always fought against it. She recognized in the Ministry for Regional Development very well, according to her instincts, who's doing what and who is involved in illegal financing of CSSD party, but she is an intrepid fighter against corruption and crime and she was suffering so much ... - about the millions found in the garage during the investigation of Cause Budišov of course there was not a word ...

The attorney of architect Řičář is calm - he is sure after 40 years of experience, that the whole indictment is indecent fiction and the wish of the public prosecutor Havel, the indictment is in a clear contradiction with reality and a fair trial must end by acquittal verdict ...

## X

**In the Judgment of the Municipal Court of 26 October 2010, and later in connection with the decision of the High Court in Prague of 14 December 2011, Marek Ricar (later Josef Marek) was found guilty of committing the crime of subsidy fraud and the crime of money laundering and he was sentenced to unconditional imprisonment of six years, to the forfeiture of all property and sentence of prohibition of self-employment and the statutory authority and proxy holder in commercial companies and cooperatives engaged in the project activities for a period of 5 years. The judgment came into legal force on 14 December 2011.**

The court of the first instance has pointed out that the architect in the course of activities connected with the project Bono publico with other persons accused in 2004-2005 and then in 2005, that is when the architect has cooperated with Police on the investigation of cause Bono publico, has implemented the plan of beguile on purpose a purpose-related grant of a value of 15.500.000 CZK out of the grant program of the ministry of regional development MMR POV - DT 3 deemed to create project documents of a network of multimedia pavilions "Bono publico". The accused has coordinated the whole „operation“ according to the view of the court, he uncorrectly stated the fulfilling of funding conditions and of project preparation costs as well as of costs for project implementation. . The accused has thus “achieved“ the granting of the money, although the applicants for the grant – neither the Podještědí municipalities' associations nor Bono publico - were able to fulfill the conditions for a grant; within the frame of the SROP (the Common Regional Operational Program ) there were not enough financial means for the supporting of projects of nation-wide outreach and importance such as Bono publico. A damage adequate to the amount of the grant extended was made to ČR. Architect Řičář was pointed out as the leading person of organized group in verdict of sentence. The Court of Appeal confirmed judgment of the court of first instance in principle, and it abridged the sentence from 7 to 6 years.

It is again necessary to recall that architect Řičář was the key witness in the so-called cause Budišov, in 2006 against the group of people around Prime Minister Paroubek (Z.Doležal, V. Jourová and L. Pěťa) in the context of extortion, exploitation of grants and corruption... **in 2013, he is the only unconditionally sentenced person in the Bono publico case, he is completely socially, economically, medially, humanely destroyed and his life is already 7 years in ruins, as well as the life of his family ....**

Criminal prosecution of all accused persons in the case Budišov was stopped or led to nothing, and vice versa, their threats by which they had blackmailed and threatened architect Řičář, have become a reality... This case demonstrates sadly that willingness to testify and to engage against the ubiquitous criminal systems in the Czech Republic are not only not something one has to be pay for, but are even severely punished.

And so just the judiciary and other authorities of criminal proceedings have become exemplary cases of abuse of the penal statute because of the liquidation of the witness and because of threats against architect Řičář, expressed by a group about mayor Pěťa in 2005-6. The following list the of the breach of the law shows how this was possible:

### **List of breaches of law in criminal prosecution and judgement against architect Marek Řičář – today Josef Marek**

(for more details see attachment - suggestion to complaint for a breach of the law)

- I. The court has impermissibly expanded the conditions of criminal liability and breached the principle of "nullum crimen sine lege" (it is not possible to commit a crime without breaking the law)! Architect Řičář was punished for a crime he did not commit and could not commit because he has not signed any application for a grant nor could sign one and he has neither signed any attachment to the application before a decision on the allocation of subsidy!
- II. The architect was held guilty that he had caused a damage of 15.5 million CZK, but the Czech Republic represented by the Ministry of Regional Development has refused to connect to the litigation with the requirement to compensation! This fundamentally questions the legitimacy of the use of criminal law as a necessary means to enforce the law!
- III. The architect was punished for the placing of false information into the annex to the application for a grant - but in fact the architect did not indicate anything in any annexes to the application before the allocation of grant and he even could not! Attachments signed by the architect were related up to the subsequent use of already allocated grant and the court did not establish at all their falsity ...
- IV. The court criminalizes and punishes architect Řičář for the activity and errors of the ministry officials! The Court totalabsolutely did not want to accept the testimony of ministry officials, that for the grant allocation to any applicant, in this case the Association of Municipalities Podještědí, any attachments played no role at all!
- V. Architect Řičář was punished as a criminal group organizer - this preposition of court is artificially constructed, is inconclusive, defective, non-reviewable and unsustainable! Architect Řičář was punished for the allegedly "false" total project cost of the project Bono Publico - the court has not set not only an expert opinion to the assessment of this totally professional problem, but even refused illegally an expert opinion of the defense, which confirmed the veracity of these costs!
- VI. The Court has not found the issue of fact, has not dealt with the course of subsidy process, when and why the subsidy was granted and when the allocated subsidy was used, did not distinguish between the application stage for a subsidy (which is the only one critical moment for a possible subsidy fraud), assessment and approval of the grant and the subsequent phase of the use of subsidy!
- VII. The court "borrows" for needs of the sentencing of architect Řičář just what he needs from a variety of grant programs and adds completely absurd circumstances to the debit of him - for example, that he did not complete the project Bono Publico after the architect was forced by extortion by Pěťa et al. to leave the project and the company Bono publico!
- VIII. The judgment is based on a completely erroneous confusion of one part of the project for the whole project, alias 935 000 CZK to one part of the modular project for 311 million CZK for the project as a whole. This results in a system error of the all considerations of the court!

- IX. The court has breached the procedural rights of architect Řičář fundamentally and repeatedly - the court has assessed highly technical questions incorrectly, because it did not have sufficient expertise and knowledge!
- X. The court has failed to consider all the circumstances of the case, for example, such a fundamental point that the project Bono Publico and the situation of the applicant for a subsidy (SOP) have been repeatedly presented in detail in the Ministry MMR, to its officials and especially to the supervisor of the subsidy at the Ministry for Regional Development Ing.Fajfr - he had absolutely all information and knowledge about the situation of the applicant and the project status.... which excludes that MMR could be cheated.
- XI. The court has completely ignored the intention of the subsidy = acquisition of project documentation for further preparation and implementation of the project! And exactly this requested project documentation was taken = the purpose of the granted subsidy actually was achieved!
- XII. The court has ignored totally the obvious intention of the applicant for the subsidy (and also the designer – architect Řičář), which has not been aimed to the commission of a crime, because the project documentation has been made and delivered in accordance with with the signed commercial contract!
- XIII. The Court did not take evidence that the information, referred by architect Řičář, were false or grossly distorted and it vice versa rejected the proofs of the defense - an expert opinion of the expert institute Grant Thornton Valuation.
- XIV. The judgment is burdened by an essential procedural error in the form of non-reviewability of criminal charge, indictment and the resulting consequences for the entire criminal procedure.
- XV. The court has unreasonably refused to attach the investigation file of the Budišov cause which contains essential facts about the causes and circumstances of the liquidation of architect Řičář, inter alia, the complete accounting of the company Bono Publico, which shows that he did not steal anything!
- XVI. The judgment is non-reviewable as a whole!
- XVII. The architect's right to defense has been violated after his inclusion into the "witness protection program" - he could almost not resist - he did not have the opportunity to communicate freely with a lawyer, to move freely and to study the record as necessary, seek and give evidence ...!
- XVIII. The court has taken over the constructions of the public prosecutor Havel that the architect had stolen 15,000,000 CZK - without any proof! The part of Bono Publico company, controlled by architect Řičář, never got a single crown of a subsidy! The grant recipient was the association of municipalities which had paid from that allocated subsidy its contractual obligation to the contractor, i.e. the company Bono Publico. This company used the contractual remuneration for the work done for salaries of employees, tax, levies and payment to subcontractors, as evidenced by accounting that the police has in the investigation file of the Budišov cause. This excludes the motive of illegal enrichment on the part of architect Řičář.
- XIX. The court punishes architect Řičář for the administrative errors of the subsidy recipient = Association of Municipalities Podještědí (breach of budgetary discipline, the failure to request an extension of the deadline for the fulfillment of the conditions of the grant)!
- XX. The court punishes architect Řičář for administrative acts outside of his scope of action - performed between the Association of Municipalities and the Ministry, that MMR not only has continuously reviewed and approved, but even has forced, through the Ministerial Department Director Ing.Fajfr, the Association of Municipalities to accept the allocated subsidy!
- XXI. The right to fair judicial process has been violated by the fact that architect Řičář was found guilty, even though his "guilt" or "culpability" has not been demonstrated (principle nullum crimen sine culpa)!

- XXII. The court completely ignores factual circumstances when Marek Řičář has cooperated with the Czech Police in the Budišov cause (UOOZ department, Colonel Kubice, has repeatedly verified his reliability, Colonels Kubice and Vlas witnessed in his favor at the court), and in parallel - absurdly - had to commit crime in the project Bono Publico Bohemia!
- XXIII. The Court has involved by its judgment in illegal operation of the public prosecutor Havel on expropriation to Mr. Josef Semrád's property of worth about 80 million CZK - Mr. Semrad was the business partner of architect Řičář in the previous years. The construction of the indictment that the architect was the owner of the company Christian development, expropriated to Mr. Semrad, has been clearly demonstrated as false by Mr. Semrád during the proceedings. In spite of everything, the Czech state has stolen a large property of Mr. Semrad, using a method adequate to the communist justice system in the Fifties of 20th century!
- XXIV. The court on the basis of absurd and unsustainable constructions has punished architect Řičář by a devastating combination of punishment and thus destroys not only him but also his whole family with five unprovided for children. The architect, as the only of the fabricated "criminal group", has been punished by an unconditional term of imprisonment for 6 years, confiscation of all his property and ban of business for 5 years. The other defendants (the chairman of the association of municipalities and former policeman Kamenský, the longtime high official of the Regional Office Vít and the telecommunication technician Bažant) were punished by "only" conditional sentences. In this way, even in the absence of the remaining violations of the law, would be violated the principle of proportionality of criminal sanctions specified in § 37 and 38 of the Criminal Code!
- XXV. The judgement does not describe the facts but on the contrary creates a dark mist, and makes a criminal monster of architect Řičář. It deals to 90% with other matter than with the committing of the subsidy fraud. Instead of the in fact absolutely simple, concise and transparent administration of the grant application, it constructs a confusing, incomprehensible and parlous story which is a product of imagination and wishes of the public prosecutor Havel!
- XXVI. The wording of the judgement purposefully creates the impression that Mark Řičář was at everything, controlled everything and abetted all to the crime, which is in an obvious contradiction with the fact and therefore unprovable! The architect is sentenced as an organizer of the criminal offense, although neither the court nor the police or the indictment did qualify him formally, and although this qualification is unsustainable!
- XXVII. The courts has passed away several crucial arguments why the intention to commit the crime by the architect Řičář is to be excluded. First of all: how could the architect commit an intentional crime and at the same time ask the police for help and have himself checked by the police, when he was extorted from Pěťa et al. and robbed on business – absurd!
- XXVIII. The construct of an organized group is not coherent and indefensible, and therefore could not be demonstrated - on the contrary, the individual findings of fact in the judgment disturb the conclusion about the organization!
- XXIX. A causal nexus - the court attributes to the debit of architect Řičář more facts than he could control.
- XXX. The judgment leads to suspect the court transfers the responsibility and the guilt for the mistakes, failure and non-systematic action of the ministry officials on architect Řičář, the victim selected by the public prosecutor Havel ,. This suspicion reinforces the change of testimony of director of MMR Ing. Fajfr during the procedure exactly according to the script of Havel! The situation at the Ministry is illustrated by flagrant incompetence, inconsistency - a kind of "bureaucratic war" between departments and officials of MMR, as officers of MMR presented it in court themselves!
- XXXI. Similarly, the judgment transfers responsibility, guilt and punishment, in contrary to the facts and proofs, from the applicant for a subsidy to the designer. The designer of a supply company is not responsible for the grant application, responsible is the statutory body of the applicant - in this case, chairman of the association of municipalities or. assembly of the mayors of the municipalities!

- XXXII. The judgment as a whole is non-reviewable, internally contradictory, does not deal with the arguments of the defense, which mostly ignores. A precise definition of the act in accordance with relevant attributes of the fact in the issue of a criminal offense against the law, in the factual sentence of the judgment is missing !
- XXXIII. The court has completely ignored the testimony of the representatives of suppliers of technical components of the project - they have not only confirmed the feasibility and uniqueness of the project, but also have confirmed the correctness of total-cost preliminary calculation.
- XXXIV. In 2005, the Ministry opened the Subsidy DT 3 for support of "pilot" projects - projects for which shall be tested results, benefits, risks, etc. But the court punishes the architect and another person, that they dared to ever design such a pilot project, to validate and prepare it for implementation! And moreover the court uses a false argumentation, produces pseudo-problems and is led by a single aim - to keep the construction indictment!
- XXXV. The Court not only ignores this testimony of J. Kamenský, chairman of the Association of Municipalities = applicant for a subsidy: (...) *"All were simultaneously reassured that Ing. Fajfr (MMR) was informed that the association of municipalities does not have the amount which should represent its financial participation .... and he nevertheless assured them that there's no problem, and that practically none of applicants for grants does have necessary finance in the early stages".* (...) - but it even condemns by a liquidation method architect Řičář for the situation on the part of subsidy recipient and for the use of the subsidy!
- XXXVI. According to law, the courts must examine a specific damaged (cheated) person, as well as its eventual share of the grant allocation, its expertise, prudence and economy and the use of the control mechanisms. How could the Ministry for Regional Development be cheated when it cooperated in the preparation of the use of subsidy so closely and had detailed information on everything? The Ministry has dealt with the project about 15 months before applying for a grant. Since 2004, the Ministry had semi-finished project available, knew it, collaborated on its upcoming applications (e.g. the project Czech-in) and the representative of MMR Fajfr had all information about the project and the applicant ....!
- XXXVII. The judgment is based on a completely absurd premise – the wish of the public prosecutor - about the long-term planning of a crime ... but: already in 2002 and then in 2003, two feasibility studies, processed by DHV, Ltd., have confirmed that the project is meaningful, innovative, not only in the Czech Republic, but even in the whole of the European Community, and brings solutions which were missing at the the market at that time!
- XXXVIII. The violation of the legislation on the jurisdiction of the High Public Prosecutor's Office indicates manipulation with the causa - supervision of the preliminary proceedings and indictment, represented incompetent public prosecutor of the High Public Prosecutor's Office in Prague JUDr. Boris Havel, who has taken over the causa Budišov from the prosecutor of the City Prosecutor's Office in Prague in early 2007, then has crumbled it and swept it away exactly according to political order.
- XXXIX. Architect Řičář was punished based on criminal proceeding, where the same police department is investigating him, the members of which have committed criminal activity against him in the past (result of the investigation by Ministry of the Interior Inspection in 2011), when destroying evidence and refusing to investigate only because Prime Minister Paroubek was involved in the cause!
- XL. The court illegally qualifies commercial obligations and payments as the legalization of proceeds of a crime! The funds, however, were not obtained by the supplier of the project documentation by crime, but by simple invoicing and payment for work done!
- XLI. The court has ignored completely the described context of the case in relation to the politically explosive cause Budišov, which has touched former Prime Minister Paroubek and the following Prime Minister Topolánek ...

Finally, it should be noted:

**According to the testimony of Colonel Kubice, architect Řiřář was intended as "test target" for a prepared murder of Kubice. Because he was threatened with death, he was ranked according to the proposal of the Czech Police to the witness protection program since October 2006.**

The liquidation of the witness has not yet ended - the case of the described misuse of justice was repeated in 2011, when another new criminal prosecution was opened against architect Řiřář, a few months (specifically in August 2011) before the appeal proceedings (December 2011). And again Havel as the public prosecutor supervises the case, despite the fact that he is not competent to do it again.

Ing.arch. Marek Řiřář has been liquidated due to the reluctance to give himself in the service of the mafia, he alone - without a home, family, property, money, livelihood, without a name ... comments:

**"Who keeps silent on a crime, becomes its ally... and who bends once, stays bent for his lifetime. My forefathers did not serve to any crime, neither to Nazi nor to Communist, and so neither I do not bow before the criminal SYSTEM, which builds its power on the abuse of law, justice and police for the needs of corruption, mafia and on fear and obedience of people.**

**Therefore, I will fight to the end, I can not never accept "punishment" for something I did not commit and could not to commit. I can not accept, after 7 years which the SYSTEM stole me and my family, the false game on justice and law and become a pawn in the plays of the powerful.**

**I was "buried" by mafia 7 years ago, I have nothing, I'm nobody, on my "grave" the political prostitution, human dirt and fear celebrate ... but from the bottom, I call you: stop being silent! Overcome your fear! Do not let anybody abuse yourself! Do not serve the SYSTEM! Help! "**

SYSTEM = interconnection of illegal activities of politicians, businessmen, officials and underworld in order to strengthen the power and the acquisition of wealth.