

## **English translation of the extract from the Supreme Court Opinion**

From time to time the courts are required to deal with actions for damages directed against foreign diplomatic missions. Unless an international treaty provides otherwise, Section 47 of Act No. 97/1963 must be applied because the diplomatic mission acts on behalf of a foreign State which in this legal relation has the capacity to be sued. The damage action can be heard in Czechoslovak courts only if the foreign State voluntarily submits to their jurisdiction. However, submission to the hearing in Czechoslovak courts does not imply that the foreign State submits to their jurisdiction also as regards the execution of judgement.

In the reasoning of its decision on an appeal against the judgment delivered by the District Court for Prague 6 in case ref. 8 C 111/82 where an action for damages was brought against a foreign embassy and the plaintiff insisted on the claim, the Regional Court in Prague correctly stated that a diplomatic mission is an organ of a foreign State and has no legal personality, which pertains only to the foreign State itself.