

# CZECH REPUBLIC 2019 INTERNATIONAL RELIGIOUS FREEDOM REPORT

## Executive Summary

The Charter of Fundamental Rights and Freedoms, a supplement to the constitution, guarantees freedom of religious conviction and states everyone has the right to change, abstain from, and freely practice religion. The Ministry of Culture (MOC) registered one religious group and rejected the registration applications of two groups. The registration application of one group remained pending at year's end. The Constitutional Court rejected an appeal of a lower court conviction of Path of Guru Jara (PGJ) leader Jaroslav Dobes and another PGJ member whom the lower court sentenced to prison in absentia for rape; a lower court reopened proceedings against the two PGJ officials on seven other counts of rape. The Supreme Administrative Court and several regional courts ruled the Ministry of Interior (MOI) should review 18 asylum applications by Chinese Christians whose applications the MOI rejected in 2018. Appeals of an additional 52 asylum applications the MOI rejected in 2018 were pending with courts at year's end. The government stated that in 2018 it returned 1,797 properties confiscated from religious groups during the communist period. In October the Constitutional Court struck down a law parliament had approved in May, which was scheduled to come into effect in 2020, taxing compensation the government paid to religious groups for unreturned confiscated properties. The Freedom and Direct Democracy (SPD) Party continued to speak out against Islam and Muslim migrants.

In IUSTITIA, a local nongovernmental organization (NGO), reported 14 religiously motivated incidents – 12 against Muslims and two against Jews – compared with 17 in 2018. The government reported 15 anti-Semitic and three anti-Muslim incidents in 2018, compared with 27 and three, respectively, in the previous year. The Federation of Jewish Communities (FJC) reported 347 anti-Semitic incidents in 2018 – including two physical attacks – an increase of 175 percent over 2015. Most incidents involved internet hate speech. According to a European Commission (EC) survey, 28 percent of respondents believed anti-Semitism was a problem in the country. Another EC survey found that 48 percent of respondents said they would be comfortable working with a Muslim, and 31 percent said they would feel comfortable if their child were in a “love relationship” with a Muslim. In March the Czech Muslim Communities Center ousted the lay chairman who headed the Prague Muslim community for posting a video urging Muslims to arm themselves following mosque mass shootings in New Zealand.

The MOI reported 11 “white power” concerts where participants expressed anti-Semitic views.

U.S. embassy representatives discussed religious freedom issues, including property restitution for religious groups and religious tolerance, with MOC officials and the envoy for Holocaust issues at the Ministry of Foreign Affairs (MFA). Embassy officials met with Jewish, Roman Catholic, and Protestant religious leaders and members of the Muslim community to reaffirm U.S. government support for religious freedom and tolerance.

## **Section I. Religious Demography**

The U.S. government estimates the total population at 10.7 million (midyear 2019 estimate). According to the 2011 census, of the 56 percent of citizens who responded to the question about their religious beliefs, approximately 62 percent held none, 18 percent were Roman Catholic, 12 percent listed no specific religion, and 7 percent identified with a variety of religious faiths, including the Evangelical Church of Czech Brethren, the Czechoslovak Hussite Church, other Christian churches, Judaism, Islam, and Buddhism. Academics estimate there are 10,000 Jews, while the FJC estimates there are 15,000 to 20,000. Leaders of the Muslim community estimate there are 10,000 Muslims, most of whom are immigrants.

## **Section II. Status of Government Respect for Religious Freedom**

### **Legal Framework**

The constitution does not explicitly address religious freedom, but the Charter of Fundamental Rights and Freedoms, a supplementary constitutional document, provides for freedom of religious conviction and the fundamental rights of all, regardless of their faith or religion. It states every individual has the right to change religion or faith; to abstain from religious belief; and to freely practice religion, alone or in community, in private or public, “through worship, teaching, practice, or observance.” The charter defines religious societies, recognizing their freedom to profess their faith publicly or privately and to govern their own affairs, independent of the state. It stipulates conscientious objectors may not be compelled to perform military service and that conditions for religious instruction at state schools shall be set by law. The charter states religious freedom may be limited by law in the event of threats to “public safety and order, health and morals, or the rights and freedoms of others.”

The law states the Department of Churches within the MOC is responsible for religious affairs. Religious groups are not required by law to register with the government and are free to perform religious activities without registering. The law establishes a two-tiered system for religious groups which choose to register with the ministry. The ministry reviews applications for first- and second-tier registration with input from other government bodies, such as the Office for Protection of Private Data, and outside experts on religious affairs. The law does not establish a deadline for the ministry to decide on a registration application. Applicants denied registration may appeal to the MOC to reconsider its decision and, if denied again, to the courts.

To qualify for the first (lower) tier, a religious group must present at least 300 signatures of adult members permanently residing in the country, a founding document listing the basic tenets of the faith, and a clearly defined structure of fiduciary responsibilities to the Department of Churches. First-tier registration confers limited tax benefits, including exemptions from taxes on interest earned on current account deposits, donations, and members' contributions. It also establishes annual reporting requirements on activities, balance sheets, and the use of funds.

For second (higher) tier registration, a group must have been registered with the Department of Churches for 10 years, have published annual financial reports throughout the time of its registration, and have membership equal to at least 0.1 percent of the population, or approximately 10,700 persons. The group must provide this number of signatures as proof. Second-tier registration entitles religious groups to government subsidies, as well as the tax benefits granted to first-tier groups. Additionally, only clergy of registered second-tier religious groups may perform legally recognized marriage ceremonies and serve as chaplains in the military and at prisons. Prisoners who belong to unregistered religious groups or groups with first-tier status may receive visits from their own clergy.

Religious groups registered prior to 2002 received automatic second-tier status without having to fulfill the requirements for second-tier registration. These groups, like other registered groups, must publish financial reports annually.

There are 41 state-registered religious groups, 18 first- and 23 second-tier.

Unregistered religious groups are free to assemble and worship but may not legally own property. Unregistered groups may form civic associations to own and manage their property.

The law authorizes the government to return land or other property that was confiscated during the communist era and is still in the government's possession to 17 religious groups (the largest of which are the Roman Catholic Church, FJC, Evangelical Church of Czech Brethren, and Hussite Church). The government estimates the total value of property in its possession eligible to be returned at 75 billion crowns (\$3.4 billion). The law also sets aside 59 billion crowns (\$2.7 billion) in compensation for property – mostly in possession of private persons or entities or local or regional governments – that cannot be returned, payable over a 30-year period ending in 2043. Based on an agreement among the affected religious groups, the law allocates approximately 79 percent of these funds to the Catholic Church and 21 percent to the other 16 groups. The law prescribed a one-year deadline ending in 2013 for religious groups to file restitution claims for confiscated property. The government agency in possession of a property for which a group has filed a restitution claim adjudicates that claim. If the government agency rejects a property claim, the claimant may appeal the decision in court.

The law phases out direct state subsidies to second-tier religious groups over a 17-year period ending in 2029.

The law permits second-tier religious groups to apply through the MOC to teach religion in state schools if there is a demand for such classes. Eleven of the 23 second-tier groups, all of them Christian, received permission. The teachers are supplied by the religious groups and paid by the state. If a state school does not have enough funds to pay for its religious education teachers, religious groups pay for them. Student attendance at religious classes is optional. According to law, if seven or more students register for a particular religious class at the beginning of the school year, a school must offer that class to those who registered.

The government does not regulate religious instruction in private schools.

The law prohibits speech that incites hatred based on religion. It also limits the denial of communist-era crimes and the Holocaust. Violators may be sentenced to up to three years in prison.

Religious workers who are not from European Economic Area countries or Switzerland must obtain long-term residence and work permits to remain in the country for more than 90 days. There is no special visa category for religious workers. Foreign missionaries and clergy are required to meet the conditions for a standard work permit.

The law designates January 27 as Holocaust Remembrance Day.

The country is a party to the International Covenant on Civil and Political Rights.

### **Government Practices**

In March the MOC registered the Community of Baptist Congregations, which applied in January 2018. In August the ministry rejected Ecclesia Risorum's March 2018 registration application on the grounds the group failed to meet the legal definition of a first- or second-tier religious group. The group filed an administrative appeal with the MOC, which remained pending at year's end. The Association of Buddhism in the Czech Republic applied for registration in April; in July the ministry suspended the registration process because it said the group did not respond to a request for completed registration documents. The MOC restarted the registration process in November, and the application was pending at year's end.

In January the MOC denied the Cannabis Church's registration. The group filed an administrative appeal with the MOC, which the ministry rejected in June. The Cannabis Church did not appeal the decision in court. The Cannabis Church had renewed its registration application in 2018 after the Prague Municipal Court overturned a 2016 decision by the MOC to halt the Church's application and ordered the ministry to reopen the registration procedure. A 2017 appeal by the Lions of the Round Table – Order of the Lands of the Czech Crown regarding an MOC registration rejection remained pending with the Prague Municipal Court.

PGJ leader Jaroslav Dobes and member Barbora Plaskova reportedly remained in immigration detention in the Philippines, where they had been seeking asylum since 2015. International arrest warrants issued by Czech authorities for the pair remained outstanding. In April the Supreme Court rejected the pair's appeal to overturn a 2018 guilty verdict on one count of rape by the Zlin Regional Court and upheld later that year by the Olomouc High Court. On September 11, the Constitutional Court rejected Dobes' appeal of the verdict, and on October 16, it rejected Plaskova's appeal. On September 16, the Zlin Regional Court renewed

court proceedings against Dobes and Plaskova on seven other counts of rape. The Olomouc High Court had voided the Zlin court's earlier convictions on those seven counts in 2018 and remanded the cases back to the lower court. After the high court's decision, the Zlin court had dismissed the case at the end of 2018 but reversed that decision after an appeal by Dobes and Plaskova requesting a court verdict on the seven counts of rape. The trial continued at year's end.

PGJ's 2017 lawsuit against the government's Office for Personal Data Protection alleging abusive investigation of the group's registration application and against the MOC's rejection of its registration application remained pending in the Prague Municipal Court at year's end.

In letters to Czech authorities in May, PGJ called the criminal prosecutions against Dobes and Plaskova "violations of human rights" that contributed to discrimination and persecution of the group. In September a lawyer who worked with PGJ submitted a report to the Organization for Security and Cooperation in Europe's Human Dimension Implementation Meetings criticizing the criminal proceedings against the group's members and the Prague Municipal Court's delay in issuing a ruling on PGJ's appeal of the rejection of its registration application.

According to PGJ members, media coverage of the group was unfair and contributed to intolerance of it. A PGJ report stated media continued to misinform the public about the group and Plaskova's case, citing 33 articles published during the year. Supporters of what PGJ members described as the anticult movement reportedly wrote three of these articles, issued in *Dingir*, an interreligious journal. According to PGJ, Jitka Schlichtsova, the author of a piece published in February, alleged the group was created as a "reaction" to the arrest of their two leaders in 2015. PGJ members also stated they "encountered several refusals" when attempting to hire architects, advisors, or consultants because the individuals feared "persecution for cooperating with the PGJ." When seeking a venue for a nationwide spiritual meeting in the fall, PGJ members said they were rejected because of their faith; however, the group did not provide additional information.

In October the Supreme Administrative Court (SAC) heard appeals by two Chinese Christians regarding the decision of the Hradec Kralove Regional Court and, previously, the MOI to reject their asylum applications filed in 2016 on the grounds of religious persecution in China. The SAC returned the cases to the MOI for review. In August the SAC had returned to the MOI for further review three other cases the ministry had previously rejected. During the year, regional courts in Ostrava, Hradec Kralove, and Pardubice issued similar verdicts returning 13

other cases to the MOI for review. All 18 applicants were part of a group of 70 Chinese Christians whose asylum applications the MOI had rejected in 2018. All of them appealed the MOI ruling; the other 52 cases were under review in the courts. At year's end, the MOI had not ruled on any of the applications the courts had remanded to it for further review, and the government had not deported any of the 70 asylum applicants.

In April parliament approved a law, which President Milos Zeman signed in May and was scheduled to become effective on January 1, 2020, taxing the compensation the government paid religious groups for unreturned property confiscated prior to 1989. A group of 44 senators filed a legal challenge to the law, and on October 15, the Constitutional Court struck the law down as unconstitutional. The court ruled that although the state had the right to levy a tax to raise revenue, in this case the objective was to decrease compensation paid to religious groups.

The government was still processing restitution claims made between 2012 and 2013 for confiscated land and other real and personal property. It reported that in 2018 it returned 1,441 agricultural properties and 356 nonagricultural properties confiscated from religious groups during the communist period. The government had returned a total of 99,001 agricultural and nonagricultural properties between 2013, when the law on religious property restitution came into effect, and the end of 2018.

In August the Supreme Court upheld a 2017 ruling by the South Moravian Regional Court in Brno that the Ministry of Labor and Social Affairs and not the Brno Jewish Community (BJC) was the legal owner of a building in Brno. The BJC filed its claim in 2013, and the ministry rejected the claim in 2014. The BJC said it would appeal the Supreme Court decision to the Constitutional Court, which exercised final authority in such cases.

During the year, the government provided 17 second-tier religious groups with approximately 3.3 billion crowns (\$148.9 million): 1.2 billion crowns (\$54.1 million) in government subsidies and 2.1 billion crowns (\$94.8 million) as compensation for communal property in private and state hands that would not be returned. Five of the 22 second-tier groups declined all state funding. While accepting the state subsidy, the Baptist Union opted not to accept compensation for unreturned property. In addition, the MOC provided three million crowns (\$135,000) in grants for religiously oriented cultural activities in response to applications from various religious groups.

In September the government approved a 100 million crown (\$4.5 million) contribution to the Endowment Fund for Holocaust Victims for projects focused on Holocaust remembrance and education, welfare for Holocaust victims, and care for Jewish monuments.

In November the Kolel Damesek Eliezer Foundation, a U.S. charity, the FJC, and the Hanacky Jerusalem Association signed a memorandum with the municipal government of Prostejov on restoration of a former Jewish cemetery in that city. The cemetery, along with its remaining tombstones found in other locations, was destroyed by the Nazis and later converted into a park. The MOC designated it a cultural monument in 2016 and 2017. In November a stone replica of Rabbi Zvi Horowitz' original tombstone, which vandals destroyed in 2017, was installed in the area of the former cemetery.

In June press reported the municipal council in Prague was withholding issuance of a building permit for the Association for the Renewal of the Marian Column, a group trying to re-erect a Baroque-era column with a statue of the Virgin Mary in the city's Old Town Square. A crowd tore down the original statue in 1918 shortly after Czechoslovakia gained its independence. Critics of the project said the statue was a symbol of Habsburg Empire-enforced Catholicism on the country. The association had already built a replica of the statue and was awaiting a decision from the municipal council at year's end.

The SPD and its leader, Tomio Okamura, continued to speak out against Islam and Muslim migrants. In one post on social media, Okamura stated the idea of having Islamic schools in the country was unacceptable, and he did not want Islam to be practiced in the country. His posts, as well as the SPD party platform, included the slogan, "No to Islam, No to Terrorists." In April the SPD held a rally in Prague attended by Okamura, France's National Rally Party leader Marine Le Pen, and founder of the Dutch Party for Freedom Geert Wilders. Mateo Salvini, head of Italy's League party, sent a video message. All the political leaders spoke out against immigration and Islam. According to press reports, Wilders said, "Islam is a medieval cult that denies freedom to others," and the crowd repeatedly chanted, "We don't want Islam here!" The Against the Hate platform, a Facebook group, organized an event at the same time protesting the SPD rally in a nearby location attracting approximately 100 participants. Dozens of persons also protested at the SPD rally itself.



In September the Prague Municipal Court upheld the Prague 1 District Court's decision in 2018 to issue a suspended one-year sentence and 70,000 crown (\$3,200) fine levied on former SPD secretary Jaroslav Stanik for hate speech after he publicly stated in 2017 that Jews, Roma, and homosexuals should be shot right after birth.

In May the government approved the annual Strategy to Combat Extremism that outlined specific tasks for various ministries, such as the MOI, Ministry of Justice, Ministry of Education, MOC, and Ministry of Finance in fighting extremism and hate crimes, including hate crimes against religious groups. Steps the document outlined to reduce incidents included raising public awareness about extremist activities, campaigns to reduce hate speech on the internet, education and prevention programs at schools, specialized training for law enforcement, and assistance to victims.

In January in a session commemorating Holocaust Remembrance Day, the Chamber of Deputies officially adopted the International Holocaust Remembrance Alliance's (IHRA) working definition of anti-Semitism.

On January 25, the senate, in cooperation with the FJC, organized an official ceremony to honor victims of the Holocaust as part of Holocaust Remembrance Day. Speakers from both houses of parliament delivered remarks and called for religious tolerance.

In October the Chamber of Deputies enacted a nonbinding resolution denouncing all manifestations of anti-Semitism against individuals, institutions, organizations, and the State of Israel. The resolution condemned actions and statements calling for the boycott of Israel and its products, services, or citizens. It also called for increased protection for persons or institutions that could be the target of anti-Semitic attacks.

In April President of the Senate Jaroslav Kubera again sponsored and participated in an annual march and the Culture Against Anti-Semitism Festival. The march, from the city center to the senate gardens, opened the festival, consisting of speeches, video messages, documentaries, and live readings and musical performances against anti-Semitism. Approximately 700 persons attended the event.

The government funded religiously oriented cultural activities, including the Night of Churches held in several cities; the annual National Pilgrimage of St.

Wenceslaus (consisting of a march through Prague and masses celebrated in that city and Brandys nad Labem); KRISTFEST (a festival of seminars, workshops, and musical performances on religious themes); the annual Concert in Memory of Holocaust Victims; the annual Hussite Festival (commemorating the religious teaching of reformation leader Jan Hus); Litomysl Days of Baroque Tradition (a festival consisting of liturgical music, masses, and readings); and the festival of Orthodox music, Archaion Kallos.

According to the FJC, the MOI continued to provide security to the Jewish community and Jewish sites based on a memorandum of cooperation signed in 2016.

The country is a member of the IHRA.

### **Section III. Status of Societal Respect for Religious Freedom**

In IUSTITIA reported 14 religiously motivated hate crimes during the year, 12 against Muslims and two against Jews, compared with 17 cases in 2018. In IUSTITIA did not provide details of the incidents.

In 2018, the most recent year data were available, the MOI reported 15 criminal offenses with anti-Semitic motives and eight with anti-Muslim motives, compared with 27 and three crimes, respectively, in 2017.

The FJC reported 347 anti-Semitic incidents in 2018, compared with 126 in 2015 (the most recent previous year in which the FJC had collected incident reports), including 14 directed against specific persons or institutions – two physical attacks, three cases of property damage, and nine cases of harassment. The other 333 incidents included graffiti, videos, articles, and online comments. According to the FJC, the largest increase was in anti-Semitic hate speech on the internet, which accounted for 93 percent of the incidents in 2018. It stated 64 percent of incidents involved stereotypical statements about Jews, such as allegations Jews controlled the economy and government. In 29 percent of the cases, the writers blamed Jews collectively for Israeli actions.

In one of the two attacks the FJC reported in 2018, the new employer of a hotel in Prague assaulted an employee and shouted anti-Semitic insults at him. In the other attack, in Prague, a taxi driver assaulted a Jewish man wearing a yarmulke, swearing at him and calling him “Jew.” In another incident the FJC cited, a person accosted a Jewish man at a bar in Liberec, calling for the destruction of Israel and

yelling, “Heil Hitler!” In a fourth incident, a guard asked a Jewish woman to remove her Star of David before entering a club in Prague.

In January the EC published a Special Eurobarometer survey of perceptions of anti-Semitism based on interviews it conducted in December 2018 in each EU member. According to the survey, 65 percent of residents believed anti-Semitism was not a problem in the Czech Republic, and 57 percent believed anti-Semitism had stayed the same over the previous five years. The percentage who believed that anti-Semitism was a problem in nine different categories was as follows: Holocaust denial, 38 percent; on the internet, 33 percent; anti-Semitic graffiti or vandalism, 36 percent; expression of hostility or threats against Jews in public places, 33 percent; desecration of Jewish cemeteries, 44 percent; physical attacks against Jews, 32 percent; anti-Semitism in schools and universities, 30 percent; anti-Semitism in political life, 30 percent; and anti-Semitism in the media, 28 percent.

In May the EC carried out a study in each EU member state on perceptions of discrimination and published the results in September. According to the findings, 24 percent of respondents believed discrimination on the basis of religion or belief was widespread in the Czech Republic, while 69 percent said it was rare; 78 percent would be comfortable with having a person of different religion than the majority of the population occupy the highest elected political position in the country. In addition, 97 percent said they would be comfortable working closely with a Christian, 95 percent said they would be with an atheist, 90 percent with a Jew, 77 percent with a Buddhist, and 48 percent with a Muslim. Asked how they would feel if their child were in a “love relationship” with an individual belonging to various groups, 95 percent said they would be comfortable if the partner were Christian, 87 percent if atheist, 81 percent if Jewish, 67 percent if Buddhist, and 31 percent if Muslim.

According to the Pew Research Global Attitudes Survey released in October, 64 percent of respondents in the country expressed unfavorable opinions of Muslims, while 17 percent expressed unfavorable opinions of Jews.

In March, following the mass shootings at two mosques in New Zealand, press reported Leonid Kushnarenko, then-lay chairman of the Prague Muslim community, posted a video on Facebook urging community members to arm themselves to protect their health and property and offered to assist them in doing so. Kushnarenko reportedly told the newspaper *Denik N* that he made his appeal because of “Islamophobic sentiments” in the country. On March 24, the Czech

Muslim Communities Center announced on Facebook it had revoked Kushnarenko's membership in the organization because of his statement and acts, which it said harmed the interests of the Muslim community in the country.

The MOI reported there were 11 private "white power" concerts during the year, where participants expressed anti-Semitic and neo-Nazi views. The ministry estimated approximately 50 to 100 persons attended each concert.

Supreme State Prosecutor Pavel Zeman stated at a conference on Hate Crime on the Internet in October that internet hate speech against Muslims and Jews had increased. He added that online hate speech against these and other groups must be addressed before it grew into physical attacks.

In January the Prague Regional Court convicted 71-year-old Jaromir Balda of terrorism and sentenced him to four years in prison for causing two trains to derail near Mlada Boleslav in 2017. In April the Prague Higher Court rejected his appeal of the verdict. The man had felled trees to block the railway line and said he tried to make it appear Islamists were responsible in order to raise the public's concerns about Muslim immigration.

In August the Supreme Court upheld the guilty verdict of well-known anti-Semitic blogger Adam Bartos on charges of incitement to hatred and denying the Holocaust on the internet, in public speeches, and books. He was sentenced to a two-year suspended sentence in 2018.

According to the Anti-Defamation League, in June vandals damaged the Valediction Memorial to Jewish children. The memorial commemorates those who escaped the Holocaust at Prague's main railway station.

*The Times of Israel* reported a Jewish cemetery was vandalized in the northeast district of Osoblaha in July, where unidentified individuals smashed at least one headstone and etched "obscene" drawings on several others.

According to press reports in November, the mayor's office in Prague and the Jewish community reached agreement on the return of Jewish gravestones the Communist government had taken from a 19th century Jewish cemetery in the 1980s and converted into cobblestones it laid down in various areas of the capital, notably in Wenceslas Square and Na Prikope Street. The Jewish community said it would place the gravestone fragments in the Old Jewish Cemetery in the city's Zizkov District.

The government-funded Endowment Fund for Holocaust Victims, established by the FJC, contributed four million crowns (\$180,000) to 14 institutions providing health and social care to approximately 500 Holocaust survivors.

#### **Section IV. U.S. Government Policy and Engagement**

Embassy representatives continued to engage government officials from the MOC's Department of Churches on issues including property restitution to religious groups, religious tolerance, and the Prostejov Jewish cemetery. Embassy officials also met with the MFA's special envoy for Holocaust issues, Antonin Hradilek, regarding property restitution.

The Ambassador and other embassy officials continued to meet with representatives from the Catholic, Protestant, Jewish, and Muslim communities to reaffirm U.S. commitment to religious tolerance and to hear their views on interfaith relations.