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2018 Report on International Religious Freedom: Czech Republic

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 two religious groups in June; applications of three other groups and legal appeals by two other groups of registration denials remained pending at year’s end. The High Court in Olomouc upheld a lower court conviction in absentia of Path of Guru Jara (PGJ) leader Jaroslav Dobes and another PGJ member and sentenced them to prison. The high court also reversed and remanded the lower court’s convictions on seven other counts of rape involving PGJ; reportedly, the lower court later dismissed those charges. The government stated that in the first nine months of 2017 it settled 638 claims by religious groups for property confiscated during the communist period. President Milo Zeman awarded a medal to a nursing school head for “fighting intolerant ideology” after she barred a Somali student from wearing a hijab. The opposition Freedom and Direct Democracy party (SPD) campaigned on an anti-Muslim platform in October elections.

The nongovernmental organization (NGO) In IUSTITIA reported 17 religiously motivated incidents – 13 against Muslims and four against Jews – compared with 34 in 2017. The government reported 27 anti-Semitic and three anti-Muslim incidents in 2017, compared with 28 and seven, respectively, in 2016. A survey by the Median polling agency found 80 percent of citizens did not want Muslims as their neighbors. The government reported an increase in anti-Muslim rhetoric online. A theater in Zlin received a letter stating Jews were unwanted immigrants who should “disappear abroad or in gas” after presenting a play on efforts to restore a Jewish cemetery in Prostějov. The Ministry of Interior (MOI) reported 18 concerts in which participants expressed anti-Semitic and neo-Nazi views.

U.S. Embassy representatives discussed religious freedom issues, such as property restitution for religious groups and religious tolerance, with government officials. In June embassy officials and the Special Envoy for Holocaust Issues (SEHI) discussed the welfare of Holocaust survivors and other issues of concern with officials from the Ministry of Foreign Affairs. Embassy officials met with Jewish, Roman Catholic, Protestant, and Muslim religious leaders 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 (July 2018 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 Catholic, 12 percent listed no specific religion, and 7 percent belonged to a variety of religious groups, including the Evangelical Church of Czech Brethren, the Czechoslovak Hussite Church, other Protestant churches, other Christian groups, Judaism, Islam, and Buddhism. Academics estimate there are 10,000 Jews; the Federation of Jewish Communities (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, guarantees 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, 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 MOC Department of Churches is responsible for religious affairs. While religious groups are not required by law to register with the government and are free to perform religious activities without registering, they have the option to register with the MOC. The law establishes a two-tiered system of registration for religious groups. The MOC 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 MOC to decide on a registration application. Applicants denied registration can appeal to the MOC to reconsider its decision and, if again denied, to the courts.

To qualify for the first (lower) tier, a religious group must present the signatures of at least 300 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. First-tier registration confers limited tax benefits, including exemptions from a tax on the interest earned on current account deposits and taxes on donations and members’ contributions, and establishes annual reporting requirements on activities, balance sheets, and use of funds.

For second-tier registration, a group must have been registered with the Department of Churches for 10 years, have published annual 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. In addition, only clergy of registered second-tier religious groups may perform officially 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, outside of the prison chaplaincy system.

Religious groups registered prior to 2002 have automatic second-tier status without having to fulfill the requirements for second-tier registration.

There are 40 state-registered religious groups; 18 groups are first tier and 22 are second tier.

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

The law authorizes the government to return to 17 religious groups (including the Roman Catholic Church, FJC, the Evangelical Church of Czech Brethren, and the Hussite Church) land and other property confiscated during the communist era and still in the government's possession, the total value of which is estimated to be approximately 75 billion koruna (\$3.42 billion). It also sets aside 59 billion koruna (\$2.69 billion) for financial compensation for property that cannot be returned, to be paid to these 17 groups over a period of 30 years, ending in 2043, according to a fixed timetable. Using a mechanism prescribed by law based on an agreement among the religious groups concerned, the government allocates slightly more than 79 percent of the financial compensation to the Catholic Church. Religious groups had a one-year window, which ended in 2013, to make restitution claims for confiscated land and other property, which the government is processing. If the government rejects a property claim, the claimant may appeal the decision in the courts. The law also contains provisions for phasing out direct state subsidies to second-tier religious groups over a 17-year period, ending in 2029.

The law permits second-tier registered religious groups to apply through the MOC to teach religion in state schools; 11 of the 22 second-tier groups have applied and 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, teachers are paid by parishes or dioceses. Although the law makes religious instruction in public schools optional, school directors must provide instruction in the beliefs of one of the 11 approved religious groups if seven or more students register for the optional class at the beginning of the school year, in which case the school provides the religious instruction only to the students who registered.

The government does not regulate instruction in private schools.

The penal code outlaws denial of Nazi, communist, or other genocide, providing for prison sentences of six months to three years for public denial, questioning, approval of, or attempts to justify the genocide committed by the Nazis. The law also prohibits the incitement of hatred based on religion and provides for penalties of up to three years' imprisonment.

Foreign religious workers 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 June the MOC registered two religious groups – the Priestly Fraternity of St. Pius X and Theravada Buddhism – both of which had applied in 2016. Registration applications by the Community of Baptist Congregations, which applied in January, and Ecclesia Risorum, which applied in March, remained pending at year's end.

In March the Municipal Court in Prague, ruling on an appeal by the Cannabis Church, overturned the MOC's December 2016 decision to halt that group's registration application. The court ordered the MOC to reopen the registration procedure. The MOC asked the Cannabis Church to supplement the registration application with additional information. The Cannabis Church's application remained pending at year's end. An appeal filed in 2017 with the Municipal Court in Prague by the Lions of the Round Table – Order of the Lands of the Czech Crown, whose registration application the MOC rejected in 2016, remained pending at year's end. In January the Municipal Court confirmed with the PGJ its wish to continue its legal appeal against the MOC, which twice rejected the group's application in 2017. PGJ's lawsuit against the government's Office for Personal Data Protection, alleging an interrogative and abusive investigation of the PGJ's registration application in 2017, remained pending at year's end.

According to local news media, on October 11, the High Court in Olomouc upheld the January conviction in absentia by the Regional Court in Zlin of PGJ leader Jaroslav Dobes and PGJ member Barbora Plaskova on one count of rape and sentenced them to prison terms of five and five and a half years, respectively, and ordered them to pay the victim 60,000 koruna (\$2,700). The high court voided convictions by the Zlin Regional Court of Dobes and Plaskova on seven other counts of rape and remanded the cases back to the Zlin court for retrial. In January the Zlin Regional Court had sentenced Dobes and Plaskova to seven and a half years in prison each after convicting them in absentia on eight counts of rape involving six women. Defense lawyers had appealed the verdict to the High Court in Olomouc. On December 21, according to PGJ representatives, the Zlin

Regional Court dismissed the remaining seven charges of rape against Dobes and Plaskova and halted all criminal proceedings. Dobes and Plaskova reportedly remained in immigration detention in the Philippines.

The government provided 17 second-tier religious groups with approximately 3.3 billion koruna (\$150.4 million), 1.2 billion koruna (\$54.69 million) as a subsidy and 2.1 billion koruna (\$95.71 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 the compensation for unreturned property. The MOC provided 2.8 million koruna (\$128,000) in grants for religiously oriented cultural activities in response to applications from a variety of religious groups.

Throughout the year, the Communist Party (a supporter of the coalition government but not an official coalition member and holding no ministries) supported legislation (which it introduced in 2017) to tax the remaining portion of financial compensation for property that could not be returned, estimated at approximately 46 billion koruna (\$2.1 billion). The draft legislation, which some parliamentarians said they opposed, was scheduled to be voted on in 2019.

The government reported that, between January and September 2017, the most recent period for which data were available, it settled 446 claims with religious groups for agricultural property and 192 claims for nonagricultural property. (An earlier government report had incorrectly cited a higher number of settled claims for agricultural and nonagricultural property in the first three months of 2017.) At the end of this period, 66 agricultural and 89 nonagricultural property claims had not been adjudicated, and 1,318 lawsuits filed by religious groups in the courts to appeal government restitution decisions were pending.

In August the Supreme Court upheld the 2017 ruling by the South Moravian Regional Court in Brno that overturned a decision by the Brno Municipal Court earlier that year holding that the Brno Jewish Community (BJC) had legal title to a property in possession of the Ministry of Labor and Social Affairs. The Supreme Court and the South Moravian Regional Court both held the property belonged to the ministry. The BJC had filed its claim in 2013 based on church restitution legislation, and the ministry had rejected the claim in 2014.

The city of Prostějov continued to oppose the restoration of a former Jewish cemetery by the Kolel Damesek Eliezer Foundation, a U.S. charity, and the FJC. The cemetery, which along with its remaining tombstones the MOC designated as a cultural monument, was destroyed by the Nazis and later converted into a park. Vladimir Spidla, who was an adviser to former Prime Minister Bohuslav Sobotka, continued to mediate the dispute.

In July a district court in Prague convicted former SPD Party Secretary Jaroslav Staník of hate speech after he stated publicly in November 2017 that Jews, Roma, and homosexuals should be shot right after birth. The court issued a criminal order

allowing for a suspended sentence up to one year or a fine if the defendant did not appeal it. Stanik appealed the criminal order. The Prague 1 District Court indefinitely postponed an appeals hearing scheduled for September for reasons of Stanik's health.

In October President Zeman bestowed the Medal for Merits to the director of a state nursing school in Prague for “fighting intolerant ideology,” widely seen as a reference to Islam, after she barred a Somali student from wearing a hijab at school.

During municipal and senate elections in October, the SPD Party and its leader Tomio Okamura ran on an anti-Islam platform, posting notices on billboards reading “No to Islam, No to Terrorists.” The party did not win any senate seats and attained 155 out of 61,892 seats in municipal assemblies.

In February the government granted asylum to eight Chinese Christians and rejected asylum applications of 70 others. The Chinese Christian applicants had all applied in 2016 on the grounds of religious persecution in China. Fourteen other applicants withdrew their applications before the government announced its decisions. The 70 applicants whom the government rejected remained in the country at year's end while they appealed their cases.

In April then-Deputy Chairman (later Chairman) of the Senate Jaroslav Kubera again sponsored and participated in an annual march and concert against anti-Semitism. The march opened the government-funded 15th annual Culture against Anti-Semitism Festival. Festival-goers signed a petition against anti-Semitism initiated by Senator Daniela Filipiova. Approximately 600 people 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, KRISTFEST (a festival of seminars, workshops, and musical performances on religious themes), the Concert in Memory of Holocaust Victims, the annual Hussite Festival (commemorating the religious teaching of reformation leader Jan Hus), and the Romani Pilgrimage, organized by the Catholic Diocese of Olomouc.

The MOI said it continued to cooperate with the Jewish community on protection of Jewish sites in Prague and across the country, but did not provide details.

The country is a member of the International Holocaust Remembrance Alliance.

Section III. Status of Societal Respect for Religious Freedom

According to NGO In IUSTITIA, there were reports of 17 religiously motivated hate crimes during the year, 13 against Muslims and four against Jews, compared with 34 such cases in 2017. In IUSTITIA did not provide details of the incidents.

In 2017, the most recent year for which data are available, the MOI reported 27 criminal offenses with anti-Semitic motives, compared with 28 cases in 2016. The MOI reported three crimes with anti-Muslim motives in 2017, compared with seven in 2016. The MOI did not provide details of the incidents.

In March press reported police had arrested a 70-year-old man who in 2017 caused two trains to derail near Mlada Boleslav, approximately 40 miles north of Prague, and left Arabic messages at the scene in what authorities described as an attempt to provoke a reaction against Muslims. According to state attorney Marek Bodlak, the man left leaflets “containing linguistically garbled threatening texts to evoke that they were written by a jihadist.” Bodlak told newspaper *Lidove noviny*, “The accused is a native Czech citizen, motivated by the effort to raise concerns among the population about the Muslim migration wave and the commission of terrorist attacks.” The man’s trial was pending at year’s end.

According to a July survey of more than 800 persons by the Median polling agency, 35 percent said they did not mind interacting with Muslims in public places, but 80 percent did not want them as neighbors or want a mosque in their neighborhood, and 81 percent said they would be bothered if their child had a relationship with a Muslim. Citizens with less education and over the age of 45 were more likely to cite fear of Muslims. Respondents with greater interactions with Muslims reported more positive attitudes towards them.

In March the Municipal Theatre in Zlin received an anonymous anti-Semitic letter after it presented a play based on local developments following the efforts to restore the former Jewish cemetery in the nearby city of Prostějov. The letter stated, “The Jews are unwanted immigrants who have the obligation to immediately disappear abroad or in gas.” Police were investigating the case at year’s end.

The MOI reported 18 private “white power” music concerts took place in the country, where participants expressed anti-Semitic and neo-Nazi views. The MOI estimated approximately 50 to 100 persons attended a typical “white power” concert.

According to press reports, at a soccer match on November 4 between the Sparta Prague and Slavia Prague clubs, fans of the former shouted anti-Semitic taunts at Slavia, including “Jude Slavia,” alluding to the club’s supposed Jewish links. An interior ministry spokesperson said the chant was not motivated by “hatred towards a group of people for their alleged or actual race, ethnic group...” and that the football association should address the issue. Pavel Stingl, a documentary filmmaker, organized an exhibition, titled “Football: A Century of Fouls,” examining the sport’s relationship with fascism when the country was under Nazi occupation and highlighting the involvement of Jews in soccer’s development in the country. Stingl said he was motivated by the failure of government and soccer officials to address the problem of anti-Semitism among fans and because Sparta fans had posted anti-Semitic and neo-Nazi messages on social media.

Anti-Muslim rhetoric on the internet increased, according to the MOI. Discussions on social networks or in the comments sections under news articles featured anti-Muslim hate speech. For example, a discussion under an online series of articles on the Muslim community in the country published by mainstream newspaper *Mlada Fronta Dnes* included anti-Islamic posts, including one stating that “Islam is a cancer on democracy.” In contrast to the previous year, there were no reports of demonstrations protesting against Islam or the acceptance of refugees from Muslim countries.

In May the state prosecutor’s office in Ceske Budejovice halted the prosecution of Martin Konvicka, leader of the Block Against Islamization Party (BPI), whom it had charged in 2016 with incitement of hatred and suppression of rights and freedoms. The prosecutor’s office dropped the charges due to a failure to secure evidence in a timely fashion from the online social network in which it alleged Konvicka posted statements calling for the creation of concentration camps for Muslims and their physical annihilation. The BPI held no seats in parliament.

In January the Supreme Court upheld the verdict of a regional court in Jihlava that sentenced well-known anti-Semitic blogger Adam Bartos to a conditional sentence of one year in prison with two years of probation (meaning he would serve the prison sentence if found guilty of another crime during the two-year probation period) for incitement to hatred and defamation in March 2017. The verdict concerned a note Bartos wrote in 2015 supporting an 1899 Jewish blood libel trial. In June the Prague 1 District Court convicted Bartos of incitement to hatred and Holocaust denial on the internet, in public speeches, and books and sentenced him to a conditional sentence of two years in prison. Bartos appealed the verdict. In November the Municipal Court in Prague upheld the decision. Bartos appealed to the Supreme Court, where the case remained pending at year’s end.

In May the Czech Bar Association fined bar member Klara Samkova 25,000 koruna (\$1,100) for publicly cursing the Turkish ambassador in June 2016. Samkova compared Islam to Nazism in a statement read in front of the Turkish embassy.

The government-funded Endowment Fund for Holocaust Victims, established by the FJC, again contributed 4.5 million koruna (\$205,000) to 13 institutions providing health and social care to approximately 500 Holocaust survivors.

Section IV. U.S. Government Policy and Engagement

The U.S. embassy continued to engage government officials from the MOC, especially the Department of Churches, on issues such as property restitution to religious groups and religious tolerance. In June SEHI and embassy representatives met with officials from the Ministry of Foreign Affairs to reiterate continued support for the goals of the Terezin Declaration, the welfare of Holocaust survivors, and issues of concern to them and others, including property restitution, eligibility for state pensions, and the status of the Prostejov Jewish cemetery.

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

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