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2021 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 one religious group; a second registration application submitted in January remained pending with the MOC at year's end. The Prague Municipal Court rejected a religious group's appeal of the MOC's denial of its registration application, and another religious group's appeal remained pending with the same court. An appellate court upheld the Zlin Regional Court's conviction of Jaroslav Dobes, the leader of the Path of Guru Jara (PGJ), and another PGJ member on six charges of rape and also upheld their acquittal on a seventh charge. The Ministry of Interior (MOI) granted subsidiary protection, which prevents the forced return of persons found ineligible for refugee status, to some of the Chinese Christians whose applications for asylum it rejected in 2018.

The government continued to compensate religious groups for communal property confiscated by the communist regime. The opposition Freedom and Direct Democracy (SPD) Party and its leader, Tomio Okamura, continued to publicly criticize Islam and Muslim migrants and initiated a petition against accepting migrants from Afghanistan following the departure of allied forces in order to restrict the immigration of Muslims to the country.

A local nongovernmental organization (NGO), In IUSTITIA, said it received reports of one religiously motivated incident in the first half of the year – an antisemitic hate crime – compared with seven (four against Muslims, two against Jews and one against Christians) in the first half of 2020. The government reported 27 antisemitic and nine anti-Muslim incidents in 2020, compared with 15 and eight incidents, respectively, in the previous year. The Federation of Jewish Communities (FJC) reported 874 antisemitic incidents in 2020, almost all of which were internet hate speech, but which also included one case of assault, six of harassment, and one of vandalism, as well as antisemitic graffiti. The number of incidents in 2020 was 26 percent higher than in the previous year and 252 percent higher than in 2018. In September, the Brussels-based NGO Action and Protection League issued the results of its European antisemitism survey, which found that 21 percent of 1,000 respondents ages 18-75 in the Czech Republic said they had negative feelings towards Jews. The MOI reported two “white power” concerts in which participants expressed antisemitic views in the first half of the year.

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.

Embassy officials met with Jewish, Roman Catholic, and Protestant 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 (midyear 2021). According to the 2021 census, of the 70 percent of citizens who responded to the question about their religious beliefs, approximately 48 percent held none, 10 percent were Roman Catholic, 13 percent listed no specific religion, and 9 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. According to a 2018 report by the Pew Research Center based on a 2015 survey of 1,490 adults, 72 percent of persons do not identify with a religious group, 21 percent identify as Catholic, 3 percent as Protestant, 1 percent as Orthodox Christian, and 3 percent as other or did not know or refused to answer.

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 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. 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 from 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.

For second (higher) tier registration, a group must have been registered with the Department of Churches as a first-tier group 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 tax benefits granted to first-tier groups and to the exercise of special rights, including conducting weddings, teaching religion at public schools, and conducting chaplaincy in the army and prisons. Prisoners may receive visits from their own clergy, regardless of registration status. Second-tier religious groups registered prior to 2002 are entitled to government subsidies. The law phases out direct state subsidies to second-tier religious groups over a 17-year period ending in 2029.

Religious groups registered prior to 2002 received automatic second-tier status without having to fulfill the requirements for second-tier registration. These groups must publish an annual report on the execution of special rights, including conducting weddings, teaching religion at public schools, and maintaining chaplaincy in the army and prisons.

There are 42 state-registered religious groups, 21 first- and 21 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 (\$3.5 billion). The law also sets aside 59 billion crowns (\$2.8 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 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 21 second-tier groups have permission to teach religion classes. The religious groups provide the teachers and the state pays their salaries. 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 religion 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, as well as the denial of Nazi- and communist-era genocides and crimes. 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 December, the MOC registered the Religious Society of Slavs, which had applied for registration in 2020. In August, the Municipal Court in Prague denied an appeal, pending since 2017, of the MOC’s 2016 rejection of the registration application from the Lions of the Round Table – Order of the Lands of the Czech Crown. The Ecclesia Risorum’s (Church of Laughter) 2020 appeal against the MOC’s 2019 and 2020 denials of its application remained pending with the Municipal Court in Prague. The Essenic Christian Church’s application for registration, submitted to the MOC in January, was pending at year’s end.

In January, the Olomouc Appellate Court upheld the Zlin Regional Court’s 2020 conviction of PGJ leader Jaroslav Dobes and member Barbora Plaskova of the rape of six women and acquitted them of a charge of rape of a seventh woman. Dobes and Plaskova continued to seek asylum in the Philippines, where they were in immigration detention, and international arrest warrants by Czech authorities for the pair remained outstanding.

In March, according to the PGJ, the Prague Municipal Court ruled that the government’s Office for Personal Data Protection’s investigation of the group’s registration application had been conducted improperly and instructed the office to reexamine the case. PGJ officials reported that the office declined to further investigate the group’s registration application procedures and returned the fine it had levied on PGJ representative Martin Krajca for what the office had said was negligence in the collection of personal data of PGJ members. The PGJ had filed a lawsuit with the Prague Municipal Court in 2017 against the Office for Personal Data Protection, alleging abusive investigation of its registration application and arguing against the MOC’s rejection of its registration application. Also in March, the PGJ said it filed an appeal of the MOC’s denial of its registration application with the Administrative High Court after the Prague Municipal Court rejected the group’s appeal of the MOC’s registration denial. That appeal, according to the PGJ, remained pending in the Administrative High Court at year’s end.

According to an article published in April by the NGO Center for Studies on New Religion, the Appellate Court in Olomouc ruled that 190,000 euros (\$215,000) seized by the Zlin Regional Court in 2010 should be returned to the Poetrie esoteric yoga school, which was tied to the PGJ. The Zlin court had seized the funds as part of the prosecution against Jaroslav Dobes and Barbara Plaskova. According to the PGJ, the group was seeking additional compensation for losses due to inflation during the 11 years the funds had been withheld.

The MOI reported that as of June, it had granted subsidiary protection to all the remaining Chinese citizens who applied for asylum in 2016 citing fear of persecution as Christians. Subsidiary protection prevents forcible return to their country of origin of persons who have been found ineligible for refugee status. An NGO representing some of the applicants, however, reported that its clients still had pending applications but had stopped communicating with the Czech government out of fear of reprisal from the government of China.

The government provided second-tier religious groups approximately 3.2 billion crowns (\$149.41 million): one billion crowns (\$46.69 million) in government subsidies to 17 groups and 2.2 billion crowns (\$102.72 million) to 16 groups as compensation for communal property in private and state hands that would not be returned. Five of the 22 second-tier groups declined the government subsidy and were not eligible for compensation payments for lost property. The Baptist Union accepted the state subsidy, but while eligible to receive it, opted not to accept compensation for unreturned property. In addition, the MOC provided 11.9 million crowns (\$556,000) in grants for religiously oriented cultural activities in response to applications from various religious groups.

The government paid the annual allotment of 20 million crowns (\$934,000) of the total of 100 million crowns (\$4.67 million) earmarked for 2019-2023 as 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, the U.S. Commission for Preservation of America’s Heritage Abroad, and the Hanacky Jerusalem Association met with the municipal council of Prostějov to continue discussions on the plan to restore a former Jewish cemetery in that city that the MOC had designated a cultural monument. Later in the month, the Prostějov municipal assembly approved the 2022 municipal budget that earmarked 350,000 crowns (\$16,300) to conduct a preparatory study for the restoration project.

The SPD and its leader, Tomio Okamura, continued to criticize Islam and Muslim migrants. In November, Okamura stated on his Facebook page that “It has been fully confirmed that Islam is not compatible with freedom and democracy. There will either be democracy here, or Islam. There is nothing in between.” In October, Okamura stated on Facebook that the “SPD submitted bills that ban the promotion of hateful Islamic ideology and Islamic veiling in public.” Also in October, he stated on Facebook that the “SPD does not want us [the Czech Republic] to end up like the Islamized Western Europe where people often fear to go outside as they do not want to be stabbed or killed by the migrants.” In September, the SPD initiated a petition against accepting migrants from Afghanistan after the departure of allied forces. The petition, which had no legal force, was part of an action by the Identity and Democracy faction in the European Parliament, of which the SPD is a member, stated that “the new migration wave from Afghanistan can bring various risks, including Islamization and terrorism.”

In June, the government approved the *2020 Report on Extremism and Hate Crime*, the *2021-2026 Strategy to Combat Extremism and Hate Crime*, and the *2021-2022 Action Plan to Combat Extremism and Hate Crime* that defined as one of its three strategic goals improving protection and assistance to victims of crimes, including

religiously motivated crimes. The action plan 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 those against religious groups. Steps the document outlined included “raising public awareness about extremist activities, initiatives by state regulatory and security bodies to reduce hate speech on the internet, strategic communication to combat xenophobia and racism, education and prevention programs at schools, specialized training for law enforcement, and assistance to victims.”

On January 27, the Ministry of Foreign Affairs, in cooperation with the Israeli Ministry of Foreign Affairs and the Ministry of Social Equality, organized an online commemoration of International Holocaust Memorial Day entitled “Remembering, Perpetuating and Pursuing Justice.” Speakers included Czech President Milos Zeman and then Foreign Minister Tomas Petricek, Israeli President Reuven Rivlin, and the U.S. Secretary of State. Speakers stressed the importance of recalling past tragedies and fighting Holocaust denial.

Also on January 27, the Senate, in cooperation with the FJC, again organized a ceremony to honor victims of the Holocaust. Speaker of the Senate Milos Vystreil, Speaker of the Chamber of Deputies Radek Vondracek, Holocaust survivor Michaela Vidlakova, and FJC Chairman Petr Papousek delivered remarks and called for religious tolerance. The event was broadcast live on state-owned television.

In April, the 16th annual public reading of Holocaust Victims’ names – *Yom Ha-Shoah* – took place online. Public figures who participated in the reading included then Foreign Minister Petricek, Mayor of Prague Zdenek Hrib, and members of the diplomatic community.

In April, organizers cancelled the annual Culture Against Antisemitism Festival and march due to the COVID-19 pandemic and held an online event in the Pinkas Synagogue in Prague in memory of victims of the Shoah entitled “We All Are People 2021.” Speaker of the Senate Vystreil and director of the Jewish Museum Oto Pavlat spoke out against hatred and violence based on ethnicity and religion, and Vystreil cited the importance of the continued fight against antisemitism, stating that any form of hatred, including hatred against Jews, was dangerous to persons all over the world. The event also included the testimony of a Czech Holocaust survivor and a telecast of the commemoration ceremony from the Yad Vashem Memorial in Jerusalem.

The government provided grants for religiously oriented cultural activities, including the annual Night of Churches held in several cities; the National Commemoration of the 1,100th Anniversary of St. Ludmila’s death; a liturgical festival of St. Cyril and Methodius in Velehrad; the annual Concert in Memory of Holocaust Victims; an exhibition entitled Musical Treasures of the Jerusalem Synagogue; a celebration of the 100th anniversary of the Hussite Church, part of which had been postponed from 2020 due to the COVID-19 pandemic; and the Litomysl Days of Baroque Tradition (a festival consisting of liturgical music, masses, and readings).

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 government-funded Endowment Fund for Holocaust Victims, established by the FJC, contributed four million crowns (\$187,000) to 14 institutions providing health and social care to approximately 450 Holocaust survivors.

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

Section III. Status of Societal Respect for Religious Freedom

The NGO In IUSTITIA stated it received reports of one religiously motivated hate crime during the first half of the year – an incident against Jews – compared with seven such cases – four against Muslims, two against Jews, and one against Christians – in the same period in 2020. The incident concerned an employee of the Jewish community’s school, who was part of a government on-line hate free campaign. Someone posted “Juden raus” (“Jews out”, a common antisemitic slur) under his profile in the campaign.

In 2020, the most recent year data were available, the MOI reported 27 criminal offenses with antisemitic motives and nine with anti-Muslim motives, compared with 23 and 11 offenses respectively, in 2019. The MOI reported only incidents that it investigated.

The FJC, which monitored the internet for instances of antisemitism, reported 874 antisemitic incidents in 2020, an increase of 26 percent over the 694 incidents in 2019 and 252 percent over the 347 incidents in 2018. The FJC attributed this increase to improved digital monitoring tools, rising political polarization, and a move from the real to the virtual world because of COVID-19-related restrictions. The 2020 incidents included one of physical assault, one of property damage, and six of harassment.

In one incident, an unidentified person assaulted an Israeli student in a bar in Brno during the Purim holiday in March 2020 after he requested the disk jockey play an Israeli song. The victim, who received medical treatment, did not report the incident to police. In May 2020, the front gate of the synagogue in Krnov was doused with a sticky liquid. The other 866 incidents included graffiti, videos, articles, and online comments. According to the FJC, the largest increase was in antisemitic hate speech on the internet, which accounted for 98 percent of the incidents. It stated 84 percent of incidents involved stereotypical statements and conspiracy theories about Jews, such as

allegations Jews controlled the economy and government. In 9 percent of the cases, the writers criticized Israel (the FJC did not classify all criticism of Israel as antisemitic) and wrote in support of the Boycott, Divestment, and Sanctions movement, while 4 percent denied the Holocaust. The FJC stated that although the country remained safe for the Jewish community, online antisemitism should not be underestimated, as an analysis of attacks in other countries showed that violent acts were preceded by online radicalization.

In June, police charged four individuals and two companies associated with the publishing firm Guidemedia with Holocaust denial for producing a Czech translation of Germar Rudolf’s book *Dissecting the Holocaust*, which denies gas chambers were used in Nazi camps. At year’s end, their trial had not begun. Police continued to investigate Guidemedia for publishing an antisemitic children’s book, *Poisonous Mushroom*, first published in Germany in 1938 as part of antisemitic Nazi propaganda. In January, police charged Emerich Drtina and the Nase Vojsko company with promoting a movement suppressing human rights and freedoms for publishing a 2021 calendar featuring Nazi figures. As of October, the case was pending review by the District Court in Prague. In September, police charged the Bodyart Press publisher and another person for publishing and distributing *The Myth of the Six Million*, a Holocaust denying book authored by a deceased U.S. historian. In November, the state prosecutor indicted the publisher. The case was pending at year’s end.

The MOI reported two private “white power” concerts were held during the first half of the year in which participants expressed antisemitic and neo-Nazi views, compared with nine such concerts in 2020. The ministry estimated approximately 50 to 100 persons attended each concert.

A report published during the year on 2020 hate crimes in the country from the Organization for Security and Cooperation in Europe’s Office for Democratic Institutions and Human Rights (ODIHR) cited five antisemitic incidents, one of physical violence, two of threats, and two of vandalism. In one case that ODIHR sourced to the FJC, a television presenter received an anonymous letter containing antisemitic and xenophobic insults and threats of physical violence. ODIHR also cited the FJC as the source of one report of vandalism against a Jewish synagogue in 2020 and In IUSTITIA as reporting vandalism against a street sign pointing to a Jewish cemetery damaged by gunshots.

The ODIHR report, citing In IUSTITIA, included five incidents against Muslims – one of physical violence, one of a threat, and three of vandalism. In one incident, five persons subjected a woman wearing a headscarf to anti-Muslim and misogynist insults and death threats on the street. In another incident, a woman wearing a headscarf was repeatedly subjected to anti-Muslim insults. The perpetrators ripped the hijab from her head.

In September, the Brussels-based NGO Action and Protection League issued the results of its European antisemitism survey based on data from December 2019-January 2020. According to the survey, 21 percent of 1,000 respondents ages 18-75 in the Czech Republic said they had negative feelings towards Jews. Twenty-seven percent said they would be “totally uncomfortable” or “uncomfortable” with having Jewish neighbors. The survey cited stereotypical statements about Jews and asked respondents the degree to which they agreed or disagreed. The proportion who responded “strongly agree” or “tend to agree” with the following statements were – “the interests of Jews in this country are very different from the interests of the rest of the population” (24 percent); “there is a secret Jewish network that influences political and economic affairs in the world” (23 percent); “Jews have too much influence in this country” (14 percent); “Jews will never be able to fully integrate into this society” (20 percent); “Jews are more inclined than most to use shady practices to achieve their goals” (22 percent); “many of the atrocities of the Holocaust were often exaggerated by the Jews later” (14 percent); “Jews are also to blame for the persecutions against them” (15 percent); “Jews exploit Holocaust victimhood for their own purposes” (20 percent).

In July, the Olomouc Appellate Court issued a two-year suspended sentence to Benedikt Cermak for online comments expressing approval of the deadly attacks on two mosques in New Zealand in 2019. The court reversed a verdict of the Regional Court in Brno that had sentenced Cermak to six years in prison in May.

The Jewish community said it hoped to complete by 2022 a memorial that would include Jewish gravestone fragments. The communist government took the fragments from a 19th century Jewish cemetery in the 1980s and cut them into cobblestones to be placed across the capital. The Prague mayor’s office returned the fragments to the Jewish community in 2020.

Section IV. U.S. Government Policy and Engagement

Embassy representatives continued to engage government officials from the MOC on issues including religious tolerance and compensation in lieu of property restitution to religious groups, as well as developments on restoration of the Prostějov Jewish cemetery. Embassy officials also met with the Ministry of Foreign Affairs special envoy for Holocaust issues, Robert Rehák, regarding compensation for confiscated property of religious groups. Embassy officials expressed support for the restoration of the Jewish cemetery in Prostějov, meeting jointly in November with Mayor František Jura and the groups involved in the project.

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

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