

# **CZECH REPUBLIC 2017 INTERNATIONAL RELIGIOUS FREEDOM REPORT**

## **Executive Summary**

The Charter of Fundamental Rights and Freedoms, a supplementary document to the constitution, guarantees the freedom of religious conviction and states every individual has the right to change religion, abstain from religious belief, and freely practice religion. Two registration applications by religious groups were pending with the government at year's end. The government rejected an application by the Path of Guru Jara (PGJ) and an appeal of that decision by PGJ, whose leader was one of two PGJ members for whom government-issued arrest warrants remained pending at the end of the year. PGJ filed a court appeal of the rejection. The Community of Buddhism in the Czech Republic and the Cannabis Church appealed, respectively, to the Ministry of Culture (MOC) and in court after the government suspended their registration applications. The Lions of the Round Table Order of the Lands of the Czech Crown was appealing the 2016 rejection of its registration application in court. In the first three months of the year, the government addressed hundreds of claims by religious groups for property confiscated during the communist period; as of April 1, more than 1,000 cases remained pending or on appeal in the courts. The mayor of Prostejov opposed the efforts of a foreign donor to restore the former Jewish cemetery in that city. In May the government approved its annual Strategy to Combat Extremism, including religiously motivated extremism, which outlined tasks for various ministries. The president and prime minister continued to make critical remarks about Muslim immigration. Several political groups, including the Freedom and Direct Democracy party (FDD), which won more than 10 percent of the vote in October parliamentary elections, campaigned on an anti-Muslim platform.

The nongovernmental organization (NGO) In Iustitia reported 34 religiously motivated hate incidents during the year, 22 against Muslims, 10 against Jews, and two against Christians. The government reported 28 anti-Semitic and seven anti-Muslim incidents in 2016, the most recent year for which figures were available, compared with 47 and five, respectively, in the previous year. PGJ reported what it characterized as media bias and societal discrimination against the group and its members. Groups, including extraparliamentary political parties, held anti-Muslim rallies and published internet blogs that included anti-Semitic statements, including Holocaust denial and neo-Nazi propaganda and anti-Muslim sentiments. A group of minors vandalized a symbolic tombstone designated as a cultural monument at the site of the former Jewish cemetery in the city of Prostejov.

U.S. embassy officials met with government officials to discuss religious freedom issues and monitored the process of restitution of religious properties, participating in meetings on restitution with representatives from the MOC, Ministry of Interior (MOI), the Catholic and Protestant Churches, and the Federation of Jewish Communities (FJC). Embassy officials responded to two requests for assistance from U.S. citizen Holocaust victims seeking compensation for property seized in the past. Embassy officials and a representative from the U.S. Office of the Special Envoy for Holocaust Issues (SEHI) met with officials from the Ministry of Foreign Affairs to reiterate continuous support for the goals of the 2009 Terezin Declaration, aimed at providing assistance and redress to, and remembrance of, victims of Nazi persecution. 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 2017 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 no religious beliefs, 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 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, 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 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 38 state-registered religious groups; 16 groups are first tier and 22 are second tier.

Unregistered religious groups are free to assemble and worship but may not legally own property. The law provides unregistered groups the option of forming civic associations to manage their property.

The law authorizes the government to return to 17 religious groups (including the FJC) 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 (\$3.59 billion). It also sets aside 59 billion koruna (\$2.83 billion) for financial compensation for lands that cannot be returned, to be paid over 30 years to 17 second-tier religious groups, including the Roman Catholic Church, FJC, Evangelical Church of Czech Brethren, and Hussite Church, that received state subsidies prior to the enactment of the restitution law. 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 of that religious group request it, in which case the school provides the religious instruction only to the students who requested it.

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 must obtain long-term residence and work permits to remain in the country 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**

The MOC did not register any religious groups during the year. Registration applications by Theravada Buddhists in May and the Priestly Fraternity of St. Pius X in 2016 remained pending at year's end. In January the ministry rejected PGJ's registration application on grounds of what it characterized as abuse of personal information, incitement of hate, and the primarily for-profit character of the group's activities. In February the group appealed the decision to the MOC. In September Minister of Culture Daniel Herman upheld the rejection. Following that decision, PGJ appealed to the municipal court in Prague. PGJ said it expected the court to begin hearing the case in early 2018.

In February the Lions of the Round Table – Order of the Lands of the Czech Crown – appealed in court against the MOC's rejection of its first-tier registration application in May 2016. The case was pending at year's end. In June the Community of Buddhism in the Czech Republic appealed to the MOC, asking it to reconsider its decision in May to halt the group's 2016 registration application. The MOC rejected the appeal in December. In December 2016, the Cannabis Church appealed in court the MOC's halting of its registration procedure. The case remained pending at year's end. The MOC said it had halted the applications of both these groups because they had not provided sufficient information in their registration applications as required by law.

The government provided 17 second-tier religious groups with approximately 3.4 billion koruna (\$162.8 million), with approximately 1.3 billion koruna (\$62.25 million) given as a subsidy and 2.1 billion koruna (\$100.6 million) as compensation for communal property in private and state hands that would not be returned to churches. 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 4.0 million koruna (\$192,000) in grants for religiously oriented cultural activities in response to applications from a variety of religious groups.

PGJ leader Jaroslav Dobes and PGJ member Barbora Plaskova remained in immigration detention in the Philippines, where they had been seeking asylum since 2015. International arrest warrants issued by Czech authorities for Dobes and Plaskova remained outstanding, as criminal proceeding against Dobes and Plaskova for alleged sexual abuse remained pending in the Zlin Regional Court.

In January the Prague 10 District Court ruled in favor of a state nursing school which a former Muslim student had sued in 2013 for discrimination because the school barred her from wearing a hijab during classes. The court ruled there was no evidence of discrimination. In September the appellate senate of the Prague Municipal Court upheld the ruling. The appellate court found the school's prohibition did not constitute discrimination because it applied to all head coverings and not just to hijabs.

The government addressed hundreds of religious communal property restitution cases, restituting property to 17 religious groups during the year. These included claims of the Roman Catholic authorities and other religious groups concerning property seized during the communist era. Although the government returned most Catholic churches, parishes, and monasteries in the 1990s, much of the land and forests the Church had previously owned remained in state possession and were being returned in the framework of 2012 restitution legislation. Between January and March the government settled 735 claims with religious groups for agricultural property and 106 claims for nonagricultural property. As of March 31, there were 65 agricultural and 120 nonagricultural property claims that had not been adjudicated. At that time, there were also 1,203 pending lawsuits religious groups had filed in the courts to appeal government restitution decisions.

In August the South Moravian Regional Court in Brno overturned a decision by the municipal court that had ruled in February in favor of the Brno Jewish Community (BJC), holding that it had legal title to a property in possession of the Ministry of Labor and Social Affairs. The ministry had appealed the municipal court's decision to the regional court. In reaction to the revocation by the regional court, the BJC appealed to the Supreme Court. The appeal was pending at year's end. The BJC filed its claim in 2013 based on church restitution legislation, and the ministry rejected the claim in 2014.

The MOI continued to cooperate with the Jewish community on protection of Jewish sites in Prague and across the country.

In January the MOC designated as items of cultural heritage 12 tombstones and tombstone fragments originally from a former Jewish cemetery in Prostejov that the MOC designated as a cultural monument in 2016. The Prostejov local mayor supported a local petition against privately funded efforts to restore the Prostejov cemetery, which the Nazis had destroyed, and which the city later converted into a public park. In November 2016, 10 percent of the city's voters signed the petition. According to the petition and the mayor, the park provided needed access to a nearby school and residential parking; according to the national media, planners said the reconstruction would not restrict access or impede parking. Soon thereafter, anti-Semitic statements appeared in social media, and a local tabloid, *Prostejovsky vecernik*, characterized the dispute as an Orthodox Jewish attack on the city. In February Prime Minister Bohuslav Sobotka appointed his chief advisor, Vladimir Spidla, to mediate the dispute, which was continuing at year's end.

President Milos Zeman and Prime Minister Sobotka continued to make public statements against Muslim immigration. For example, in September President Zeman stated at a press conference after meeting with his German counterpart that Muslim culture was not compatible with European culture. He stated integration of Muslims into national society was "practically impossible." In August Prime Minister Sobotka told the Austrian newspaper *Die Presse*, "We do not want any more Muslims in the Czech Republic." In June citing "the aggravated security situation and the dysfunctionality of the whole [relocation] system," Interior Minister Milan Chovanec announced the government had approved a decision to halt acceptance of refugees under the EU's refugee relocation program. At the time, the country had accepted 12 of approximately 2,700 refugees, whom the EU had allotted to the country and many of whom came from Muslim-majority countries.

In September Tomio Okamura, the leader of the opposition FDD, and other members of the party leadership issued a public statement calling for a ban on Islam as "an ideology incompatible with freedom and democracy." The party ran on an anti-Muslim, anti-immigrant platform, posting billboards reading, "No to Islam" before October parliamentary elections. The party won more than 10 percent of the vote.

In May the government approved the annual Strategy to Combat Extremism, which outlined tasks for various ministries, such as the MOI, Ministry of Justice, Ministry of Education, and MOC, in fighting extremism, including religiously motivated extremism. The document outlined primary strategic goals, including better communication with the public regarding extremist activities and MOI countermeasures, education programs at schools, crime prevention, specialized training for law enforcement to counter extremism, and assistance to victims of crimes, especially victims from minority groups. The MOI continued to monitor the activities of groups and political parties espousing anti-Semitic views, including National Democracy, National Revival, and the Workers' Party of Social Justice.

In April Deputy Chairman of the Senate Jaroslav Kubera and Minister of Culture Herman sponsored and participated in an annual march and concert against anti-Semitism, which opened the 14th Culture against Anti-Semitism Festival. Approximately 750 people attended the event.

At year's end the government was continuing to review the 2016 applications of 92 Chinese Christians on grounds of religious persecution in China.

The government funded religiously oriented cultural activities, including the 2017 Night of Churches in several cities, the annual National Pilgrimage of St. Wenceslaus, the Culture against Anti-Semitism Festival, the 2017 Hussite Festival, and the 13th International Festival of Sacral Music, as well as a series of ecumenical services that included Romani religious music.

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

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

According to estimates from NGO In Iustitia, there were reports of 34 religiously motivated hate incidents during the year, 22 against Muslims, 10 against Jews, and two against Christians, compared with 24 cases in 2016. In Iustitia did not provide details of the incidents.

In 2016, the most recent year for which data were available, the MOI recorded 28 criminal offenses with anti-Semitic motives, compared with 47 cases in the previous year. The MOI reported seven criminal offenses with anti-Muslim motives in 2016 compared with five in 2015. The MOI did not provide details of the incidents.



In July a woman assaulted two Muslim women accompanying a group of children to a water park in Prague. The attacker photographed the group and then insulted the two women, kicking and punching one of them, after the women asked her to stop taking pictures of the group. Police said they were investigating the alleged attacker on suspicion of committing a misdemeanor.

PGJ said its members faced societal discrimination stemming from negative media reporting about the group. PGJ compiled 14 statements from members describing instances of discrimination. Members said they faced difficulty leasing space for PGJ events, encountered difficulties selling PGJ books, lost clients when their affiliation with the group became known, been dismissed or threatened with dismissal from their jobs, and felt they must conceal their membership in the group from family, friends, and associates. PGJ stated nine media reports on the group during the year contained false or defamatory information or violated the group's presumption of innocence. Other reports, according to PGJ, called its leader, Jaroslav Dobes, "a notorious fraudster, a fake guru, and sexual abuser of women," and PGJ "a dangerous cult or sect." The umbrella organization Czech Women's Lobby (CWL), representing 32 women's organizations, stated that several former members of the PGJ turned to CWL member organization ProFem (Center for Victims of Domestic and Sexual Violence) after they experienced sexual abuse by PGJ leader Jaroslav Dobes during spiritual practices. ProFem provided them with social and legal counseling.

According to press reports, groups that included the Worker's Party of Social Justice and the Block Against Islamization (BPI) – political parties which did not hold office at any level – organized a number of demonstrations in Prague and elsewhere against accepting migrants and refugees, many of whom were Muslim, and against the EU for imposing refugee quotas. One such demonstration was held in Wenceslas Square in Prague in May. The number of participants at the demonstrations generally varied between dozens and 100.

In October the national television service filed a criminal complaint, asking law enforcement to investigate the BPI for what the station said was an anti-Muslim election campaign video it was required by law to broadcast.

In March the police concluded an investigation of Martin Konvicka, leader of the Block Against Islam group that dissolved itself in 2016. In 2016, Block Against Islam staged a mock attack by ISIS in the center of Prague. Police stated the investigation did not prove the group committed a crime and did not file charges.

By year's end, authorities had not yet concluded a pre-trial phase of the prosecution of Konvicka, whom they charged in 2016 with incitement of hatred and suppression of rights and freedoms for statements they said he made on the internet against Islam and Muslims.

In February online news platform *Coda Story* cited Lukas Houdek, project coordinator of HateFree, a government antidiscrimination program, as stating that anti-Muslim sentiment had found fertile ground in the country. Many people, he said, had no personal experience with Islam, and anti-Muslim attitudes appeared to stem from fear of the unknown. According to Houdek, "most of the [television] news you see about Muslims is negative." *Coda Story* also cited a report by internet research project *Netmonitor.cz* stating that what it described as the most popular anti-Muslim web outlet, *Parlamentni listy*, averaged 123,000 readers per day in January, compared with 1.6 million readers for *novinky.cz*, the most popular news website in the country.

In May the Ethical Commission of the Syndicate of Journalists stated some of the articles on efforts to restore the Prostejov Jewish cemetery published in *Prostejovsky vecernik* weekly exhibited features of anti-Semitism. The Kolel Damesek Eliezer Foundation, a U.S. charity involved with the restoration effort, had filed a complaint with the commission about *Prostejovsky vecernik's* coverage.

Adam Bartos, Chairman of the National Democracy Party, which did not hold political office at any level, continued to post anti-Semitic writings on social media. In March a regional court in Brno upheld a one-year suspended prison sentence with two years of probation for incitement to hatred and defamation over a note Bartos wrote in 2015 supporting an 1899 Jewish blood libel trial. Bartos appealed to the Supreme Court. In July the Prague 1 District Court heard a case in which authorities charged Bartos with incitement to hatred and Holocaust denial on the internet, in public speeches, and books. The case remained pending at year's end.

From January to September the MOI reported seven private "white power" music concerts took place in the country, where participants expressed anti-Semitic and neo-Nazi views. The MOI did not provide additional details.

In April youths vandalized a symbolic tombstone of Rabbi Zvi Horowitz, designated as a cultural monument at the site of the former Jewish cemetery in Prostejov. Police declined to pursue the case because the perpetrators were minors. In a previous vandalism case in 2016, in which a group damaged 30

tombstones at the Jewish cemetery in Korycany, authorities also declined to file charges because the alleged vandals were minors.

In August the European Shoah Legacy Institute ceased operations, reportedly for lack of funding. The NGO had sought systematic international solutions for restitution of Jewish cultural assets stolen by the Nazis and promoted provision of adequate social welfare to Holocaust survivors and Holocaust education.

The government-funded Endowment Fund for Holocaust Victims, established by the FJC, again contributed 4.5 million koruna (\$215,000) 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 church restitution and religious tolerance. In March embassy officials and representatives from SEHI met with officials from the Ministry of Foreign Affairs to reiterate continued support for the goals of 2009 Terezin Declaration, especially property restitution and the welfare of Holocaust survivors, after the closure of the European Shoah Legacy Institute in August.

In a series of meetings in June, Department of State representatives and embassy officials discussed religious tolerance with representatives of the MOC and with religious groups and NGOs, including the Ecumenical Council of Churches, the FJC, the Czech Council of Jewish Women, In Iustitia, and the NGO People in Need.

The embassy monitored the process of restitution of church property. Embassy officials responded to requests for assistance from two U.S. citizen Holocaust victims seeking compensation for property seized in the past. The government informed the claimants it could not return the property under the existing restitution law.

In June the Charge d'Affaires hosted an iftar during which representatives of the local Muslim community, NGOs, Deputy Minister of Human Rights Martina Stepankova, and Senator Hassan Mezian discussed religious tolerance and the need for interfaith dialogue to overcome perceived differences.

The Charge d’Affaires and other embassy officials continued to meet with representatives of Catholic, Protestant, Jewish, and Muslim groups to reaffirm commitment for religious tolerance and to hear the groups’ views on interfaith relations.