

# CZECH REPUBLIC 2016 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, to abstain from religious belief, and to freely practice religion. Four new registration applications by religious groups were pending with the government at year's end. On appeal, the government upheld its earlier rejection of registration applications by two groups. The government continued to return or pay for property confiscated from religious groups during the communist period, but hundreds of cases remained pending or on appeal in the courts. The president and other politicians, at both the national and local level, continued to make intolerant remarks about Muslims. The Usvit (Dawn)-National Coalition political party, the Party for Direct Democracy, and the National Democracy Party continued to organize rallies against Islam and against accepting Muslim refugees. The prime minister cautioned against calling every Muslim a terrorist. Two senior government officials sponsored and participated in a rally against anti-Semitism.

According to preliminary estimates from the nongovernmental organization (NGO) In Iustitia, there were 20 religiously motivated hate incidents during the year, including 16 against Muslims and three against Jews. The government reported 47 anti-Semitic crimes in 2015, the most recent year for which figures were available, compared to 45 the previous year. Jewish groups reported 39 anti-Semitic incidents, primarily involving threats and damage to property, and 182 instances of anti-Semitic speech on the internet in 2015. The Organization for Security and Cooperation in Europe (OSCE) reported three violent incidents against Jews and six against Muslims in 2015, compared with one and no such incidents, respectively, the previous year. Groups held anti-Muslim rallies and published internet blogs that included anti-Semitic statements, Holocaust denial, Nazi propaganda, and anti-Muslim sentiments. Thirty tombstones were damaged at a Jewish cemetery in Korycany. The Jewish community in Liberec received hate mail accusing them of terrorism for laying Holocaust memorial stones in the city.

U.S. embassy officials met with government officials to discuss religious freedom issues and monitored the process of restitution of church property, participating in meetings on restitution matters with representatives from the Ministry of Culture (MOC), the Catholic and Protestant churches, and the Federation of Jewish

Communities. Embassy officials responded to one request for assistance from U.S. citizen Holocaust victims seeking compensation for property seized in the past. Embassy officials and representatives from the U.S. Office of the Special Envoy for Holocaust Issues (SEHI) participated in meetings of the European Shoah Legacy Institute (ESLI) to discuss the organization's progress on goals laid out by the Terezin Declaration. The Ambassador met with Jewish, Roman Catholic, Protestant and Muslim religious leaders to reaffirm support for religious freedom.

### **Section I. Religious Demography**

The U.S. government estimates the total population at 10.6 million (July 2016 estimate). According to the 2011 census, of the 56 percent of citizens who responded to the question about their religious beliefs, 18 percent said they 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. Approximately 62 percent of respondents held no religious beliefs. Academics estimate there are approximately 10,000 Jews; the Federation of Jewish Communities 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 the 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's 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 have the signatures of at least 300 adult members permanently residing in the country, a founding document that lists the basic tenets of the faith, and a clearly defined structure of fiduciary responsibilities. First-tier registration confers limited tax benefits, including exemptions from interest rate tax 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, have membership equal to at least 0.1 percent of the population, or approximately 10,600 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 on church restitution authorizes the government to return to 17 religious groups (including the Federation of Jewish Communities) 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 (\$3.1 billion). It also sets aside 59 billion koruna (\$2.5 billion) for financial compensation for lands that cannot be returned, to be paid over 30 years to 17 second-tier religious groups that received state subsidies prior to the enactment of the restitution law, such as the Roman Catholic Church, the Federation of Jewish Communities, the Evangelical Church of Czech Brethren, the Hussite Church, and other churches. Using a mechanism prescribed by law based on the quantity of property that cannot be returned, 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.

A separate law provides for subsidies to second-tier religious groups and contains provisions for phasing out direct state support to religious groups over a 17-year period.

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 introduce instruction in the beliefs of a religious group if seven or more students of that religious group request it, in which event the religious instruction is provided 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**

In January the MOC rejected the first-tier registration applications of two groups, the Lions of the Round Table – Order of the Lands of the Czech Crown, which had applied in 2014, and the Poor Fellow-Soldiers of Christ – Temple of Solomon (aka the Knights Templar), which had applied in 2015. The MOC stated the groups' applications lacked a sufficient number of signatures of adherents. Both groups appealed the decision; the MOC rejected the appeals in May and December, respectively.

The MOC did not register any religious groups during the year. Registration applications by four religious groups remained pending at year's end: the Path of Guru Jara (PGJ), which applied in 2015, the Community of Buddhism in the Czech Republic, which applied in January, the Cannabis Church, which applied in July, and the Priestly Fraternity of St. Pius X, which applied in November.

In February as a supplement to its 2015 registration application, the PGJ submitted 450 signatures to meet the 300 minimum requirement. The MOC, which was expected to decide on the application early in 2017, ordered verification of the signatures and stated most were forged or obtained under false pretenses. According to the PGJ, the MOC and the Society for the Study of Sects and New Religious Movements – an organization which the MOC consults on an ad hoc basis on religious registration issues and which the PGJ said was one of the main groups persecuting the PGJ – contacted some of the 450 signatories directly. As a result of this contact, according to the PGJ, some of its members felt harassed and withdrew from the group.

The government provided 17 second-tier religious groups with approximately 3.4 billion koruna (\$142 million), with approximately 1.4 billion koruna (\$58.5 million) given as a subsidy and 2 billion koruna (\$83.6 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 million koruna (\$167,000) 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 detention in the Philippines where they had been seeking asylum since 2015. According to PGJ, Philippine authorities denied the first and second asylum claims based on a finding that there was no religious persecution of the group in the Czech Republic. PGJ stated Czech authorities sought deportation of Dobes and Plaskova. The Czech MFA stated that international arrest warrants issued at its request were outstanding and the Czech government was interested in their return. In February the director of Belgian NGO Human Rights Without Frontiers, Willy Fautre, stated Dobes and Plaskova should be freed in the Philippines and “granted asylum.”

In November media reported on the trial of a state nursing school head teacher being sued by a former Muslim student. The student said she was discriminated against in 2013 because she was prohibited from wearing a hijab during classes. The school said the complaint was untrue. The court ruled in favor of the school, finding the student had not been formally enrolled in the school.

The government continued to address outstanding religious communal property restitution cases. 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 previously owned by the Catholic Church remained in state possession and were being returned in the framework of 2012 restitution legislation. Between January and June the government settled 8,010 claims with religious groups for agricultural property and 177 claims for nonagricultural property. As of June there were 744 unresolved agricultural property claims and 1,209 unresolved nonagricultural property claims. As of April 559 lawsuits filed by religious groups appealing government restitution decisions remained pending in the courts.

In April the Ministry of Interior (MOI) signed an agreement with representatives of the Jewish community to better protect Jewish sites in Prague and across the country, including the establishment of a law enforcement coordination center to cooperate more closely with the Jewish community on site protection.

In January the South Moravian Municipal Court in Brno ruled 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 appealed the municipal court's decision to the regional court in February. The appeal was pending at year's end. The BJC had filed its claim in 2013 based on revised church restitution legislation, and the ministry had rejected the claim in 2014. The case was pending at year's end. In accordance with restitution legislation, the Brno Jewish community had previously submitted multiple claims for the property, which the ministry had rejected.

President Milos Zeman continued to make several public statements against Muslim immigration. In January President Zeman stated in a media interview that Islamic culture should not be brought to Europe as it was incompatible with Western values, and that the integration of the Muslim community was "practically impossible." On a separate occasion in January the president said Egypt's Muslim Brotherhood was responsible for the influx of Muslim refugees in Europe. He further stated the group was receiving funds from several nations to finance the influx in order to "control Europe."

In January Tomio Okamura, the leader of the opposition Party of Direct Democracy published an article on his website stating that Muslims considered all Europeans enemies and subordinates and that the country needed to be protected against Islamization.

The opposition Usvit (Dawn) – National Coalition political party, which held seats in parliament, organized a dozen rallies against Islam and against admitting Muslim refugees. Some of these rallies attracted several hundred protestors and took place in major cities, including Prague, Brno, Ostrava and Pilsen. Rallies were organized in conjunction with the Block against Islam, a national organization against Muslim immigration, and included German participants from the nationalist movement PEGIDA (Patriotic Europeans against the Islamization of the West).

In addition to Usvit, the Party for Direct Democracy, the National Democracy Party, and the Worker's Party of Social Justice organized a number of demonstrations against refugees, which drew between several dozen and one thousand participants.

In a newspaper interview on July 30, Prime Minister Bohuslav Sobotka said that “collective guilt and saying every Muslim is a terrorist” was not the way to proceed in countering threats.

In May the government approved the Strategy to Combat Extremism, which outlined tasks for various ministries, such as the MOI, Ministry of Justice, Ministry of Education, and Ministry of Culture, in fighting extremism, including religiously motivated extremism. The tasks included improving communication with the public, combating hate speech on the internet, and educating the public about extremism and crime prevention. 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. From January to September the MOI reported 16 “white power” music concerts took place in the country, where participants expressed anti-Semitic and neo-Nazi views.

In April Adam Bartos, Chairman of the extra-parliamentary National Democracy Party, which did not hold political office at any level, was charged with crimes against humanity for his anti-Semitic writings on social media. By year’s end, the case remained pending. In October Bartos was sentenced in an unrelated case to one year of imprisonment and probation of two years for incitement to hatred and defamation over a note he wrote in 2015 supporting an 1899 Jewish blood libel trial. Another member of the party who was charged with Bartos pleaded guilty and was not sentenced.

In April Deputy Chairman of the Senate Premysl Sobotka and Minister of Culture Daniel Herman sponsored and participated in an annual march and concert against anti-Semitism. Approximately 800 people attended the event.

In February the government reported it was reviewing the applications of 91 Chinese Christians who applied for asylum on grounds of religious persecution in China. At year’s end, the review process was ongoing.

The government funded religiously oriented cultural activities, including the Night of Churches, the National Pilgrimage of St. Wenceslaus, Culture against Anti-Semitism, Prayer for Home, Kristfest of the Apostolic Church, and the Catholic-associated Romani Pilgrimage.

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



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

According to estimates from NGO In Iustitia, which stressed the figures were preliminary and subject to confirmation, from January to September there were reports of 20 religiously motivated hate incidents during the year, 16 against Muslims, three against Jews and one against a Christian. Details of the incidents were unavailable.

The MOI recorded 47 criminal offenses with anti-Semitic motives during 2015, the last year for which data were available, compared with 45 cases in the previous year. In 2015, the Federation of Jewish Communities reported 39 anti-Semitic incidents, including damage to property; spray-painting of anti-Semitic remarks and Nazi symbols; threats via telephone calls, emails, text and social media messages; and harassment. An annual study by the Jewish community in Prague reported 182 anti-Semitic postings on the internet in 2015, compared with 191 in 2014.

According to the OSCE's 2015 Hate Crime Report, the latest year for which data were available, civil society actors reported three violent attacks against Jews, compared to one in 2014; and six violent attacks against Muslims, compared to zero in 2014.

Throughout the year, there were several demonstrations against accepting migrants and refugees, many of whom were Muslim, and against the European Union for imposing quotas for refugee resettlement or relocation. The number of participants in these demonstrations generally varied between dozens and hundreds. At the largest such demonstration, held in Prague in February, which numbered approximately 3,000 participants, police arrested and then released 13 demonstrators. In another demonstration in April, demonstrators waved Czech and National Democracy Party flags and flags reading "We do not want Islam in the Czech Republic." There were also counter protests in support of refugees, usually in direct opposition to these anti-Muslim and antirefugee protests, but generally smaller, with participants generally numbering in the dozens, according to media reports.

In July more than 60 neo-Nazis and others demonstrated against a xenophobia awareness event in Ostrava. German Chancellor Angela Merkel's August visit to Prague prompted seven demonstrations both supporting and criticizing her policies

on refugees and migration. There were a greater number of participants at the anti-Merkel demonstrations.

A group called NO to Islam in the Czech Republic transformed itself into the organization Block Against Islam and organized approximately 20 anti-Islam rallies throughout the country during the year. The group strongly opposed entry of Muslim refugees and called for restrictions on the Muslim community in the country, including the outlawing of halal butchery. In April the group's leader, Martin Konvicka, was charged with incitement of hatred and suppression of rights and freedoms for his statements against Islam and Muslims in his internet postings. In June he staged a mock attack by ISIS in the center of Prague. Police investigated him for scaremongering. Authorities did not file charges, and police were continuing their investigation at year's end. Prague Municipality officials dispersed a demonstration led by Konvicka in front of the Saudi Arabian embassy on the anniversary of September 11, on grounds the demonstration incited religious hatred and intolerance.

More than 33 practitioners of the PGJ reported societal discrimination, including receiving threats on the internet, defamatory media coverage, and derogatory remarks by politicians. Several reported being threatened by the police with arrest when reading religious materials, being fired from their jobs, being excluded from participating in conferences, or being threatened with losing their jobs if they professed their faith openly. Speaking about the PGJ in March, the director of the Czech Helsinki Committee stated, "I have never encountered such a complex case of discrimination in connection with a religious theme in the Czech Republic."

In August a group of approximately 80 Czech Muslims attended Mass at the Catholic Church of the Most Sacred Heart of Our Lord in Prague to express solidarity after ISIS killed French priest Jacques Hamel in July. After the Mass, Muslim representatives spoke about the tenets common to both religions and condemned terrorism, and approximately 400 people formed a human chain around the church to show support for victims of terrorist attacks.

In October a group of Jews protested the naming of a children's volleyball team at an orphanage charity tournament after a poison, "Zyklon B [Cyklon B in Czech]," used to kill Jews during the Holocaust. The Czech Freedom Fighters Association, an umbrella group for victims of Nazism and persecution during World War II, condemned the choice of the name and the organizers of the tournament, as well as the orphanage, apologized.

In March the Jewish community in Liberec received a hate letter from unknown authors accusing them of terrorism for laying Holocaust memorial stones in the city. Police investigated the case but had been unable to track the author of the letter by year's end.

The MOI and Federation of Jewish Communities reported neo-Nazi groups continued to express anti-Semitic views, as did some nationalist groups and Islamic groups, including the Muslim Union. Groups such as the National Resistance and the Autonomous Nationalists held public gatherings and published internet blogs that included anti-Semitic statements, Holocaust denial, the dissemination of neo-Nazi propaganda, and anti-Muslim sentiments, according to the MOI.

The government-funded Endowment Fund for Holocaust Victims, established by the Federation of Jewish Communities, contributed 4.5 million koruna (\$180,000) to 14 institutions providing health and social care to approximately 500 Holocaust survivors.

In March, 30 tombstones were damaged at the Jewish cemetery in Korycany near Kromeriz. Police were investigating the case at year's end.

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

The U.S. embassy continued to engage government officials from the Ministry of Culture, especially the Department of Churches, on religious freedom issues such as church restitution and religious tolerance. In January the U.S. Special Envoy to Monitor and Combat Anti-Semitism, the U.S. Special Envoy for Holocaust Issues (SEHI) and embassy officials discussed issues of anti-Semitism at a meeting with the European Union Coordinator on Combating Anti-Semitism organized by the Ministry of Foreign Affairs.

Embassy officials monitored the process of restitution of church property and participated in meetings on restitution matters with representatives from the MOC, the Catholic and Protestant churches, and the Federation of Jewish Communities. Embassy officials responded to a request for assistance from a U.S. citizen Holocaust victim seeking compensation for property seized in the past.

Representatives from the SEHI office and embassy officials met with representatives of the Prague-based ESLI and officials of the Ministry of Foreign

Affairs to discuss progress in fields specified in the 2009 Terezin Declaration, especially property restitution and welfare of Holocaust survivors.

The Ambassador visited the Brno Mosque in March, the first visit to a Czech mosque by a U.S. ambassador. The Ambassador met with leaders of the Muslim community and highlighted the U.S. commitment to religious freedom and confronting prejudice.

The Ambassador and other embassy officials continued to meet with representatives of Catholic, Protestant, Jewish, and Muslim groups to reaffirm support for religious freedom and to hear the groups' views on religious freedom developments in the country.