

CZECH REPUBLIC 2020 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The Charter of Fundamental Rights and Freedoms, a supplement to the constitution, guarantees freedom of religious conviction and states everyone has the right to change, abstain from, and freely practice religion. The Ministry of Culture (MOC) registered one religious group, rejected two, and left one pending at year's end. In a retrial, the Zlin Regional Court convicted in absentia Jaroslav Dobes, the leader of the Path of Guru Jara (PGJ), and another PGJ member of rape in six cases and acquitted them in one case. The Ministry of Interior (MOI) granted permanent residence to two of 70 Chinese Christians whose applications for asylum it rejected in 2018. The ministry was reviewing 16 other applications from the group and said it would review the applications of the other 52 asylum seekers as well. The government did not deport any of the applicants. The government concluded processing restitution claims filed by religious groups in 2012-13 for properties confiscated by the communist regime. The opposition Freedom and Direct Democracy (SPD) Party continued to publicly criticize Islam and Muslim migrants.

In IUSTITIA, a local nongovernmental organization (NGO), said it received reports of seven religiously motivated incidents in the first half of the year – four against Muslims, two against Jews, and one against Christians – compared with 14 (12 against Muslims and two against Jews) in all of 2019. The government reported 23 anti-Semitic and 11 anti-Muslim incidents in 2019, compared with 15 and eight incidents, respectively, in the previous year. The Federation of Jewish Communities (FJC) reported 694 anti-Semitic incidents in 2019 – 95 percent of which were internet hate speech, which the federation actively monitored – twice as many as in the previous year. The MOI reported nine “white power” concerts in which participants expressed anti-Semitic views.

U.S. embassy representatives discussed religious freedom issues, including property restitution for religious groups and religious tolerance, with MOC officials and the envoy for Holocaust issues at the Ministry of Foreign Affairs. 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 2020 estimate). According to the 2011 census, of the 56 percent of citizens who responded to the question about their religious beliefs, approximately 62 percent held none, 18 percent were Roman Catholic, 12 percent listed no specific religion, and 7 percent identified with a variety of religious faiths, including the Evangelical Church of Czech Brethren, the Czechoslovak Hussite Church, other Christian churches, Judaism, Islam, and Buddhism. Academics estimate there are 10,000 Jews, while the FJC estimates there are 15,000 to 20,000. Leaders of the Muslim community estimate there are 10,000 Muslims, most of whom are immigrants. According to a 2017 Pew Research Survey, 72 percent of adults in the country do not identify with a religious group, and 25 percent identify as atheists.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

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

The law states the MOC’s 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 outside experts on religious affairs. The law does not establish a deadline for the ministry to decide on a registration application. Applicants denied registration may appeal to the MOC to reconsider its decision and, if denied again, to the courts.

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

For second (higher) tier registration, a group must have been registered with the Department of Churches for 10 years, have published annual financial reports throughout the time of its registration, and have membership equal to at least 0.1 percent of the population, or approximately 10,700 persons. The group must provide this number of signatures as proof. Second-tier registration entitles religious groups to government subsidies as well as the tax benefits granted to first-tier groups. The law phases out direct state subsidies to second-tier religious groups over a 17-year period ending in 2029. Additionally, only clergy of registered second-tier religious groups may perform legally recognized marriage ceremonies and serve as chaplains in the military and at prisons. Prisoners who belong to unregistered religious groups or groups with first-tier status may receive visits from their own clergy.

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

There are 42 state-registered religious groups, 18 first- and 24 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 (\$3.61 billion). The law also sets aside 59 billion crowns (\$2.84 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 23 second-tier groups, all of them Christian, have permission to teach religion classes. The teachers are supplied by the religious groups and paid by the state. If a state school does not have enough funds to pay for its religious education teachers, religious groups pay for them. Student attendance at religious classes is optional. According to law, if seven or more students register for a particular religious class at the beginning of the school year, a school must offer that class to those who registered.

The government does not regulate religious instruction in private schools.

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

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

The law designates January 27 as Holocaust Remembrance Day.

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

Government Practices

In May, the MOC upheld its 2019 denial of an application from Ecclesia Risorum (Church of Laughter) for first-tier status, first submitted in March 2018. The MOC

rejected the application on the grounds the group failed to meet the legal definition of a first-tier religious group. The group appealed to court. In June, the MOC registered the Association of Buddhism in the Czech Republic, which had applied for registration in 2019. Also in June, the Religious Society of Slavs applied for registration; the application was pending at year's end. In August, the ministry stated it rejected a registration application from the Holy Dyad because the group failed to provide required information by an administrative deadline. The group has the option to reapply. A 2017 appeal by the Lions of the Round Table – Order of the Lands of the Czech Crown of an MOC registration rejection remained pending with the Prague Municipal Court. There was no information available on the status of the application.

In March, the Zlin Regional Court found PGJ leader Jaroslav Dobes and member Barbora Plaskova guilty of the rape of six women and acquitted them of a charge of rape of a seventh woman. The pair appealed the verdict, and the case was pending at year's end. 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. According to PGJ officials, the group submitted two separate complaints to the European Court of Human Rights in March, regarding the cases against Dobes and Plaskova. The court rejected further examination of Plaskova's case and was still reviewing Dobes' at the end of the year.

The PGJ's 2017 lawsuit against the government's Office for Personal Data Protection alleging abusive investigation of the group's registration application and against the MOC's rejection of its registration application remained pending in the Prague Municipal Court at year's end. There was no further information available on the case.

According to Human Rights Without Frontiers (HRWF), on February 24, the Zlin Regional Court ruled against restituting 190,000 euros (\$233,000) to the Poetrie esoteric yoga school, which was tied to the PGJ. The court seized the funds in 2010 as part of the prosecution against Jaroslav Dobes and Barbara Plaskova. In its most recent ruling, the court stated it dismissed the restitution claim because the funds continued to be important to the criminal proceedings. According to HRWF, PGJ attorney Vit Brozek stated the court's ruling contravened the criminal code, which requires the return of seized items that are "no longer necessary for further proceedings." Brozek filed a complaint with the High Court in Olomouc, asking it to annul the lower court's decision and release the frozen funds to the Poetrie school. In his complaint, Brozek stated the Zlin Regional Court's conduct

“threatens confidence in independent, impartial, professional, and fair decisions of the courts.”

The MOI granted permanent residence to two of 70 Chinese Christians whose applications for asylum on the grounds of religious persecution in China it had denied in 2018. The MOI indicated it would accept similar applications for permanent residence from other Chinese Christians whose asylum applications it had denied. The decision followed the 2019 ruling of the Supreme Administrative Court, which considered five appeals of the MOI’s 2018 denial of the asylum applications and returned them to the MOI for review. The Supreme Administrative Court based its remand of the cases to the MOI on insufficient reasoning by the ministry in evaluating and addressing the applicants’ stated fears of persecution. At year’s end, the MOI was reviewing the remaining 16 applications the courts had remanded to it for further review and said it would review the applications of the other 52 asylum seekers as well. The government had not deported any of the 70 asylum applicants.

The government concluded processing restitution claims religious groups made between 2012 and 2013 for confiscated land and other real and personal property.

In June, the Constitutional Court upheld a 2019 ruling by the Supreme Court and a 2017 ruling by the South Moravian Regional Court in Brno that the Ministry of Labor and Social Affairs and not the Brno Jewish Community was the legal owner of a building in Brno. The community filed a restitution claim in 2013, and the ministry rejected the claim in 2014.

The government provided 17 second-tier religious groups with approximately 3.3 billion crowns (\$159 million): 1.1 billion crowns (\$53 million) in government subsidies and 2.2 billion crowns (\$106 million) as compensation for communal property in private and state hands that would not be returned. Five of the 22 second-tier groups declined all state funding. While accepting the state subsidy, the Baptist Union opted not to accept compensation for unreturned property. In addition, the MOC provided 2.4 million crowns (\$116,000) 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 (\$964,000) of the total of 100 million crowns (\$4.82 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, and the Hanacky Jerusalem Association met with the municipal council of Prostejov to continue discussions on the plan to restore a former Jewish cemetery in that city that the MOC designated a cultural monument. In 2019, the three parties signed a memorandum on restoration of the cemetery, which was destroyed by the Nazis and later converted into a park.

In January, the municipal council in Prague approved a building permit for the Association for the Renewal of the Marian Column. The group completed construction of the column, with a statue of the Virgin Mary, in the city's Old Town Square in June. Roman Catholic Cardinal Dominik Duka, Archbishop of Prague, consecrated the statue in August. The original, Baroque-era column was torn down in 1918 shortly after Czechoslovak independence. Critics of the project said the statue was a symbol of Habsburg Empire-enforced Catholicism on the country.

The SPD and its leader, Tomio Okamura, continued to criticize Islam and Muslim migrants. In December, Okamura posted on his party's website, in reaction to the killing of a teacher in France, that "the horrors of Islam are fully laid bare. SPD promotes a full ban on promotion of hateful Islamic ideology and rejects immigration from Muslim countries." Also in December, Okamura complained on his Facebook site that his proposed legislation "banning propagation or hateful ideologies, and by that I mean Islam" had been pending in the Chamber of Deputies for two years. In February, Okamura stated in an interview for a prominent magazine that his party "stopped Islam," asking the journalists to look out the window and tell him if they see "any Islam" or "any Arabs on camels." In October, Okamura aired video on his YouTube channel of an earlier statement he made on television that "it is fully confirmed that Islam is not compatible with freedom and democracy. There will be either freedom or democracy, or Islam. There is nothing in between."

In July, the government approved the *2019 Report on Extremism and Hate Crime* and the annual *Strategy to Combat Extremism* for 2020 that outlined specific tasks for various ministries, such as the MOI, Ministry of Justice, Ministry of Education, MOC, and Ministry of Finance, in fighting extremism and hate crimes, including hate crimes against religious groups. Steps the document outlined to reduce incidents included raising public awareness about extremist activities, campaigns

to reduce hate speech on the internet, education and prevention programs at schools, specialized training for law enforcement, and assistance to victims.

In January, Foreign Minister Tomas Petricek called for stricter measures against anti-Semitism, particularly on the internet, at the opening of an exhibition honoring victims of the Holocaust. Organized by the Ministry of Foreign Affairs; the exhibition opened in conjunction with International Holocaust Remembrance Day.

On January 27, the Senate, in cooperation with the FJC, again organized a ceremony to honor victims of the Holocaust as part of Holocaust Remembrance Day. Speaker of the Chamber of Deputies Radek Vondracek and Deputy Speaker of the Senate Jiri Oberfalzer delivered remarks and called for religious tolerance.

In April, organizers cancelled the annual march and Culture against Anti-Semitism Festival due to the COVID-19 pandemic. Instead the organizers initiated a public campaign entitled, “We All Are People” and an online event in which Speaker of the Senate Milos Vystrcil, director of the Jewish Museum Oto Pavlat, Member of Parliament Jan Bartosek, member of the Ecumenical Council of Churches Daniel Fajfr, Prague municipal representative Jan Wolf, and others spoke out against hatred and violence based on ethnic and religious grounds. Vystrcil highlighted the importance of societies coming together to face challenges, comparing the fight against coronavirus to the fight against anti-Semitism. Bartosek stated that adverse circumstances, such as coronavirus and the “horrors of World War II and mass deaths in gas chambers” bring people together regardless of religion, race, and political persuasions. Other speakers urged the viewers to remember victims of Nazism and communism and highlighted the importance of remembering the Holocaust. The online event also included the personal testimony of a woman who described friends and family who perished in the Holocaust.

The government provided grants for religiously oriented cultural activities, including the annual Night of Churches held in several cities; the annual National Pilgrimage of St. Wenceslaus (consisting of a march through Prague and masses celebrated in that city and Brandys nad Labem); the annual Concert in Memory of Holocaust Victims; the celebration of the 100th anniversary of the Hussite Church; and Litomysl Days of Baroque Tradition (a festival consisting of liturgical music, masses, and readings). Some of the events, including KRISTFEST (a festival of seminars, workshops, and musical performances on religious themes) and the Archaion Kallos festival of Orthodox music for which the government approved grants were postponed or cancelled due to COVID-19.

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. Police provide enhanced protection of Jewish sites in the country after terrorist attacks in Vienna, Austria, in November.

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

Section III. Status of Societal Respect for Religious Freedom

In IUSTITIA stated it received reports of seven religiously motivated hate crimes during the first half of the year: four against Muslims, two against Jews, and one against Christians, compared to 14 such cases – 12 against Muslims and two against Jews – in all of 2019. In IUSTITIA did not provide details of the incidents.

In 2019, the most recent year data were available, the MOI reported 23 criminal offenses with anti-Semitic motives and 11 with anti-Muslim motives, compared with 15 and eight offenses, respectively, in 2018. The MOI reported only incidents that it investigated.

The FJC, which actively monitored the internet for instances of anti-Semitism, reported 694 anti-Semitic incidents in 2019, compared with 347 in 2018, including nine directed against specific persons or institutions – three cases of property damage, and six cases of harassment. In one incident, a taxi driver threatened a Jewish passenger with death, and in another, on public transportation, a woman shouted at a passenger, “You dirty Jews should die out!” In a third incident, a woman at Jewish sites in Prague shouted insults in English, such as “You [expletive] Jews, Holocaust was good, you deserve to be gassed.” The other 685 incidents included graffiti, videos, articles, and online comments. For example, vandals damaged the walls of the Old Jewish Cemetery in Prague, writing, “Palestine Libre.” According to the FJC, the largest increase was in anti-Semitic hate speech on the internet, which accounted for 95 percent of the incidents. It stated 80 percent of incidents involved stereotypical statements and conspiracy theories about Jews, such as allegations Jews controlled the economy and government. In 14 percent of the cases, the writers attacked Israel and supported the Boycott, Divestment, and Sanctions movement, while 2 percent denied the Holocaust. The FJC stated the sharp increase in the number of anti-Semitic hate speech incidents found on the internet might be the result of more effective FJC monitoring and not an indicator of increased anti-Semitic sentiment in the country.

In February, the Pew Research Center published findings on attitudes towards democratic principles, such as a regular elections, free speech, and free civil society as well as religious freedom in 34 countries based on interviews it conducted in its *Spring 2019 Global Attitudes Survey*. According to the findings, 47 percent of Czech respondents considered religious freedom to be “very important,” ranking it among the lowest of their priorities for democratic principles of the nine tested.

In February, the FJC filed a criminal complaint against the company Guidemedia for publishing an anti-Semitic children’s book, *Poisonous Mushroom*, first published in Germany in 1938 as part of anti-Semitic Nazi propaganda. In May, the FJC filed a criminal complaint against the Nase vojsko company for publishing a 2021 calendar featuring Nazi figures. Police investigations in both cases were ongoing at year’s end.

The MOI reported nine private “white power” concerts were held during the year in which participants expressed anti-Semitic and neo-Nazi views, compared with 11 such concerts in 2019. The ministry estimated approximately 50 to 100 persons attended each concert.

In January, unknown perpetrators sprayed graffiti on a mosque in Brno that read, “Don’t Spread Islam in the Czech Republic! Otherwise, we’ll kill you.” Prime Minister Andrej Babis and Cardinal Duka condemned the attack. Police suspended their investigation after failing to identify any suspects.

According to a report on hate crimes in the country in 2019 from the Organization for Economic Cooperation and Development’s (OECD) Office for Democratic Institutions and Human Rights, citing the FJC as the source, a public official received a letter containing death threats, anti-Semitic insults, and statements expressing approval of the Holocaust. The OECD also cited the FJC as the source of two reports of vandalism against Jewish cemeteries in 2019 and In IUSTITIA as reporting anti-Semitic threats against a Jewish shop owner, whose shop was located near Jewish schools.

The OECD report also included 2019 incidents against Muslims, citing In IUSTITIA as the source. In one, an Egyptian man, his wife, her friend, and three children were subjected to threats while on a tram, and the harassers then chased the man and knocked him to the ground. In other incidents, a group on the street directed anti-Muslim threats at a woman wearing a headscarf, and an individual directed anti-Muslim threats at two girls, one of whom was wearing a headscarf.

In October, the Prague Higher Court upheld a three-year suspended sentence for Jakub Weingartner for posting online comments expressing approval of the deadly attacks on two mosques in New Zealand in 2019. The lower Prague Municipal Court convicted and sentenced Weingartner in July. Also in July, in a separate case, the Prague Municipal Court issued a two-year suspended sentence to Milan Jaros for publicly approving of the attacks. Jaros apologized and donated money to Red Cross aid for orphans in Syria.

In October, the Ostrava Regional Court sentenced Roman Mariancik, who in March pretended to be a Muslim terrorist and threatened to bomb a shop in Ostrava, to three-and-a-half years in prison. The verdict was final.

In February, the Czech Railroads Administration financed the restoration of the Valediction Memorial to Jewish children who escaped the Holocaust. Vandals damaged the memorial in 2019. Police investigated the case but did not identify the perpetrators.

According to PGJ members, in May, a PGJ representative asked Radio Wave, a listener-funded public radio station, to correct what he called misinformation against the group's leader and practices presented in an October 19 program broadcast by the station. Radio Wave agreed to publish a rebuttal to the show by the PGJ but rejected the submission after reviewing it as not meeting publication standards.

The PGJ reported that its members feared harassment, including losing their jobs, position at a university, and child custody disputes if their affiliation with the group became known. One member reported undergoing a "two-month intensive examination of moral qualities" while trying to complete an international certification in gestalt psychotherapy from an institute in Prague because of the individual's public connection with the PGJ.

The Jewish community reported receiving several shipments of gravestone fragments during the year, pursuant to the 2019 agreement with the Prague mayor's office on the return of Jewish gravestones the communist government had taken from a 19th century Jewish cemetery in the 1980s and cut into cobblestones it laid down in various areas of the capital, notably in Wenceslas Square and Na Prikope Street. Community leaders planned to reinstall the stones in the cemetery as a memorial to be designed by a leading Czech sculptor.

The government-funded Endowment Fund for Holocaust Victims, established by the FJC, contributed four million crowns (\$193,000) to 14 institutions providing health and social care to approximately 450 Holocaust survivors.

Section IV. U.S. Government Policy and Engagement

Embassy representatives continued to engage government officials from the Department of Churches on issues including property restitution to religious groups, religious tolerance, and the Prostejov Jewish cemetery. Embassy officials also met with the Ministry of Foreign Affairs's special envoy for Holocaust issues, Robert Rehak, regarding property restitution. Embassy officials participated in the Holocaust commemoration ceremony in Prostejov and engaged with the local mayor to support the efforts to restore the Jewish cemetery.

The Ambassador 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.