

CZECH REPUBLIC 2015 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, and the government denied appeals against the rejection of registration applications by two other 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) political party organized several rallies against Islam and rejecting Muslim refugees. Two senior government officials sponsored and participated in a rally against anti-Semitism.

Groups held anti-Muslim rallies and published internet blogs that included anti-Semitic statements, Holocaust denial, Nazi propaganda, and anti-Muslim sentiments. There were incidents of anti-Semitic vandalism as well as the desecration of a mosque. The government reported 45 anti-Semitic crimes in 2014, the most recent year for which figures were available, triple the number of the previous year. The Jewish community reported a similar increase over the same period.

U.S. embassy officials met with Ministry of Culture (MOC) officials and Jewish, Roman Catholic, and Protestant leaders to support the resolution of religious property restitution claims and discuss religious tolerance. The embassy continued to emphasize the importance of restitution or fair and adequate compensation for property taken from Holocaust victims, the Jewish community, and churches. Embassy officials responded to specific requests for assistance from U.S. citizen Holocaust victims and their families seeking compensation. Embassy officials and representatives from the U.S. Office of the Special Envoy for Holocaust Issues 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 also met with Jewish, Roman Catholic, Protestant and Muslim religious leaders to reaffirm support for religious freedom.

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Section I. Religious Demography

The U.S. government estimates the total population at 10.6 million (July 2015 estimate). According to the 2011 census, 11 percent of the population is Catholic, 7 percent lists no specific religion, 3 percent belongs 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, and 35 percent holds no religious beliefs. The remaining 44 percent of the population did not answer the question on religious belief. There are approximately 2,800 persons officially registered as members of the Jewish community, although academics estimate there are approximately 10,000 Jews, and 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 cannot 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 Department of Churches in the MOC 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 and outside

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advisers. 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 and 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, and 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 community 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 religious groups 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 (\$2.4 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

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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. The government allocates slightly more than 79 percent of the financial compensation to the Catholic Church. Religious groups had a one-year window, ending 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 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 21 second-tier groups have applied and received permission. The teachers are supplied by the religious groups and may or may not be paid by the state. 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.

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.

Government Practices

Path of Guru Jara stated its members were subjected to religious persecution by the government. In 2014 the regional court in Brno convicted in absentia the group's leader, Jaroslav Dobes, and another member, Barbora Plaskova, of rape. In May the High Court of Olomouc overturned the convictions and ordered a new trial.

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Dobes and Plaskova were in a detention center in the Philippines, where they applied for asylum on religious grounds. Dobes appealed against the rejection of his asylum application. After conducting an investigation, the Danish human rights NGO Soteria stated in a 2015 report there was religious discrimination against members of the group and possible human rights violations in relation to the police, court trial procedures, and media campaigns against Dobes and his associates. The directors of both the Czech Helsinki Committee and Human Rights Without Frontiers International wrote letters of support expressing concerns about the case involving Dobes and Plaskova.

The MOC denied the first-tier registration application of the Czech Orthodox Church (*Ceska pravoslavna cirkev*) in February. The religious group appealed the rejection. The MOC denied the appeal in July. The Order of the Guardians of the Crown and Sword of the Iron and Golden King appealed against the denial of their 2014 first-tier registration application. The MOC denied the appeal in April. In both cases the MOC denied the application on grounds of fraud during the collection of signatures of the 300 minimum number of adherents required for the application. Neither group appealed its rejection in court.

The MOC did not register any church or religious society during the year. Registration applications from four groups remained pending at year's end: the Lions of the Round Table and the Order of the Lands of the Czech Crown, which applied in late 2014, the Knights Templar, which applied in March, and the Path of Guru Jara, which applied in July.

Seventeen second-tier religious groups received approximately 3.5 billion koruna (\$145 million) from the government. The government paid approximately 1.4 billion koruna (\$58 million) as a subsidy and 2.1 billion koruna (\$87 million) as part of 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 nonrestituted property. The MOC provided 4.5 million koruna (\$186,000) in grants for religiously oriented cultural activities in response to applications from a variety of religious groups.

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 had returned most Catholic churches, parishes, and

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monasteries in the 1990s, most 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 October, the government settled with religious groups 2,148 claims for agricultural property and 249 claims for nonagricultural property. As of October there were 4,056 agricultural property cases and 1,544 nonagricultural property cases remaining unresolved. At year's end, 158 lawsuits filed by religious groups appealing government restitution decisions remained pending in the courts.

In accordance with restitution legislation, the Brno Jewish community resubmitted a claim for a property possessed by the Ministry of Labor and Social Affairs. The ministry stated it did not believe the community held the title to the property, and rejected the claim in 2014. The Brno Jewish community appealed to the municipal court in Brno. The case was pending at year's end.

President Milos Zeman, along with other politicians, made several public statements equating Islam with terrorism. In June President Zeman stated in a media interview that he did not want Islam in the country. In October he said in a public meeting that Muslim refugees would not respect national laws and would apply sharia. In November Zeman made remarks critical of Islam at a rally in Prague organized by Bloc Against Islam, a collection of populist groups. Several politicians from both the government and opposition, including the prime minister, criticized the president in the national media for what they said was scaremongering.

The opposition Usvit political party, which had representatives in parliament, organized several rallies against Islam and rejecting Muslim refugees. Some of these rallies included hundreds of protestors and were held in major cities, including Prague, Brno, and Ostrava. Several counter protests in support of refugees were also organized, usually in direct opposition to these anti-Muslim and anti refugee protests.

The Ministry of Interior (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. It reported 25 "white power" music concerts took place in the country, where participants expressed anti-Semitic and neo-Nazi views.

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In December Chairman of the National Democracy Party Adam Bartos and another member of the party were charged with incitement to hatred and defamation over a note they wrote supporting an 1899 blood libel trial. Bartos continued his anti-Semitic internet postings, including statements that the Holocaust as presented was an example of conspiracy and calling on the European Jewish Congress to apologize for what he called injustices caused by Jews to the nation.

In January the former leader of the opposition party, Dawn of Direct Democracy, published a post on Facebook calling for “protection of the heritage of our ancestors against Islam” and instructed people to “walk pigs and dogs near mosques.”

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. About 900 people attended the event.

The government funded religiously oriented cultural activities, including the Night of Churches, the Hussite Festival – Commemoration of the 600th Anniversary of Jan Hus’s Martyrdom, preparation of a new permanent exhibition in the Jerusalem Synagogue, Kristfest of the Apostolic Church, and the Catholic-associated Romani Pilgrimage.

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

Section III. Status of Societal Respect for Religious Freedom

The MOI recorded 45 criminal offenses with anti-Semitic motives during 2014, the last year for which data were available, as compared with 15 cases in the previous year. The threefold increase was mainly due to a significant jump in the number of offensive internet postings. For 2014, the Prague Jewish Community reported 43 anti-Semitic incidents, including one physical attack where the victim was struck from behind when returning from a Rosh Hashana service; damage to property; spray-painting of anti-Semitic remarks and Nazi symbols; threats via phone calls, emails, text and social media messages; and harassment. An annual study by the Jewish community in Prague reported the number of cases of anti-Semitic postings on the internet increased from 82 in 2012, to 156 in 2013, and 191 in 2014.

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According to estimates from NGO In Inustitia, which stressed the figures were preliminary and subject to confirmation, there were reports of 25 religiously motivated hate incidents during the year, 21 against Muslims and four against Jews. Details of the incidents were unavailable.

In June the neo-Nazi youth organization Workers' Youth, which is related to the Workers' Party of Social Justice (DSSS), held a demonstration against immigration and Islam in Brno. They attacked participants of a counterdemonstration held to support immigrants. According to police, approximately 1,200 people participated in the protest, 700 in opposition to migrants, and 500 in support. Seven people were arrested, two on suspicion of supporting movements aiming at suppression of rights and freedoms, and another for burning the national flag.

A group called NO to Islam in the Czech Republic organized approximately 20 anti-Islam rallies throughout the country. The group was strongly opposed to receiving Muslim refugees and called for restrictions on the Muslim community in the country, including the outlawing of halal slaughter.

In the wake of terrorist attacks in Paris and Tunisia and the migration crisis in Europe, populists and groups that commentators and politicians widely described as extreme-right wing, such as the Bloc Against Islam, organized several anti-Islam demonstrations in the capital and other major cities, including Brno, Usti nad Labem, and Ostrava. The demonstrations in some cases were attended by hundreds of participants. Several politicians, including Prime Minister Sobotka, criticized the demonstrations.

The MOI and Federation of Jewish Communities reported neo-Nazi groups continued to express anti-Semitic views, as did some nationalist groups and certain Islamic groups. 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.

In November a poll conducted by the polling organization STEM indicated 83 percent of respondents feared the spread of Islam in the country as a result of the migration crisis.

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In August windows of a mosque in Brno were broken. No individuals or organization claimed responsibility. Police were investigating the case. No charges had been filed by year's end.

The Endowment Fund for Holocaust Victims, which was established by the Federation of Jewish Communities, contributed 4.8 million koruna (\$198,000) to 14 institutions providing health and social care to approximately 500 Holocaust survivors. The MOC pledged to release 100 million koruna (\$4.1 million) over the next five years for preservation and commemoration projects administered by the fund.

Section IV. U.S. Government Policy

The U.S. embassy engaged government officials from the Ministry of Culture, especially the Department of Churches, on religious freedom issues.

Embassy officials encouraged government officials and religious groups to resolve religious property restitution claims. The embassy continued to emphasize the importance of restitution, or fair and adequate compensation when return was no longer possible, in pending cases regarding property wrongfully taken from Holocaust victims, the Jewish community, and churches. Embassy officials 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 two individual requests for assistance from U.S. citizen Holocaust victims seeking compensation for property seized in the past.

Representatives from the Office of the Special Envoy for Holocaust Issues and embassy officials met with representatives of the Prague-based ESLI and officials of the Ministry of Foreign Affairs to monitor progress in fields specified in the Terezin Declaration. The declaration appealed to governments to address problems relating to the welfare of Holocaust survivors, confiscated real estate, looted art, Judaica, Holocaust education and remembrance, and the creation of ESLI. The Department of State continued to fund and support ESLI's activities.

In January the U.S. Special Envoy to Monitor and Combat Anti-Semitism participated in the Fourth International Let My People Live conference held in Prague and Terezin to commemorate International Holocaust Remembrance Day and to discuss issues of anti-Semitism and hate crimes in Europe.

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