



## Czech Republic

### International Religious Freedom Report 2007

Released by the Bureau of Democracy, Human Rights, and Labor

The Constitution provides for freedom of religion, and the Government generally respected this right in practice.

There was no change in the status of respect for religious freedom by the Government during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

There were some reports of societal discrimination based on religious belief. Occasional acts of anti-Semitism were reported among some elements of the population.

The U.S. Government discusses religious freedom issues with the Government as part of its overall policy to promote human rights.

#### Section I. Religious Demography

The country has an area of 30,442 square miles, and a population of 10.2 million. The country had a largely homogenous population with a dominant Christian tradition. However, in part as a result of 40 years of communist rule between 1948 and 1989, the vast majority of citizens did not identify themselves as members of any organized religion. In a 2007 opinion poll sponsored by the Stredisko Empiricky Vyzkumu (STEM) agency, 28 percent of respondents claimed to believe in God, while 48 percent identified themselves as atheists. Only 18 percent of Czechs under 29 professed a belief in God. Similarly, in a May 2007 poll by the Public Opinion Research Centre (Centrum pro vyzkum verejneho mineni, or CVVM), 55 percent of Czechs voiced a mistrust of churches, while only 28 percent stated that they trust them. There was a revival of interest in religion after the 1989 "Velvet Revolution"; however, the number of those professing religious beliefs or participating in organized religion fell steadily since then in every region of the country.

Five percent of the population attends Catholic services regularly, and most of these live in the southern Moravian dioceses of Olomouc and Brno. One percent of the population is practicing Protestants. Islam was registered as an officially recognized religion in 2004, and leaders of the local Muslim community estimated that there are several thousand Muslims in the country. There is only one mosque, located in Brno, but prayer rooms are scattered throughout the country. The vast majority of the country's historic Jewish community, which numbered approximately one hundred thousand before the Nazi occupation of the area of today's Czech Republic, was killed during the Holocaust. There were approximately 3,000 persons officially registered as members of the Jewish community. Judaism is an officially registered religion because of its recognition by the state before 1989.

Missionaries of various religious groups were present in the country.

#### Section II. Status of Religious Freedom

##### Legal/Policy Framework

The Constitution provides for freedom of religion, and the Government generally respected this right in practice. The Government at all levels sought to protect this right in full and did not tolerate its abuse, either by governmental or private actors.

Religious affairs are the responsibility of the Department of Churches at the Ministry of Culture. All religious groups officially registered with the Ministry of Culture are eligible to receive tax benefits and government subsidies from the state, although some decline to receive state financial support as a matter of principle and as an expression of their independence.

Recognized national holidays are Easter Monday, Christmas Eve, Christmas, and St. Stephen's Day (December 26) and do not have an evident negative affect on any religious group.

There are 26 state-recognized religious organizations. In 2004 the Center of Muslim Communities was officially registered, gaining first-tier status; this was the first such registration of a Muslim organization in the country. In 2004 the Constitutional Court denied an appeal by the Unification Church to overturn their denial to register in 1999. The Armenian Apostolic Church withdrew its application for registration at the end of 2006.

The 2002 law on Religious Freedom and the Position of Churches and Religious Associations created a two-tiered system of registration for religious organizations. To register at the first (lowest) tier, a religious group must have at least 300 adult members permanently residing in the country. First-tier registration confers limited tax benefits and imposes annual reporting requirements, as well as a 10-year waiting period before the organization may apply for full second-tier registration. To register at the second tier, a religious group must have membership, with the requisite signatures, equal to at least 0.1 percent of the country's population (approximately 10,000 persons). Many smaller and less established religions were unable to obtain the signatures necessary for second tier registration. Second-tier registration entitles the organization to a share of state funding.

Only clergy of registered second-tier organizations may perform officially recognized marriage ceremonies and serve as chaplains in the military and prisons, although prisoners of other religious groups may receive visits from their respective clergy. Religious groups registered prior to 1991, such as the small Jewish community, are not required to meet these conditions for registration. Unregistered religious groups may not legally own community property but often form civic-interest associations for the purpose of managing their property and other holdings until they are able to meet the qualifications for registration. The Government does not interfere with or prevent this type of interim solution. Unregistered religious groups otherwise are free to assemble and worship in the manner of their choice.

In November 2005 the lower house of Parliament passed an amended Church Law that came into effect the following month. The new law governs the establishment and regulation of church-sponsored charities, schools, and other institutions. A group of 25 mainly Christian Democratic Parliamentarians submitted a complaint against the new law before the Constitutional Court in January 2006. The complaint includes charges that the new law contradicts Article 16, Paragraph 2 of the Charter of Fundamental Rights and Basic Freedoms that stipulates that "...churches and religious associations...found [establish or create] religious orders and other church institutions, independent of state authorities." The Parliamentarians' complaint focuses upon the constitutionality of the law's wording and the level of state regulation over church-sponsored institutions. The case was pending at the end of the period covered by this report.

Religious organizations receive approximately \$54 million (1.1 billion Czech crowns) annually from the Government. Funds are divided proportionally among the 17 of the 26 religious organizations that have elected to receive state assistance based on the number of clergy in each. (The eight religious organizations that do not accept state funding are the Mormons, Jehovah's Witnesses, the New Apostolic Church, Open Brethren, Hindus, Hare Krishnas, Community of Christians, and Christian Congregants. Some of these religions refuse state funding on theological grounds.) Of this sum, approximately \$32 million (818 million Czech crowns) is used to pay salaries to clergymen. The rest of the funding goes to church administration and maintenance of church property.

In 2004, Parliament approved a law designating January 27 as Holocaust Remembrance Day in the country. A 2000 law outlaws Holocaust denial and provides for prison sentences of 6 months to 3 years for public denial, questioning, approval of, or attempts to justify the Nazi genocide. The law also outlaws the incitement of hatred based on religion.

Missionaries must obtain a long-term residence and work permit if they intend to remain longer than 90 days. There were reports of delays of over six months in processing visas for missionaries during 2006. There is no special visa category for religious workers; foreign missionaries and clergy are required to meet the stringent conditions for a standard work permit even if their activity is strictly ecclesiastical or voluntary in nature.

Of the 26 registered churches in the country, 10 have obtained permission from the Ministry of Culture (under the 2002 Law on Religious Freedom and the Position of Churches and Religious Associations) to teach religion in state schools. According to the Education Ministry, although religious instruction is optional in public schools, school directors must introduce religious education choices if there are at least seven students in one class of the same religious group who require and request classes.

In April 2006, schools throughout a significant portion of the country were instructed to inform students at all levels that a number of state-recognized religions are harmful and dangerous to youth, and are similar to Satanism, drug abuse and the sexual exploitation of children. Some of the churches included as harmful to youth were Hare Krishnas, Jehovah's Witnesses, Mormons, and Scientology, among others.

The Government continued its effort to resolve religious communal property restitution problems, especially with regard to Jewish property. Jewish claims dated to the period of the Nazi occupation during World War II, while Catholic authorities pressed claims for properties that were seized under the former communist regime. While many Jewish property claims have been resolved over the years, there was little progress made on resolving the Catholic Church's claims during the reporting period.

In 1994 Parliament amended the 1991 Law on Restitution, which originally applied only to property seized after the communists took power in 1948, to provide for restitution of, or compensation for, property wrongfully seized between 1938 and 1945 by the Nazi regime. This amendment provided for the inclusion of Jewish private properties, primarily buildings. Both the amendment and the original law required the claimants to be Czech citizens. This citizenship restriction unfairly impacted Czechs who obtained citizenship in the United States, as these naturalized citizens were required to forfeit their Czech citizenship under the terms of a 1928 treaty between the two countries. The treaty was finally abrogated in August 1997, by which time the 1992 and 1995 deadlines for filing claims had already passed.

By decree, the Government returned most of the state-owned properties claimed by the Federation of Jewish Communities, as did the city of Prague. However, despite a government appeal, other cities were not as responsive. Two significant cases in Brno remain unresolved. Legal proceedings were under way between the Brno Jewish Community and the state at the end of the reporting period. In 1994 the Federation of Jewish Communities identified 202 communal properties as its highest priorities for restitution, although it had more than 1,000 potential property claims. Of these 202 cases, 80 had been resolved and, with the exception of the 2 complex cases in Brno, the Jewish community tacitly agreed to forego claims on the remaining 800 or so cases.

In 2001 the Federation of Jewish Communities established a Foundation for Holocaust Victims into which the Government invested approximately \$15 million (in 2007 dollars) from the Government's National Property Fund to pay for those properties that cannot physically be returned. Funds were earmarked to help meet the social needs of Holocaust survivors, to support the restoration of synagogues and cemeteries, and to carry out educational outreach programs. The Foundation was expected to provide partial compensation in cases where the Government needs to retain the property or is no longer in possession of it.

Approximately one-third of the funds were dedicated to individual property claims. By March 2005 the Foundation announced payments totaling more than \$5 million to approximately 500 individual claimants residing in 27 foreign countries. The Ministry of Foreign Affairs assisted the Foundation in its efforts to locate and contact survivors abroad. Having expended these efforts, and depleted the allocated funds, the authorities closed this part of the program during the period covered by this report. The remainder of the funds was being used for the preservation of communal property, educational programs, and community welfare. From these assets, the state supported numerous social welfare projects. In 2006 for example, the state contributed \$300 thousand to institutions providing healthcare for approximately 503 Holocaust survivors. (Note: Since applications were first accepted in 2001, the number of survivors has dropped from approximately 2500 to just over 500.)

When the previous Social Democratic government came to power in 1998, it halted further restitution of non-Jewish religious communal property. As a result, there were 130 thousand unresolved outstanding claims by the Catholic Church, 90 percent of which related to land. The Catholic Church continued to claim large tracts of "income-generating properties." Some of these properties were farmland and woodland that had been confiscated by the state and turned over to municipal governments or private owners. Other lands were forests that were administered by the state. Disputed land cannot be developed, and as a result many municipalities supported the resolution of the existing impasse. Efforts to resolve the final claims continued, but there was no measurable progress in resolving the Catholic Church's claims during the period covered by this report.

Public parliamentary hearings were held on church restitution in April 2007. In May 2007 the Minister of Culture announced that his Ministry intended to prepare a proposal for parliamentary approval that would return land to individual religious orders and would resolve other remaining claims through financial compensation, but the Ministry had not presented a proposal by the end of the reporting period.

In February 2007 the Czech Supreme Court overturned the Prague City High Court's ruling from September 2006 that Prague Castle's St. Vitus Cathedral belonged to the Roman Catholic Church and not the state. The Church and the Government have fought over ownership rights of the cathedral since 1993. The Catholic Church maintained that the nationalization of the cathedral in 1954 under the communist government was illegal and should be nullified.

In 2000 the Czech Government enacted a law enabling the Government to return more than sixty works of art in the National Gallery to the Jewish community and an estimated 7,000 works of art in the Government's possession to individual Jewish citizens and their heirs. Of the artwork belonging to the religious community, all but two have been returned. Of the 7000 works of art belonging to individuals, fewer than 1000 have been returned. The primary obstacle to resolving these claims is practical (tracing ownership or cases where no heir survives), not due to lack of cooperation on

the part of Czech authorities.

Another provision of the law authorized the return of certain agricultural property in the Government's possession to its original owners. In 2006 the Government extended the law indefinitely, allowing individuals at any time to file claims for art in the state's possession.

In October 2006 construction of a new shopping center near the city of Plzen uncovered the remains of a previously unknown 15th century Jewish cemetery. The Chief Rabbi of the Czech Republic, acting on behalf of the local Jewish Community, visited the site a number of times and consulted with the European Council of Rabbis. An agreement was reached in November 2006 under which the company constructing the mall offered to elevate the building 1.5 meters above the cemetery, gave assurances regarding the building process, and allowed representatives of the local community to observe the construction.

#### Restrictions on Religious Freedom

Government policy and practice contributed to the generally free practice of religion.

Members of unregistered religious groups may issue publications without interference.

The Ministry of Culture sponsors religiously oriented cultural activities through a grant program. The Ministry sponsored some interfaith activities during the period covered by this report, including partial funding of the Christian and Jewish Society.

Under the 2002 religious registration law, the Ministry of Culture has responsibility for registering religious charities and enterprises as legal entities. The Catholic Church has criticized the law on the grounds that it unduly restricts Church management and financing of many of its social projects. The Church reports that religious charities and enterprises continue to experience difficulties and delays in registering as legal entities, although there has been some recent improvement in the speed of granting registrations. For example, in 2006 the Ministry registered a Catholic religious enterprise in northern Moravia, which the Constitutional Court ruled in 2003 had been improperly denied registration.

In 2006 the Armenian Apostolic Church withdrew its application for registration with the Ministry of Culture, seemingly due to the Church's realization that it did not meet the necessary standards.

In 2006 the Ministry of Culture denied the application by the Union of Muslim Communities to receive an exemption from the registration law—an exemption that would have permitted them accelerated second-tier registration status. Such status would allow the community to perform specific functions, such as providing Islamic religious instruction in state schools, establishing private religious schools, performing marriage ceremonies, and designating persons to perform clerical activities in the military, and within prisons and detention facilities. The Ministry denied the application, determining that the Union did not meet the legal requirements. The Ministries of Interior, Justice, Education, and Defense also opposed the exemption. However, the Union of Muslim Communities continued to be free to visit individuals in prisons and detention facilities without this designation.

There were no reports of religious prisoners or detainees in the country.

#### Forced Religious Conversion

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

#### Anti-Semitism

Anti-Semitism persisted among some elements of the population, including neo-Nazi groups and Islamic extremists. In general, public expressions of anti-Semitic sentiment were rare, and Holocaust denial investigations and prosecutions were vigorously pursued by authorities. A small but persistent and fairly well-organized extreme right-wing movement with anti-Semitic views existed in the country.

The activities of groups such as National Resistance ("Národní odpor") and National Corporativism ("Národní korporativismus") were characterized by racist, xenophobic, anti-Semitic, and anti-Muslim attitudes, disseminating Nazi propaganda, and holocaust denial.

Extremist expressions are rare in political discourse. However, a small fringe party (the National party) that does not have representation in Parliament made some extremist expressions.

During the reporting period, there were rallies in several cities throughout the country organized by neo-Nazi and skinhead organizations. In August 2006 the police halted a neo-Nazi march in front of the Israeli Embassy in Prague and arrested participants, many of whom illegally possessed weapons.

There were reports of several neo-Nazi concerts. The Ministry of Interior continued its efforts to counter the neo-Nazis, which included monitoring of their activities, close cooperation with police units in neighboring countries, and concentrated efforts to shut down unauthorized concerts and gatherings of neo-Nazi groups. The police intervened in several incidents where hate speech was used. On occasion, neo-Nazi action was ignored by the police and other authorities. Sometimes police appeared to offer protection to neo-Nazis from Anarchist demonstrators.

Police shut down a neo-Nazi concert in Ceske Budejovice in December of 2006 when one of the bands, performing before a crowd of approximately 120 neo-Nazis, started playing racist music. The police arrested seven persons for inciting hatred of a group of persons or of limiting their rights and freedoms. However, another similar concert occurred with no arrests in the city of Tabor in November 2006, when 250 skinheads attended a concert and 1 participant gave the Nazi salute.

In August 2006 the Federation of Jewish Communities in the Czech Republic received e-mails blaming the Jews and Israel for the war against Hezbollah. Similar threats of an anti-Semitic nature were reported in several city centers, such as Brno, and the head of the Jewish community in Prague received e-mails accusing Israelis of the "war against the Palestinians."

Narodni Odpor (National Resistance), threatened Jewish groups and petitioned the President in August 2006 for permission to fight with the Iranian military against Israel. The group stated that if the Czech president refused their demand to enlist in the Iranian army, they would perpetrate violence against Jews and synagogues in the country.

In October 2006 the leading newspaper Mlada Fronta Dnes reported that Islamic extremists had planned to take over a major Jewish target, reportedly the Prague synagogue, and capture hostages. The intended plan was to abduct Jewish residents of Prague, hold them hostage in the Jerusalem Synagogue, stage negotiations, and then blow up the synagogue with its occupants. The Government did not comment on these reports; however, it raised the national terrorist alert level for a short period of time and increased security near the most prominent Jewish institutions.

In March 2007 and previously in October 2006, vandals stole a total of three bronze plaques from a former Nazi concentration camp outside Prague honoring the victims of fascism. In March 2007 vandals also destroyed or damaged several tombstones in the Jewish cemetery in Hranice na Prerovska. In late 2006 vandals destroyed several tombstones in the Jewish cemetery in Hroznetin. In April 2006 obscenities directed towards Jews were spray painted on a villa that belonged to a well known Jewish family before the Second World War. Police investigation of these crimes resulted in no arrests. In each incident, police responded with appropriate investigations.

Police closed an investigation of cases of vandalism in 2005 of a synagogue and three Jewish memorials after being unable to identify any perpetrators. Local Jewish organizations believed police conducted thorough investigations.

The Government made positive attempts to counter anti-Semitism. In May 2007 President Vaclav Klaus honored the victims of the Holocaust by attending a memorial service held to commemorate the end of WWII at the Nazi Concentration Camp in Terezin. Prime Minister Topolánek attended the unveiling of a restored "hidden" synagogue inside the camp, and the Education Ministry also sponsored and hosted a number of seminars on Holocaust education at the camp.

Festivals of Jewish culture throughout the country in May 2007 were to continue until September to celebrate the 1,000-year history of the Jewish community in the country's lands. The Jewish Museum of Prague, with the support of the Ministry of Culture, designated 2006 as the "Year of Jewish Culture" to mark the 100-year anniversary of the Jewish Museum. This nationwide commemoration involved partnerships with other state and private institutions and included film festivals, music festivals, educational and social events, theater productions and other cultural events across the country. The Jewish Museum and Prague's Jewish quarter remained the most visited museum in the country and one of the most popular tourist attractions.

#### Improvements and Positive Developments in Respect for Religious Freedom

In 2006 Parliament passed a measure to extend the deadline for filing art restitution claims by Holocaust victims indefinitely. Holocaust Remembrance Day was observed in January 2007 in public events in Prague and elsewhere throughout the country. The public and media response to these events was extremely positive.

### Section III. Societal Abuses and Discrimination

There were some reports of societal abuses or discrimination based on religious belief or practice (see Anti-Semitism). Prominent societal leaders took positive steps to promote religious freedom.

The immigrant population was relatively small and included persons from Ukraine, Russia, Poland, Slovakia, and Vietnam. Immigrants did not report any difficulties in practicing their respective faiths

There were no reported violent anti-Semitic incidents against individuals in the country during the reporting period, and there were isolated reports of property damage or vandalism. A small but persistent and fairly well-organized extreme right movement with anti-Semitic views existed within the country. Some neo-Nazi rallies and concerts occurred throughout the year.

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

The U.S. Government discusses religious freedom issues with the Government as part of its overall dialogue and policy of promoting human rights. U.S. government efforts on religious issues focused largely on encouraging the Government and religious groups to resolve religious property restitution claims and registration of religious organizations.

During the reporting period, U.S. government and embassy officials emphasized to the Government and religious groups the importance of restitution (or fair and adequate compensation when return is no longer possible) in cases pending regarding property wrongfully taken from Holocaust victims, the Jewish community, and churches.

The Embassy maintained close contact with the Office of the President, the Ministry of Foreign Affairs, the Ministry of Culture, representatives of various religious groups, and NGOs. Embassy officials met on several occasions with representatives of the Ministry of Culture to discuss the law on religious registration, as well as representatives of smaller religious groups affected by the law, including the Czech Muslim community. Several meetings were held with representatives from the Ministry of Culture, the Roman Catholic Church, and the Federation of Jewish Communities on restitution matters. Several meetings were held with the Federation of Jewish Communities and the Chief Rabbi to assist in the protection of the newly discovered 15th-century Jewish cemetery in Plzen. Embassy officials also responded to individual requests for assistance from Czech-American Holocaust victims seeking compensation.

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