

## The Czech Republic

International Religious Freedom Report 2006

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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 during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

The generally amicable relationship among religious groups in society contributed to religious freedom.

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 its population was estimated at 10.2 million. The country had a largely homogenous population with a dominant Christian tradition. However, in part as a result of forty 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 2004 opinion poll sponsored by Cardinal Strich University, 32 percent of respondents claimed to believe in God, while 49 percent identified themselves as atheists. 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 almost every region of the country.

An estimated 5 percent of the population attended Catholic services weekly, and most of these lived in the southern Moravian dioceses of Olomouc and Brno. The number of practicing Protestants was approximately 1 percent of the population. Islam was registered as an officially recognized religion in 2004, and leaders of the local Muslim community estimated that there were an estimated 10,000 Muslims in the country. There was a mosque in Brno and another in Prague. The vast majority of the country's historic Jewish community, which numbered in the tens of thousands 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, including the Church of Jesus Christ of Latter-day Saints (Mormons) and Jehovah's Witnesses, were present in the country. Missionaries of various religious groups generally proselytised without hindrance.

### 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 subsidies from the state, although some decline to receive state financial support as a matter of principle and as an expression of their independence. There are twenty-six state-recognized religious organizations. In 2004, the Center of Muslim Communities was officially registered, the first such registration of a Muslim organization in the country. An appeal by the Unification Church to overturn their denial to register in 1999 was denied by the Constitutional Court in 2004.

The 2002 Act 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 conveys limited tax benefits and imposes annual reporting requirements, as well as a ten-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 equal to at least 0.1 percent of the country's population (approximately 10,000 persons). 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 1989, 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 twenty-five mainly Christian Democratic senators 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 which stipulates that "...churches and religious associations...found [establish or create] religious orders and other church institutions, independent of state authorities." The senators' complaint focuses upon the constitutionality of the law's wording and the level of state regulation over church-sponsored institutions. The Constitutional Court case was pending at the end of the period covered by this report.

Religious organizations receive approximately \$90 million (1.93 billion Czech crowns) annually from the Government. Funds are divided proportionally among the twenty-one religious organizations eligible for state assistance based on the number of clergy in each, with the exception of four religious organizations (Mormons, Jehovah's Witnesses, the New Apostolic Church, and Brethren Assemblies) that do not accept state funding. Of this sum, approximately \$32 million (818 million Czech crowns) is used to pay salaries to clergymen. The rest of the funding goes to state grants for religious organizations' medical, charitable, and educational activities, as well as for the maintenance of religious memorials and buildings.

A 2000 law outlaws Holocaust denial and provides for prison sentences of six months to three 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 ninety days. There were no reports of delays in processing visas for missionaries during the period covered by this report. There is no special visa category for religious workers; foreign missionaries and clergy are required to meet the relatively stringent conditions for a standard work permit even if their activity is strictly ecclesiastical or voluntary in nature.

Of the twenty-six registered churches in the country, nine have obtained permission from the Ministry of Culture (under the 2002 Act 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 confession who require and request classes in their faith.

The Government continued its effort to resolve religious-based communal and personal 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 the majority of Jewish property claims were resolved, there was no progress in resolving the Catholic Church's claims during the period covered by this report.

The 1991 Law on Restitution applied only to property seized after the communists took power in 1948. In 1994, Parliament amended the law to provide for restitution of or compensation for property wrongfully seized between 1938 and 1945. This amendment provided for the inclusion of Jewish private properties, primarily buildings, seized by the Nazi regime. 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. In 1994, the Federation of Jewish Communities identified 202 communal properties as its highest priorities for restitution, although it had unresolved claims for more than 1,000 properties. By decree, the Government returned most of the properties in its possession, as did the city of Prague; however, despite a government appeal, other cities have not been as responsive. A few outstanding cases remain, including two properties in Brno that were under the control of the Ministry of Interior and the Ministry of Labor and Social Affairs. Legal proceedings were under way between the Brno Jewish Community and the state at the end of the period covered by this report.

A 2000 law authorized 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 descendants. Another provision of the law authorized the return of certain agricultural property in the Government's possession to its original owners. Under the 2000 law, stolen works of art must be claimed by December 2006. The Federation of Jewish

Communities has been lobbying for an amendment to the law, which would either dismiss the 2006 deadline or extend it by another five years.

In 2001, the Federation of Jewish Communities established a Foundation for Holocaust Victims into which the Government invested approximately \$11.7 million (300 million Czech crowns) from the Government's National Property Fund to pay for those properties that cannot be restituted physically. It was expected to provide partial compensation in cases where the Government needs to retain the property or is no longer in possession of it, to help meet the social needs of poor Jewish communities, and to support the restoration of synagogues and cemeteries.

Approximately one-third of the funds were dedicated to communal property, one-third to individual claims, and one-third to social programs for approximately 2,500 Holocaust survivors. Applications for the fund were first accepted in 2001, and by March 2005, the Foundation for Holocaust Victims announced the conclusion of payments totalling more than four million to approximately 500 claimants residing in twenty-seven different countries. The Ministry of Foreign Affairs assisted the foundation in its efforts to locate and contact survivors in other countries.

Certain properties of religious orders, including 175 monasteries and other institutions, were restituted under laws passed in 1990 and 1991. The Catholic Church continued to claim large tracts of "income-generating properties." Some of these properties were farms and woodland that were in the hands of municipal governments or private owners. Other lands were forests that were administered by the state. When the Social Democratic government came to power in 1998, it halted further restitution of non-Jewish religious communal property. Efforts to resolve the final claims continued but were slowed by the Church's refusal to provide a list of specific properties and land to which it felt entitled and the Government's refusal to continue restitution discussions without this list. There was no progress in resolving the Catholic Church's claims during the period covered by this report.

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.

Easter Monday, Christmas Eve, Christmas, and St. Stephen's Day (December 26) are recognized as national holidays, although their recognition does not negatively affect any religious group.

#### Restrictions on Religious Freedom

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

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 the manner in which the Church manages and finances many of its social projects. An October 2003 Constitutional Court ruling that the Ministry of Culture improperly interpreted the registration law in failing to register a religious enterprise operated by the Catholic Church in the northern Moravian town of Lipník nad Bečvou was implemented by the ministry in 2003, and the enterprise in question was registered. The Catholic Church reported 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.

In 2006, the Armenian Apostolic Church asked the Ministry of Culture for registration. The registration is in the process of being finalized.

In April 2006, the Centre of Muslim Communities petitioned the Ministry of Culture for authorization 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, within prisons and detention facilities. These activities were to be financed by the state in accordance with existing law. The Culture Ministry recommended approval of the centre's proposal and a final decision by the Government was expected in mid-2006.

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.

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

In 2002, Parliament passed a measure to extend the deadline for filing art restitution claims by Holocaust victims to December 31, 2006. In 2004, Parliament approved a law designating January 27 as Holocaust Remembrance Day in the country. Holocaust Remembrance Day was observed in January 2006 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

The generally amicable relationship among religious groups in society contributed to 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 new developments relating to the decision to halt plans to construct a mosque in Teplice.

In general, public expressions of anti-Semitic sentiment were extremely rare, and authorities vigorously pursued Holocaust denial investigations and prosecutions. A small but persistent and fairly well organized extreme right-wing movement with anti-Semitic views existed in the country. The Ministry of Interior continued its efforts to counter the neo-Nazis, which included monitoring of their activities, close cooperation with police units in neighbouring countries, and concentrated efforts to shut down unauthorized concerts and gatherings of neo-Nazi groups. Police shut down such concerts in July and November of 2005 and were roundly criticized by nongovernmental organizations (NGOs), political leaders, and media outlets when they failed to intervene in a September 2005 concert in rural Bohemia in which participants allegedly shouted neo-Nazi slogans. Two police officials were later disciplined for failing to intervene and stop the concert.

There were no reported violent anti-Semitic incidents against individuals in the country during the reporting period and only isolated reports of property damage or vandalism. In August 2005, a Holocaust memorial in Teplice was reportedly vandalized and, in September 2005, an NGO reported that several doors and windows were broken in a synagogue in Krnov and that several gravestones in a Jewish cemetery in Velky Pecin had been defaced with graffiti. In October 2005, police reported that a commemorative stone dedicated to a Jewish artist in Jihlava was defaced. In each incident police responded with appropriate investigations. The incidents highlight the difficult task that authorities faced attempting to secure Jewish sites in rural areas that no longer served sizable Jewish communities.

In April 2006, several hundred persons attended a rally and public meeting against anti-Semitism that was sponsored by Christian and Jewish groups and supported by Prague mayor Pavel Bem and Senate Speaker Premysl Sobotka. Also in April, President Vaclav Klaus publicly commemorated Holocaust Remembrance Day in the United States with a speech to an audience of schoolchildren, diplomats, and Holocaust survivors in Los Angeles during a state visit. Similar events were also held in Prague in April. During the same time frame in April 2006, the Education Ministry also sponsored and hosted a two-day seminar on Holocaust education with other education ministers from across Europe. The guest of honour at the seminar was former President Vaclav Havel.

The Jewish Museum of Prague, with the support of the Ministry of Culture, designated 2006 as the "Year of Jewish Culture." This nationwide commemoration involved partnerships with other state and private institutions, and included film festivals, music festivals, educational and social events, theatre productions and other cultural events across the country. The Jewish Museum and Prague's Jewish quarter remained the most popular tourist attractions in the country.

#### 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 have 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 maintains 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. Embassy officials also responded to individual requests for assistance from Czech-American Holocaust victims seeking compensation.

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