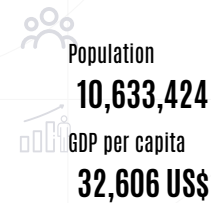
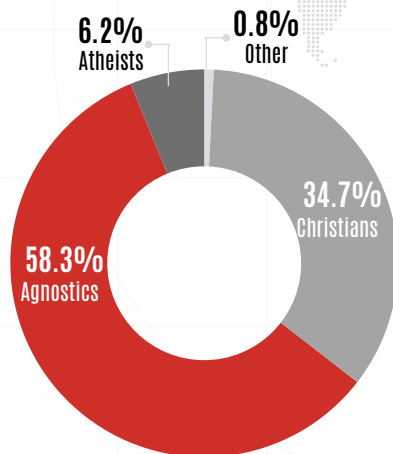




# CZECH REPUBLIC

## RELIGIONS



## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

In the Czech Republic, the protection of religious freedom is enshrined in both its Constitution<sup>1</sup> and Charter of Fundamental Rights and Freedoms.<sup>2</sup> The Charter, adopted in 1991, stipulates that there is no state religion or ideology (Article 2, 1) and grants fundamental rights to all citizens regardless of their faith or religion (Article 3, 1). Article 15 (1 and 3) guarantees freedom of thought, conscience and religious conviction, as well as the right to change religion, or have no religion at all. The Charter also protects conscientious objection to military service. Individuals have the right to practise their religion, alone or in community, in private or public, “through worship, teaching, practice, or observance” (Article 16, 1).

The Charter recognises the freedom of religious organisations to oversee their own affairs, establish their own bodies, appoint clergy, and create religious orders without state interference (Article 16, 2). Religious freedom may be limited by law only as necessary for the protection of “public safety and order, health and morals, or the rights and freedoms of others” (Article 16, 4).

Committing a crime out of religious hatred is an aggravating circumstance under criminal law.<sup>3</sup> Public defamation of a group of people because of their religious beliefs, or lack thereof, is illegal (Section 355, 1-2), as is incitement to hatred towards any religion

(Section 356, 1-3). In November 2018, the Czech police posted a reminder that online hate speech is a criminal offence.<sup>4</sup>

The law on religious freedom<sup>5</sup> outlines the procedure for religious groups to register with the Ministry of Culture. Registration is not required (Section 4), but the state only recognises registered groups. The registration application must contain the organisation’s founding and operational documents, basic articles of faith, a statement that the organisation will respect the laws and will be tolerant of other religions, along with the signature of 300 adult members who are citizens or permanent residents of the Czech Republic (Section 10).

Registered Churches may apply for a special status under Section 11 if they have been duly registered, and published annual activity reports, for at least ten years. They must also provide proof of membership of at least 0.1 percent of the population. With such status, a Church can receive tax benefits and government funding, establish schools, teach religion in public schools, provide spiritual services in the military and prisons, and perform marriages (Section 7). As of 2020, there were 41 registered Churches and religious communities, four pending applications, and 21 whose applications had been rejected.<sup>6</sup>

Legislation imposing a tax on financial compensation to Churches for property confiscated under the Communist regime was signed into law in May 2019, but was later overturned by the Constitutional Court.<sup>7</sup>

## INCIDENTS AND DEVELOPMENTS

In its 2019 annual report on extremism, the Ministry of Interior (MOI) reported increased “aggressiveness and vulgarity of hate speech” online, including an increase in neo-Nazi activity.<sup>8</sup> It noted that xenophobic, anti-migration groups were the dominant force in the extremism scene and were often fuelled by “disinformation media”.<sup>9</sup> Police charged 144 people with crimes committed with racial, ethnic or other hate motives.<sup>10</sup>

The MOI reported that, given the social isolation of Muslim communities, the “risk of religious radicalization cannot be avoided even in the Czech Republic.”<sup>11</sup> In its review of religiously motivated extremist incidents, the aforementioned report cited the trial of Islamic State supporter Dominik Koblunický who was preparing a terrorist attack in Prešov.<sup>12</sup>

Because of the “Proponents of extremist interpretations of Islam, [...] whole groups are perceived as risky, dangerous, and extremist.” Such an environment of mistrust, which manifests itself particularly on social media, can be a “breeding ground for radicalization.”<sup>13</sup>

Jewish groups have expressed concern about the increase in neo-Nazi rhetoric.<sup>14</sup> The Federation of Jewish Communities noted that neo-Nazi, nationalist, and Islamic groups, including the Muslim Union, have expressed anti-Semitic views. In July 2019, the Czech Supreme Court upheld lower court decisions against a number of defendants, guilty of defamation and incitement against Jews and Muslims, as well as Holocaust denial, noting that the protection of free speech does not cover expressions of hatred.<sup>15</sup>

The Federation of Jewish Communities reported 694 anti-Semitic

incidents in 2019 - twice as many as in 2018 - 95 percent on the Internet. No physical assaults were reported, but three Jewish properties were attacked, including a swastika and “Heil Hitler” scribbled at the Old Jewish Cemetery in Prague.<sup>16</sup>

Concern for religious freedom and persecution is reflected in the yearly conference at the Karolina University on the subject, followed by the illumination in red lights on hundreds of religious and government buildings in Prague and other cities of the Czech Republic. This event called “Cervena Streda” (“Red Wednesday”), is regularly held at the end of November since 2017 and its attracting increasing attention from the public.<sup>17</sup> It is co-organized by the Karolina University, the Catholic Bishops Conference, the Federation of Jewish Communities, the Ecumenical Council of Churches and the KDP think-tank, together with the foundation Aid to the Church in Need.

A state of emergency was announced in October 2020 due to the coronavirus pandemic resulting in restrictions on public gatherings. Because indoor gatherings were limited to six people, an outdoor Mass was held in Prague that same month. In view of the situation, the officiating priest noted that he understood the reason for the restrictions, but that it was “absurd” that other groups, such as political parties, could meet with up to 100 people.<sup>18</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

It appears that there were no significant new or increased governmental restrictions on religious freedom during the period under review. However, rising anti-Semitism and intolerance against Muslims, mostly on the Internet, should be monitored as a potential prelude to physical violence.

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