



Coordination des Associations et des Particuliers pour la Liberté de Conscience

Conditions against fair-trial principles in Czeck Republic

Main problems:

- The Court of Appeal in Olomouc in May 2015 ordered a rigorous examination of all available evidence and hearing all available witnesses - including the hearing of all suspected offenders. This did not happen again during the re-trial in Zlín in January 2018 and is therefore a direct violation of the Order of the Court of Appeal in Olomouc.
A) The court in Zlín heard from 8 only 2 allegedly injured. Against GJ and BP, there were two other summoned persons, who were not in any way harmed by themselves. However, 2 of the allegedly injured were completely removed from the evidence of the injured, on the basis of missing evidence, leaving only 6 injured.
B) The minimum number of witnesses in favor of GJ and BP (1 person in particular) was reviewed, the other and important advocates proposed to the witness were rejected.
C) The serious discrepancies in the expert opinions have not been properly taken into account and reviewed.
- **The whole court in Zlín was again guided by the principle of upholding the guilt of GJ and BP at all costs, and against available testimony and proof of their innocence, which was deliberately ignored.** It is a violation of the constitutional principle of the functioning of the judiciary and of justice - it is not only the ignorance of the presumption of innocence, but selectively and deliberately creates the construct of a criminal, even if the available evidence points to the opposite. Thus, the original prerequisites of the CGJ are fulfilled, as from 2010 we draw attention to the Czech media and, since 2015, the Czech authorities, the government and also international institutions monitoring human rights and democracy about the rigors and fabrication of the whole process against the leaders of the religious minority leading to its apparent damage and liquidation.
- **The judge did not want to take the evidence to the benefit of JD and BP that she can not let them defined as a fugitive** (the reasoning of the court since 2014, ie, the negative approach to Asylum in the Philippines from local authorities), even though Czech lawyers have included this evidence in to the court file (!).
- **The judge refused to objectify GJ and BP's attitude to court proceedings as ordered by the Olomouc Court of Appeal** (see above, but also in any other way since the judgment of the Olomouc Court in May 2015).
- **The judge has consistently violated basic procedural procedures** that would meet the fair-trial category.

Secondary problems:

- 2 days of trial for such a complicated case, where it was already recommended to thoroughly examine all available witnesses and evidence by the Court of Appeal in Olomouc in May 2015, is totally inadequate and is a non-standard procedure under Czech law.
- The allegedly injured were questioned behind the closed door, while Lenka Čumplová (former director of the Poetrie School) was questioned in the presence of the wide public and media in the same intimate affairs.
- The judge was extremely hostile to the defendants of GJ, BP and witnesses in their favor
- The court has found evidence that at least Dr. Bučková, a member of the court in Zlín, was involved in tantric rituals and has been for many years in connection with GJ and the mentor of his doctrine, contrary to what she claimed and also the press spokesperson of the Zlin Court in 2016. The judge further refused to deal with it.
- All aspects of religious discourse and freedom of religion were dropped out of the court proceedings, and the Guru Jar was viewed only by the perspective of a "perverse freak".

Third and important circle of interest

What is not again reached as an important UN UPR recommendation implementation? The government proposal of implementation skipped out from the suggested adoption of UN UPR recommendation (December 2017) specific issues of protection of freedom of religion and belief and also protection of religious minorities.

We are against putting this in attention as not only PGJ religious minorities, but also others groups and individuals are threat by ignorance of this dimensions of human rights in Czechia.

This is obvious from attitude in media, hostility and intolerance across whole Czechia society and thus as well on administration level of state apparatus on wide scale.

Religion minorities can cope with similar problems as national minorities, but are yet not visible for governmental bodies, or national human institution.

So again:

Recommendations received by Czechia UPR 2017 regarding Path of Guru Jara topics and direct to the religious minorities.

1. **Develop and implement a set of measures aimed at promoting peaceful co-existence between all groups of the population and at combating marginalization that may target individuals or communities, including ethnic and religious minorities (Belarus);**
2. **Enhance efforts to address islamophobia, racial discrimination and intolerance including towards Roma, religious minorities and immigrants, as well as other related intolerance (Indonesia)**
3. **Take steps to prevent crimes motivated by racial or religious discrimination through education, awareness-raising and training, and ensure that any hate crimes are effectively and promptly investigated (Canada);**
4. **Publicly condemn hate crimes and hate speech, and ensure the investigation, prosecution and punishment of discrimination or violence motivated by the victim's national, ethnic or religious identity (Austria)**
5. **Combat all manifestations of religious hatred within the Czech society (Iraq)**
6. **Continue implementing and strengthening, if necessary, measures against all expressions of prejudice and discrimination such as hate speech, extremist movements and violent extremism, paying particular attention to expressions of racism, xenophobia, and other hate speech against a particular religion or ethnicity (Nicaragua)**

