

F.E.C.R.I.S.

FECRIS (the French acronym for the European Federation of Research and Information Centres on Sects) was founded in 1994 as an European umbrella organization whose members are national "anti-cult" groups from different European countries. It is their application for consultative status with the Council of Europe that is of concern, as will be explained in this briefing. We believe that FECRIS is completely unrepresentative of the spirit of democracy and non-discrimination that guides the Council of Europe. As will be seen below, members of FECRIS have declared publicly that the Council of Europe, the European Commission, the European Parliament, the United Nations and the Organization for Security and Cooperation in Europe are all "infiltrated" by so-called cults. The common denominator of these groups is that they are the primary international organizations that protect and advance human rights and non-discrimination across the world.

Thus, we believe that by applying for consultative status with the Council of Europe and other inter-governmental organizations, FECRIS would undermine the institutions responsible for upholding fundamental democratic values.

Background

FECRIS is incorporated in France (*See attachment 1*). The group that played the dominant role in creating FECRIS and a dominant voice within FECRIS is the French group UNADFI (National Union of the Associations of Defence of Families and the Individual). This is a FECRIS member group.

UNADFI is known for its strong support of the French "About/Picard" law that was adopted in Summer 2001.

All the major religions in France as well as international human rights groups opposed the law, under which religious associations may be dissolved if they or their perceived leaders have acquired two or more criminal convictions. Under this law, the entire French parliament would be dissolved, if the law were applied to them! No wonder French religious leaders regard the law as repressive and a danger to freedom of religion. It was adopted with only a tiny minority (about 3.5%) of MPs and Senators voting for it, but it still went through.

Several media have reported that the Chinese are studying the law as a model to introduce in their country which then could be used as a tool for further pressure on the Falun Gong-movement.

The Council of Europe's Parliamentary Assembly initiated an immediate investigation of the matter (Doc 8860 Religious freedom and religious minorities in France). *"The purpose of the law appears to be the targeting of religious minorities which are derogatorily referred to as 'sects' throughout the proposal. The Parliamentary Assembly's own recent study of the phenomena (Recommendation 1412, June 1999) specifically disclaimed this approach towards religious minorities and urged member states to not use such discriminatory language"* (*See attachment 2*)

In relation to this legislation the International Helsinki Federation wrote in an open letter in June 2000: *"It appears that the justification of this bill with repressive character finds its root in a desire of protection of the "human rights" of the members of banished religions and vulnerable citizens. We question ourselves how such a law can claim to guarantee human rights, when it goes against the freedom of association, expression, religion, and conscience, when it puts in danger the rights of minorities and maintains prejudices so incompatible with the concept of tolerance intrinsic to that of human rights."* (See attachment 3)

Since the law was passed there has been concern from other European countries that there would be attempts to introduce similar discriminatory legislation in those countries.

Reason for concern

The reason that there is widespread concern about FECRIS's application for consultative status is that the agenda of this group is clearly to create legislation throughout Europe that directly violates fundamental human rights instruments, and, as covered below is specifically contrary to the Committee of Minister's Replies last year to Parliamentary Assembly Recommendations 1312 and 1396. FECRIS' goals do not align with the European Convention on Human Rights and are contrary to the purpose of the Council of Europe.

In its Replies, the Committee emphasized that any government action directed at minority religious groups must fit within the framework of the principles of non-discrimination, freedom of religion and pluralism that are at the heart of the European Court of Human Rights jurisprudence regarding minority religious rights. The Committee rejected specialized civil and criminal laws targeting religious minorities of the kind that FECRIS is seeking to have enacted across Europe.

In short, we believe that FECRIS does not qualify for consultative status. We provide here some informations that FECRIS has unlikely not presented in its application and that deals with its real activities activities which are documented and will be explained here.

The Facts

In June 2001, right after the passing of the law in France, FECRIS had a meeting (which has been described in detail on their own web site) wherein they explained their plans for the expansion of the French law to the rest of Europe. This meeting outlines a series of discriminatory measures that would obviously form the backbone of their program. (See attachment 4)

FECRIS state that the "About/Picard" law was "an essential provision introduced in the criminal area." Disregarding the fact that there are no legal or academic grounds for a "sect", they categorize and demonize a whole sector of society, including many legitimate minority religious associations. Their spurious reasoning is based on generalisations and assumptions. FECRIS has gone so far as to claim on their website that "to this day important European and world organisations such as the European Commission, the European Parliament, the Council of Europe, UNO, OSCE [are] often infiltrated by cults". Yet this is the group that has applied to gain special status with the Council of Europe.

Another extremely telling point with regards to the real intentions of FECRIS is their participation in a Chinese symposium on destructive cults. This was already after the murders, beatings and incarceration of hundreds of Falun Gong members in China. A practice still ongoing

today in China, not only against Falun Gong but also against many other groups too, including mainstream Christians. A French FECRIS-member group simply reproduced on its website, without criticism, Chinese government propaganda against the Falun Gong (a representative of this group also attended the Chinese symposium) despite the Chinese repression of these religious minorities. FECRIS never condemned this issue.

Past incidents of violence and discrimination

Certain FECRIS member groups have, in the past, been involved in violence and forced detention of people in order to try and change their beliefs. One of the groups had a European Court of Human Rights decision condemning its actions. *(See attachment 5)*

Whilst FECRIS purport to protect the family and the individual, the result is quite the opposite. Testimonies from numerous individuals whose lives have been interfered with, whose rights have been denied and whose family life has been worsened can be seen in the attached. Groups that have been involved in such activities, should surely be disqualified from being granted consultative status with the Council of Europe. *(See attachment 6)*

Deprogramming is a violent technique of kidnapping and forcible faith-breaking that some FECRIS member groups imported from the United States, and that was subsequently discredited there following a \$5 million judgement in 1996 awarded to a plaintiff, who sought relief from an illegal kidnapping and attempted deprogramming by members of an American anti cult group.

Against EU anti-discrimination legislation

There is a newly proposed anti-discrimination policy as covered by EU-Directive 2000/43/EG and EU-directive 2000/78/EG which has been worked out by the European Union. This is required to be implemented into domestic law throughout the European Union by latest 2nd December 2003. Based on this Germany had proposed an Anti Discrimination draft law. However, the leading German FECRIS-member group AGPF ("Action for Mental and Spiritual Freedom") opposed the German draft law solely on the basis of the inclusion of "Religion and Philosophy". This is understandable, knowing that the German FECRIS-member group AGPF have violated the Freedom of Religion and Philosophy guarantee of the German Constitution. Also the AGPF jointly with the German government lost a suit before the Supreme Administrative Court in 1992, which forbade the government to fund this group for reason of the prejudices and bias promoted by it against other religions. This was deemed an unconstitutional interference with the Freedom of Religion and Philosophy per se, as it violated the neutrality of the government in relation to other religions. *(See attachment 7)*

Committee of Ministers of the Council of Europe

The Committee of Ministers of the Council of Europe recently made its views on the subject of religious minorities clear. On the 21st September 2001 they responded to two Recommendations made by the Parliamentary Assembly of the Council of Europe.

These are of interest and use as they (1) emphasize and affirm that any actions taken by the State targeting religious minorities must be in conformance with the freedom of religion, non-discrimination, and other human rights principles articulated in the European Convention on Human Rights; (2) affirmatively agree that there is no need for selective laws targeting religious,

spiritual or esoteric groups as any illegal activities can be dealt with by ordinary civil and criminal law; and (3) decline to establish a European Observatory on minority faiths due to the fact that substantial resources would have to be expended to ensure that any information on such faiths is "reliable and objective".

Contrary to the express statements of the Committee of Ministers, FECRIS is lobbying for discriminatory legislation. Some of FECRIS's statements in favor of this legislation are chilling. In an Internet posting describing a June 9, 2001 conference, FECRIS declares that the About-Picard law under which associations may be dissolved "is not specific to sects but rather to all sectarian behavior (including families, businesses etc)" No explanation is given of what might be a "sectarian family" or "sectarian business". FECRIS then lays out a strategy for implementing laws similar to About-Picard throughout Europe, urging that "each state must be willing to alter its own legislation in the area of sectarian misdoings".

It is for these reasons that we feel urgent consideration is needed of this matter and approaches made to the Secretary General of the Council of Europe (who ultimately authorises consultative status) in order to urge him to not admit FECRIS to consultative status.

oOo

Attachment 1

FECRIS

PRÉFECTURE DE POLICE

26 JUN 1999

Fédération Européenne des Centres de Recherche et d'information sur le Secteur
European Federation of Centers for Research and Information on Sectorialism DU CABINET

Association selon la loi du 1er juillet 1901

Compte Crédit du Nord : 2210143.290.00
50, bd de Longchamp, 13001 Marseille

010 ADFI
10 me du Père Julien Dhuit
75020 PARIS

Tél : (1) 47.87.96.08
Fax : (1) 47.87.01.73

Paris, le 1er juin 1999

Préfecture de Police
Bureau des Protocoles
Loi du 1er Juillet 1901

ASSEMBLEE GENERALE ET CONSEIL D'ADMINISTRATION
DU 22 AVRIL 1999
- BUREAU ET CONSEIL D'ADMINISTRATION -

PRESIDENT D'HONNEUR : Monsieur Jacques RICHARD, docteur en médecine. Nationalité française. Né le 18 février 1926 à Paris (75007) (France). 219, rue Raymond Losserand, 75014 Paris (France).

- BUREAU -

PRESIDENT : Monsieur Jean NOKIN, retraité. Nationalité belge. Né le 24 octobre 1933 à Liège (Belgique). 9, avenue de la Violette, 13100 Aix-en-Provence (France).

VICE-PRESIDENTES : Madame Maria-Rosa BOLADERAS, sans profession. Nationalité espagnole. Née le 12 mars 1931 à Barcelone (Espagne). Via Layetana, 45, Esc. A 1^a, 1a, E-08003 - Barcelone (Espagne).

Lady Daphne VANE, professeur. Nationalité anglaise. Née à Devon (Grande-Bretagne). 7, Beach Dell, Keston Park, BR2 6EP Keston, Kent (Grande-Bretagne).

TRESORIERE : Madame Nelly BURGAUD-BRUN, fonctionnaire. Nationalité française. Née le 29 mars 1949 à Paris (75018) (France). 3, boulevard Saint-Marcel, 75013 Paris (France).

SECRETAIRE : Monsieur Antoine THIARD, retraité. Nationalité française. Né le 2 juin 1926 à Rouvroy (62) (France). 21, rue Visconti, 75006 Paris (France).

/...

Attachment 2



Parliamentary **Assembly**

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Assemblée parlementaire
Parliamentary Assembly

Religious freedom and religious minorities in France

Doc. 8860

6 October 2000

Motion for a resolution

presented by Mr McNamara and
others

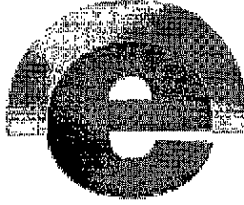
*This motion has not been discussed in the
Assembly and commits only the members
who have signed it*

1. The Assembly is concerned at a proposition for a new law which would restrict religious freedom and which has

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Webmaster.assembly@coe.int

been proposed and is close to final adoption in France.

2. On 30 May 2000 a law proposition was introduced entitled "To reinforce the prevention and repression of groups of a sectarian character" (à renforcer la prévention et la répression à l'encontre des groupements à caractère sectaire). In an unusually short time period the law proposition was examined and passed by the Law Commission of the French National Assembly on 14 June and shortly after voted by the National Assembly on 22 June.

3. The purpose of this law appears to be the targeting of religious minorities which are derogatorily referred to as "sects" throughout the proposal. The Parliamentary Assembly's own recent study of the phenomena (Recommendation 1412, June 1999) specifically disclaimed this approach towards religious minorities and urged member states not to use such discriminatory language:

« the word « sect » has taken on an extremely pejorative connotation. In the eyes of the public, it stigmatises movements whose activities are dangerous either for their members or for society. Today, this world contains dozens, perhaps even hundreds, of larger or smaller groups, with various beliefs and observances, which are not necessarily dangerous or prejudicial to freedom. It is true

that among these groups are some which have committed criminal acts. Nevertheless, the existence of a few dangerous movements is not enough to condemn all the rest. Hence we can refer to groups of a "religious, spiritual or esoteric" nature. Thus the various facets of beliefs are accommodated in a general formula which is not negative per se."

4. In a democratic society laws cannot be written to target a sector of society simply because they are unpopular or out of favour with the current political powers. Such conduct contravenes the right to non-discrimination on religious grounds protected by Article 14 of the European Convention on Human Rights in conjunction with other rights specified in the Convention, such as the right to freedom of thought, conscience, and religion guaranteed by Article 9; the right to freedom of association, including the right to form minority organisations guaranteed by Article 11 of the Convention, as well as Section II, Article 6 of the Council of Europe's Framework Convention on Minority Rights.

5. Furthermore, creating new penal offences which are not based on any accepted legal or scientific evidence and which focus only on targeted minorities, especially when this concerns a

fundamental right, opens the door to discriminatory and intolerant practice that could undermine the very basics of democratic society.

6. Due to the urgency and the potentially widely-damaging effect that this law could have, the Assembly calls:

i. upon members of the French Senate and the National Assembly to remember that France, as a full member of the Council of Europe, is committed to the European Declaration of Human Rights and that freedom of expression, religion and association are basic guaranteed rights which must be protected by the state;

ii. for a Rapporteur to be assigned to investigate the provisions of the law and determine whether they are in line with the European Convention on Human Rights and other Council of Europe and international human rights standards and to investigate complaints concerning religious discrimination.

Signed : [1]

McNamara, United Kingdom, SOC

Bársony, Hungary, SOC

Browne, Ireland, LDR

Cox, United Kingdom, SOC

Daly, Ireland, LDR

Etherington, United Kingdom, SOC

Fyfe, United Kingdom, SOC

Jaskiernia, Poland, SOC

Jurgens, Netherlands, SOC

Lloyd, United Kingdom, SOC

Moeller, Denmark, EDG

O'Hara, United Kingdom, SOC

Solonari, Moldova, SOC

Vis, United Kingdom, SOC

[1] SOC: Socialist Group

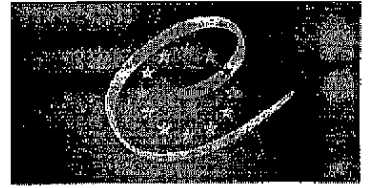
EPP/CD: Group of the European People's
Party

EDG: European Democratic Group

LDR : Liberal, Democratic and Reformers'
Group

UEL: Group of the Unified European Left

NR: not registered in a group



COUNCIL OF EUROPE	CONSEIL DE L'EUROPE
PARLIAMENTARY ASSEMBLY	ASSEMBLÉE PARLEMENTAIRE

Religious freedom and religious minorities in France

Doc. 9064 rev
26 April 2001

Written Declaration No. 321

This written declaration commits only the members who have signed it

Considering that the Parliamentary Assembly Rapporteur of the Council of Europe is currently working on a report and recommendations on "religious freedom and religious minorities in France" (Doc. 8860, 6 October 2000) which is specifically looking into a proposed law that is causing considerable concern because of its potential to create religious discrimination in France.

Considering that the proposed law is possibly in violation of international and European human rights standards – a matter the rapporteur is looking into.

Considering that the French Senate has now assigned the law proposition for a debate and vote on 10 May 2001 and this does not give enough time for the rapporteur to complete his report.

Considering that the French Senate and National Assembly could benefit from the work of the Council of Europe rapporteur in formulating any law proposition, so it is not discriminatory and violating international human rights standards.

The Council of Europe Parliamentary Assembly requests the French Senate to delay any further debate and to only vote on the law proposition after the Council of Europe rapporteur has submitted his report to the Parliamentary Assembly of the Council of Europe.

Signed ^{III} :

Patarkalishvili, Georgia, EPP/CD

Akgönenç, Turkey, EDG

Andreoli, San Marino, SOC

Bársony, Hungary, SOC

Begaj, Albania, SOC

Belohorská, Slovakia, EDG

Biga-Frganovi?, Croatia, SOC

Billing, Sweden, EDG

Björnemalm, Sweden, SOC

Blaauw, Netherlands, LDR

Brînzan, Romania, SOC

Büchel, Liechtenstein, EPP/CD

Calner, Sweden, SOC

Chapman, United Kingdom, EDG

Dees, Netherlands, LDR

Dmitrijevas, Lithuania, NR

Duka-Zólyomi, Slovakia, EPP/CD

Eversdijk, Netherlands, EPP/CD
Frimannsdóttir, Iceland, SOC
Gjellerod, Denmark, SOC
Hajiyeva, Azerbaijan, EPP/CD
Haupt, Luxembourg, EPP/CD
Herczog, Hungary, SOC
Higgins, Ireland, SOC
Holovaty, Ukraine, LDR
Huseynov R., Azerbaijan, EPP/CD
Jaskiernia, Poland, SOC
Judd, United Kingdom, SOC
Juri, Slovenia, SOC
Kirkhill, United Kingdom, SOC
Lörcher, Germany, SOC
Lotz, Hungary, LDR
Podobnik, Slovenia, EPP/CD
Položhani, “the former Yugoslav Republic of Macedonia”, EDG
Ponsonby, United Kingdom, SOC
Popovski, “the former Yugoslav Republic of Macedonia”, SOC
Poptodorova, Bulgaria, SOC
Reimann, Switzerland, LDR
Rise, Norway, EPP/CD
Shishlov, Russia, LDR

Simonsen, Norway, NR

Štřpová, Czech Republic, SOC

Szinyei, Hungary, EPP/CD

Tevdoradze, Georgia, EDG

Van't Riet, Netherlands, LDR

Vis, United Kingdom, SOC

Wurm, Austria, SOC

Yañez-Barnuevo, Spain, SOC

Zvorych, Ukraine, EDG

Zwerver, Netherlands, SOC

Total = 50

1 SOC: Socialist Group

EPP/CD: Group of the European People's Party

EDG:European Democratic Group

LDR : Liberal, Democratic and Reformers' Group

UEL : Group of the Unified European Left

NR : Not registered in a group

Attachment 3

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OTHER APPEALS AND STATEMENTS

► **Open Letter to Alain Vivien about Religious Freedom in
France**

Monsieur Alain Vivien
Président
Mission Interministérielle de lutte
contre les sectes (MILS)

Vienne, le 15 juin 2000

Cher monsieur,

Je vous écris au nom de la Fédération Internationale d'Helsinki pour les Droits de l'Homme (IHF), qui représente trente-neuf Comités d'Helsinki et autres organisations de défense de droits de l'homme affiliés sur le territoire de l'OSCE, afin de vous communiquer notre stupeur face à l'accusation que vous avez portée contre notre organisation, qui serait selon vous « infiltrée » par des « sectes transnationales », et en particulier par l'Eglise de Scientologie (*Le Figaro* du 13 juin 2000).

Je suis embarrassé, pour vous et pour vos concitoyens français, par le recours que vous faites à des méthodes

de dénonciation et d'insinuation qui nous rappellent celles dont nous faisons parfois l'objet de la part de régimes totalitaires et rétrogrades, simplement parce que nous les rappelons à leur obligation de respect des normes de droit international en matière de droits de l'homme.

La Fédération Internationale d'Helsinki pour les Droits de l'Homme (IHF) est une fédération d'organisations indépendantes dont le mandat est de promouvoir l'observance des accords d'Helsinki. Un de nos membres, le Moscow Helsinki Group, a publié un livret sur la liberté religieuse. Notre groupe nous informe que l'Eglise de Scientologie a effectivement contribué à cette publication, ce qui est indiqué « noir sur blanc » à l'intérieur de la publication, comme vous le dites vous-mêmes dans l'entrevue au *Figaro*. Le groupe de Moscou aurait été avisé de refuser cette participation, y compris afin d'éviter les réactions abusives et insinueuses telles que la vôtre. Mais le Moscow Helsinki Group, l'organisation de défense de droits de l'homme la mieux établie et respectée en Russie, celle qui a donné naissance au mouvement des droits de l'homme à travers l'Europe et dont les membres sont morts ou ont été torturés dans les goulags soviétiques pour leurs croyances et opinions, n'est pas tombé aux mains des scientologues dont il serait le porte-parole. Malheureusement, ses membres ne sont pas étrangers aux accusations telles que les vôtres, dont le but a trop souvent dans le passé été de miner leur crédibilité.

Face aux religions non-traditionnelles, la Russie et la France ont toutes deux une approche qui contrevient à leurs obligations internationales. Les représentants du comité de Moscou ont jugé utile de produire cet ouvrage général de droit international concernant la liberté religieuse et les méthodes de protection aux niveaux national et international en la matière, sans aucune propagande religieuse. Avant de le dénoncer, nous vous en conseillons la lecture, au-delà de la page de garde.

La liberté religieuse fait partie des droits reconnus dans

les divers documents auxquels la France a souscrit en tant que membre de l'OSCE, du Conseil de l'Europe et des Nations Unies. L'article 18 du Pacte international relatif aux droits civils et politiques, le Document de Vienne adopté par les pays membres de l'OSCE, et surtout les articles 9, 11 et 14 de la Convention européenne des Droits de l'Homme et la jurisprudence de la Cour européenne des Droits de l'Homme à Strasbourg en matière de liberté religieuse concourent à faire de la liberté de pensée, de religion et de croyance un droit consacré par le droit international. Aussi, de réduire le débat sur la notion de liberté religieuse à des différences de points de vue entre la pensée « anglo-saxonne » et la tradition européenne n'a selon nous aucun sens.

Nous craignons que la législation que vous proposez puisse difficilement être jugée compatible avec la notion de pluralisme religieux dans une société démocratique. Dans le cas où les membres de ce que vous qualifiez de « secte » commettent un crime, le droit pénal français existe pour punir les auteurs.

Pour cette raison, notre organisation condamne le projet de loi que la Mission interministérielle de lutte contre les sectes (MILS), que vous présidez, a contribué à développer, et qui passera devant l'Assemblée Nationale le 22 juin prochain. Il appert que la justification de ce projet de loi à caractère répressif se trouve dans le désir de protection des « droits de l'homme » des membres des religions bannies et des citoyens vulnérables. Nous nous interrogeons comment une telle loi peut prétendre garantir les droits de l'homme lorsqu'elle va à l'encontre des libertés d'association, d'expression, de religion et de conscience, lorsqu'elle met en péril le droit des minorités et entretient des préjugés aussi incompatibles avec la notion de tolérance intrinsèque à celle de droits de l'homme. La France se doit de faire face à ses responsabilités et obligations en tant que signataire des conventions internationales et respecter le droit européen et son interprétation par la Cour de Strasbourg, avant de n'être amenée devant celle-ci par ses citoyens victimes de

discrimination du fait de la loi que vous proposez.

Finalement, nous comprenons que vous n'avez pas apprécié la mention de votre nom dans notre rapport de mars 1999 à l'OSCE, dans lequel nous précisions votre activité passée à la tête du mouvement anti-secte français, questionnant indirectement votre indépendance en tant que président de la Mission interministérielle de lutte contre les sectes (MILS). Cependant, nous nous étonnons de votre réaction calomnieuse à l'encontre de notre organisation. Cette réaction, toutefois, ne peut que nous conforter dans notre opinion.

Veillez agréer, Cher monsieur, l'expression de mes sentiments distingués,

Aaron Rhodes
Executive Director

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Attachment 4



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Paris

Tel & fax: ++33 1 40 60 99 47
E-mail: FECRIS@wanadou.fr

Fédération Européene des Centres de Recherche et d'Information sur le Sectarisme

European Federation of Centres of Research and Information on Sectarianism

Europäische Föderation der Zentren für Forschung und Information über das Sektenwesen

Declaración conjunta del Congreso Europeo del 23 y 24 de Abril de 1999 (París)

Conference de travail 3.12.2000 / Working conference 3.12.2000 / Arbeitskonferenz
3.12.2000

Rencontre des avocats européens (9 juin 2001) [Meeting of European lawyers (June 9,
2001) /

Treffen der europäischen Rechtsanwälte (9. Juni 2001) / Reunión de los abogados
europeos (9 de Junio de 2001) /

Riunione degli avvocati europei (9 Giugno 2001)

Les membres de la FECRIS - The members of FECRIS - Die Mitglieder der FECRIS

unlawful, the legislation is rarely applied. Furthermore, there is unfortunately little awareness among magistrates and public prosecutors.

- **In Germany**, gradually, as legal proceedings are taken against them, a number of cults are likely to lose their special status as associations because they are in fact profit-making entities and as such, are in breach of the by-laws of an association.
- **In Sweden**, sects are also associations declared as non-profit making entities. It is not considered desirable to ban them inasmuch as the legal obligation of making a declaration provides information on cult doings and is helpful in finding means to combat them.
- **The United Kingdom** stressed how dangerous sectarian associations that are involved in purported humanitarian actions are. Under cover of apparent respectability, they have enormous latitude to extract funds from people. In the United Kingdom, the absence of any obligation to keep official accounts has led to a real problem with elderly, retired people being targeted to strip them of their assets.
- **In France**, since 1994 all legal entities are theoretically criminally responsible and as such can be dissolved by the courts. The About-Picard law also provides for the possibility of sects being dissolved by the courts (governmental decree was not chosen as a means of dissolution.). Will it be effective?

PART 2 – Solutions and practical proposals

1. - Criminal control of cult deviations :

- **The French example - the About-Picard law**

Was legislation specially designed to deal with cults needed?

Existing legislation provides means for prosecuting sects that commit certain offences such as:

- fraud, racketeering, embezzlement,
- sexual prejudice, abduction of minors,
- labour law infringements,
- abuse of weakness as an aggravating circumstance for another breach, etc.

Was additional special legislation needed?

Significant progress had already been made in latter years and the major

breakthrough achieved by associations as a result of their battle was to be entitled to join in a criminal prosecution as a party claiming damages.

Thereafter, a lot of thought was given to the notion of "mental manipulation" and to whether it should be considered an offence.

When the About-Picard law was passed, "aimed at stepping up prevention and control of sectarian movements that infringe human rights and fundamental freedom", an essential provision was introduced in the criminal area.

The wording of the law extends the range of elements constituting the offence of abuse of weakness for the purpose of suppressing cult movements when they represent a real danger to persons.

The new definition, which is derived from the offence of mental manipulation, provides a basis for prosecution in the event of *fraudulent abuse of a state of ignorance or weakness of a person in a state of physical or psychological subjection as a result of the exercise of heavy or repeated pressure or the use of techniques likely, to alter a person's judgement, to induce that person to act or refrain from acting in a way that is seriously, prejudicial to his or her own interests.*

The definition given to abuse of weakness will enable the courts to take action before violations whose consequences are sometimes far more serious are committed. Moreover, the law covers anybody, not just vulnerable people.

Furthermore, a distinction is made between:

- Manipulation
: whereby an individual enters a sect and feels a sense of fascination.
- Subjection
: which is a more comprehensive concept whereby the individual is confined in the sect and undergoes pressures that prevent him or her from leaving it.

The law is not specific to sects but rather to all sectarian behaviour (including families, businesses, etc.)

The major difficulty with this law will be to provide evidence for all 6 elements that constitute the offence, by all appropriate means (witnesses, expert assessments, etc.):

- fraudulent misappropriation
- state of ignorance or subjection
- heavy or repeated pressure

Attachment 5

CASE OF RIERA BLUME AND OTHERS

v. SPAIN

(Requête n°/Application no. 37680/97)

ARRÊT/JUDGMENT

STRASBOURG

14 octobre/October 1999

In the case of Riera Blume and Others v. Spain,

The European Court of Human Rights (Fourth Section), sitting as a Chamber composed of:

Mr M. Pellonpää, *President*,

Mr G. Ress,

Mr A. Pastor Ridruejo,

Mr L. Caflisch,

Mr J. Makarczyk,

Mr I. Cabral Barreto,

Mrs N. Vajic, *judges*,

and Mr V. Berger, *Section Registrar*,

Having deliberated in private on 22 June and 21 September 1999,

Delivers the following judgment, which was adopted on the last-mentioned date:

PROCEDURE

1. The case originated in an application (no. 37680/97) against the Kingdom of Spain lodged with the European Commission of Human Rights ("the Commission") under

acting on the instructions of their superiors and, partly, those of the investigating judge, transferred the applicants in official vehicles from the premises of the Catalan police to the hotel. >From the applicants' statements it appears that their transfer to the hotel by the police did not take place with their consent but was imposed on them. The fact that they were not handcuffed during the journey cannot alter the fact that they were transferred under duress. Once they had been handed over to their families, the applicants underwent detention similar to false imprisonment, which ended only on 30 June 1984, when they were allowed to leave the hotel. In this connection, the Court notes that on 29 and 30 June 1984, that is to say at a time when the applicants were still being held at the hotel, police officers questioned them in the presence of a lawyer after informing them of their rights. That shows that the Catalan authorities knew all the time that the applicants were still held at the hotel and did nothing to put an end to the situation.

34. Nor could the police officers be unaware that, in order to be able to derive benefit from the psychiatric assistance recommended by the investigating judge, the applicants were going to be under constant supervision. They thus did not fully comply with the judge's order, according to which the psychiatric assistance that would enable them to recover their psychological balance had to be provided on a voluntary basis as regards the persons of full age, which is what all the applicants were. At all events, even supposing that there was a danger of suicide, a risk of that kind did not justify such a major deprivation of liberty. The fact that, once free, the applicants lodged a criminal complaint alleging false imprisonment and other offences against officials of the Catalan government and all others responsible clearly shows that they had been confined in the hotel against their will.

35. In the light of the foregoing, the Court considers that the national authorities at all times acquiesced in the applicants' loss of liberty. While it is true that it was the applicants' families and the *Pro Juventud* association that bore the direct and immediate responsibility for the supervision of the applicants during their ten days' loss of liberty, it is equally true that without the active cooperation of the Catalan authorities the deprivation of liberty could not have taken place. As the ultimate responsibility for the matters complained of thus lay with the authorities in question, the Court concludes that there has been a violation of Article 5 § 1 of the Convention.

II. ALLEGED VIOLATION OF ARTICLE 9 OF THE CONVENTION

36. The applicants argued that the "deprogramming" measures to which they were subjected during their detention amounted to a violation of Article 9 of the Convention, which provides:

"1. Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief and freedom, either alone or in community with others and in public or private, to manifest his religion or belief, in worship, teaching, practice and observance.

2. Freedom to manifest one's religion or beliefs shall be subject only to such limitations as are prescribed by law and are necessary in a democratic society in the interests of public safety, for the protection of public order, health or morals, or for the protection of the rights and freedoms of others."

to secure the fulfilment of any obligation prescribed by law;

(c) the lawful arrest or detention of a person effected for the purpose of bringing him before the competent legal authority on reasonable suspicion of having committed an offence or when it is reasonably considered necessary to prevent his committing an offence or fleeing after having done so;

(d) the detention of a minor by lawful order for the purpose of educational supervision or his lawful detention for the purpose of bringing him before the competent legal authority;

(e) the lawful detention of persons for the prevention of the spreading of infectious diseases, of persons of unsound mind, alcoholics or drug addicts or vagrants;

(f) the lawful arrest or detention of a person to prevent his effecting an unauthorised entry into the country or of a person against whom action is being taken with a view to deportation or extradition."

26. The applicants maintained that there had been a violation of that provision on account of their having been transferred to a hotel by Catalan police officers and handed over to others to be "deprogrammed" from their membership of a "sect" of which they were alleged to be members. They submitted that they were deprived of their liberty without any legal basis under either domestic or international law.

27. The Government did not dispute that the applicants had been deprived of their liberty. However, the deprivation could not be attributed to the Catalan police officers, whose role had been limited to carrying out in good faith the investigating judge's instruction to hand the applicants over to their families and suggest that it would be as well to intern them in a psychiatric centre, on a voluntary basis as regards persons of full age, in order for them to recover their emotional balance. In the Government's submission, the responsibility for the alleged deprivation of liberty lay with the members of the applicants' families and with the persons belonging to the *Pro Juventud* private association and not at all with the authorities and officials of the Catalan government. In support of their contention they argued, in particular, that the hotel rooms had been reserved and paid for by the association, that it was the same association that had recruited and paid the young people responsible for supervising the applicants and that the applicants' families had not left the hotel during the period of "deprogramming". As to the applicants' transfer from the Catalan police premises to the hotel, the Government pointed out that during it the applicants had been treated like people at liberty; at no time had they been handcuffed or made to submit to any other measure appropriate for people under arrest.

28. The Court reiterates that in proclaiming the right to liberty, paragraph 1 of Article 5 contemplates the physical liberty of the person; its aim is to ensure that no one should be deprived of that liberty in an arbitrary fashion. In order to determine whether someone has been deprived of his liberty within the meaning of Article 5, the starting-point must be his concrete situation, and account must be taken of a whole range of criteria such as the type, duration and manner of implementation of the measure in question (see the following judgments: *Engel and Others v. the Netherlands*, 8 June 1976, Series A no. 22, p. 24, §§ 58-59; *Guzzardi v. Italy*, 6 November 1980, Series A no. 39, p. 33, § 92; and *Amuur v. France*, 25 June 1996, *Reports of Judgments and Decisions* 1996-III, p. 848, § 42).

TRANSLATION

VERDICT
1990-12-19

PROSECUTOR Westin, Lars, Gothenburgs Prosecutor district

PLAINTIFF Gustavsson, Sara

LAWYER Carlsson, Ulf

SUMMONED Pehrsson, Eva Maria

VERDICT ILLEGAL DEPRIVATION OF LIBERTY

Application for SUMMONS
1990 - 10 - 05
ILLEGAL DEPRIVATION OF LIBERTY

PLAINTIFF:

Sara Gustavsson, Kalendervagen 50, 414 13 Gothenburg

PLAINTIFF'S LAWYER

Lawyer Ulf Carlsson, Kungsgatan 27-29, Box 2070, 403 12 Gothenburg

ACTION

Folke Gustavsson and his wife Lillian Gustavsson, whose daughter Sara Lillian Carina, born 1955, during 1983 has joined the congregation "Brobyggarna" have during 1988 together agreed to with the help of other persons let their daughter undergo a "deprogramming" in order to, per their opinion, try to make her come to insight about the congregations activity and, as a result leave the same.

Folke and Lillian Gustavsson have together with others, per the made up plan the 12 August 1988 outside the daughter's job at the Arsenal clinics in Gothenburg, pretending a coming "hen-party" deprived Sara of her freedom and carried her away with car to a place in Saro, where Folke and Lillian Gustavsson together with Eva Pehrsson kept Sara locked in until the 14 August. The same day Folke and Lillian Gustavsson, with Eva Pehrsson and together with others moved Sara from Saro to a summerhouse in Olsbo in Falkenberg's police district, where she by the parents and Eva Pehrsson has been kept locked in until the 24 August 1988, when Sara managed to escape from the place.

Law paragraph 4 chapter 2 paragraph 1 paragraph in criminal law.

EVIDENCE

Folke and Lillian Gustavssons and Eva Pehrssons own data and interrogation with Sara Gustavsson, Kalendervagen 50, 414 13 Gothenburg concerning what happened.

Lars Wester

VERDICT 1990-12-19

DAMAGES

1. Eva Pehrsson shall jointly with Folke Gustavsson and Dillian Gustavsson pay damages to Sara Gustavsson with ten thousand four hundred twenty eight (10 428) SEK plus interest per par. 6 in interest law from 1988-08-24 until payment happens.

DECISION IN

2. Arnewid is adjudged payment from common means with sixteen thousand eight hundred (16 800) SEK. Of this cost and the cost of proof Kva Pehrsson shall to the state repay six thousand five hundred and ten (6 510) SEK. The rest shall stay with the state.

OTHER QUESTIONS

3. Carlzon is adjudged compensation from common means with six thousand eight hundred and six (6 806), of which 6 657 SEK for work and 140 SEK for loss of time.

4. Eva Pehresons claim for compensation for legal costs is left without approval.

Attachment 6



FECRIS (European Federation of the Information and Research centers on Sectarianism)

European Federation of Centers of Research and Information on Sectarianism

List Associations belonging to the FECRIS

Source: MILLETS July 26, 2001

Members
Correspondents
Countries represented with the
FECRIS



Members

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(Example 1 - FECRIS member group UNADFI)

Testimony # 7

Paris March 3, 2000

P. B. is a naturopath and therapist who practices yoga and lives in southwest France. Both his ability to earn a living and to participate in community life have been curtailed. A friend is offering testimony on his behalf.

P.B. has been a trained naturopath for 16 years and has a practice in Bayonne. He practices iridology, aroma therapy and treatment with essential oils. He has been a speech therapist for eight years, and practices the Radja Yoga of Brahma Kumari.

In 1996 in southwest France, ADFI began propaganda campaigns in primary schools, secondary schools and universities on the "dangers" of the spiritual minorities they call "cults." ADFI includes the Brahma Kumaris in this group. ADFI's attacks have damaged P.B.'s reputation in the community, his access to others needing his help, and his ability to earn a living.

For a year-and-a-half, P.B. had volunteered his time on Radio-France in Basque Country presenting broadcasts about naturopathy. After ADFI claimed P.B. was the "guru" of the Brahma Kumari "cult," the station refused to continue P.B.'s broadcasts.

P.B. worked as a speech therapist in Saint Palais, population 1,500, near Bayonne. He was known and liked by many people. But in 1997 an ADFI meeting broadly denounced cults' activities in France. More than half of this meeting was dedicated to P.B.. This was an enormous shock to P.B.'s friends and everyone who knew him Saint Palais.

In 1998, the newspaper *Sud Ouest* featured Brahma Kumari in a derogatory article. While it sidestepped actually mentioning P.B. by name, the article's clear wording left no doubt as to his identity. P.B. lost 60 % of his clients.

He has received many anonymous phone calls, threatening or deriding him at all hours of the day and night.

P.B. was asked to leave the board of the University of Free Studies, an association that organizes conferences. They said he was responsible for the loss of members, subscriptions and audience due to public suspicion that he belonged to a "cult." Then P.B. was asked to leave this association entirely.

P.B. had visited local prisons for eight years as a naturopath. The director of the regional penitentiary service of Bordeaux has withdrawn permission for P.B. to help prisoners, alleging that P.B. is a member of a "movement with a sectarian character."

Testimony #8

Paris, March 3, 2000

Framboise's children were taken away when she divorced and she lost a 12-year engineering position.

Trouble began when I decided to divorce the father of my two youngest children. Because I joined Raël as we were separating, he had not known of my new religion. We had taken one mutual lawyer to make the divorce go more amicably. But when he discovered I had joined Raël, he began using the anti-cult group ADFI's lawyer.

My ex-husband factually kidnapped our children. I received a summons via a provisional order to go to the Civil First Instance Court of Nanterre in three days. For 40 days, (the duration of the proceedings) I did not see my children. I had no news from my husband, nor ADFI's attorney of their whereabouts, safety, schooling, or status of health.

I have now won the right to keep my children, but only after a psychological and social investigation verified that, even though I had changed my religion, I still really deserve to be a mother. I had to fight tooth and nail to prove my fitness as a parent. I had to provide written attestations from our family doctor, the children's schoolteachers, friends and relatives that I was completely capable of bringing up my children and was in fact doing so responsibly.

That social investigation was extremely biased, giving undue weight to the extremely partial testimonies of my husband's parents. To vilify us in the courts and newspapers, ADFI and its lawyer purposefully manipulated and misinterpreted quotes from Raël's texts. The children's father lied repeatedly, fabricating stories that never occurred to wrest our children from my care. The bulk of the file he provided consisted of no more than a few press clippings.

After leaving my husband, I lived in a beautiful house, I had excellent income, as did my boyfriend. The children could not have been in better surroundings. During the proceedings of June 1995, I won the right to keep the children. Their father has generous visitation rights.

Before my divorce and joining Raël, I had been employed for 12 years as a commercial engineer in an American company. The children's father went to see my boss and told him I was a dangerous person, that I was in a cult, and that this was a black mark on the company's reputation. My boss fired me in January 1996 using a trumped-up pretext of poor production. I began proceedings with the Conciliation Board and was awarded 350,000 francs damages for abusive firing. It was clear to all that I had been fired for being a member of a minority religion.

Even though I won the right to keep my children, I initiated an appeal because one clause was unbearable: Although I retained the right to remain in the Raël religion, my children were not permitted to be in the presence of

others in my religion. To ensure compliance, I would have to ask the religion of every visitor, in fact of every person, every shopkeeper we visit. But France's Supreme Court has confirmed this religious discrimination. The newspaper *Le Monde* wrote, "*The Supreme Court determined Tuesday, February 22, that justice could forbid a family mother from putting her children in contact with members of the Rael movement without interfering with the right to a private life and religious freedom.*"

I insist upon having my rights respected at the level of the European Court of Human Rights. Beyond losing my job and being forced to battle courts and attorneys for the right to keep my children, I have lost many friends. After my former husband visited them, showing slanderous press articles, they now ignore me.

Testimony #9

Paris, March 3, 2000

Marc had his parental rights and nearly all child visitation privileges stripped away.

When I was 19, I joined CIRCES (International Centre of Culture and Spiritual Research), a humanistic movement created by the Rosicrucians. There, I initiated a commission to promote human rights.

In 1995, after my divorce, I requested a simple modification of my child visitation rights. I wanted to take them one Wednesday out of two beyond the visiting time granted. My former wife opposed this modification and the judicial procedure took four years, into March 1999. It included social and psychological "investigations" of myself and my parental fitness.

The social investigation was carried out by an organization in Laval, France. The investigator came to my home to question me. After he talked to the anti-cult group ADFI, I never saw him again and he listened only to my ex-wife. ADFI alleges the Rosicrucian movement has underground links to the Solar Temple.

The investigator quoted my former wife's mother saying that when they came to my home, my children walked about with repetitive head motions as if conditioned by frenzied music! My former mother-in-law denied this to the judge in writing, saying, "*The investigator had me say things I never said.*"

The investigator purposefully misrepresented traceable facts. Once when I was walking with my elder son, the boy became enamored with a two-dollar finger ring in a shop. I bought it for him. The investigation found the ring to be a cult symbol signifying I had initiated my son.

After this procedure's injustice, I had to forfeit my parental authority and only see my boys once every two weeks between 10 a.m. and 6 p.m. The court decreed this finding even though my former wife had never asked that I be deprived of these rights.

Testimony #38

Lyons, April 28, 2000

Christian, a teacher, lost both his job and his post as an assistant mayor.

I had been employed as a certified teacher in electrical engineering, but was removed from my teaching post for belonging to a cult. What was termed a "cult" was in reality Horus, an organic farming community. I had been participating in a project with this community.

The first attack dates back to 1991. At the time, I was deputy mayor of my village and on August 3, 1991, a letter from ADFI (an "anti-cult" group) arrived at the Town hall. I was called in by the mayor to attend a closed door meeting, for which the mayor refused to make a report. During this session, I was accused of intending to set up a "cult" in my home. This was in spite of the fact that there is no way the Horus center could be described as a "cult" and in any case, it had nothing to do with my house and was situated 20 miles away. This greatly destabilized me at a local level and banished me in a way from my post as deputy mayor. Before this, I had often been consulted in village and local affairs, but after August 3, important information was no longer given to me, so in effect I was unable to hold the post any longer.

Then, ADFI made things worse by organizing a meeting in the Town Hall. This meeting was held in secret, and all the inhabitants of the village were invited on a personal basis. I heard about the meeting and tried to attend with some friends in order to defend the Horus center. Anyone connected with the Horus center was forcibly kicked out of the meeting. This meeting organized by ADFI did not present information at all about what was happening at the Horus center. Instead, they showed videos of Mandarom [an association also accused of being a cult] and on the multiple marriages of the Unification Church. This had absolutely nothing to do with what we were doing in the agricultural community. During this meeting, the inhabitants of the village were urged to denounce any "suspicious activities."

After this, the Director of the school where I was teaching called me into his office, saying he had been informed of my so-called "cult practices" by the local authorities. He warned me that if there was any mistake on my part or any kind of complaint against me, I would be laid off. I reassured him on the subject and told him that there was a separation between my private and professional life and that I did not proselytize.

On January 4, 1996, there was a TV show produced by "Envoyé Spécial" which was aired on Antenne 2 [Channel 2]. My name was never mentioned and I was not interviewed on the program. But the procedure for my dismissal was started on February 9 because apparently some parents at the

school said they had seen me in the TV program. I was thus called in for a disciplinary commission. I was allowed to see my file, and realized that all it contained was a letter of denunciation from a former member of the community, a testimony letter from another former member and a third letter declaring that I belonged to the community of Horus, written by a person whom I'd never met. All these documents were sent to the Director of the Board of Catholic Education for the Diocese.

The Ministry of National Education dismissed me on June 13, 1996. The charge was, "(this person is) well known as belonging to a cult and exhibits behavior inappropriate for a member of the faculty." They accused me of having been shown on the TV show. I replied I did not appear on that show. In September 1998, they managed to produce a photo which apparently showed me in the background in the hedges. They told me: "You participated in the report, we can see you." I went to the Administrative Court in Grenoble to appeal this decision, and their decision was to cancel my dismissal in December 1998.

The Minister of National Education appealed to counter this decision at the Court of Appeals in Lyons in March 1999. They said, "Mr. Tribut may not have publicly adhered to the theories propounded by the cult, however we know that he is a cult member and so he cannot therefore be employed as a teacher." This is a crime of prejudice against someone for a difference of opinion. I investigated the laws which were being violated by these attacks, and found several statutes relating to the right to hold one's own opinion, the right to work, and respect for the beliefs of an individual in the European Convention, the Penal Code, the Work Code and the statutes of Public Functions. After pointing this out, they reconciled and offered to give me back my post on September 4, 1998. However, they started a new disciplinary procedure. To make a long story short, I was suspended from teaching anyway, for a crime which I had nothing to do with and about which I knew nothing. I was accused of having committed this crime while I was teaching. However, this alleged "crime" took place during a period when I had been suspended from my post as professor.

Tuesday June 20, 2000

SOCIETY: Dr. Yves Jullien committed suicide on March 6 at "L'Isle-sur-Serein."

The Story of a Rumor that Kills

Accused of being the guru of a cult, a doctor was the victim of destructive harassment.

"The thing I find the most difficult is the way others look at me," wrote Dr. Yves Jullien shortly before he died. A meeting some days ago in the "château" of L'Isle-sur-Serein (in the Avallon region), where Yves Jullien founded a therapy center in 1993, brought to light the reasons that pushed him to commit suicide.

An irrational act by definition, suicide "always has multiple causes," said Maya Blache, his wife. This one, so it seems, was triggered by a persistent rumor. The rumor spread for several years in the county of Yonne until this irreproachable doctor became viewed as the guru of a cult. Members of the so-called Epinoia cult lived in the Castle of L'Isle-sur-Serein and had, according to their detractors, strange and suspicious activities.

Yves Jullien's former colleagues, friends and patients with their parents, came to testify at Epinoia, where Dr. Jullien once helped drug addicts and psychotics among others. Their purpose was to restore the good name, dragged through the mud, of a decent, respectable man.

"A man who had nothing to do with imprisoning others inside a cult."

Often we heard that Epinoia was a cult, including from official sources. They made a mistake. Evidently, they too were victims of the rumor, spreading it, in all good faith, without knowing...

Patients, nurses and doctors were unanimous. Accusations against Yves Jullien and his association were completely baseless, even ridiculous: *"This center was totally the opposite of a cult. Such allegations are just unthinkable."* *"The association was original and human at the same time."* *"Patients were pretty much free. The atmosphere was warm and friendly."* *"Yves Jullien was an honest, independent man who had nothing to do with imprisoning others in a cult."*

It's a strange cult indeed that receives patients sent for treatment by the Auxerre psychiatric hospital and even by the courts. You can't be more official than that. Moreover, the center managed by Yves Jullien was successful and well known. So, why these rumors? Why pretend that this

doctor was no longer a doctor, that he was barred from the Medical Association? This rumor went on for months, though it was obviously unfounded.

The members of Epinoia lived in a community inside the castle of L'Isle-sur-Serein: Their sixties look was obviously out of place there and it didn't take much for the locals to conclude that Epinoia was a cult.

A matter of norms

Last summer a city regulatory agency closed down Yves Jullien's center. The reason given was that the premises didn't meet city requirements. Was that a pretext? Hard to say. In any case, that is what Yves Jullien's close friends claim.

Who had a vested interest in seeing the center closed down? Local notables?

"For a year my husband was persecuted by the administration and the police," said Maya Blache. "He was slandered. I am here today to prevent a similar occurrence."

The closing of the premises devastated Yves Jullien. It shattered his soul, his work denied and despised. But this terrible disillusion cannot, all by itself, explain his suicide.

Yves Jullien was stamped down because he used his own therapeutic techniques, he worked outside the beaten paths, with a close-knit group of people who didn't conform. People found this disturbing, even though he didn't openly oppose the system. He simply asked for the right to be different. This right was denied him.

A generous and efficient man

Yves Jullien, originally from Paris, started his career as a medical doctor in 1975. A family practitioner up to 1983 in Montmorency near Paris, then a toxicologist in Paris, he founded a health center in Corbigny in 1985. This center, where patients and nurses lived in community, welcomed drug addicts amongst others.

An advocate of the anti-psychiatry movement, he attended seminars of the famous psychoanalyst Jacques Lacan for several years.

Yves Jullien and his wife, Maya Blache, left Corbigny... in 1993 after the DDASS (the agency that enforces sanitation regulations) told them that their premises weren't meeting all the requirements. They settled at the "château de l'Isle-sur-Serein" near Avallon in Burgundy. There, they founded the Epinoia association with Yves Jullien as its director and president. The association employed a State qualified nurse, a qualified educator and six counselors. This center treated drug addicts and persons suffering from serious psychological disorders.

Yves Jullien also worked in Auxerre. He collaborated with the psychiatric hospital's methadone center and nutrition center as a toxicologist. He also operated an office of psychoanalysis with Maya Blache.

A father of four, this unusual doctor was extremely interested in philosophy. His intellectual sharpness and quick ability to solve problems were

school that never existed. The parents in our group had simply taken their children out of the regular schools and were home-schooling them, which is in no way against the law.

One of our members was an engineer and a teacher with a doctorate. He was forced to leave his job due to his belonging to a so-called "cult." He was given no opportunity to reply to the charges or defend himself. The sentence has now been canceled, but he has lost his job for good. He no longer has any money nor a source of income, and yet he has four children to take care of.

Testimony #27

Lille, 19 April, 2000

Jean-Francois and the members of his religion have been subjected to all kinds of harassment. They were denied the right to rent halls and to speak publicly, and a bomb was planted in their headquarters.

I became a member of the Unification Church about 25 years ago and I've had to deal with ADFI ever since the anti-cult association was founded.

We have been subjected to forceful police searches and many other kinds of harassment. It is a shocking thing to say, but we have become used to and in some ways immune to it.

One particular problem in the North is the hall renting issue. Whenever we want to organize a meeting in a hotel or a public place, invariably the owner of the hall refuses to rent the rooms. Very often, as soon as we send out the invitations, the unfortunate owner of the room is contacted. I don't know exactly what they are told, but they're in terror. In any case, even if the contract is properly signed, it is impossible to hold a meeting.

I organized a meeting in Paris which was to be attended by 1,000 people from all over Europe. Suddenly, without warning, the hall owner cancelled the booking at the last minute. One of my friends said: "I don't know how you stand it." Every time there is a meeting, I feel like I'm on the verge of having a heart attack, until the meeting is through.

On November 20, we wanted to organize a little meeting in a restaurant on the theme of the couple. The title of the meeting was, "Loving each other forever." We sent out a few invitations and immediately ADFI Nord Pas de Calais put out a press release which stated: "Danger, warning! On Saturday November 20 The so-called, "Federation of Families for Peace" is organizing a lecture and debate called "Loving each other forever." ADFI wishes to inform you that hiding behind a seemingly honorable topic of discussion is a group which is in fact an organization with the purpose of proselytizing for the totalitarian Moon cult."

(This is where the poor restaurant owner started shaking.)

"This cult has been investigated and is listed in consecutive reports pertaining to coercive cults, including the 1999 report, "Cults and Money."

Even if the press release had not been enough to put the restaurant owner off, the article which appeared in the *Nord Eclair* newspaper must have terrified him. All this was too much for the poor restaurant owner and he broke down. This is in spite of the fact that we had been holding conferences there once a month for the last year with no problems or complaints whatsoever.

The result of this was the following fax which he sent to us: "I have been approached by various persons, including the press in regard to the seminar and regret to inform you that I have had to cancel it." It's too bad for him; he

apparently envied. *"People were jealous of my husband,"* says his wife. *"He loved everything spiritual. He was a generous and bright man. Some people didn't like that."*

Hubert Besson

(Example 2 - FECRIS member group FRI)

My Story

by Lisa Bladh

When I got in contact with Scientology in the spring 1987 I became fascinated by the ideas and thoughts, I thought that if this really works then I can learn to help others. I was curious enough to investigate the whole thing.

Some weeks later my mother visited me in Stockholm. I told her about Scientology and she showed a mild interest. Everything was fine and I believe that she even agreed to make a visit to the church to see with her own eyes what it was. On one occasion I had to go some errands. When I came back my mother was very upset. She told me that she had talked to someone who told her that Scientology was dangerous. I never really learned who she had talked to, what had happened and exactly what made Scientology so dangerous. Much later I learned that she had been in contact with FRI.

On an other occasion my mother had invited a man by name Åke Wiman as a representative of FRI to the flat where I lived. He was to make me understand that Scientology was dangerous. Nothing he or my mother said was of any greater value and after some time he left.

Following that incident Åke Wiman called me several times and wanted to discuss and inform me. And I did talk to him. At length a few times. He always called at different times, sometimes very early and sometimes really late. After he had called some 6 or 7 times and I had told him several times to stop calling I threatened to contact the police if his calls did not cease. After that he did not call again.

The whole situation escalated during the summer to finally culminate in what has been called a deprogramming attempt. Deprogramming is a horrible word. In the whole word lies the concept that I first must have been programmed to then be de-programmed. I have never been programmed by anybody.

And maybe it is in this borderland that the greatest abuses were committed. When my mother looks at me with a deeply sympathizing look and tells me that I cant understand what shes saying at the moment, but that I must remember that she loves me and that shes doing this for my sake.

That I'm not in control of myself right now, but that she will help me to be myself. And all this shall now happen during a deprogramming attempt - a violent, deeply traumatic event for everyone involved.

1 Mental Rape

1987 I was subjected to rape. A mental rape. Others have called it a deprogramming attempt. A few call it a programming attempt. I call it rape - a mental rape.

I was asleep. Tired after the daily activities I had gone to bed waiting for my mother to come. I was living with an acquaintance of the family who had an apartment in central Stockholm. It was a nice apartment with a high ceiling and beautiful windows. The man who owned the apartment was away for the weekend and the other girl who also lived in the apartment worked nightshift.

Suddenly I wake up because a number of people is coming into my room. I recognize most but not all of them. I'm surprised but not really afraid. I sit up in bed and look at them. Most of them say hello, but none of them behave as if it was even a bit strange that they were in my room late at night. It feels unpleasant and insulting and I ask them to leave so I could get dressed- they sit down, I look at them. Now I begin to get angry. I ask them once more to leave the room until I have dressed - they refuse. Even if the atmosphere in the room becomes more and more unpleasant I have difficulties understanding what is happening. The only thing on my mind is that I must get some decent clothes on so that I can keep at least some of my dignity. After some argumentation they leave me alone for a while.

I'm thinking fast. I feel the adrenaline pumping through my body and how my hands are shaking. If I'm not to accept this I have to get out of the apartment. They're likely to come after me but the subway-station is right next to the main entrance and if I can only get there I'll be alright. I look in my bag for the subwaycard while I put on my jacket. Everything is set. I take a deep breath, walk towards the door and open it. Outside are my parents and all the others. They look at me. I have time to think that I should walk slowly the first meter and then rush for the door. I say nothing and continue.

Then suddenly they're all over me. They hold my arms, they hold my legs, they hold my body - I scream. They pull me back into the apartment, away from the door. I scream. Finally they have pulled me back into my

room. Theyre holding me, everywhere. Their arms are like tentacles that cling themselves to my body and hold me in place. Now I understand. The incredible. That which cannot happen, must not happen, is happening to me.

I am pulled down onto the bed. Somebody's holding my wrists, others my ankles. They want me to stop screaming. Somebody tries to hush me up by putting his hands in my mouth. I toss my head back and forth. Back and forth I toss my head while screaming that they shall let go of me. It is hard. I cant surrender to this. I must not lose. I wont lose myself. So I fight and I scream. I try to slip out of their grip. I cant stand being stuck like this. Anything but being stuck. I scream. The grips harden. Somebody sits down behind me. Holds me around the waist and squeezes. Others hold my hands and feet. I cant move.

I dont know what more I can do but scream that they let go of me. Time no longer has any importance. Nothing has any importance. Only the fact that Im trapped and that I scream. They say they love me. They want me to understand that they love me. What shall I answer? What do they want me to do? I scream that they let go of me. In desperation that I do not stop screaming somebody tries to put his hands into my mouth and down my throat. I have screamed myself hoarse and I know that I will run out of strength long before they will. I try to calm down. With all my will I try to gain some control over the situation. Slowly the grips slacken about my body. But nobody leaves me and it is hard not to start screaming again. I try to focus on one thing at a time. I dont want them to hold me.

Finally Im allowed to move. I walk around the room. Round and round in a circle. I rest by letting the body move. Four or five people are standing around me. They continue saying that they love me. As an incantation they repeat their phrase. I dont quite know what they want to achieve. I have difficulties in feeling any conviction. I try not to listen, what good would that do. I try instead, as far as possible to find a stable point in myself. I will live. I will survive.

The room becomes whats solid, the reality. The walls, the ceiling, the floor - all that I can touch, orient myself by and with the help of which I can find some stability in myself. Anyway that is my hope, what I wish for. Because I dont quite know if it is me or the room that is in movement. Am I standing still letting the whole scene pass in review before my eyes or am I co-creating in this chaos. I dont know how long my strength will last. Slowly I shut my eyes. How easy it would be to just relax and give in. To fall and give up. To be embraced and be rocked into the soft landscape of

dream. The only thing I need to do is to relax. I would not need to see or feel anything anymore. All my decisions and my whole existence would be taken care of by somebody else. Life would be so simple. I would not have to be participating. Be rocked and forget. No pain, no fear, no hands. Nothing. The price is that I forget, the price is that I lose - myself. Instead I get angry.

Without thinking I am suddenly by the window screaming out my fear to the night and the people down there. Of course they grab me. Of course I am pulled down once more, this time on the sofa by the window, Again I try to slip out of their grip. I twist my body and glide down onto the floor. Then the doorbell rings. Somebody stands up, leaves the room, shuts the door after him and opens the main entrance door for whoever's on the other side. I hear a muffled mumble. What are they saying? I scream. Before I can think there's a cushion in my face. Somebody's holding a cushion to my face to muffle my screaming. I'm fighting for air. I'm beating around me trying to get the cushion off my face. Then they are gone. The people at the door are gone. The cushion is taken away from my face. It is over.

I persuade them that I need to sleep. I must get the time to pass. It is night and I won't have any strength if I cannot rest. I lie in the bed with my back to the room. I feel how strained my entire body is. I have difficulties relaxing. I try not to think, not to feel. I am aware of people moving in the room. I hear a muffled mumble when they talk to each other. I feel horribly insulted. The whole time somebody sits beside me. The whole time there is somebody looking at me, keeping an eye on me. I am afraid to sleep. I must not fall asleep, just rest. I think. I must not make any mistakes. I must be prepared for anything. I know that as long as I am in the apartment the time works against them. Times on my side. Dawn will come. Then I have greater chances to act. Then the other girl comes home. The girl who lives in the apartment. I don't know if they have thought of that. My greatest fear is that they'll dope me and take me away from there. I must not fall asleep. I am so infinitely tired but must not fall asleep. I know that if they knew what I'm thinking they would try to take me away from there. The morning comes.

The other girl comes home. I ask to talk to her alone. When she also insists they let us. We sit opposite each other. She does not say anything. I try to explain what has happened, it feels so pathetic. What shall I say? "They hold me prisoner here". "I can't go out". "You must help me". She listens. After a while she says she doesn't want to get involved. "You must go to the police" I tell her. "You must help me". "I can't" she says. "This has nothing to do with me". "I don't want to get involved". I become totally cold and empty inside. My inside ties up like a knot. The pain. There is

no pain. I've no strength left to feel it. I am not really here..., this isn't happening. I don't say anything more. After a while she leaves.

The telephones ringing. I follow. Somebody answers. I am in the same room as the one talking. I see who's talking, I see the telephone. I hear the conversation. I know that somebody at the other end can hear what's happening in the room. I see, I hear, and I understand. But I can't move. I can't say anything. I only stare and let the scene pass in review. I can't move, can't scream. Then the conversation is over. The receiver is put down. The moment has passed. Then I react. I hurl myself towards the telephone, take the receiver and try to dial a number. I don't even know what number to dial. But that's as far as I get. Several people are already there and try to bend the receiver from my hand. Somebody pulls out the plug. Even though the telephone now is out of use they continue to bend my fingers away. They hold me. I get several blows on the head. Again I am trapped. Unable to move. They twist my arm up over the back. Again I am dragged back to my room. Again I scream. I scream to them to let go of me. Again I try to get free.

I catch a blow over the cheek and ear. It burns. But I hardly feel it because the pain in my ear makes me double over. Far away I hear someone telling me that that was not so bad. "Stop being silly". I hear someone asking what happened. "I had to get her to calm down" I hear as an explanation. "She was hysterical". Now I can't take anymore. I feel the tears stinging in my eyes. I sink to the floor. It is as if my body wouldn't obey me anymore.

Now I'm to be converted. It is now that their power shall be confirmed. It is now that I'm to be transformed. Like clay I'm to be soft and mouldable. It is now when all resistance have been blunted, that the deprogrammer steps in - to, like an artist, form his masterpiece. It is now that I'm to change my way of looking at existence, at life. It is now that I shall understand - the truth. I'm to renounce my belief. I'm to renounce my view of life.

Many hours later I get out of the apartment. Leaving behind me my family, relatives, friends. Torn and wounded I slowly, very slowly begin to put the fragments of my life back together again.

2 A Metaphor

I have afterwards thought a lot about how I reacted throughout the deprogramming attempt and during the time leading up to it. When I look back it is as if I see myself standing in a big group of people who are spread out over a big open place. It is not very crowded and you can perfectly well walk amongst the people. They are all upset, they scream and cry. Some are quite hysterical while others sit on the ground totally apathetic, staring at nothing.

I see it all but somehow its got nothing to do with me. I am not sad and Im not crying. I dont really know what I should be sad about. I try to ask somebody. And to my surprise people answer that they are sad and afraid because I am about to succumb. When I answer that Im actually aent about to succumb at all, the person explains I can not see this myself and the very fact that I can not see is the reason why I am succumbing.

The answer leaves me shaken. Not because Im worried about my, according to these people, imminent destruction, - but simply because I have no means by which to communicate. I want to tell them all that I am not succumbing at all. But they wont hear me - since the very root of my succumbing is that I am not aware of it. It is a devilishly figured out plan which effectively makes all communication impossible. They will never make me understand that I am succumbing and I will never get it through to them that Im really not succumbing.

But what hurts me the most and what in the end makes me really sad is when someone comes to me accusing me of causing this pain simply because I feel and think the way I do. I cant stop being who I am and even if Id go to extremes to protect those I love I cant deny myself. I am faced with the choice of denying myself or letting those I love continue to suffer. I do not want people I know to suffer. But I can not deny myself either.

Finally I give up. I walk away to sit down on a stone and wait. And I wait and I wait. I wait for years. Finally I notice that the crying and despair slowly but surely begin to diminish. One after the other people start leaving the open place. Some to never look back, others vanish into the shadows under the trees without ever meeting my eyes. a few come up to talk.

3 What really happened

Where do people get information about the Church of Scientology? Some turn directly to the Church to see with their own eyes what it really is about. My parents to begin with wanted objective information and then turned to a group outside who claimed that they have expert knowledge. Unfortunately they happened to come in contact with FRI. But it is hard to judge secondhand information. You have to know a subject pretty well to be able to correctly evaluate the information you get. It is easier to see with your own eyes and form your own opinion.

To this day I still do not know what information they got. I only saw the result. Frightened and upset they tried to make me understand that I was involved in something dangerous. But I did not see what they saw and they did not see what I saw. And due to the upset atmosphere there was never a real possibility of creating understanding. Then the situation escalated to what has been called a deprogramming attempt - a deeply tragic event. I am convinced that my parents in that situation were convinced that that this was the only way of saving me. The irony of this is that if they had only dared to talk to me instead of telling me that I was incapable of understanding the situation, they would have realized that life went about its normal course and that nothing serious was about to happen.

Instead they tried something as idiotic as a deprogramming attempt. They were convinced that they could not reach me and that I was about to succumb. But who gave them such information that they felt bound to make such decisions. The only group they had contact with that could have given them such impulses was FRI. My parents certainly would argue that they saw that I was in danger, but that depends totally on what eyeglasses you put on and whos whispering helped them to interpret what I said and did. Whatever I said and whatever I did they answered that I was not sane and did not know what I did. It was a very severe blow.

Fact is that I, until the deprogramming attempt was made was naively unaware of how serious a turn the course of events had really taken. More than anything I was just confused about being so utterly out of control over what was happening.

From the fact that the deprogramming attempt was violent, chaotic and confused you might believe that this would be what left the deepest traces in me. But it is not so. Of course it was hard to be held in the bed for several hours until my feet and wrists showed traces of the event. Of course it is hard when somebody puts his fingers in your throat to stop you from screaming. And of course it is hard to have a cushion pressed over your

face. The list could be made much longer. It is fascinating to see how they explained holding me and not letting me go to the bathroom by myself without somebody going with me with that they were afraid I would hurt myself. To so totally break another persons dignity and integrity. How can anyone prove that they will not hurt themselves. How could I prove that? And was I, as a whole, in a situation where I needed to?

After the deprogramming attempt I went underground. I didnt dare go out in the daytime for fear that I might be pulled into a car, be kidnapped and taken away. I knew it was a real threat. I knew that FBI at several occasions has tried to deprogram other people, and in some cases have succeeded.- so I was afraid. I was very afraid and very isolated. At that point I almost hoped for it to happen, not because I wanted it, but because it was hard to live with the fear. In that situation I felt it would be easier to meet my fears for real rather than just being scared all the time.

I was totally isolated. I had been subjected to a mental rape. And I was alone and afraid. The only thing I knew was that I had to survive.- that I had to stay alive.

4 To meet people

It is still not easy to talk about what happened the summer and fall 1987. Even if so much time has passed since all this happened, and even if my life situation now is totally different and that I have no threats or direct difficulties at all in my everyday life, these events still influence me and very concretely affect me in my daily life.

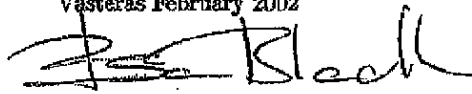
But perhaps in spite of all it is so that even if it is important to know what really happened and who caused what, that what happened AFTER that time is a greater yet testimony of what terrible abuses that really were committed. And of course it is hard to describe the thoughts, the feelings and the panic- but above all perhaps its harder still to embrace these feelings. Who are you whos reading this? Are you prepared to listen?

Are you prepared to look behind what really happened to try to understand the motives behind these events? To try to understand that which we often lack the strength to see. Are you prepared to confront evil? Are you prepared to meet people who do not have any scruples whatsoever when it comes to hurting other people if it serves their purposes?

And how do you meet people who are only confused when together with others who are purely evil. And how do you tell the difference? And how can you reach out to those who are confused- if the only thing they hear is what evil whispers in their ears. And what do you do when evil does not dare to talk with its own voice but lends it to someone close to you? What would you do? What weapons will you use?

This is a true story - hold it in good trust!

Västerås February 2002

A handwritten signature in black ink, appearing to read 'Lisa Bladh', with a stylized flourish at the end.

Lisa Bladh

Attachment 7

Infos über Sekten, Kulte und den Psychomarkt

AGPF - Aktion für Geistige und Psychische Freiheit
Bundesverband Sekten- und Psychomarktberatung e.V., Bonn
Zur Homepage | Zur Inhaltsseite | Zum Begriff Sekte

Adresse dieser Seite: <http://www.AGPF.de/Antidiskriminierungsgesetz.htm> Zuletzt bearbeitet am 20.2.2002

Das Antidiskriminierungsgesetz

Ein Diskussionsentwurf des Bundesjustizministeriums für ein zivilrechtliches Antidiskriminierungsgesetz enthält als "Diskriminierungsmerkmale" auch "Religion und Weltanschauung".

Das Gesetz könnte damit zum Kampfinstrument für Sekten und Psychomarkt-Anbieter werden und Verbraucherschutz verhindern.

Eine Anhörung im Ministerium ist für den 19.2.2002 angesetzt.

Inhalt dieser Seite:	Zum Thema auch:	In anderen Web
<ul style="list-style-type: none"> • <u>Stellungnahme der AGPF zur Anhörung am 19.2.2002</u> • <u>Das Benachteiligungsverbot</u> • <u>Auswirkung auf die Wirtschaft abschbar</u> • <u>Gefahr der Ausnutzung wirtschaftlicher und psychischer Abhängigkeiten</u> • <u>keine Definition:</u> <ul style="list-style-type: none"> ◦ <u>Sekten-Kritik verboten.</u> ◦ <u>Sekten-Förderung zulässig?</u> • <u>Die Sanktionen</u> <ul style="list-style-type: none"> ◦ <u>Beweislastumkehr</u> ◦ <u>Strafrechtliche Sanktion</u> ◦ <u>Versagung von Subventionen</u> ◦ <u>Zugang zu Berufsverbänden</u> • <u>Die Verbandsklage</u> • <u>Erlaubnis zur Rechtsberatung</u> • <u>EU-Richtlinie übererfüllt</u> <ul style="list-style-type: none"> ◦ <u>Übersetzung erweitert den Geltungsbereich beträchtlich</u> ◦ <u>Ist es sinnvoll, "Religion und Weltanschauung" in einem Antidiskriminierungsgesetz zu behandeln?</u> • <u>"Religion und Weltanschauung" statt "Sog. Sekten und Psychogruppen"?</u> • <u>Verbraucherschutz und Lebensbewältigungshilfegesetz</u> • <u>Kollektive Religionsfreiheit zu Verbandsklage genutzt</u> • <u>Demonstrationsverbote?</u> 	<ul style="list-style-type: none"> • <u>Verbraucherschutz auf dem Psychomarkt</u> • <u>Psychomarkt und Lebensbewältigungshilfegesetz</u> • <u>Ingo Heinenmann: Die Religionsfreiheit des Grundgesetzes in Rechtswissenschaft und Rechtsprechung. Bestandsaufnahme und Ausblick. 1996</u> 	<ul style="list-style-type: none"> • <u>Der Entwurf 10.12.2001</u> • <u>EU-Richtli 29.6.2000</u> • <u>EU-Richtli 27.11.2000</u> • <u>Schuldrecht mit Unterle Bundesges 29.11.2001</u> • <u>Bundestag 29.11.2001</u> • <u>Bundestag 13/10081</u> <ul style="list-style-type: none"> • <u>Das neue E</u> • <u>Gesetzosa</u>

Impressum

Ein Diskussionsentwurf des Bundesministeriums der Justiz enthält deutliche und teils drastische Regelungen, die durchaus angemessen zur Beseitigung der Diskriminierung Behinderter und Benachteiligter erscheinen.

Es ist jedoch schon jetzt abzusehen, daß das Gesetz als Instrument weltanschaulicher Auseinandersetzungen und zur Abwehr des Verbraucherschutzes auf dem Psychomarkt eingesetzt werden würde.

Das Gesetz soll vermutlich noch in der 14. Legislaturperiode im Jahr 2002 vom Bundestag beschlossen werden.

Das Bundesjustizministerium hat den Diskussionsentwurf vom 10.12.2001 Ende 2001 und Anfang 2002 verschickt. Die Anhörung soll am 19.2.2002 stattfinden.

Der Diskussionsentwurf des des Bundesministeriums der Justiz beabsichtigt, zwei Gesetzentwürfe der Bundestags-Fraktion der Grünen und zwei EU-Richtlinien in einem Gesetz zu behandeln (Fundstellen oben).

Stellungnahme der AGPF zur Anhörung am 19.2.2002

AGPF 19.2.2002

Stellungnahme zur Anhörung des Bundesministeriums der Justiz am 19.2.2002 zum Entwurf eines Gesetzes zur Verhinderung von Diskriminierung im Zivilrecht

Die AGPF empfiehlt dringend, die Merkmale "Religion und Weltanschauung" aus diesem Gesetzentwurf herauszunehmen oder eine gesetzliche Definition dieser Merkmale hinzuzufügen. Diese Legaldefinition hätte insbesondere zu berücksichtigen, dass

- "Religion und Weltanschauung" bereits durch Artikel 4 Grundgesetz umfassend geschützt werden;
- die dem Entwurf zu Grunde liegende EU-Richtlinie 2000/43/EG keineswegs die Einbeziehung von Religion und Weltanschauung fordert;
- die Enquete-Kommission "Sog. Sekten und Psychogruppen" des Bundestages Empfehlungen abgegeben hat, die diesen Bereich umfassen und insbesondere Maßnahmen zur Verbesserung des Verbraucherschutzes beinhalten:
 - Verabschiedung eines Verbraucherschutzgesetzes (des Lebensbewältigungshilfegesetzes) zum Schutz der Kunden des Psychomarktes;
 - Verbesserung der Transparenz dieses Marktes;
 - eine gesetzliche Grundlage für die Förderung von Aufklärung und Beratung;
- die Diskussion dieser Empfehlungen der Enquete-Kommission noch nicht abgeschlossen ist;
- "Religion und Weltanschauung" ein beträchtliches Gefahrenpotential beinhalten;
- "Religion und Weltanschauung" zahlreichen Organisationen als Deckmantel für die Verletzung von Grund- und Menschenrechten sowie Strafgesetzen dienen;

- das geplante Gesetz zur Tarnung solcher Grundrechtsverletzungen dienen und zu deren Perpetuierung führen könnte;
- unter "Religion und Weltanschauung" zahlreiche Anhänger wirtschaftlich und gesundheitlich ruiniert und zahlreiche Familien und persönliche Bindungen zerstört worden sind und werden;
- unter "Religion und Weltanschauung" auch zahlreiche Anbieter des Psychomarktes tätig sind, die sich bisher jedem Verbraucherschutz erfolgreich entzogen haben;
- erst kürzlich das Vereinsgesetz durch Streichung des Religionsprivilegs geändert wurde, so daß künftig auch solche Gruppen verboten werden können, welche die Merkmale Religion und Weltanschauung für sich beanspruchen;
- der Staat, Wirtschaftsunternehmen, politische Parteien und Vereine sich in bestimmten Fällen durch Schutzklärungen und Unvereinbarkeitsklärungen um Abgrenzung und Schadensvermeidung bemühen;
- "Religion und Weltanschauung" von jedem durch einfache Erklärung anzunehmen und zu wechseln sind;
- aus einem Schutzgesetz für Behinderte und Benachteiligte ein Gesetz zur Bekämpfung von Verbraucherschutz werden könnte;
- Anwendungsbereich des Gesetzes, Zahl und Dauer der zu erwartenden Prozesse und damit die Kosten in keiner Weise abschätzbar sind.

Ausführliche Stellungnahme unter:
www.AGPF.de/Antidiskriminierungsgesetz.htm

Ingo Heinemann

In das Bürgerliche Gesetzbuch soll ein Benachteiligungsverbot eingeführt werden. Auszug:

§ 319a BGB

Benachteiligungsverbot

(1) Niemand darf aus Gründen des Geschlechts, der Rasse, der ethnischen Herkunft, der Religion oder der Weltanschauung, einer Behinderung, des Alters oder der sexuellen Identität bei

1. der Begründung, Begründung und Ausgestaltung von Verträgen, die
 - a) öffentlich angeboten werden, oder
 - b) eine Beschäftigung, medizinische Versorgung oder Bildung zum Gegenstand haben,
 oder
2. dem Zugang zu und der Mitwirkung in Organisationen, deren Mitglieder einer bestimmten Berufsgruppe angehören, unmittelbar oder mittelbar benachteiligt oder belästigt werden
 (Benachteiligungs- und Belästigungsverbot).

Die AGPF befaßt sich in diesem Text nur mit den Merkmalen "Religion oder Weltanschauung". Alle nachfolgend aufgeführten Vorbehalte gegen das Gesetz resultieren nur aus diesen beiden Merkmalen.