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Controversy about the adoption of a Muslim by a Christian family

Child adoption without taking account of the mother's wishes breached her human rights, the European Court says in the case Abdi Ibrahim v. Norway (application no. 15379/16)

Registrar of the Court (10.12.2021) - https://bit.ly/3ypS7ts - In today's **Grand Chamber** judgment in the case of Abdi Ibrahim v. Norway (application no. 15379/16) the European Court of Human Rights held, unanimously, that there had been:

a violation of Article 8 (right to respect for private and family life) of the European Convention on Human Rights.

The case concerned the decision by the Norwegian authorities to allow the adoption of a child by a foster family against his mother's wishes. The mother, a Somali national who had moved to Norway, did not ask for her son's return as he had spent a long time with his foster parents, but wished for him to maintain his cultural and religious roots.

The Court decided to examine the applicant's wish to have her son brought up in line with her Muslim faith as an integral part of her complaint under Article 8, as interpreted and applied in the light of Article 9 (freedom of religion). It was not necessary to examine separately any alleged failures to comply with Article 9.

The Court pointed out that various interests had been taken into account when placing the applicant's son in care, not just whether the foster home would correspond to the mother's cultural and religious background, and that that had complied with her rights.

However, the ensuing contact arrangements between mother and son, which had been very limited and had culminated in adoption, had failed to take account of the mother's interest in allowing her son to retain at least some ties to his cultural and religious origins.

Indeed, there had been shortcomings in the overall decision-making process leading to the adoption, which had not given sufficient weight to the mother and child's mutual interest in maintaining ties.

Principal facts

The applicant, Mariya Abdi Ibrahim, is a Somali national born in 1993.

Her child, a son born in 2009 in Kenya before she moved to Norway, where she was granted refugee status, was taken into emergency foster care in late 2010. The parent-child centre where the applicant had initially been staying in order to be assisted in caring for her son had advised the welfare services that the child was at risk.

He was subsequently placed with a Christian family, although the applicant had argued he should go to either her cousins or to a Somali or a Muslim family.

As to contact arrangements, in 2010 mother and child were allowed to meet for two hours, four times per year. This regime was then changed to one hour, six times per year in 2011. In 2013 the authorities applied to allow the foster family to adopt the child, which would lead to the applicant having no contact rights, and for the applicant's parental rights to be removed for that purpose.

She appealed: she did not ask for the child's return as he had spent a long time with his foster parents to whom he had become attached, but she sought contact so, among other things, he could maintain his cultural and religious roots.

The High Court ruled by a majority in May 2015 to dismiss the applicant's appeal and allow the adoption. The decision was largely based on the child's attachment to his foster home and his negative reaction to contact with the applicant. Moreover, her son was a vulnerable child in need of stability. Adoption would mean that the applicant would not be able to request her son's return in the future and would remove potential conflict between her and the foster parents. The court also examined issues arising from his being adopted by a Christian family, such as ethnicity, culture and religion.

Between 2013 and the High Court's decision in 2015 the child and the applicant met twice. The applicant was refused leave to appeal to the Supreme Court in September 2015.

Complaints, procedure and composition of the Court

The application was lodged with the European Court of Human Rights on 17 March 2016.

The applicant complained about the withdrawal of her parental rights and the authorisation for adoption, relying on Article 8 (right to respect for private and family life) and Article 9 (freedom of thought, conscience and religion) of the European Convention on Human Rights.

In its Chamber judgment of 17 December 2019, the Court, deciding to consider the applicant's complaints under Article 8 of the European Convention alone, held, unanimously, that there had been a violation of that Article.

On 11 May 2020 the Grand Chamber Panel accepted the applicant's request that the case be referred to the Grand Chamber.

Before the Grand Chamber she argued in particular that, throughout her case, she had been vocal about her religious identity and her specific wishes for her son's upbringing. The adoption had severed all ties to her religion as the foster family had baptised the child.

She also argued that the Court should indicate to the Government measures to be taken under Article 46 (binding force and enforcement), such as reopening the adoption proceedings.

A Grand Chamber hearing on the case was held in the Human Rights Building, Strasbourg, on 27 January 2021.

The Governments of the Czech Republic, Denmark and Turkey, as well as the non-governmental organisation AIRE Centre and the child's adoptive parents were granted leave to intervene in the written proceedings as third parties.

Judgment was given by the Grand Chamber of 17 judges.

Decision of the Court

The principal reason behind the applicant's request to refer her case to the Grand Chamber was that, in the Chamber's decision, all her arguments had been examined under Article 8, rather than in part under Article 9. The Court considered, however, that the applicant's wish to have her son brought up in line with her Muslim faith could be examined as an integral part of her complaint under Article 8, as interpreted and applied in the light of Article 9. It was not necessary to examine separately any alleged failures to comply with Article 9.

The Court went on to note that finding a foster home which corresponded to the applicant's cultural and religious background had not been the only possibility for complying with the applicant's rights under Article 8, as interpreted in the light of Article 9. The domestic courts had taken various interests into account throughout the whole process, and in particular the applicant's son's psychological stability. Moreover, there was a relatively broad agreement in international law that, in such cases, the authorities

were not obliged to place a child in a family sharing his/her religious, ethnic, cultural and linguistic identity or that of his/her parents, but that they did have an obligation to take those factors into account.

In any case, the authorities had made efforts, although ultimately unsuccessful, to find a foster home culturally similar to the applicant but it had not been possible because of a shortage of foster parents from minority backgrounds.

However, the Court found that the contact arrangements after the applicant's son had been taken into care, culminating in the decision to allow adoption, had failed to take due account of her interest in allowing her son to retain at least some ties to his cultural and religious origins.

Indeed, the overall decision-making process leading to the adoption had not been conducted in such a way as to ensure that all of the applicant's views and interests had duly been taken into account.

In particular, the key issue in the High Court's decision had been the child's attachment to his foster home and his reaction to contact sessions with the applicant; yet the applicant had had very little contact with her son from the outset.

Furthermore, the High Court had focused on the potential harm of removing the child from his foster parents, rather than on the grounds for terminating all contact with his mother. The High Court had apparently given more importance to the foster parents' opposition to "open adoption", which would have allowed contact, than to the applicant's interest in continuing to have a family life with her child.

Nor was the Court convinced by the High Court's emphasis on the need to pre-empt any future challenges by the applicant with regard to the care order or her visiting rights.

The Court therefore considered that it had not been shown that there had been such exceptional circumstances as to justify a complete and definitive severance of the ties between the child and the applicant, or that the overriding requirement behind that decision had been the child's best interests.

The Court was not satisfied that in depriving the applicant of her parental responsibility in respect of X and authorising his adoption by the foster parents, the domestic authorities had attached sufficient weight to the applicant's right to respect for family life, in particular to the mother and child's mutual interest in maintaining their family ties.

There had accordingly been a violation of Article 8.

Article 46 (binding force and enforcement)

The Court decided not to indicate any measures, either individual or general, to the Norwegian Government.

Individual measures could ultimately entail an interference with the child and his adoptive parent's current family life, and lead to new issues on the merits.

As for general measures, the Court noted that the State was making efforts to implement the judgments against it concerning child welfare measures and was in the process of enacting new legislation to address any systemic issues.

Article 41 (just satisfaction)

The Court held, unanimously, that Norway was to pay the applicant 30,000 euros (EUR) in respect of costs and expenses. It dismissed, by 14 votes to three, the remainder of the applicant's claim for just satisfaction.

Separate opinions

Judges Lemmens and Motoc expressed a joint partly dissenting opinion. Judge Serghides expressed a partly dissenting opinion. These opinions are annexed to the judgment.

The judgment is available in English and French.

Photo : European Court in Strasbourg

Anti-Christian hate crimes in Europe rose 70% between 2019 and 2020, watchdog reports

By Anugrah Kumar

The Christian Post (11.12.2021) - https://bit.ly/3IDUKN0 - A new study from a Vienna-based watchdog organization suggests that anti-Christian hate crimes in Europe have increased by 70% between 2019 and 2020 amid rising concern about declining religious freedom across the continent.

A new report this month from the Observatory on Intolerance Against Christians in Europe (OIDAC) focuses on how declining religious freedom, freedom of conscience and parental rights have impacted the liberties of European Christians.

The document identifies "increasing intolerance and discrimination" against Christians from governments through legislation and political discourse. It also identifies intolerance from individuals through "social exclusion and criminal acts."

OIDAC notes that the Office for Democratic Institutions and Human Rights from the Organisation for Security and Cooperation in Europe published its annual hate crimes report in November, stating there were 981 anti-Christian hate crimes in Europe for 2020 compared to 578 in 2019.

"This meant an increase of 70% in anti-Christian hate crime since last year," the OIDAC report states.

"Our numbers speak louder than our words. This is one of the reasons OIDAC was founded over ten years ago, because there was no other organisation reporting and raising awareness on this phenomenon in Europe."

The study compiled over two years focuses on situations for Christians in five countries — France, Germany, Spain, Sweden and the United Kingdom — amid rising "secular intolerance" and "Islamic oppression."

"These countries were selected because, according to our observations, Christians face the most difficulties in them," the report explains. "The findings of the report are based on a variety of data we collected. The majority of our data is based on descriptive cases, an extensive questionnaire and in-depth interviews with experts and afflicted Christians."

While hate crimes have a higher frequency in France and Germany, they tend to be more severe in Spain and France, the organization finds.

"The number of anti-Christian hate crimes in Germany is surprisingly high but not as severe as in other countries in this report," the report reads.

"The observed cases of violence in Germany are mainly perpetrated against Protestant and Catholic churches and Christian buildings. These include vandalism, looting, graffiti, and damage of property with a high and slightly increasing frequency in the last years. There have also been more severe cases that show a clear bias like physical assaults on priests, arson attacks and decapitated statues. OIDAC has documented 255 violent attacks against Christians or Christian sites between 2019 and 2020."

In terms of legal prosecution for alleged "hate speech," the U.K. has the highest number of cases. But the other countries have high rates of self-censorship, says the report.

The right to conscientious objection has been under threat in Sweden, France and Spain. "The absence of the conscience clause in Sweden is already affecting Christian professionals, and intentions to alter this clause in France and Spain could lead to a complete exclusion of Christians in certain professions," OIDAC warns.

In the education sector, the organization warns that "Christian university students perceive that they cannot debate certain topics freely or express their opinions without judgment or negative consequences, which leads to the crippling effects of self-censorship." The document also contends that various new sex and relationship education regulations are violating parental rights.

In France and Spain, most of the attacks were on Catholics. And in Germany and the U.K., both Catholic and non-Catholic Christians have been targeted.

OIDAC recorded 175 incidents against religious freedom in Spain during 2019, and 140 (80%) were targeted at Catholics. In 2020, 51 violent incidents against Christians were recorded compared to 30 cases in 2019.

The watchdog says "secular intolerance" and "Islamic oppression" are two of the primary threatening dynamics impacting the lives of Christians in Europe in four main areas of life: church, education, politics and the workplace.

"We found that the area of church life is the most visibly affected due to an increasing number of hate crimes in most countries, but education, the workplace and politics are following shortly after," the report states.

"[W]hile secular intolerance is the driving dynamic in most of the cases and areas of life we observed, Islamic oppression mainly occurs in concentrated hotspot areas, in which Christian converts are the group that is mostly affected along with other residential Christians."

The report argues that the opposition against conservative Christian moral views leads to secular intolerance.

"This polarization also appears to be promoted by sensationalist and religious-illiterate media that stigmatizes and marginalizes religious voices in the public debate," the report adds.

Christian converts with a Muslim background are "very vulnerable," the group says. "Our data indicates that many of them face intolerance and violence from their social environment, and the danger they face is often ignored by state authorities."

The report also contends that churches had their religious freedom denied and faced discrimination in Europe due to gathering restrictions related to the COVID-19 Pandemic. "This happened either by the unjustified and disproportionate use of power by public officials (Spain) or through unproportionate blanket bans on public worship, downgrading it to a non-essential service," OIDAC details.

Last July, the watchdog found that there had been about a 285% increase in the number of "anti-Christian incidents" reported in France over the previous decade-plus.

"The French government reported 275, what they call, anti-Christian acts [in 2008]," the group's Executive Director Ellen Fantini told The Christian Post at the time. "So that is anything from targeting a church in some way with vandalism or a public Christian statue, it could be a Christian cemetery or it could be actual assaults against French Christians with an anti-Christian bias."

Photo : Catholic church bishops and faithful gather during a ceremony at the sanctuary of Lourdes, France, on Nov. 6, 2021. | AFP via Getty Images/Valentine Chapuis

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Centre of Societies for Krishna Consciousness in Russia and Frolov v. Russia (no. 37477/11)

Press Release by the Registrar of the Court (23.11.2021) - https://bit.ly/3l6PY0h - The applicants are the Centre of Societies for Krishna Consciousness, a religious organisation under Russian law based in Moscow, and a Russian national Mikhail Aleksandrovich Frolov.

The case concerns the applicants' attempts to challenge hostile descriptions of the Krishna movement and the refusal of permission to hold public religious events promoting the teachings of Vaishnavism.

Relying on Article 9 (freedom of thought, conscience and religion), taken alone and in conjunction with Article 14 (prohibition of discrimination), the applicant organisation complains in particular that a brochure "Watch out for cults!" produced by the Ulyanovsk Region described the Krishna movement as a "totalitarian cult", accusing it of "psychological manipulation" and "zombification" of the youth. It alleges that such descriptions breached the regional authority's duty of neutrality and impartiality towards the Krishna movement, an officially registered religious organisation.

Mr Frolov complains that the authorities' refusals to let him hold meetings, because promoting Vaishnavism did not correspond to the purposes of a public event under the relevant law and was incompatible with respect for the religious beliefs of others, breached his rights under Article 9 and Article 11 (freedom of assembly and association).

Violation of Article 9 in respect of the applicant organization
Violation of Article 11 interpreted in the light of Article 9 in respect of Mr Frolov

Just satisfaction: non-pecuniary damage: EUR 7,500 to each applicant costs and expenses: EUR 2,000 to the applicants jointly

HRWF Comment

Noteworthy is the following passage of the European Court decision *43.*

Accordingly, the Court finds that, by using derogatory language and unsubstantiated allegations for describing the applicant centre's religious beliefs and the ways in which they are expressed, the Russian authorities have overstepped their margin of appreciation. There has accordingly been a violation of Article 9 of the Convention."

and the European Court decision:

The Court unanimously

1. ***Declares the complaints concerning the "anti-cult" campaign of the Ulyanovsk Government and the withholding of approval for planned public religious events admissible*** *and the remainder of the application inadmissible;*

2. *Holds that there has been a violation of Article 9 of the Convention in respect of the applicant centre;*

3. *Holds that it is not necessary to examine separately the complaint under Article 14 of the Convention, taken in conjunction with Article 9;*

4. *Holds that there has been a violation of Article 11 of the Convention, interpreted in the light of Article 9, in respect of Mr Frolov;*

5. *Holds*

(a) *that the respondent State is to pay, within three months from the date on which the judgment becomes final in accordance with Article 44 § 2 of the Convention, the following amounts, to be converted into the currency of the respondent State at the rate applicable at the date of settlement:*
(i) *EUR 7,500 (seven thousand five hundred euros) to each applicant, plus any tax that may be chargeable, in respect of non-pecuniary damage;*

(ii) EUR 2,000 (two thousand euros) to the applicants jointly, plus any tax that may be chargeable to them, in respect of costs and expenses;

(b) that from the expiry of the above-mentioned three months until settlement simple interest shall be payable on the above amounts at a rate equal to the marginal lending rate of the European Central Bank during the default period plus three percentage points;

6. Dismisses the remainder of the applicants' claim for just satisfaction.

Done in English, and notified in writing on 23 November 2021, pursuant to Rule 77 §§ 2 and 3 of the Rules of Court.

Photo by Romy Arroyo Fernandez/NurPhoto via Getty Images

The European Court condemns Russia for the enforced expulsion of two missionaries of the Church of Unification

Corley and Others v. Russia *(Applications nos. 292/06 and 43490/06)*

HRWF (24.11.2021) - With this judgment, the European Court has just confirmed again that the protection of Article 9 of the European Convention on Human Rights does not only concern historical religions and belief systems with institutional characteristics but also newer religions, which is the case of the Church of Unification. Counter-cult, anti-cult organizations and "cult-watching" state agencies discriminating between so-called cults and religions – a stigmatizing process - should give up their argument that so-called cults are not religious or belief systems. The European Court thinks otherwise. Its judgements are parts on the rule of law and are in line with the U.N. standards:

UN Human Rights Committee, General Comment No. 22: The Right to Freedom of Thought, Conscience and Religion (Article 18), 27 September 1993, UN Doc. CCPR/C/21/Rev.1/Add.4, para. 2.

"Article 18 protects theistic, non-theistic and atheistic beliefs, as well as the right not to profess any religion or belief. The terms "belief" and "religion" are to be broadly construed. Article 18 of the ICCPR is not limited in its application to traditional religions or to religions and beliefs "with institutional characteristics or practices analogous to those of traditional religions. The Committee therefore views with concern any tendency to discriminate against any religion or belief for any reason, including the fact that they are newly established, or represent religious minorities that may be the subject of hostility on the part of a predominant religious community."

Report of the U.N. Special Rapporteur on freedom of religion or belief, U.N. Doc A/61/340, 13 September 2006, pp. 49-51

"(…) when religious minorities are groups that follow a so-called non-traditional or newer religion, the members of these communities may be the object of suspicion and, consequently, suffer greater limitations to their right to freedom of religion or belief."

Multiple violations in enforced expulsions from Russia of two foreign missionaries

Registrar of the European Court (23.11.2021) - In today's **Chamber** judgment[1] in the case of **Corley and Others v. Russia** (application nos. 292/06 and 43490/06) the European Court of Human Rights held, unanimously, that there had been:

a violation of Article 1 of Protocol No. 7 (procedural safeguards relating to expulsion of aliens) to the European Convention on Human Rights in respect of the two missionary applicants (Mr Corley and Mr Igarashi);

a violation of Article 2 of Protocol No. 4 (freedom of movement) to the European Convention in respect of Mr Igarashi;

a violation of Article 9 (freedom of thought, conscience and religion) of the Convention in respect of Mr Corley and Mr Igarashi;

a violation of Article 8 (right to respect for private and family life) in respect of Mr Corley and Mr Igarashi and their families;

a violation of Article 3 (prohibition of inhuman or degrading treatment) on account of Mr Igarashi's degrading conditions of detention; and

a violation of Article 5 §§ 1 and 5 (right to liberty and security) in respect of Mr Igarashi.

The case concerned the sudden and enforced expulsion from Russia of two missionaries of the Unification Church, ostensibly for violating residence regulations.

The Court found in particular that the authorities had deliberately expedited the proceedings, dispensing with the legal formalities and thus denying Mr Corley and Mr Igarashi the possibility of exercising their procedural rights prior to their expulsion.

As nothing indicated that they had been engaged in any activity other than missionary work, the Court found that their forced departure constituted interference with their right to freedom of religion. Having regard to the pattern of involvement of the security services in their expulsions, it concluded that their expulsions had been undertaken to stifle the spreading of the teaching of the Unification Church in Russia.

Principal facts

The applicants are two missionaries of the Unification Church, a religious movement founded by Rev. Sun Myung Moon, and their families. Mr John Corley, his wife Renée and their son Nikolai, born in 1953, 1952 and 1995 respectively, are American nationals and now live in Irvington, NY, USA. Mr Shuji Igarashi, his wife Toshiko and their daughter Hanae, are Japanese nationals, born in 1946, 1947 and 1982 respectively, and now live in Kawasaki, Japan. Since 1990 and 1993 respectively, Mr Corley and Mr Igarashi had lived in Russia with their families and worked as missionaries.

In early 2006, they were both suddenly expelled from Russia ostensibly for having violated residence regulations.

At that time, Mr Igarashi was the highest-ranking official in the Unification Church of Eurasia, and Mr Corley's supervisor. Both had been supervisors of Patrick Nolan, the applicant in *Nolan and K. v. Russia*, (no. 2512/04) of 12 February 2009).

In the case of Mr Corley, State officials showed up at his home towards the end of December 2005 and demanded his identity documents purportedly to check his registration with the Passport and Visa Department. His passport was given back to him three days later with a new leave to remain which expired before the end of winter holidays. Due to the closure of the courts during the holidays, no judge to consider his application for suspensive relief could be found. A day after his leave to remain expired, he was presented with an administrative offence report, a judgment finding him guilty as charged, and a fine. He was ordered to leave the country immediately and was escorted to the airport by uniformed officials, where he boarded a flight to Latvia. His application for judicial review filed from abroad was unsuccessful.

In the case of Mr Igarashi, in February 2006 he went to a rural location near Yekaterinburg to participate in a religious seminar. Less than three days later, on a Sunday morning, six officers from the local police and security services arrived at the seminar venue to check his passport and charged him with failure to register his stay with the local police. A local court was opened especially for him on a Sunday; it convicted Mr Igarashi that same morning and issued a fine and an order for his expulsion from Russia. Pending expulsion, he was to be detained. Mr Igarashi was detained in Yekaterinburg detention centre, in allegedly overcrowded and unsanitary conditions. Police officials offered him release in exchange for his waiver of his right to appeal and acceptance to pay for expulsion expenses. Mr Igarashi signed the waiver and was taken directly to the airport. He was accompanied on the flight to Moscow by two officers of the Federal Migration Service and left Russia the same day.

Appeal against the judgment which Mr Igarashi lodged from Japan was successful; an appeal court found that Mr Igarashi had not committed any administrative offence.

Complaints, procedure and composition of the Court

Relying on Article 1 of Protocol No. 7 (procedural safeguards relating to expulsion of aliens) and Article 9 (freedom of thought, conscience and religion) of the European Convention, Mr Corley and Mr Igarashi complained that the measures against them had not been carried out lawfully, that they had not benefited from the requisite safeguards and that their enforced departure from Russia had been part of a pattern of expulsions of the Unification Church's missionaries aimed at stifling the spread of Unification Church in Russia. They also alleged under Article 8 (right to respect for private and family life) that their enforced departure from Russia had interfered with their family lives. In addition, Mr Igarashi complained under Article 2 of Protocol No. 4 (freedom of movement) and Article 3 (prohibition of inhuman or degrading treatment) of his heavy-handed arrest, the unseemly haste of his same-day conviction and imprisonment and the use of the degrading conditions of his detention to bargain for his agreement to drop any appeal and to immediately leave Russia. Relying on Article 5 §§ 1 (f) and 5 (right to liberty and security) he alleged that he had been unlawfully detained but had no right under Russian law to compensation for wrongful imprisonment.

The applications were lodged with the European Court of Human Rights on 4 January and 23 October 2006 respectively. Given the similar subject matter, the Court examined the

applications jointly in a single judgment. Judgment was given by a Chamber of seven judges, composed as follows:

Georges **Ravarani** (Luxembourg), *President*,

Dmitry **Dedov** (Russia),

María **Elósegui** (Spain),

Darian **Pavli** (Albania),

Peeter **Roosma** (Estonia),

Andreas **Zünd** (Switzerland),

Frédéric **Krenc** (Belgium),

and also Milan **Blaško**, *Section Registrar.*

Decision of the Court

Article 1 of Protocol no. 7

The Court noted that the domestic authorities had used a stratagem to get hold of Mr Corley's valid leave to remain. His identity documents had been taken away from him on the pretence of checking them; he had not been given advance warning of the decision to replace his leave to remain and he had been unable to ascertain the reasons for that decision or to submit reasons against it. The Migration Service's decision replacing his leave to stay with a shorter one did not cite a specific legal basis for that measure. Moreover, Mr Corley's new leave to remain was issued one day after the Russian courts had closed for the winter holidays. It was set to expire before they would reopen for business after the holidays. By timing the new leave to stay to coincide with a holiday period, the Russian authorities had consciously created a situation in which Mr Corley's application for review could not be considered before his expulsion. He had therefore been denied a realistic possibility of exercising his rights under Article 1 § 1 of Protocol No. 7.

Mr Igarashi had likewise been induced into believing that the police merely intended to check his documents. He could not have anticipated that he would be charged with a breach of residence regulations before the grace period for registering a new residence had expired. The unusually fast pace of events and the suddenness with which Mr Igarashi had been charged, tried, convicted, served with an expulsion order and placed in detention pending expulsion in the course of just one Sunday morning indicated that the authorities had sought to prevent him from making any effective use of the remedies theoretically available to him.

The waiver of the right to appeal that he had been made to sign was invalid under Russian law and was not once mentioned in the ensuing appeal proceedings. The circumstances in which a court convicted and imprisoned Mr Igarashi for an offence he had not committed, and in which his liberty was leveraged in order to expedite his departure, disclosed the authorities' determination to make him leave Russia by all means possible with little concern for legal formalities. As with Mr Corley, the authorities had deliberately created a situation in which Mr Igarashi had been denied the possibility of exercising his rights under Article 1 § 1 of Protocol No. 7 prior to his expulsion.

There had therefore been a violation of Article 1 of Protocol No. 7 in respect of both of them.

Article 2 of Protocol no. 4

Article 2 of Protocol No. 4 guarantees the right to liberty of movement and freedom to choose their residence to everyone who is "lawfully within the territory of a State". The Court noted that the appeal court had quashed Mr Igarashi's conviction on the grounds that he could not be sanctioned for failing to register a change of his place of stay prior to the expiry of the statutory three-day time- limit. It had thus been acknowledged that that measure had not been legal. There had therefore been a violation of Article 2 of Protocol No. 4 in respect of Mr Igarashi.

Article 9

Mr Corley and Mr Igarashi had come to Russia in 1990 and 1993, respectively, at the invitation of the Unification Church, a religious association officially registered in Russia. Both of them were compelled to leave Russia in 2006 on allegedly formal grounds which were not ostensibly related to their religious work. Nevertheless, there were indications that their enforced departure was connected with the exercise of their right to freedom of religion and was aimed at preventing the spreading of the teaching of the Unification Church in Russia.

As there was nothing to indicate that either of them held any employment or position outside the Unification Church or engaged in anything other than religious work, the Court concluded that the reasons for their enforced departure were connected with that work. The pattern of involvement of the security services in the enforced departures of members of the Unification Church from Russia suggested that those measures had been taken for the purpose of repressing the exercise of their right to freedom of religion and stifling the spreading of the Church's teaching in Russia. As the interests of national security could not serve as a justification for any measures interfering with the right to freedom of religion, and as the Government had not put forward any justification for the involvement of security services in what was claimed to be an ordinary breach of residence regulations, the Court found that there had been a violation of Article 9 of the Convention.

Article 8

Following their enforced departure from Russia, Mr Corley and Mr Igarashi were separated from their wives and children, who had not been able to follow them immediately due to their community ties in Russia. The measures forcing them to leave amounted to interference not just with their right to respect for family life but also that of their family members. As the Court had found that their expulsion had been carried out in breach of domestic law, such an interference had not been justified. There had therefore been a violation of Article 8 of the Convention in respect of all the applicants.

Article 3

The Court has already found that overnight detention in police cells designed for short stays only and lacking the amenities indispensable for prolonged detention discloses a violation of Article 3 of the Convention. Following a summary trial, Mr Igarashi had been placed in conditions in which no provision had been made for meeting his basic needs. The cell was cold, sleeping arrangements were rudimentary, and basic personal hygiene items were lacking. He had therefore been subjected to "degrading treatment" in breach of Article 3 of the Convention.

Article 5

The Court considered that Mr Igarashi's detention had been arbitrary and violated the lawfulness requirement under Article 5 § 1 of the Convention. However, he had had no enforceable right to compensation because of the restrictive wording of the relevant provisions of the Civil Code. There had therefore been a violation of Article 5 §§ 1 and 5 of the Convention in his respect.

Just satisfaction (Article 41)

The Court held that Russia was to pay Mr Igarashi 1,270 euros (EUR) in respect of pecuniary damage, EUR 10,000 to Mr Corley and EUR 15,000 to Mr Igarashi in respect of non-pecuniary damage and EUR 4,000 to the applicants jointly in respect of costs and expenses.

The judgment is available only in English.

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The European Court of Human Rights was set up in Strasbourg by the Council of Europe Member States in 1959 to deal with alleged violations of the 1950 European Convention on Human Rights.

Photo: news.bbc.co.uk

980 hate crimes against Christians reported in Europe in 2020

An OSCE report shows that graffiti, vandalism and arson attacks against churches are some of the more common crimes. There are 70% more cases reported than in 2019.

Evangelical Focus (18.11.2021) - https://bit.ly/30Nn92j - The Office for Democratic Institutions and Human Rights (ODIHR) of the Organisation for Security and Co-operation in Europe (OSCE) has launched its Hate Crime Data 2020 on 16 November, the International Day for Tolerance.

The ODIHR collects data from states, governments statistics, civil society, international organisations and UNHCR and OSCE missions.

The organization's hate crime database is the "**largest of its kind worldwide**. It is **updated each year** and it also includes data on hate crime legislation, prosecution and sentencing, as well as best practices and resources and tools to support victims".

What is hate crime?

According to ODIHR, "hate crimes are criminal acts motivated by bias or prejudice towards particular groups of people. They comprise two elements: a **criminal offence** and a **bias motivation**".

"A hate crime has taken place when a perpetrator has **intentionally targeted an individual or property because of one or more identity traits** or expressed hostility towards these identity traits during the crime", they add.

The report looked at different categories of hate crimes: Racist and xenophobic hate crime, Anti-Roma hate crime, Anti-Semitic hate crime, Anti-Muslim hate crime, Anti-Christian hate crime, Other hate crime based on religion or belief, Gender-based hate crime, Anti-LGBTI hate crime, Disability hate crime.

Hate crime against Christians

The European body explains that the hate crime against Christians "are **influenced by** a number of factors, including the minority or majority status in a given territory, the **level of recognition** of particular religious groups in a given country, or **political and media focus** on these groups at a particular moment".

"ODIHR's hate crime reporting includes reports of **physical assaults** and **murders**. **Graffiti and vandalism** against places of worship, the **desecration of cemeteries** and

arson attacks against churches are some of the more common types of crimes motivated by bias against Christians", underlines the report.

For example, in **France, the arsons against churches has significantly increase**, and in Scotland, the problem is so great that the church is now receiving financial support, from a hate crime fund, to improve its security measures.

In addition to the data, since 2004, "OSCE Ministerial Council decisions and declarations have included specific commitments on and references to the importance of combating prejudice, intolerance and discrimination against Christians", says the ODIHR.

980 crimes in 2020

In 2020, the ODIHR received a total of 7,181 cases of hate crimes against different kinds of groups and individuals. 4,008 of them were descriptive cases and the rest were police data from individual member states.

Of those **4,008 descriptive cases, 980 are hate crimes against Christians, almost 25%, more than against any other religious group**. There has been an increase of almost 70% comparing the numbers of incidents from last year to the number of this year.

However, a group monitoring religious freedom in the continent, the Observatory of Intolerance and Discrimination against Christians in Europe (OIDAC), stresses that "**only 11 countries report data** on hate crimes against Christians [..], and of the 136 civil society organisations that provided descriptive data, **only 8 organisations** consistently reported incidents against Christians,so that **this obviously distorts the statistics significantly**".

"Both of these findings put the reality of the situation into a different perspective, which indicates that the **actual number of hate crimes against Christians is probably way higher**", they add.

Photo: Krisztian Matyas, Unsplash, CC0

Religious wording of oath of office of the President of Ireland

Registrar of the European Court (18.11.2021) - In its decision in the case of Shortall and Others v. Ireland (application no. 50272/18) the European Court of Human Rights has unanimously declared the application inadmissible. The decision is final.

The case concerned the religious language contained in the declarations required under the Irish Constitution (*Bunreacht na hÉireann*) for the office of President of Ireland

(*Uachtarán na hÉireann*) and for members of the Council of State. The applicants complained under Article 9 that the requirement for a religious declaration breached their freedom of conscience and freedom of religion.

The Court, in declaring the applications inadmissible, found that the applicants had failed to provide reasonable and convincing evidence that they were at risk of being directly affected by these requirements and so could not claim to be victims of a violation of the Convention.

The applicants, Róisín Shortall, John Brady, Fergus Finlay, David McConnell and David Norris, are Irish nationals who were born between 1944 and 1973. They live in Dublin, apart from Mr Brady, who lives in Bray (Ireland).

The applicants are all Irish politicians and members of civil society. Ms. Shortall and Mr. Brady are members of Dáil Éireann (the lower house of the Irish parliament) and Mr. Norris is a member of Seanad Éireann (the upper house). Ms. Shortall is a leader of the Social Democrats, Mr. Brady is a member of Sinn Féin, Mr. Finlay is a member of the Labour Party and a prominent activist and political campaigner who sought his party's nomination for the presidency unsuccessfully in the 2011 election. Mr. Norris is an independent senator who ran unsuccessfully for election to the Presidency in 2011. Mr. McConnell is a professor of genetics and a former president of the Humanist Society of Ireland, who has served on the boards of a hospital and a national newspaper.

The Irish Constitution provides for the President of Ireland to take precedence over all other persons, acting as head of state. The President is elected by a popular vote. Any Irish citizen over 35 is eligible for election, but under Article 12.4.2, in order to run for election, a candidate must be nominated by either twenty parliamentarians or four local authorities. The Constitution requires the President to enter into office by making a declaration including the following words: "In the presence of Almighty God... May God direct and sustain me." The President is advised by a Council of State, composed of certain political and judicial office-holders, as well as seven members appointed at his or her "absolute discretion". The Constitution requires all members of the Council of State to make a declaration which includes the following words: "In the presence of Almighty God...". The requirement for a religious oath has been criticised by the United Nations Human Rights Committee. Several domestic bodies tasked with examining constitutional reform, including parliamentary committees and the Constitutional Convention, have criticised this language and proposed its removal, or the provision of a secular alternative.

Complaints, procedure and composition of the Court

The application was lodged with the European Court of Human Rights on 11 October 2018.

Relying on Article 9 (freedom of thought, conscience and religion) of the European Convention on Human Rights, each of the applicants claimed that, due to their political careers and prominence in public life, they could aspire to election to the Presidency or to be invited to serve on the Council of State, but that the religious elements of the declarations required under Articles 12.8 and 31.4 of the Constitution were contrary to their beliefs, and would either prevent them from taking up these offices or require them to make a religious declaration against their conscience.

The decision was given by a Chamber of seven judges, composed as follows:

Mārtiņš **Mits** (Latvia), *President*,
Síofra **O'Leary** (Ireland),
Ganna **Yudkivska** (Ukraine),
Stéphanie **Mourou-Vikström** (Monaco),
Ivana **Jelić** (Montenegro),
Arnfinn **Bårdsen** (Norway), Mattias **Guyomar** (France),
and also Martina **Keller**, *Deputy Section Registrar.*

Decision of the Court

The Court reiterated that, under Article 34 of the Convention, for an applicant to claim to be a victim of a violation, he or she must be directly affected by the impugned measure. The Convention did not permit applicants to complain about a provision of national law simply because they considered, without being directly affected by it, that it may contravene the Convention.

The Court had previously accepted that applicants might be potential victims in certain circumstances. But in order to claim to be a potential victim, an applicant had to produce reasonable and convincing evidence of the likelihood that a violation affecting them personally would occur; mere suspicion or conjecture was insufficient.

As to the declaration required for members of the Council of State, in order for any of the applicants to show they were directly affected, it would be necessary for him or her to show that appointment to the Council was a realistic possibility. None of the applicants had been invited to serve or had claimed that such an appointment was under consideration. Mr. Finlay and Mr. Norris had made no submissions on this question. The remaining applicants had suggested that their current or future experience qualified them for service. However, given the entirely discretionary nature of such appointments, the Court considered their claims speculative. It followed that none of the applicants had produced reasonable and convincing evidence of the likelihood that a violation affecting any of them personally would occur as a result of this requirement.

As to the Presidency, the Court considered that the class of persons who could claim to be victims of a requirement applicable only upon election to the highest office in the State had necessarily to be much narrower than other cases where the Court had accepted a broad class of potential victims (for example in *Open Door and Dublin Well Woman v. Ireland*). Mr McConnell and Mr Norris had expressed no interest in seeking the Presidency in the future. The remaining applicants had expressed their interest in very general terms, but suggested that it would be pointless for them to seek election as they could not take up the office if elected. None of the applicants had sought to establish that they had any realistic prospect of successfully seeking that office with reference to their own particular political circumstances and the requirements of the Constitution.

The Court thus considered that none of the applicants had provided reasonable and convincing evidence that they were at real risk of being directly affected by the requirements of the Constitution in relation to the taking of the oath, and rejected the complaints of all five applicants as inadmissible.

The Court went on to note that while Contracting States enjoy a wide margin of discretion in questions concerning the relationship between States and religion, it nevertheless went hand in hand with European supervision. The reference by a State to a tradition could not relieve it of its obligation to respect the rights and freedoms enshrined in the Convention.

Photo : European Court in Strasbourg France - Imago

New survey sheds light on deep-rooted antisemitic attitudes across EU nations

By Ben Cohen

The Algemeiner (12.10.2021) - https://bit.ly/3By01BQ - Antisemitic prejudice towards Jews persists among more than 30 percent of the population in countries across Eastern Europe, while in Western Europe, hostile views of the State of Israel command similar levels of agreement despite a sharp decline in traditional antisemitic attitudes, a new survey disclosed on Tuesday.

The survey was released by the Brussels-based European Jewish Association (EJA) at a conference on Tuesday addressed by senior Jewish and Israeli leaders. Based on polling among 1,000 respondents in each of sixteen EU member states, the survey demonstrated that antisemitism was still "deeply ingrained in Europe and hard to treat," the EJA's president, Rabbi Menachem Margolin, said.

The polling was conducted in Dec. 2019 and Jan. 2020 — three months before European countries went into lockdown in response to the COVID-19 pandemic, which itself gave rise to a new wave of antisemitic conspiracy theories.

When asked questions related to what the survey described as "primary antisemitism" — that Jewish communities are an undesirable presence, that Jews engage in shady financial practices, that a "secret Jewish network influences political and economic affairs in the world" along with similar tropes — more than a third of survey respondents in some nations of Eastern Europe manifested these attitudes.

In both Poland and Hungary, 42 percent of respondents agreed with statements based on classic antisemitic canards, with just under half agreeing "strongly." Asked whether Jews should leave the country, 24 percent of Polish respondents agreed, while 31 percent confessed that they would be unhappy if one of the neighbors was Jewish. In Hungary, 30 percent of respondents disagreed that Europe should make all efforts to "preserve Jewish religion and culture," 33 percent agreed that the interests of Jews differ from the general population, and 20 percent believed "it would be best if the Jews left this country."

About 10,000 Jews currently live in Poland, a country which had a pre-World War II Jewish population of 3 million. The size of the community in Hungary is estimated at between 75,000 and 100,000. Prior to the war, more than 800,000 Jews lived in Hungary.

In Romania, the proportion of respondents agreeing with statements of "primary antisemitism" in the survey was 38 percent and in the Czech Republic 36 percent.

Levels of "primary antisemitism" were significantly lower in most of the countries that remained outside the Soviet bloc after 1945, with the exceptions of Austria, where 31 per cent of respondents were in agreement, and Greece, where an astonishing 48 percent of respondents agreed with classic antisemitic tropes.

When asked whether a secret Jewish network ran the world, 58 percent of Greek respondents answered in the affirmative. Around 6,000 Jews remain in Greece today, from a community that numbered almost 80,000 before World War II.

In those countries where antisemitic incidents remain at worryingly high levels, "primary antisemitism" nonetheless remains a relatively marginal phenomenon. In France, where nearly 700 antisemitic incidents were reported in 2020, 15 percent of respondents agreed with expressions of classical antisemitism, in Germany, where there were more than 2,000 antisemitic incidents recorded 17 percent, and in the UK, with nearly 2,000 incidents last year, just six percent. The number was even in lower in the Netherlands, where only three percent of respondents exhibited hardline antisemitic attitudes.

When asked about the minimization, relativization and abuse of the Nazi Holocaust — defined by the survey as "secondary antisemitism" — antisemitic attitudes increased, according to the survey. In Poland, where government legislation recently closed off the possibility of restitution for Holocaust survivors, a full 71 percent of respondents demonstrated antisemitic understandings of the Holocaust. Asked whether Jews were historically responsible for bringing about their persecution, 31 percent of Poles agreed, while 67 percent agreed with the statement that during World War II, "people from our nation suffered as much as Jews."
Similar attitudes towards the Holocaust were prevalent in Greece (67 percent), Hungary (80 percent), Romania (82 percent) and Austria (77 percent).

The polling also showed that hostility to Israel rooted in antisemitism remained a widespread phenomenon across Europe, with 81 percent of Spanish respondents, 75 percent of Italian respondents, 78 percent of Czech respondents and 86 percent of Polish respondents demonstrating what the survey called "antisemitic hostility against Israel." This included widespread agreement with such statements as "Israelis behave like Nazis towards the Palestinians" and "When I think of Israel's politics, I understand why some people hate the Jews."

Jewish and Israeli leaders who attended the EJA's launch of the survey sounded a pessimistic note on the implications of the data.

"One thing is certain: While the European institutions and politicians devote significant resources and spare no effort in the fight against antisemitism, the situation in Europe is not improving," commented Joel Mergui, president of the European Center for Judaism in Paris.

Margaritis Schinas — the vice-president of the European Commission, the EU's executive body — reminded those at the launch that last week, the Commission published a nine-year strategy to combat antisemitism.
"We will prevent all types of antisemitism including Israel related antisemitism which is the most common form, using all the tools at our disposal," Schinas said. "We know that Europe can only prosper when its Jewish communities can prosper too."

The meeting also heard from the President of Israel, Isaac Herzog, who noted the continued "threats to Jewish religious and cultural life in Europe including calls, legislations and judgments that support a ban on Jewish circumcision and productions of kosher meat."

Herzog added that he urged those present "to use all of the tools at your disposal to ensure that European Jews can live an open, free and secure Jewish life." He pledged too that "Israel will always be a home for you and will always be by your side."

The survey was commissioned by the Action and Protection League, the EJA's partner organization, and conducted in cooperation with Ipsos, led by Professor András Kovács of Central European University.

Photo : Antisemitic graffiti on a house in the historic center of Lyon in France. Photo: Twitter

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Catholic bishops' commission laments EU religious freedom envoy vacancy

The Catholic World Report (08.09.2021) - https://bit.ly/3yUt3cJ - A Catholic bishops' commission said on Wednesday that it is a "pity" that the "key position" of EU religious freedom envoy is now vacant.

The Commission of the Bishops' Conferences of the European Union (**COMECE**) congratulated the outgoing envoy Christos Stylianides on Sept. 8 on his next role as head of Greece's new climate crisis ministry.

But the commission expressed regret that the post of special envoy for the promotion of freedom of religion or belief outside the EU now lay vacant "after much effort to find a suitable candidate."

"We urge the EU Commission to swiftly appoint a new one with reinforced mandate/resources," COMECE wrote on its Twitter account.

ADF International, a Christian legal group, lamented Stylianides' departure months after he took up the role.

"The current plight of Christians, Shia Muslims, and other religious minorities in Afghanistan highlights the need for a special envoy to quickly get to work, focusing on the needs of the most persecuted worldwide," **said** Adina Portaru, the group's senior counsel in Brussels, Belgium.
"A swift reappointment is crucial in showing real commitment to improving the precarious situations religious minorities are facing worldwide."

The special envoy role was created in 2016 to protect freedom of religion or belief worldwide on behalf of the EU, an economic and political union of 27 countries.

Ján Figeľ, the special envoy from 2016 to 2019, **helped** Asia Bibi, a Catholic mother of five, to leave Pakistan after her acquittal on blasphemy charges.

Stylianides, a Cypriot politician, was appointed to the role in May, ending a two-year vacancy.

Announcing the appointment, the European Commission, the EU's executive branch, said: "The special envoy will establish a dialogue with national authorities and other stakeholders in countries suffering from discrimination on the grounds of religion or belief."

"He will support for intercultural and interreligious dialogue processes, including encouraging dialogue between representatives of different faiths and the setting up of joint initiatives."

"He will put in place measures to target de-radicalization and prevention of extremism on grounds of religion or belief in third countries. In cooperation with authorities from third countries, he will promote religious diversity and tolerance within educational programs and curricula."

At the time of the appointment, COMECE president Cardinal Jean-Claude Hollerich said that the EU bishops looked forward to working with Stylianides.

"We wish him success in this important role of promoting a fundamental right and a core value of the European Union threatened in many parts of the world and we look forward to work closely together," the Luxembourg archbishop **commented**.

Portaru noted that last month Josep Borrell Fontelles, the EU's High Representative for Foreign Affairs, **said** that "The EU works relentlessly to address violations and abuses of freedom of religion or belief."

"We hope the EU will live up to this promise and urge the European Commission to strengthen the position of the special envoy and build on the important work already achieved," she said.

"The victims on the ground are in dire need of a decisive response from the EU. With its special envoy, the EU can lead in the international response. That leadership is needed now more than ever."

Robert Clarke, deputy director of ADF International, added: "The special envoy has played a crucial role in bringing the horrors of religious persecution to light at the European level."

"The role has created awareness around some of the worst and most persistent violations of fundamental rights around the world and helped focus EU efforts to counter them. The EU should not only continue, but intensify efforts to protect freedom of religion or belief around the world."

"The reappointment of a special envoy for the promotion of freedom of religion or belief outside the EU is now more necessary than ever."

Photo : Christos Stylianides at the European Parliament in Brussels, Belgium, Sept. 30, 2014. / European Union 2014 – European Parliament (CC BY-NC-ND 2.0).

RELATED ARTICLE

BREAKING: EU religious freedom envoy position now vacant while Afghan faith minorities face deepening crisis

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EU can do more to promote religious freedom

By SHARON ROSEN

Euobserver (30.08.2021) - https://bit.ly/3jqGuwx - Reading policy analyses and seeing terms like "religious persecution" and "religious extremism/fundamentalism" proliferate, you might be forgiven for dividing people of faith between victimised minorities and radicalised aggressors.

Indeed, this framing has influenced much (Western) international policy on freedom of religion or belief (FoRB).

Recently, however, this narrative has been challenged by the recognition of religious actors' potential to positively influence the pressing societal issues of today - not least because, according to Religions for Peace, they are among the most trusted members of their communities.

FoRB - which includes the right to practice one's belief, as well as the right not to believe - is a fundamental requisite for peaceful coexistence.

At their essence, peaceful societies protect all human rights and enable diversity to flourish. When religious freedom is threatened, social cohesion suffers, and conflict grows.

Many actors - including Search for Common Ground, the world's largest peace-building organisation - now realise the valuable contributions religious actors make to societies.

While a secular organisation, over the past decades we have worked with hundreds of thousands of religious actors across five continents, and recognise the strategic importance of constructively engaging such a large and influential sector of society.

We also understand that engaging religious actors can be daunting. Decision-makers in secular institutions like the EU may not see the benefits of involving them, or feel uncomfortable doing so.

Indeed, it would be naive not to acknowledge the sensitivities and challenges of engaging certain religious actors. As the Pew Research Center notes that 84 percent of the world identify with a religious community, it would be equally naive not to take them into account, it would be equally naive not to engage with them at all.

The appointment of Christos Stylianides as the new special envoy for the promotion of freedom of religion or belief reaffirms the EU's role as a major international advocate for religious freedom.

As the new special envoy takes office, here are three ways the EU can take action to acknowledge the key role FoRB plays in wider social issues.

Three ways

Firstly, FoRB must be understood as a fundamental right like any other, rejecting the trend to see it as inimical to women's or LGBTQI rights, or freedom of expression - or, obversely, superior to other rights.

Recognising FoRB's interconnection with other rights enables us to address overlapping concerns and intersectional claims.

Search will take such an approach as part of a new secular and interfaith partnership: the Joint Initiative for Strategic Religious Action (JISRA).

JISRA will work with religious actors, including women and youth, across seven conflict regions in Africa, the Middle East, and South-East Asia to strengthen their ability to engage in dialogue on religious tolerance and peace, as well as support them in their advocacy around FoRB.

Secondly, FoRB must be acknowledged as a key component of peaceful and resilient societies.

The EU's Global Exchange on Religion and Society reflects a growing understanding of the value of engaging religious actors on a wide range of societal issues.

In addition, the Council Conclusions on an EU Approach to Cultural Heritage in conflicts and crises, adopted in June, highlight the need for interfaith dialogue and the inclusion of religious minorities as part of the EU's external push for peace, democracy and sustainable development.

Our years of experience organising inter-religious freedom round tables in Sri Lanka, Uzbekistan, Jordan, and Lebanon, or advocating with faith leaders for the protection of holy sites in Jerusalem and Nigeria, confirm their importance.

As with all approaches to FoRB and peace-building generally, women, youth, and other vulnerable groups like religious minorities, need to be included in these exchanges.

These groups often experience unique violations of their rights and, when included, bring new perspectives and unforeseen solutions to conflicts.

Thirdly, EU institutions and staff must receive adequate training on FoRB, and specifically on its role in conflict transformation.

Increasing their faith literacy as well as their understanding of religious engagement's value would be in line with the 2013 guidelines on the promotion and protection of freedom of religion or belief which committed the European External Action Service to developing training materials for field and headquartered staff.

Trainings such as the joint Search for Common Ground and the US Institute for Peace's recently launched free online course on Religious Engagement in Peacebuilding - A Common Ground Approach provide an introduction for anyone interested in religious engagement and FoRB in conflict contexts.

Neither peace-building nor advancing FoRB are linear processes. Setbacks require patience, steadfastness and a long-term belief in the possible.

But with its new special envoy at the helm, the EU can play a significant role in effectively moving us towards a world where our diversity of beliefs is valued and respected by all.

Photo : Former European Commissioner Christos Stylianides is appointed special envoy for the promotion of freedom of religion or belief. (Photo: European Commission)

The anti-cult ideology and FECRIS: Dangers for religious freedom. A White Paper

Six scholars look at the European anti-cult federation, and conclude it is seriously dangerous for religious liberty

By Luigi Berzano (University of Torino, Italy), Boris Falikov (Russian State University for the Humanities, Moscow, Russia), Willy Fautré (Human Rights Without Frontiers, Brussels, Belgium), Liudmyla Filipovich (Department of Religious Studies, Institute of Philosophy of the National Academy of Sciences, Kiev, Ukraine), Massimo Introvigne (Center for Studies on New Religions, Torino, Italy), and Bernadette Rigal-Cellard (University Bordeaux-Montaigne, Bordeaux, France)

Bitter Winter (23.08.2021) - https://bit.ly/3sLauGv - In 2020, the USCIRF (United States Commission on International Religious Freedom), a bipartisan commission of the U.S. federal government, identified the anti-cult ideology as a major threat to international religious liberty (USCIRF 2020).

The anti-cult ideology, or anti-cultism, is based on the idea that "religions" and "cults" are different. "Cults," it claims, are not religions, although they may falsely claim to be religious. While religions are joined freely, "victims" join "cults" because of the latter's coercive practices.

Read the White Paper on Bitter Winter

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3. FECRIS **supports totalitarian regimes**

4. FECRIS **has been involved in violence**

5. FECRIS **actively promotes a gatekeeping strategy against the most senior scholars of new religious movements**, labeled "cult apologists."

Photo : Controversial FECRIS Vice President Alexander Dvorkin - commons.wikimedia.org

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FECRIS et ses associations membres: la diffamation est dans leur ADN

Affaires de diffamation condamnées par des tribunaux européens en Autriche, en France, en Allemagne et en Espagne

Par Willy Fautré, Human Rights Without Frontiers (HRWF)

HRWF (08.07.2021) - CAP-LC (Coordination des Associations et des Particuliers pour la Liberté de Conscience), ONG dotée du statut consultatif spécial auprès de l'ECOSOC (Conseil Economique et Social) des Nations Unies, a déposé une **déclaration écrite à la 47e session du Conseil des Droits de l'Homme des Nations Unies,** publiée le 21 juin 2021, qui dénonce la politique de diffamation, d'incitation à la stigmatisation et à la haine de la FECRIS (Fédération Européenne des Centres de Recherche et d'Information sur le Sectarisme) et de ses associations membres envers certains groupes religieux et convictionnels.

Cette organisation basée en France et principalement financée par les pouvoirs publics français (plus de 90% de son budget) a été créée à Paris le 30 juin 1994 à la demande de l'association française anti-sectes UNADFI.

Au lieu de publier des informations objectives sur les groupes religieux et de conviction qu'elle qualifie péjorativement de « sectes », la FECRIS et **l**es organisations affiliées ont l'habitude de diffuser des informations déformées ou fausses et de faire de la diffamation. Cependant, elle conserve son statut ECOSOC depuis 2005 malgré le fait que les tribunaux de certains pays de l'Union Européenne aient condamné plusieurs de ses déclarations désobligeantes. Voir ci-après **une liste non exhaustive d'affaires qui ont été portées devant les tribunaux** dans des langues accessibles à l'auteur, mais ce n'est que la partie émergée de l'iceberg de leurs déclarations diffamatoires qui n'ont jamais été poursuivies en justice.

Autriche

Sur le banc des accusés en 1996, 1997, 1998, 2000, 2004 et 2005 : Ancien vice-président de la FECRIS

F.G., troisième président de la FECRIS (2005-2009) et membre du conseil d'administration de GSK (Gesellschaft gegen Sekten und Kultgefahren), une organisation autrichienne affiliée à la FECRIS, a été condamné à plusieurs reprises pour diffamation à l'encontre de l'Église chrétienne de Brunstad (connue en Autriche sous le nom d'« Église norvégienne » ou des « Amis de Smith ») en 1996, 1997, 1998 (deux fois), 2000 (deux fois), 2004 et 2005. Ce récidiviste impénitent a été condamné à plusieurs reprises à payer des amendes, à s'abstenir d'attaquer cette Église, à retirer les accusations diffamatoires du site Internet de GSK et aussi à publier les décisions de justice en sa défaveur.

F.G., ingénieur à la retraite, est un catholique convaincu. Il n'était pas d'accord que sa fille W.G. rejoigne les Amis de Smith et se marie avec l'un de ses membres. Le 27 mai 1999, elle a enregistré un témoignage chez un notaire dans lequel elle a démenti les allégations de son père contre ce mouvement.

Source : **Freedom of Religion or Belief Anti-Sect Movements and State Neutrality, A Case Study : FECRIS, pp 324-327 et Kurzinformation über die Gerichtsprozesse der Norweger Bewegung.**

France

Sur le banc des accusés en 1997 : Président de l'ADFI Nord, affiliée à la FECRIS

Le 15 janvier 1997, la Cour d'appel de Douai a condamné la présidente de l'ADFI Nord pour diffamation envers l'Association des Témoins de Jéhovah de France. Elle a été condamnée à payer la somme symbolique de 1 FF. **(Cour d'Appel de Douai, 4e Chambre - Dossier Nr 96/02832 - Arrêt 15.01.1997).**

Sur le banc des accusés en 2001 : Président de l'UNADFI, affiliée à la FECRIS

Dans une affaire de diffamation à l'encontre d'un membre de l'Eglise de Scientologie, la Présidente de l'UNADFI a été condamnée à payer une amende de 762,24 EUR et, en plus, de 1524,49 EUR à la victime en réparation du préjudice moral**. (Tribunal de Grande Instance de Paris, 17e Chambre - Dossier Nr 0014523016 - Jugement 20.11.2001)**

Le 5 février 2003, la Cour d'appel de Paris a confirmé ce jugement. **(Cour d'appel de Paris, 11e chambre/Section A - Dossier Nr 01/03757 - Arrêt 05.02.2003)**

Sur le banc des accusés en 2002 : Vice-président du GEMPPI, affilié à la FECRIS

Le 29 mars 2002, le Tribunal de Grande Instance de Marseille (TGI) a jugé diffamatoires les propos concernant l'association des Témoins de Jéhovah tenus par J.C. lors d'une conférence qu'il a tenue à Marseille. Il a accusé l'association des Témoins de Jéhovah d'escroquerie, d'avoir employé illégalement du personnel non déclaré pendant des années et d'avoir utilisé une traduction farfelue de la Bible. Ces déclarations ont été reproduites dans *La Provence* du 28 janvier 2001 et n'ont pas été démenties par J.C.

Le tribunal a déclaré J.C. coupable du délit de diffamation envers l'association des Témoins de Jéhovah pour la déclaration suivante : « Il existe une fraude qui dure depuis des années concernant l'emploi de personnes non déclarées à l'URSSAF. »

Il a été condamné à payer une amende de 450 EUR à titre de sanction, la somme symbolique de 1 EUR à l'association et le montant de 600 EUR en vertu de l'article 475 (1) du Code de procédure pénale.

Il est à noter que J.C. a été vice-président du GEMPPI, président de l'ADFI et membre du conseil d'orientation de la MIVILUDES. Il est professeur à l'Institut français de civilisation musulmane à Lyon. Il a également été le responsable régional de l'Institut de formation des professeurs de religion de Dijon.

(Tribunal de Grande Instance de Marseille, 8e chambre - Dossier Nr 2972/02 - Jugement correctionnel 29.03.2002)

Sur le banc des accusés en 2007 : ancien député et président de l'UNADFI, affiliée à la FECRIS

Le 18 juillet 2007, la Cour d'appel de Rouen a condamné C.P., accusé de diffamation répétée dans les médias, à verser 1500 EUR (+ 800 EUR pour l'application de l'article 475-1 du Code de procédure pénale) à l'association centrale des Témoins de Jéhovah en France et 750 EUR (+ 300 EUR pour l'application de l'article 475-1 du Code de procédure pénale) à chacune des sept associations locales des Témoins de Jéhovah en réparation financière du préjudice moral. **(Cour d'appel de Rouen, chambre correctionnelle - Dossier Nr 07/00341 - Arrêt 18.07.2007)**

Sur le banc des accusés en 2007 : président de l'UNADFI, affiliée à la FECRIS

Le 3 avril 2007, la Cour de cassation a jugé diffamatoires les propos tenus par C.P., ancienne députée et présidente de l'UNADFI, et par A.F., membre de la MILS (prédécesseur de la MIVILUDES) dans leur ouvrage « Sectes, démocratie et mondialisation » publié en 2002. Dans cet ouvrage, le mouvement philosophique AMORC (Ordre rosicrucien) était accusé, entre autres, de poursuivre des intérêts personnels, de soutenir des théories racistes et de menacer les libertés, d'être structuré comme une mafia et de fonctionner comme une organisation criminelle.

Dans son arrêt, la Cour de cassation a cassé et annulé la décision de la Cour d'appel de Paris du 22 mars 2006. L'affaire a été renvoyée devant la Cour d'appel, mais les auteurs du livre ont conclu un accord avec l'AMORC. Le 7 mai 2008, ils ont signé une déclaration par laquelle ils reconnaissent que leurs propos sur l'AMORC avaient été diffamatoires comme l'avait jugé la Cour de cassation. Ils ont conclu en disant qu'à la lumière de nouvelles informations recueillies depuis la publication de leur livre, ils avaient convenu que l'AMORC n'était pas une organisation sectaire. **(Cour de Cassation, chambre civile 1 - Pourvoi Nr 06-15226 - Décision de la Cour : 03.04.2007)**

Sur le banc des accusés en 2015 et 2017 : L'UNADFI, affiliée à la FECRIS

En novembre 2015, l'UNADFI a été condamnée par la Cour d'appel de Paris pour « abus de procédure judiciaire », pour avoir persisté à se porter partie civile de mauvaise foi contre l'Église de Scientologie et deux particuliers. L'UNADFI a dû verser 3.000 EUR à chacune des parties et 4.000 EUR sur la base de l'article 700 du Code de procédure pénale. **(Cour d'appel de Paris, Pôle 2, Chambre 2, - Dossier Nr 14/09557 - Arrêt 20.11.2015)**

Cette condamnation a été confirmée par la Cour de cassation le 12 janvier 2017. **(Cour de Cassation, 2e chambre civile - Dossier Nr 10019 F - Arrêt 12.01.2017)**

Allemagne

Sur le banc des accusés en 2001 : AGPF/ SEKTEN-INFO ESSEN, affiliée à la FECRIS

Dans un jugement définitif rendu le 19 décembre 2001 par le tribunal d'État de Munich, il a été ordonné à Mme H-M C., fondatrice de Sect-info Essen, de cesser de répéter ou de diffuser une série de contre-vérités sur Takar Singh (un groupe religieux oriental), faute de quoi elle serait condamnée à une amende pouvant atteindre 500 000 DM et, à défaut de paiement, à une peine de prison pouvant aller jusqu'à 6 mois. Il s'agissait d'allégations d'activités criminelles, de torture d'enfants ou de viol publiées dans un livre sur ledit groupe dont la vente a également été interdite. Le titre était « Les nouveaux prophètes » (en allemand : Die Neuen Heilsbringer : Auswege oder Wege ins Aus ?) **(Munich I Landgericht/ Tribunal *du Land*, chambre civile 9 - Affaire Nr. Az : 908736/99 - Entscheidung/ Décision de la Cour : 19.01.2001)**

Source : **Liberté de religion ou de croyance, mouvements anti-sectes et neutralité de l'État, une étude de cas : FECRIS**, pp 191-192

Sur le banc des accusés en 2020 : FECRIS

Le 27 novembre 2020, le tribunal de district de Hambourg a condamné la FECRIS pour avoir diffamé l'association centrale des Témoins de Jéhovah dans des déclarations publiques faites dans le cadre de ses conférences de 2009 à 2017 et publiées ultérieurement sur son site internet. Voir *Témoins de Jéhovah en Allemagne contre FECRIS* (Dossier réf. 324 O 434/18) au sujet d'une liste de 32 déclarations prétendument diffamatoires : 17 ont été entièrement justifiées et une a été partiellement justifiée par la Cour.

Comme les Témoins de Jéhovah avaient affirmé que 32 déclarations de la FECRIS étaient diffamatoires, et que le tribunal en a jugé 17 comme telles, une partiellement diffamatoire et 14 non diffamatoires, la FECRIS a déclaré avoir « gagné » le procès sur 14 points. Tout en gardant le silence sur les 17 autres points déclarés diffamatoires par le tribunal, la FECRIS a donné la fausse impression, dans un communiqué de presse, que le tribunal de Hambourg avait validé comme vraies les 14 déclarations qu'il avait considérées comme non diffamatoires. Ce communiqué de presse tardif (30 mai 2021) n'était qu'une réaction à un rapport sur la condamnation de la FECRIS publié par Bitter Winter. **(Hamburg Landgericht / tribunal *du Land* – Dossier Ref. 324 O 434/18 – Entscheidung / Décision du tribunal : 27.11.2020)**

Il y a davantage d'informations sur cette affaire en Allemagne dans la base de données de nouvelles de HRWF.

Espagne

Sur le banc des accusés en 1999 (Cour européenne) : Pro Juventud, affiliée à la FECRIS

Pro Juventud, désormais AIS - Pro Juventud, organisation espagnole affiliée à la FECRIS, a été jugée par la Cour européenne des droits de l'homme en 1999 dans l'affaire *Ribera Blume et autres contre l'Espagne* pour avoir porté une « responsabilité directe et immédiate » dans une affaire d'enlèvement, d'emprisonnement et de tentative de déprogrammation de membres d'un groupe religieux dans des conditions de privation illégale de liberté et de détention. Le changement forcé de religion est interdit par le droit international. **(Cour européenne des droits de l'Homme - Dossier 37680/97 - Décision de la Cour : 14.10.1999)**

Conclusions

Pendant plus de 25 ans, la FECRIS et ses organisations membres ont diffusé des déclarations diffamatoires sur des groupes religieux et de conviction sous forme imprimée, dans les médias et lors d'auditions parlementaires. Avant de rejoindre la FECRIS, un certain nombre d'associations et leurs dirigeants avaient déjà été condamnés dans des affaires de diffamation par des tribunaux en Suède, en Suisse et dans d'autres pays (Liberté de religion ou de croyance, mouvements anti-sectes et neutralité de l'État, une étude de cas : FECRIS, page 192)

Les exemples de décisions de justice énumérés dans cet article montrent qu'il est dans leur ADN de stigmatiser les groupes religieux ou convictionnels que leurs membres fondateurs et les membres de leur conseil d'administration n'aiment pas pour des raisons personnelles ou par expérience personnelle. Une telle obstination à diffamer et stigmatiser dans les médias un certain nombre de groupes ne suivant pas la ligne traditionnelle a eu un impact négatif et parfois dramatique sur la vie de ceux qui ont librement choisi de suivre leurs enseignements, bien que cela fasse partie de leur droit à la liberté de conscience, de pensée et de croyance.

Si des déclarations diffamatoires similaires visaient des organisations athées ou la foi des juifs ou des musulmans avec la même virulence, cela déclencherait à juste titre un tollé dans la classe politique et les médias. Les adeptes des groupes religieux non traditionnels veulent simplement jouir du même droit à la liberté de conscience, de pensée et de croyance.

La FECRIS et ses organisations membres n'ont pas seulement été condamnées par les tribunaux. Leurs pratiques contraires à l'éthique ont été condamnées à plusieurs reprises à l'OSCE (Organisation pour la Sécurité et la Coopération en Europe) et en 2020 par l'USCIRF (Commission américaine sur la liberté religieuse internationale).

Il est temps que les pouvoirs publics cessent de financer la FECRIS et ses organisations membres, qu'ils les tiennent à distance et qu'ils s'appuient sur des sources et des experts universitaires crédibles.

FECRIS and affiliates: Defamation is in their DNA

Defamation cases condemned by European courts in Austria, France, Germany, and Spain

By Willy Fautré, Human Rights Without Frontiers

HRWF (08.07.2021) - CAP-LC (Coordination des Associations et des Particuliers pour la Liberté de Conscience), an NGO with special consultative status at the United Nations' ECOSOC (Economic and Social Council), has filed a **written statement to the 47th Session of the United Nations' Human Rights Council** published on 21 June 2021 which denounces the defamation policy, the incitement to stigmatization and hatred towards certain religious and belief groups by FECRIS (European Federation of Centres of Research and Information on Cults and Sects) and its member associations.

This umbrella organization based in France and mainly financed by French public powers (over 90% of its budget) was created in Paris on 30 June 1994 on request of the French anti-cult association UNADFI.

Instead of publishing objective information about religious and belief groups they derogatorily label as "cults" (in French, *sectes*), FECRIS and its affiliates are used to spreading distorted or fake news and defamation. However, it has still kept its ECOSOC status since 2005 despite the fact that courts in a number of EU countries have condemned several of their disparaging statements. See hereafter **a non-exhaustive list of cases that were taken to court** in languages that were accessible to the author but it is just the tip of the iceberg of their defamatory statements that were never prosecuted.

Austria

In the dock in 1996, 1997, 1998, 2000, 2004 and 2005: Former vice-president of FECRIS

F.G., the third president of FECRIS (2005-2009) and board member of Austrian FECRIS' affiliate GSK (Gesellschaft gegen Sekten und Kultgefahren) has been convicted a number of times for defamation against the Brunstad Christian Church (known in Austria as "the Norwegian church" or "Smith's Friends") in 1996, 1997, 1998 (twice), 2000 (twice), 2004 and 2005. This unrepentant recidivist was repeatedly condemned to pay fines, to refrain from attacking that Church, to remove defamatory accusations from GSK's website and also to publish court decisions in his disadvantage.

F.G., a retired engineer, is a committed Catholic. He disagreed with his daughter W.G. joining the Smith's Friends and getting married with one of its members. On 27 May 1999, she registered a testimony at a notary in which she denied the allegations of her father against this movement.

Source: **Freedom of Religion or Belief Anti-Sect Movements and State Neutrality, A Case Study: FECRIS, pp 324-327** **and** **Kurzinformation über die Gerichtsprozesse der Norweger Bewegung.**

France

In the dock in 1997: President of ADFI Nord, FECRIS affiliate

On 15 January 1997, the Douai Court of Appeal convicted the president of ADFI Nord for defamation regarding the Association of the Jehovah's Witnesses in France. She was

condemned to pay the symbolic amount of 1 FF. **(Cour d'Appel de Douai, 4e Chambre – Dossier Nr 96/02832 – Arrêt 15.01.1997).**

In the Dock in 2001: President of UNADFI, FECRIS affiliate

In a case of defamation against a member of the Church of Scientology, the President of UNADFI was condemned to pay a fine of 762,24 EUR and additionally 1524,49 EUR as financial compensation for moral damage to the victim**. (Tribunal de Grande Instance de Paris, 17e Chambre – Dossier Nr 0014523016 – Jugement 20.11.2001)**

On 5 February 2003, the Paris Court of Appeal confirmed this judgment. **(Cour d'appel de Paris, 11e chambre/Section A - Dossier Nr 01/03757 – Arrêt 05.02.2003)**

In the dock in 2002: Vice-president of GEMPPI, FECRIS affiliate

On 29 March 2002, the Regional Court of Marseille (TGI) found defamatory the statements regarding the Association of Jehovah's Witnesses that were made by J.C. during a conference he held in Marseille. He accused the association of Jehovah's Witnesses of fraud, illegally employing unregistered staff for years, and using a hare-brained translation of the Bible. These statements were reproduced in *La Provence* of 28 January 2001 and were not denied by J.C.

The Court found J.C. guilty of the offence of libel towards the Association of Jehovah's Witnesses for the following statement "There is a fraud involving the employment of individuals who are not registered with the URSSAF which has been going on for years."

He was ordered to pay a fine of 450 EUR as punishment, the symbolic sum of 1 EUR to the Association and the amount of 600 EUR under section 475 (1) of the Code of Criminal Procedure.

It is noteworthy that J.C. was the vice-president of GEMPPI, president of ADFI and member of MIVILUDES' orientation council. He is a Professor at the French Institute of Muslim Civilization in Lyon. He was also the regional head of the Institute for the training of teachers of religion in Dijon.

(Tribunal de Grande Instance de Marseille, 8e chambre – Dossier Nr 2972/02 – Jugement correctionnel 29.03.2002) – English translation

In the dock in 2007: Former MP and President of UNADFI, FECRIS affiliate

On 18 July 2007, the Court of Appeal of Rouen condemned C.P., accused of repeated defamation in the media, to the payment of 1500 EUR (+ 800 EUR for the implementation of Article 475-1 of the Criminal Procedure Code) to the central association of Jehovah's Witnesses in France and 750 EUR (+300 EUR for the implementation of Article 475-1 of the Criminal Procedure Code) to each of the seven local associations of Jehovah's Witnesses as financial compensation for moral damage. **(Cour d'appel de Rouen, chambre correctionnelle - Dossier Nr 07/00341 – Arrêt 18.07.2007)**

In the dock in 2007: President of UNADFI, FECRIS affiliate

On 3 April 2007, the Court of Cassation found defamatory the statements which were made by C.P., then member of Parliament and president of UNADFI, and by A.F., member of the MILS (the predecessor of MIVILUDES) in their book "Sects, Democracy and Globalization" (Sectes, démocratie et mondialisation) published in 2002. In that book, the philosophical movement AMORC (Rosicrucian Order) was accused, among other things, of pursuing personal interests, of supporting racist theories and threatening freedoms, of being structured like a mafia and of functioning like a criminal organization.
In its decision, the Court of Cassation quashed and nullified the decision of the Court of Appeal of Paris 22 March 2006. The case was sent back to the Court of Appeal but the authors of the book concluded a deal with AMORC. On 7 May 2008, they signed a declaration by which they recognized that their statements about AMORC had been defamatory as the Court of Cassation had ruled. They concluded by saying that in the light of new information gathered since the publication of their book they had agreed AMORC was not a cult-like organization. **(Cour de Cassation, chambre civile 1 – Pourvoi Nr 06-15226 – Cour decision: 03.04.2007)**

In the dock in 2015 and 2017: UNADFI, FECRIS affiliate

In November 2015, UNADFI was convicted by the Court of Appeal of Paris for 'abuse of legal process,' for having persisted in bad faith as a plaintiff against the Church of Scientology and two private persons. UNADFI had to pay 3,000 EUR to each of the parties and 4,000 EUR on the basis of article 700 of the Code of Criminal Procedure. **(Cour d'appel de Paris, Pôle 2, Chambre 2, - Dossier Nr 14/09557 – Arrêt 20.11.2015)**

This conviction was upheld by the Court of Cassation on 12 January 2017. **(Cour de Cassation, 2e chambre civile – Dossier Nr 10019 F - Arrêt 12.01.2017)**

Germany

In the dock in 2001: AGPF/ SEKTEN-INFO ESSEN, FECRIS affiliates

In a final judgment issued on 19 December 2001 by the Munich State Court, Ms. H-M C. founder of Sect-info Essen, was ordered to stop repeating or spreading a wide variety of untruths about Takar Singh (an Eastern religious group) or else she would be fined up to 500,000 DM and, if not paid, be sentenced to jail for up to 6 months. These included allegations such as accusing a person of being a criminal, of torturing children or of rape. The sale of the book they were distributing about the group was also forbidden. The title was "The new prophets" (German: Die Neuen Heilsbringer: Auswege oder Wege ins Aus?) **(Munich I Landgericht/ *Land* Court, civil chamber 9 - Case Nr. Az: 908736/99 – Entscheidung/ Court decision: 19.01.2001)**

Source: **Freedom of Religion or Belief Anti-Sect Movements and State Neutrality, A Case Study: FECRIS**, pp 191-192

In the dock in 2020: FECRIS

On 27 November 2020, the District Court of Hamburg condemned FECRIS for defaming the general movement of Jehovah's Witnesses in public statements made in the framework of its conferences from 2009 to 2017 that were posted later on its website. See *Jehovah's Witnesses in Germany v. FECRIS* (File ref. 324 O 434/18) about a long list of 32 claimed defamatory statements: 17 were fully justified and one was partially justified by the Court.
Since the Jehovah's Witnesses had claimed that 32 FECRIS statements were defamatory, and the court found 17 of them defamatory, one partially defamatory, and 14 non-

defamatory, FECRIS declared that it had "won" the case on 14 points. While keeping silent about the 17 other points declared defamatory by the court, FECRIS gave the false impression in a press release that the Court of Hamburg had validated the 14 statements it had considered non-defamatory as true. This late press release (30 May 2021) was just a reaction to a report about FECRIS' condemnation published by Bitter Winter. **(Hamburg Landgericht/ *Land* Court – File Ref. 324 O 434/18 – Entscheidung/ Court decision: 27.11.2020)**

More about this case in Germany in HRWF's database of news.

Spain

In the dock in 1999 (European Court): Pro Juventud, FECRIS affiliate

Pro Juventud, now AIS – Pro Juventud, a Spanish FECRIS affiliate, has been found by the European Court of Human Rights in the 1999 case *Ribera Blume and others versus Spain* to bear "direct and immediate responsibility" in a case of kidnapping, imprisonment and deprogramming attempt of members of a religious group in conditions of illegal deprivation of freedom and detention. Forced change of religion is forbidden by international law. **(European Court of Human Rights – File 37680/97 – Court decision: 14.10.1999)**

Conclusions

During more than 25 years, FECRIS and its affiliates have been spreading defamatory statements about religious and belief groups in printed form, in the media and in parliamentary hearings. Before joining FECRIS, a number of associations and their leaders had already been condemned in defamation cases by courts in Sweden, Switzerland and other countries (Freedom of Religion or Belief Anti-Sect Movements and State Neutrality, A Case Study: FECRIS, page 192)

The examples of court decisions listed in this article show that it is in their DNA to stigmatize religious or belief groups that their founding members and board members do not like for personal reasons or through personal experience. Such obstinacy in defaming and stigmatizing a number of non-mainline groups in the media has negatively and sometimes dramatically impacted the lives of those who have freely chosen to follow their teachings but this is part of their right to freedom of conscience, thought and belief.

If similar defamatory statements targeted atheist organizations or the faith of Jews or Muslims with the same virulence, this would trigger an outcry in the political class and the media, and rightly so. The followers of non-mainline religious groups just want to enjoy the same right to freedom of conscience, thought and belief.

FECRIS and its affiliates have not only been condemned by courts. Their unethical practices have been repeatedly condemned at the OSCE and in 2020 by USCIRF (US Commission on International Religious Freedom).

It is time for public powers to stop financing FECRIS and its affiliates, to keep them at distance and to rely on credible academic sources and experts.

FECRIS denounced at the United Nations' Human Rights Council

CAP-LC filed a written statement detailing the defamation cases FECRIS and its affiliated organizations lost, and asking France to stop supporting them.

by Massimo Introvigne

Palais des Nations in Geneva, where the UN Human Rights Council meets (credits).

Bitter Winter (28.06.2021) - https://bit.ly/3Agkafp - Readers of *Bitter Winter* are familiar with FECRIS (European Federation of Centres of Research and Information on Cults and Sects), an umbrella organization created in 1994 to put together anti-cult associations in several European (and some non-European) countries. We criticized FECRIS inter alia for supporting China's horrific persecution of Falun Gong and other religious movements. FECRIS promotes the anti-cult ideology, recognized in 2020 by a USCIRF (U.S. Commission for International Religious Freedom) document as a major threat for freedom of religion or belief.

CAP-LC (Coordination des Associations et des Particuliers pour la Liberté de Conscience), an NGO with special consultative status at the United Nations' ECOSOC (Economic and Social Council), the same status enjoyed by FECRIS, has now filed a written statement to the 47th Session of the United Nations' Human Rights Council, which was published on 21 June, and asks France to stop its support of FECRIS.

CAP-LC is concerned with the reorganization of the French governmental anti-cult mission MIVILUDES, now under the supervision of the Minister Delegate for Citizenship at the Ministry of the Interior, Marlène Schiappa. She has increased MIVILUDES' present

budget ten-fold, to euro 1 million euro per year, CAP-LC reports, and has announced "that this million will be allocated to initiatives that would be run by anti-cult associations, namely CCMM and UNADFI," both FECRIS affiliates.

CAP-LC notes that CCMM and UNADFI refer to themselves as NGOs but are in fact GONGOs (Governmental Non-Government Associations), since 90% of their funding comes from the French government. Representatives of both FECRIS affiliates have been included in the newly appointed Orientation Committee of the MIVILUDES. FECRIS is registered in France and is also directly funded by the French government. (…)

Read full article **here**

Europe will not have a Religious Liberty Day

The proposal by the Conservatives and Reformists group was rejected before reaching the floor of the European Parliament.

By Marco Respinti

Bitter Winter (17.06.21) - https://bit.ly/35zZKjn - It seems that the European Parliament (EP) does not have a special interest in religious liberty, despite it being an integral part of the European Convention of Human Rights.

There is an international day for almost everything, but the proposal to establish an International Day for Religious Liberty was recently rejected.

The idea was launched by the Intergroup on Freedom of Religion or Belief and Religious Tolerance. Upheld by the Conservatives and Reformists group, which transformed it into a political proposal, joined by the European People's Party and by the Identity and Democracy group, it was rejected by Renew Europe, the Socialists, the Greens, and the Left.

Underlining that religious freedom is a basic human right, protected by Article 18 of the Universal Declaration of Human Rights, the promoters wished to establish the International Day on June 24, the anniversary of the adoption of the EU Guidelines on the promotion and protection of freedom of religion or belief by the Council of the European Union in 2013.

Few noticed this rejection, because the proposal was blocked before the next plenary session of the EP, and its text will not even published.

The Conservatives and Reformists group says it will advance its proposal again in the future.

Photo : *The European Parliament in session (credits)*

Bishops want EU's religious freedom office beefed up

Catholic bishops of the European Union (COMECE) call for sufficient financial resources to defend religious liberty around the world

By Arnaud Bevilacqua

La Croix Int'l (10.06.2021) - https://bit.ly/3gdO10k - Europe's Catholic bishops have congratulated the president of the European Commission, Ursula von der Leyen, for the recent appointment of a new special envoy to monitor religious freedom abroad. But they are urging her to make sure the post is given sufficient financial resources so that it can effectively do its work.

A "fundamental value" of the EU

In a June 2 letter to the president, the Commission of the Bishops' Conferences of the European Union (COMECE) welcomed the fact that Europe is focusing anew on religious freedom, "a fundamental right and a core value of the EU, which is under threat in many parts of the world".

Von der Leyen appointed the new special envoy on May 5, filling a position that had been vacant since December 2019.

COMECE president, Cardinal Jean-Claude Hollerich SJ of Luxembourg, said the bishops were particularly pleased that the EC president chose Christos Stylianides for the post.

A former European Commissioner for Humanitarian Aid and Crisis Management, the Cypriot MEP is a member of the European People's Party.Cardinal Hollerich noted that he has opened "fresh spaces for cooperation with Churches and Faith-Based Organizations in humanitarian activities".

He said this appointment of a special envoy "on the Promotion and Protection of Freedom of Religion and Belief" should give "voice to voiceless individuals and communities whose freedom of thought, conscience, and religion are violated, being subject to intolerance, discrimination and, in some cases, even, persecution".

"Institutional and financial support"

But the Jesuit cardinal said Stylianides will need "reasonable and adequate human and financial resources" in order "to carry on his high responsibility" effectively.

He urged the EU to give the envoy all the support he needs, especially since the issue of religious freedom often touches upon thorny internal questions in each member state.

Without power and without means, Stylianides risks raising hopes that cannot be fulfilled.

"Therefore, it is our hope and kind request to you that the EU Special Envoy have your institutional and financial support to be able to duly perform his responsibility," said the COMECE president.

He said the EU must embrace its role "as a relevant voice in supporting human rights and vulnerable individuals and communities around the world".

COMECE just last year celebrated the 40th anniversary of its foundation.

Members of its standing committee will be in Rome from June 9-11 to meet Vatican officials and religious freedom is expected to be one of the items on the agenda.

They are also expected to meet with Pope Francis while at the Vatican.

Photo : Christos Stylianides, shown here on Feb. 26, 2018, has been named the new European Advocate for Religious Freedom. (Photo by VIRGINIA MAYO/AP)

"To stop islamic terrorism, discriminate against Non-Muslim religious movements"

Laws are passed with the alleged aim of combating Islamic radicalism. They are then used against peaceful religionists labeled as "fundamentalists" or "cults."

By Massimo Introvigne*

Bitter Winter (06.06.2021) - https://bit.ly/3iui4lZ - The new Flemish legislation on religion and the statements by politicians surrounding its introduction are yet another example of what is emerging as a fascinating, if paradoxical, social and political phenomenon: the discrimination of some non-Muslim religions under the pretext of combating terrorism based on ultra-fundamentalist Islam.

In several European countries, terrorist attacks by groups and individuals claiming to act on the basis of an ultra-fundamentalist interpretation of Islam (one not shared by most Muslims) have claimed hundreds of victims and shocked public opinion. Politicians concerned for their votes understand that "something should be done."

The first reaction is to introduce legislation against "Islamic fundamentalism." This is rarely effective, because the ultra-fundamentalist organizations responsible for terrorism such as al-Qa'ida and the Islamic State operate underground. A law banning "extremist" organizations would not affect them. They are already banned everywhere as criminal groups.

There is no evidence that banning other conservative Islamic groups would help combating terrorism. There is no evidence either that prohibiting the use of the veil or of Islamic modesty swimming suits to Muslim women would have any effect on terrorism. I have studied ultra-fundamentalist terrorism and published several books on the issue, dealing inter alia with the personality of terrorists responsible for some of the bloodiest attacks. Only a handful of them were members of conservative organizations, or had been educated in conservative mosques. Some, like several members of the al-Qa'ida commandos, were scions of rich families, in some cases educated in exclusive international private schools. Recently, the Islamic State recruited desperate, marginal immigrants via the Internet, people with little knowledge of Islamic theology and no ties with any Muslim organizations.

On the contrary, laws against conservative Islam may antagonize Muslims, and make recruitment by terrorist organizations easier rather than more difficult. We all know that things about terrorism may change quickly, but it is a fact of life that so far Italy has had zero terrorist attacks by ultra-fundamentalist Muslims (we had some by politically motivated Palestinians in the past century, but this was a different story). As a scholar and a member of the former Ministry of the Interior's Committee on Islam in Italy, I have been often interviewed on why this happens. I am persuaded that the conciliatory attitude towards Muslims exhibited by different Italian governments has significantly contributed to making recruitment by terrorist organizations unsuccessful in our country.

There is also another problem with laws targeting conservative Islam. They immediately encounter Constitutional problems. Constitutions, not to mention the European Convention on Human Rights, prohibit legislation singling out a specific religion. Politicians thus should frame their laws in general terms, targeting religions that are "separatist" (a favorite word in France) or "extremist."

Laws are thus introduced, and sold to parliaments and voters as needed tools to "combat radical Islam." Once passed, they have little or no effect on radical Islam or terrorism. However, they are used to harass and discriminate against peaceful religious movements.

This is becoming almost a sociological law. The Flanders, where the law is promoted as needed after the growth of radical Islam and bloody terrorist attacks in Brussels, are not the first case. In Russia, laws against "extremism" created after 9/11 were expanded after one of the most horrific modern terrorist attacks, the Beslan school siege of 2004, which left 334 dead, most of them children, to let the government outlaw religious organizations guilty not of physical violence only, but also of "verbal" extremism. Arguing that one's religion was better or superior to other religions was considered a key test for extremism. The law was not used to ban al-Qa'ida or the Chechen organizations guilty of terrorism (they were already banned), but led to peaceful Muslim groups such as the followers of Turkish mystic Said Nursi, and non-Muslim religions such as the Jehovah's Witnesses or the Church of Scientology being harassed (the Jehovah's Witnesses were outlawed in 2017; dozens of them are in jail).

In Denmark, it was claimed earlier this year that a law compelling all religions to translate into Danish their sermons and publish them in advance was needed to stop incendiary sermons by radical imams. Catholics and Protestants immediately objected that those who would really suffer would be immigrant and other Christian communities catering to linguistic minorities. The most radical imams would not be affected, as they operate clandestinely anyway.

In the Italian region of Lombardy, a law was passed making it extremely difficult for non-Catholic religious community to be authorized to open new places of worship. It was nicknamed the "anti-mosque law," but in fact Muslims in Lombardy, most of them poor immigrants, were not very much interested in building mosques. The law, however, greatly affected the booming Evangelical community.

In France, the law on "separatism" is still being discussed, but is another egregious example of how a law popular with certain media because it would allegedly keep radical Islam under control would be in fact easily used to discriminate against small Christian communities and groups labeled as "cults" (sectes). In particular, as in the case of the Flemish draft law, it may impose limitations on groups that need to be economically supported by their co-religionists abroad.

In France, finally, the veil was lifted, and we learned that the paradox was not an unintended consequence of an amateurish approach to the problem of ultra-fundamentalist Islam. We were told, in so many words, that selling to the voters a law "against radical Islam" and using it later against non-Islamic religious group was totally intentional. The lady who serves as Minister Delegate in Charge of Citizenship at the Ministry of the Interior, Marlène Schiappa, told the French media loudly and clearly that the law is also intended for, and will be used against, groups classified as "cults" (sectes).

So, finally the cat is out of the bag. What we are witnessing is a huge fraud. With a disturbing Islamophobic language, the public opinion is agitated against the ghost of "radical Islam," and told that exceptional measures should be passed. Perhaps not all, but some of those proposing them are aware that these measures will be remarkably ineffective against Islamic radicalism and terrorism. However, they still want to pass them, first for electoral reasons, and second, because they plan to use them against groups they may call "archconservative" (including successful Evangelical and Pentecostal churches), "cults," or *sectes*. If they would openly proclaim their antipathy against high-commitment religion, if not religion in general, their proposals would generate more hostile reactions than real interest, and would likely fail. By waving the red flag of "Islamic terrorism," on the other hand, they may succeed in passing laws that hide a different agenda.

**An introductory paper at the Special Meeting of the Freedom of Religion or Belief Roundtable Belgium "The New Flemish Legislation on Religion: A Cause of Concern," June 2, 2021.*

Photo: *Frans Hogenberg (1535–1590),* The Calvinist Iconoclastic Riot of August 20, 1566 in Antwer*p, at the start of the Flemish wars of religion.*

Islamic religious education in Europe: an increasing matter of concern

By Leni Franken, senior researcher and teacher assistant at the University of Antwerp (Belgium)

BYU LAW (08.05.2021) - https://bit.ly/3hGzCun - Against the backdrop of labor migration, family reunification, and the ongoing refugee crisis, the number of Muslims in Europe has increased over the past decades. This has resulted in a growing number of Muslim schools and Muslim students enrolled in Islamic Religious Education in state schools. In the Netherlands, for instance, the number of state-funded Muslim schools has increased from only a few schools in the 1980s to more than 50 schools today. Comparably, the present number of students enrolled in Islamic Religious Education in Belgian state schools is, with more than 20%, twice as many as ten years ago. In addition, an increasing number of students with a Muslim background are enrolled in

non-denominational and non-confessional "religion education" classes, which are organized in Danish, Norwegian, and Swedish state schools.

Given this rather new sociological situation, combined with the presence of (violent) Muslim fundamentalism in Europe, "Islamic Religious Education" has become a matter of concern for politicians, religious stakeholders, policymakers, and academics. Hence the book *Islamic Religious Education in Europe* [1] offers a comparative study of curricula, teaching materials, and teacher training in fourteen European countries. These country reports are followed by multi-disciplinary essays—from the hermeneutical-critical to the postcolonial—addressing challenges posed by teaching about and into Islam.

Education into Islam: essentialist, Sunni-oriented, and of poor quality

A recurring theme in the 14 country reports is that, notwithstanding the rather long experience with Islamic Religious Education *stricto sensu* (i.e. education *into* Islam, organized in a denominational and confessional way), several problems are common: due to a lack of adequate teacher training, teachers are not always suitably skilled; curricula and textbooks—which are often influenced by Turkish Islamic institutions (e.g. *Diyanet*)—are outdated, uncritical, and not adapted to the European context; attention for Muslim minorities such as Shi'a and Alevi is limited, and attention for other religions (with the exemption of Judaism and Christianity) and secular worldviews is almost absent. Most European nations are nowadays concerned about the quality of Islamic Religious Education, which has resulted in the establishment of teacher-training programs and an update of curricula and textbooks. Overall, these are worthwhile initiatives, but there is still much work to be done.

One explanation for the poor quality of Islamic Religious Education is the fact that the different Muslim communities are, in terms of ethnic/national origin, religious practice, and doctrine, very diversified, while at the same time the state requires them to unify in one single community. This has not only led to tensions within officially "recognized" Muslim Communities (e.g. in Austria and Belgium), but it has also led to an uneasy and unprofessional implementation of Islamic Religious Education, which is often Sunni-oriented and essentialist. In this regard, Austria is an interesting case: here, the Islamic Religious Community in Austria (IRCA) and ALEVI are recognized as separate communities, while other claims for recognition, by the Shiites, are pending. By recognizing multiple Islamic communities in this way and by organizing Islamic Religious Education correspondingly, the internel diversity within Islam can be taken into consideration. One should, however, also notice that there are many more forms of practicing Islam (and thus also of Islamic Religious Education). Thus, where to draw the line for recognition remains a challenge, even in a more diversified system of recognition. Most likely, reality may urge representatives to go for pragmatic and consensus-oriented solutions.

Islam Education: marinated in a Lutheran, post-colonial, and essentialist dressing

Unfortunately, education *about* Islam, as part of non-denominational and non-confessional *religious* education, is not without problems. As with education into Islam, there is, in curricula and textbooks, little attention for diversity *within* religions, including Islam. Besides, the so-called "neutral" classes about religion are often marinated in a Lutheran, post-colonial, and essentialist dressing: the default idea is that all religions have a founder, a holy book, a doctrine, and fixed practices, but this is a western/Christian idea that is absent in many religious and secular traditions.

Providentially, this problem is now recognized by most religious scholars, and this awareness steadily reaches religion education classes in schools. In Norway for instance,

the new curriculum for the school subject "Knowledge of Christianity, Religion, Philosophies of Life, and Ethics" emphasizes the diversity between religious and secular worldviews, and also *within* these religions and worldviews. Besides, the student's understanding of religion and secular worldviews is challenged through analysis of and critical reflection on sources, norms, and the (western) concepts used in (comparative) religious studies.

Education about and into Islam: exclusion or complementarity?

Overall, the analysis of Islamic Religious Education in 14 national contexts (Part I) and the interdisciplinary, reflexive essays (Part II) make clear that both education *into* and education *about* Islam face several problems and challenges. This, however, does not imply that the baby should be thrown out with the bathwater. Numerous contributions in *Islamic Religious Education in Europe* reveal the urgent need for "religious literacy," a need that has also been emphasized by the OSCE Office for Democratic Institutions and Human Rights. Organizing a state-controlled and mandatory subject about different religions and secular worldviews could offer solutions here, provided it is organized in a "critical, objective and pluralistic manner" (cf. ECtHR, *Kjeldsen, Busk Madsen and Pedersen v. Denmark*, ECtHR, *Folgerø and others v. Norway*) and provided the above-mentioned problems are countered constructively.

Research in England and Sweden (chapters 6 and 13) has shown that Muslim students are not opposed to such a "neutral" school subject, which is not only on the compulsory curriculum in Swedish state schools but also in state-funded denominational schools. In addition to this mandatory school subject, Muslim schools can also organize denominational Islamic Religious Education classes, provided these classes do not oppose the common teaching aims of Swedish education. Interestingly, most Swedish Muslim students consider the classes *into* Islam as a meaningful complement to the mandatory classes *about* religion. What is at stake here is not a story of *exclusion* (either confessional/denomination *or* non-confessional/non-denominational), but a story of *complementarity*.

The Swedish Religious Education model is not without deficiencies but could nevertheless be inspiring for the way Europe deals with (Islamic) Religious Education. Rather than thinking in terms of denominational versus non-denominational, policymakers could also opt for a model where all students learn about religions and secular worldviews, while optional classes into a particular religion/worldview could be organized on request. If organized in a critical and nuanced way, both types of education will lead to increasing religious literacy, to personal identity formation (*Bildung*), and to future responsible citizens in an increasingly secularized and pluralized world.

Photo: USCIA.org

About the appointment of the new EU Special Envoy on freedom of religion or belief

What Christos Stylianides should know as he takes the post of the Special Envoy on religion or belief outside European Union?

By Dr. Ewelina U. Ochab

FORBES (16.05.2021) - https://bit.ly/3wck2uw - On May 5, 2021, the European Commission appointed Christos Stylianides as Special Envoy for the promotion of freedom of religion or belief outside European Union (EU Special Envoy on FoRB). Christos Stylianides has significant crisis management background, having served as the European Commissioner for Humanitarian Aid and Crisis Management between 2014 and 2019 and as the European Union's Ebola Coordinator. As we have seen over the years, in many cases, dealing with violations on grounds of religion or belief outside European Union will mean dealing with crisis scenarios.

According to the online announcement, "[EU Special Envoy on FoRB] The Special Envoy will establish a dialogue with national authorities and other stakeholders in countries suffering from discrimination on the grounds of religion or belief. He will support for intercultural and interreligious dialogue processes, including encouraging dialogue between representatives of different faiths and the setting up of joint initiatives. He will put in place measures to target de-radicalisation and prevention of extremism on grounds of religion or belief in third countries. In cooperation with authorities from third countries, he will promote religious diversity and tolerance within educational programs and curricula."

The mandate of the EU Special Envoy on FoRB is relatively new. It was established in a February 2016 resolution on Daesh atrocities with the first appointment made in May 2016. At that stage the mandate was for a year, with the possibility that it would be renewed. This was the first mandate of its kind. However, in recent years, it has become very clear that the mandate needs to be strengthened to maximize the impact of the office. Among others, the European Parliament Intergroup on Freedom of Religion or Belief and Religious Tolerance, in its 2017 report, called for refining the mandate. The report identified that, as it stood, "the formal position of the Special Envoy is weak. It is not a full-time activity and with limited resources." Similar recommendations on strengthening the mandate were subsequently made by Mr Andrzej Grzyb, the Rapporteur for the Committee on Foreign Affairs, who in his report on the "EU Guidelines and the mandate of the EU Special Envoy on the promotion of freedom of religion or belief outside the EU" recommended for the mandate to be extended to periods of a few years rather than for one year and renewed on a yearly basis. These recommendations have not been adopted yet.

The post of the EU Special Envoy on FoRB has remained empty for almost two years. The appointment of Christos Stylianides is a welcome sign that the European Commission

continues to recognize the importance of engaging on the topic of freedom of religion or belief internationally.

What should Christos Stylianides expect as he takes the post? Not boredom, that's for sure. A brief glance at the most egregious atrocities, many of which meet the legal definitions of genocide or crimes against humanity, confirms that there are several situations requiring urgent attention.

While we may not hear much about Daesh at the moment, there are still over 10,000 active members in Syria and Iraq. Daesh fighters have been using the pandemic to consolidate and so pose a renewed threat to religious communities, such as Yazidis and Christians. Furthermore, the communities once targeted for annihilation by Daesh continue to be in urgent need of assistance, let alone of psychological support. Those communities remain without justice.

In Myanmar, while international focus is on the coup, Rohingya Muslims, once targeted by the Burmese military, face renewed threat - their perpetrator now rules the country. Despite consideration by the International Criminal Court and the International Court of Justice, the atrocities against the Rohingyas are far from resolved. Similarly, other religious minorities in Myanmar face dire situations that continue to be overshadowed by the bigger picture.

In China, Uyghurs are subject to atrocities which legal expertsdetermine meet the legal definition of genocide. Thousands of Uyghurs are detained, forcibly indoctrinated and subjected to torture, inhuman and degrading treatment, rape and sexual violence, forced abortions, forced sterilizations, removal of children to another group, and much more. Beijing denies the atrocities.

In Nigeria, Boko Haram and Fulani militia tore the country apart killing anyone who opposes their destructive ideology, both Christians and moderate Muslims.

In North Korea, being a Christian is the equivalent of a death sentence.

In Ethiopia, Orthodox Christians have been targeted with deadly attacks. Churches have been the scenes of massacres with hundreds of killed and mass-graves filled with bodies.

This is without even mentioning violations of the right to freedom of religion of belief other than international crimes discussed above, whether acts of violence based on religion or belief, acts of harassment, marginalization or discrimination.

While the EU Special Envoy on FoRB, Christos Stylianides, will have plenty to engage with, having Christos Stylianides with his significant experience of working on crisis management, will be an important skill that can make a difference.

Photo : European flags wave in front of the Berlaymont building - European Commission (EC) headquarter - in Brussels, Belgium, on January 14, 2019. (Photo credit: Michele Spatari/NurPhoto via Getty Images) NURPHOTO VIA GETTY IMAGES

The EU and freedom of religion or belief at the 46th session of the Human Rights Council

HRWF (25.03.2021) - https://bit.ly/3lSirpR - On 24 March, the EU Delegation to the UN in Geneva issued a press release which summed up the activities of the EU on a number of issues at the 46th session of the Human Rights Council. About freedom of religion or belief, it said:
"Promoting respect and protection of the right to freedom of religion or belief (FORB) remains a major priority for the European Union. It is a right to be exercised by everyone everywhere, based on the principles of equality, non-discrimination and universality. We have therefore, as in previous years, introduced a resolution at the Human Rights Council to respect and protect this fundamental right. "*We are pleased that this resolution, as well as the resolution by the Organization of Islamic Cooperation (OIC) on Combating Religious Intolerance, have both been adopted by consensus*," notes EU Ambassador Stevens. This year's thematic report of the UN Special Rapporteur Ahmed Shaheed focused on countering Islamophobia and anti-Muslim hatred to eliminate discrimination and intolerance based on religion or belief, to which the EU Delegation also organised a very timely debate."

This virtual debate titled "Anti-Muslim hatred as an obstacle to freedom of religion or belief" was organized by the EU Delegation and Canada in close cooperation with Dr Ahmed Shaheed, the UN Special Rapporteur on FORB.

Photo: genevaplace.ch