

Table of Contents

- ***German intel: Known antisemitism cases 'tip of the iceberg'***
- ***Germany and "cults": the Federal Administrative Court confirms "sect filters" are illegal***
- ***Urgent appeal against the deportation of an Ahmadi to Pakistan***
- ***Anti-war Jehovah's Witnesses claim property of archives from a military museum***
- ***Jehovah's Witnesses sue German museum for archive of Nazi-era abuses***

German intel: Known antisemitism cases 'tip of the iceberg'

AP News (20.04.2022) - <https://bit.ly/3Kizqw3> - Germany's domestic intelligence agency said Wednesday that antisemitic offenses are continuing to rise and those that come to light are only "the tip of the iceberg."

The head of the BfV agency, Thomas Haldenwang, said it is alarming that antisemitic narratives are sometimes embraced by people in "the middle of German society," serving as a link between social discourse and extremist ideologies.

He said his agency has seen that increasingly in protests against coronavirus restrictions or over the Israeli-Palestinian conflict and, in a few cases, in connection with Russia's war in Ukraine. The internet serves as "fertile ground" for antisemitism, he added.

A report from the BfV, its second on the subject, said that 2,351 antisemitic offenses, including 57 acts of violence, were reported in 2020 — compared with 2,032 and 73 respectively the previous year. The overall figure for offenses has risen steadily since 2015, and the 2020 figure was the highest since counting started in 2001.

Haldenwang said in a statement that "this is only the tip of the iceberg." He said the number of incidents that for various reasons don't lead to a criminal complaint is believed to be "significantly larger."

The government's antisemitism commissioner, Felix Klein, told the Welt newspaper that "the pandemic acted like a fire accelerant for antisemitism, also in that it linked together many environments that previously stood for themselves."

Photo :Hundreds of people keep a vigil at the synagogue in Gelsenkirchen, Germany, Friday, May 14, 2021. Germany's domestic intelligence agency said Wednesday that antisemitic crimes are continuing to rise and those that come to light are only "the tip of the iceberg."(AP Photo/Martin Meissner,file)

Germany and “cults”: the Federal Administrative Court confirms “sect filters” are illegal

The federal judges ruled that the City of Munich cannot ask citizens to declare that they are not Scientologists to be eligible for certain benefits.

By Massimo Introvigne

Bitter Winter (09/04/2022) - <https://bit.ly/3KQzJiT> - Some readers of Bitter Winter may remember [our coverage last year](#) of a decision by the 4th Senate of the State Administrative Court of Appeal of Bavaria, overturning a first instance judgment by the Administrative Court of Munich on the issue of a [“sect filter”](#) used by the City of Munich.

“Sect filters” are bizarre documents required by local governments, businesses, and political parties in some areas of Germany. Those looking for a job, or for doing business with these institutions and companies, should sign a statement that they are not Scientologists nor do they “use the teachings/technology of L. Ron Hubbard” (the founder of Scientology).

The City of Munich subsidizes the use of electrical bikes called “pedelecs” for the purpose of environmental protection. A musician who happens to be a Scientologist applied to receive a grant for purchasing a pedelec on August 6, 2018. As part of her application, she was required to sign a “sect filter” declaring that “she will not apply, teach, or otherwise disseminate any of the contents or methods or technology of L. Ron Hubbard and that she will not attend any courses or seminars based on this technology.” She refused, and on December 12, 2018, the City of Munich rejected her application.

She sued the city, but on August 28, 2019, the Administrative Court of Munich found against her, stating that the city was “free to decide which group of persons is to be supported by voluntary financial contributions,” and exclude Scientologists and supporters of L. Ron Hubbard.

The musician appealed, and the State Administrative Court of Appeal decided on June 16, 2021, with reasons communicated on August 3, 2021, that the city’s decision “is unlawful and violates the plaintiff’s rights.” Imposing a “sect filter” before granting electromobility funding violates the constitutional guarantee of religious freedom and the constitutional principle of equality before the law, which requires that citizens should not be subject to disadvantages by reason of one’s race, origin, language, belief or religious or philosophical conviction, the court concluded. The judges noted that the city had admitted that, apart from the “sect filter” issue, the musician’s application met the legal requirements and would have been granted. Accordingly, the application of a “sect filter” amounted to unconstitutional religious discrimination.

On April 6, the Federal Administrative Court concurred and ordered the city of Munich to issue the required subsidy approval. It noted that there are three reasons to declare the use of the “sect filter” in this case as unlawful.

First, the subsidy of a municipality must not be made dependent on a sect filter. Art. 28 of the German Constitution related to the self-government rights of a municipality does not entitle it to demand a declaration on the belief of a person.

Second, requesting such a declaration and denying a subsidy if it is refused violates freedom of religion or belief and the freedom of religious practice, both of which are protected by Art. 4 of the German Constitution. Such practices are unconstitutional.

Third, the sect filter practice violates the principle of equal treatment before the law of all citizens, as the involved criteria for persons qualified to receive a subsidy are improper and inappropriate.

Although the case was not about "sect filters" in general, the court's view seems to indicate that in the absence of a proper law, demanding a declaration of a person's belief is unconstitutional per se. This outcome certainly encourages Scientologists and all citizens jealous of their human rights to refuse to sign these obnoxious documents. As such, the decision is a victory for religious liberty, and should persuade Germany that there is no room for "sect filters" in a democratic country that is based on human rights.

Photo: The Federal Administrative Court, Leipzig. [Credits.](#)

Urgent appeal against the deportation of an Ahmadi to Pakistan

Letter of the IHRC to Olaf Scholz, Chancellor of the Federal Republic of Germany

IHRC (07.03.2022) – "The International Human Rights Committee (IHRC) has just received information about an immediate deportation of yet another Ahmadi Muslim living in Germany: Mr. Ali Ahmad Mubashar (resident of Germany). He had been arrested by authorities on the evening of 07 March 2022.

He is in an immediate risk to be deported tomorrow morning dated 08 March 2022, since a deportation flight to Pakistan is planned.

The asylum case of Mr. Mubashar was rejected twice. His lawyer is Norbert Wagener. According to the information we received so far, his petition request also got rejected due to alleged attempted fraud.

Details are as follows:

Name: Ali Ahmad Mubashar, DOB 01.01.1987 in Rabwah, Pakistan
Date of Birth: Residence: In Germany since 2013

2nd Appeal in Germany also got rejected

Returning a member of the Ahmadiyya Muslim Community to a country where his life and safety are at serious risk would be a clear breach of Germany's obligations under international human rights law and the Convention against Torture (CAT). This includes a prohibition on sending anyone to a place where they would be at risk of such abuse. The principle of non- refoulement applies to everyone including persons who are excluded from refugee protection. We urge that the German authorities to take immediate and swift action and ensure the safety of these individuals by not deporting them back to Pakistan where they will most certainly face grave and life-threatening danger. The German authorities should grant them protection and stop deportation immediately.

IHRC is requesting all relevant stakeholders to kindly initiate efforts in order to help Mr. Mubashar so his deportation may be stopped. Under such circumstances deportations by Germany are immensely concerning and we request Germany to immediately halt the deportation of these individuals.

COPIES

His Excellency Olaf Scholz (Chancellor of the Federal Republic of Germany) Annalena Baerbock (Federal Minister for Foreign Affairs of Germany) Nancy Faeser (Interior Minister of Germany)
Michelle Bachelet (United Nations High Commissioner for Human Rights) Ahmad Shaheed (UN Special Rapporteur on Freedom of Religion or Belief)"

With kind regards
Nasim Malik
General Sec, IHRC
Kalmar- Sweden.

Photo: Ahmadi mosque in Berlin - Credit: Axel Mauruszat

Anti-war Jehovah's Witnesses claim property of archives from a military museum

The anti-war movement of Jehovah's Witnesses sues a German military Museum about property rights on archives of Kusserow family, one of their Holocaust victims

By Willy Fautré, director of Human Rights Without Frontiers

The European Times (26.01.2022) - <https://bit.ly/3G5IT87> - As reported by ***The New York Times*** on 25 January, Jehovah's Witnesses in Germany are seeking to obtain the extensive archives of the Kusserow family, decimated by the Nazis during WW II, which are currently held by the *Bundeswehr Military History Museum* in Dresden, Germany. Jehovah's Witnesses in Germany claim to be the legal heir to the archive.

Noteworthy is that Jehovah's Witnesses have always been against war and military solutions in conflictual situations between two or several countries. In conformity with their religious beliefs, they have always refused to carry out military service everywhere

around the world. Thousands of them in South Korea, Greece, France and many other countries have spent many years in prison because of their anti-war religious beliefs and in Nazi Germany a number of their objectors were even executed. 'Irony of history', a military museum is now in possession of the decimated Kusserow family and beyond the legal property issue, German Jehovah's Witnesses feel offended by what they call a gross moral injustice. For years, they have only been able to see the Kusserow family archive in a military building exhibiting all sorts of weapons used to kill and destroy.

The 13 members of the Kusserow family were harshly persecuted by the Nazi regime because of their religious identity. Two of the boys, Wilhelm and Wolfgang, were executed for not supporting the Nazi military effort.

Their youngest and only living sibling, Paul-Gerhard Kusserow, asserted: "My brothers died for refusing to participate in military service. I don't find it proper that this inheritance is stored in a military museum." Therefore, primarily to address this moral wrong, Jehovah's Witnesses in Germany are seeking to obtain the Kusserow archive from the museum.

Additionally, Jehovah's Witnesses say they have documentation to prove that Annemarie Kusserow, the eldest sibling, bequeathed Jehovah's Witnesses in Germany the archive that she meticulously compiled. The archive consists of over 1,000 items that include photographs, drawings, pre-execution farewell letters, death penalty pronouncements, and classified Gestapo reports.

Annemarie died in 2005. Subsequently, the Witnesses discovered the Bundeswehr Military History Museum had obtained the archive. According to the museum, they bought it in good faith from a Kusserow family member—who was no longer affiliated with Jehovah's Witnesses and has since died.

For nearly seven years, Jehovah's Witnesses in Germany have been unable to reach a peaceful settlement with the museum and have taken a legal action to acquire.

If successful, the Witnesses plan to display the Kusserow archive in their museum at the Central Europe office in Selters, Germany. It will then be accessible to any visitor free of charge.

History of the Persecution of the Kusserow Family

- Wilhelm Kusserow was one of the first conscientious objectors executed by Nazis during World War II. He was killed by firing squad
- Wolfgang Kusserow, a younger brother of Wilhelm, was beheaded two years later
- Franz Kusserow, the father, was imprisoned three times. Annemarie and Waltraud, two of the daughters, were imprisoned
- The mother, Hilda Kusserow, as well as two of her daughters, Hildegard and [Magdalena](#), were imprisoned and subsequently sent to Ravensbrück concentration camp
- Karl-Heinz Kusserow, one of the sons, was sent to the Sachsenhausen and Dachau concentration camps
- During the 12 years of the Nazi regime, members of the Kusserow family were sentenced to a total of 47 years and 9 months in prisons or concentration camps

- The three youngest children were abducted and sent to Nazi training schools, forbidden to contact their family. Subsequently, they were placed under the care of families who supported the National Socialist party.

Photo : Bundeswehr Military History Museum in Dresden, Germany. Credit: Trip Advisor

Jehovah's Witnesses sue German museum for archive of Nazi-era abuses

The archive documents the lives and suffering of the Kusserow family, who were among many from the religious group to be persecuted by the Nazis because of their faith.

By Catherine Hickley

New York Times (25.01.2022) - The Jehovah's Witnesses, a pacifist religious group, are pursuing legal action against the German government to claim a family archive that documents the Nazis' persecution of the Christian denomination.

The archive comprises 31 files of documents relating to the Kusserow family, whose members were arrested, imprisoned and murdered by the Nazi regime because of their faith.

It has been held by the Museum of Military History in Dresden, which is operated by the German army, since 2009 when it was purchased from a member of the Kusserow family.

A German regional court rejected the Jehovah's Witnesses' claim last year, saying the museum had purchased the archive in good faith and should keep it. But the religious group is appealing that ruling, arguing that the family member who sold it was not the actual owner of the archive, which had been bequeathed to the Jehovah's Witnesses in the 2005 will of Annemarie Kusserow, the family member who had assembled and maintained the documents.

The museum's retention of the archive, said Wolfram Slupina, a spokesman for the Jehovah's Witnesses in Germany, "deprives us of a significant and invaluable part of our cultural heritage."

The archive documents the lives and suffering of the family of Franz and Hilda Kusserow, devout Jehovah's Witnesses, who were raising their 11 children in a large house in Bad Lippspringe in northern Germany when the Nazis came to power. The Jehovah's Witnesses were the first religious denomination to be banned, and the Kusserows' home was searched for religious materials by the Gestapo 18 times.

In 1939, the three youngest children were abducted from their school and sent to a Nazi training school, where they were denied contact with their family. Franz, Hilda and the

other children were all sentenced to prison terms. Two of the brothers, Wilhelm and Wolfgang, were executed as conscientious objectors.

On April 26, 1940, the evening before he was executed, Wilhelm sent a letter to his family.

"All of you know how much you mean to me, and I am repeatedly reminded of this every time I look at our family photo," he wrote. "Nevertheless, above all we must love God, as our Leader Jesus Christ commanded. If we stand up for him, he will reward us."

Wilhelm's farewell letter — and his brother Wolfgang's — are among the documents in the family archive.

Some 1,600 Jehovah's Witnesses died as a result of Nazi persecution. About 4,200 were sent to concentration camps, where they were identified by a purple triangular badge attached to their camp uniforms.

They were the only persecuted people who had the choice of ending imprisonment: If they signed a declaration renouncing their faith, they were liberated. Very few agreed to sign, Slupina said.

Before she died, Annemarie Kusserow, the keeper of the archive, had lent documents to her brother, Hans Werner Kusserow, to make copies for a book he was writing.

Though Annemarie's will stipulated that the documents should go to the Jehovah's Witnesses' headquarters in Selters, a small town northwest of Frankfurt, her brother, who was not a member of the faith, sold them to the Dresden museum for less than \$5,000.

He has also since died; only the youngest child of Hilda and Franz Kusserow, Paul-Gerhard, is still alive. He is 90.

"My brothers died for refusing to participate in military service," Paul-Gerhard Kusserow said. "I don't find it proper that this inheritance is stored, of all places, in a military museum."

A spokeswoman for the Museum of Military History declined to comment on the legal battle. The museum's permanent exhibition includes two documents from the archive in a section about the Nazis' victims; four further items, including Wilhelm's farewell letter, are on display in an exhibit about resistance against the regime, the spokeswoman, Kai-Uwe Reinhold, wrote in an email.

"The inclusion of various objects from the Kusserow archive in the permanent exhibition is of considerable value to the museum and for the public," Reinhold wrote. "These objects testify to and are a forceful reminder of the fact that religious freedom and steadfast beliefs are not a matter of course, they must be defended and fought for again and again."

In negotiations before the lawsuit, the Dresden museum offered to provide the religious organization with copies of all the documents in the archive, Slupina said. But the Jehovah's Witnesses rejected that offer.

A proposal that the museum should loan the group the original documents not on display in Dresden was rejected by the museum's lawyers, said Armin Piki, a lawyer for the Jehovah's Witnesses. The Jehovah's Witnesses filed suit in April 2021.

The regional court that ruled last year found that Hans Werner Kusserow had not stolen the archive and was rightfully in possession of it at the time of the sale, which was therefore legitimate regardless of who the legal owner was.

But the Jehovah's Witnesses argue that the group was then, and remains, the owner and that the archive was sold without the consent of his surviving siblings or the Jehovah's Witnesses. "It wasn't his to sell," said Jarrod Lopes, the New York-based international spokesman for the group.

The Jehovah's Witnesses also challenge the court's view that the purchase was made in good faith, arguing that the museum should have been aware from its correspondence with Hans Werner Kusserow that he didn't own the archive or have the right to sell it, Piki said. In 2008, Hans Werner wrote to a museum employee saying that he and his two surviving siblings agreed to "a long-term loan" of the archive to the museum. A representative of the Jehovah's Witnesses was also in contact with the museum about the loan. The group argues that the museum should have surmised from this contact that Hans Werner was not authorized to sell the archive.

Slupina says the group is extending its premises in Selters, including its permanent exhibition there. "The fate of this family is very closely linked to the fate of the Jehovah's Witnesses," Slupina said. "We are very keen that these documents are cared for by us."

Specific mention of the suffering of Jehovah's Witnesses is frequently omitted in Holocaust accounts or on memorials; they are often included in a vague reference to "other victims' groups," Slupina said. While Berlin has memorials for the murdered Jews, Sinti and Roma, gay people and euthanasia victims, there is no memorial as yet dedicated to the Jehovah's Witnesses killed by the Nazis. Erhard Grundl, a Green Party lawmaker, called for a specific monument for the religious group in a speech to parliament on Jan. 13.

A hearing on the Jehovah's Witnesses' appeal has yet to be scheduled.

Photo : The Kusserow children from left: Annemarie, Wilhelm, Siegfried, Karl Heinz, Waltraud, Hildegard, Wolfgang, Magdalena, Elisabeth, Hans Werner and Paul-Gerhard. In back, their parents, Hilda and Franz. Credit...Jehovah's Witnesses, Central European Archive