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## **Germany denies Christian private school accreditation, case filed at Europe's top human rights court**

- **German hybrid school—innovative in-class and at home learning model—takes challenge to European Court of Human Rights after accreditation denied**
- **Germany has one of the most restrictive educational systems worldwide; lower court cites lack of socialization for students**

**[ADF International](#) (05.05.2023)** – A Christian hybrid school provider, based in Laichingen, Germany, is challenging the German state's restrictive educational system. After the initial application in 2014, the Association for Decentralized Learning was denied approval to offer primary and secondary education by German authorities, despite fulfilling all state-mandated criteria and curricula. The school run by the Association is based on an innovative and increasingly popular model of hybrid education with both in school and at home learning.

On 2 May, lawyers from the human rights organization ADF International filed the case at the European Court of Human Rights (ECtHR).

"The right to education includes the right to embrace innovative approaches like hybrid schooling. By restricting this educational model, the state is violating the right of German citizens to pursue education that conforms with their convictions. When it comes to the requirement of physical presence, Germany has one of the most restrictive educational systems in the world. The fact that an innovative school based on Christian values has been denied recognition is a serious development worthy of scrutiny by the Court. The case brings to light the egregious issues with educational freedom in the country," stated German lawyer Dr. Felix Böllmann, Director of European Advocacy for ADF International, who filed the case at the ECtHR.

The Association initially filed for accreditation in 2014, which was ignored by state educational authorities for 3 years. In 2017, they filed a suit due to the inaction, with the first court hearing taking place only in 2019, appeal in 2021, and third instance court in May of 2022. The Constitutional Court rejected the last domestic appeal in December 2022.

### ***Hybrid education, successful and popular, yet restricted***

For nine years, the Association for Decentralized Learning has been successfully running an independent hybrid school, combining in-class learning with digital online lessons and independent learning at home. The school employs state-approved teachers and follows a set curriculum. Students graduate with the same examinations as those in public schools and maintain above average grade points.

“Children have a right to a first-class education. At our school, we can provide families with an education that meets their individual learning needs and allows students to flourish. It is our great hope that the Court will right this injustice and rule in favor of educational freedom, recognising that our school provide innovative and high-standard education through modern technology, individual student responsibility, and weekly attendance hours,” stated Jonathan Erz, Head of the association for decentralized learning.

The Association has been denied approval to open any new schools. The administrative courts acknowledged the satisfactory level of education but criticized the model on the basis that due to the hybrid nature of the school, students spend little time together during breaks and between lessons. Per the domestic courts, this is an essential part of education that hybrid schooling fails to provide.

### ***Educational restrictions violate international law and national law***

Germany, with a ban on homeschooling and severe educational restrictions, is in violation of the right to educational freedom as enshrined in its own constitution and in international law. International law specifically recognizes the liberty of bodies, such as the Association, to establish and direct educational institutions without interference, subject to “the requirement that the education given in such institutions shall conform to such minimum standards as may be laid down by the State”. (International Covenant on Economic, Social and Cultural Rights, Article 13.4)

Governments are obliged to respect “the liberty of parents ... to choose for their children schools, other than those established by the public authorities, which conform to such minimum educational standards as may be laid down or approved by the State and to ensure the religious and moral education of their children in conformity with their own convictions”. (International Covenant on Economic, Social and Cultural Rights, Article 13.3)

With regard to the law, Dr. Böllmann stated: “It is established clearly in international law that parents are the first authority for the education of their children. What the German state is doing to undermine education is an overt violation of not only freedom of education, but also of parental rights. Moreover, distance learning during Covid-19 lockdowns demonstrates that a complete ban on independent and digitally supported learning is out of date”.

The German Basic Law (Article 7 of the Constitution) guarantees the right to establish private schools—however, the domestic courts’ interpretation render this right ineffective. ADF International lawyers argue that this, in turn, is a violation of the European Convention of Human Rights. Time and

again, the European Court of Human Rights has made it clear that the Convention rights must be practical and effective.

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## **Hamburg Jehovah's Witnesses in shock after mass shooting**

By Jenny Hill

**[BBC News](#) (13.03.2023) - In a brightly lit hall on an industrial estate, rows of empty chairs are arranged in front of a plain wooden lectern.**

Hamburg's Jehovah's witnesses have cancelled all services following Thursday's deadly shooting in another meeting hall in the city which [claimed seven lives](#), including that of an unborn child.

The attack took place shortly after worshippers finished their service. Police have told them that they cannot rule out the possibility of a so-called copycat attack, says Michael Tsifidaris, who speaks for the community here.

He's smartly dressed in a business suit, but looks exhausted. It's clear that he's still deeply shaken. Two of his friends were killed in the attack.

He tells us he spent Thursday night with survivors in hospital, and at the police station. But he also comforted relatives as they waited in a hastily arranged emergency centre for news of their loved ones.

"It's hard to imagine - a group of people are sitting together during an evening in the church, reading the Bible, singing, praying together. Then they spend a couple of minutes together to talk to each other after the meeting, Then, all of a sudden, a scene of love becomes a scene of hate and death."

The fact that the killer was a former member of the Jehovah's Witness community here makes the tragedy particularly hard to bear.

There are about 4,000 Jehovah's Witnesses in and around Hamburg. The community is divided into smaller congregations, each with their own meeting place, known as a Kingdom Hall.

Detectives investigating the [mass shooting](#) have said the killer left the Jehovah's Witnesses on terms which were "not good".

Mr Tsifidaris says he doesn't know why the man left, didn't know him personally, and appears reluctant to talk about him.

Those who leave the Jehovah's Witnesses are often "disassociated" or cut off by most members of the community; a practice sometimes referred to as "shunning".

The police have revealed they recently received an anonymous letter, in which the author warned the attacker had a gun, was mentally unstable and harboured anger against religious groups, including the Jehovah's Witnesses.

"He left the community two years ago and now, all of a sudden, he's showing up and is acting against all the principles we stand for," says Mr Tsifidaris.

"What we know is that in the religious context, there is a community he knows, there is a community he was part of, so this is a community he focused his hate on. He knew the premises, he knew the arrangements."

For now, the community is meeting online. Mr Tsifidaris, who refers to his fellow members as brothers and sisters, speaks often of the comfort to be found in supporting one another. "We pray together, we cry together."

Uppermost in their thoughts are those who remain seriously injured in hospital. He's adamant that their treatment is not compromised by a refusal to accept blood transfusions - Jehovah's Witnesses believe that God forbids this.

They are not yet out of danger, he tells us, but the doctors say there's a fair chance most will survive.

For now, the focus is on supporting the bereaved and the traumatised. No one, he says, is left alone in their grief.

This attack has left a city in mourning and a community in shock and horror. It will, says Mr Tsifidaris, take years to heal.

*Photo: "We pray together, we cry together," says community representative Michael Tsifidaris – bbc.com*

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## **Jehovah's Witnesses: Sexual abuse allegations unmasked as groundless**

***An ex-member and a newspaper accused them of horrific abuses. They asked a State Prosecutor to investigate. No evidence of abuse was found.***

By Massimo Introvigne

[Bitter Winter](#) (21.02.2023) - Sexual abuse of minors is a horrible plague of our society. I know it first-hand, having been a member of a Council of Europe panel examining abuse in institutions, and the author of an analysis requested by one of the Vatican's congregations. I am thus painfully aware that this disgusting form of abuse exists among priests, pastors, and lay personnel of several religions, although most cases of sexual abuse of minors happen within the family. Some religions have been more effective than others in combating this epidemic, but none has totally eradicated it. Sexual abuse of minors has raised its ugly head wherever adults have been in contact with children, from the Boy Scouts to juvenile sport teams.

One painful by-product of the tragic fact that minor sexual abuse does happen in religious settings is that, among many accusations that are true, some are false and destroy the life and reputation of innocent men, women, and congregations. They are fabricated for a variety of reasons, including the greed of some lawyers, the inclination of certain media to publish sensational stories without verifying them, and the hostility of others to specific religions. There have been several spectacular examples of such false accusations. The victims of pedophile priests and other religious ministers deserve our

sympathy and respect—but so do those who have been slandered and vilified by the media based on accusations courts have later recognized as false.

The Jehovah's Witnesses have often been targeted by accusations that they "hide" cases of sexual abuse and protect the abusers from secular justice. As [a series in Bitter Winter](#) by American scholar Holly Folk and [my own critical analysis](#) of a 2022 podcast by the British newspaper The "Telegraph" demonstrated, these accusations are false. For having repeated them, the Belgian governmental anti-cult watchdog CIAOSN [was found guilty of defamation](#) by the Court of Brussels on June 16, 2022.

Yes, there have been cases of sexual abuse of minors by members of the Jehovah's Witnesses, as it happened with members of most other religions. However, as the two series in Bitter Winter show, the measures adopted by the Jehovah's Witnesses to prevent these crimes from being perpetrated by their members, while—like those introduced by other religious and non-religious organizations—not infallible, compare favorably in terms of strictness and effectiveness to those of other institutions.

Then, there are the false accusations. On June 19, 2022, the popular German Sunday newspaper "Die Welt am Sonntag" published an article under the title "Ohne Zeugen" (Without Witnesses) that included lurid allegations of child sexual abuse against German elders of the Jehovah's Witnesses. The article appeared to have been largely inspired by an "apostate" ex-Jehovah's-Witness called Barbara Kohout.

As explained [in yet another Bitter Winter series](#), for sociologists of religions "apostate" is not an insult. It is a technical term identifying the ex-members of a religion who turn militant opponents of the organization they have left. They are a minority among the ex-members, but are normally the only former members the media deal with.

The stories told by the newspaper mentioned, among others, a girl who at the age of 15 was forced to have oral sex with several elders in a Kingdom Hall, and a boy who was molested by a ministerial servant for years. Among the Jehovah's Witnesses, "a large proportion of the girls have suffered sexual assault," the article had Kohout saying.

When they read the article, the German Jehovah's Witnesses were horrified. Although familiar with Kohout as an "apostate," they hadn't the faintest idea of what she and the newspaper were talking about.

In direct contradiction of their critics' theory that they have something to hide and are afraid of courts of law, the German Jehovah's Witnesses did something "Die Welt am Sonntag" had perhaps not expected. On August 2, 2022, they filed a complaint with Berlin's State Prosecutor asking for an investigation of the alleged crimes.

They explained that an investigation against the unknown perpetrators was in the urgent interest of the Jehovah's Witnesses. "If the allegations mentioned in the article are true, they wrote, this would mean that individuals who hold or once held a spiritual office in the religious community are or were involved in serious criminal activity that remains undetected and unpunished. Therefore, it is of paramount importance to the religious community that you investigate the allegations presented in the above-mentioned article so that any perpetrators can be identified and convicted, and subsequently be removed from their office by the religious community."

The State Prosecutor's office had no choice but to investigate. However, on August 17, 2022, Senior Prosecutor Brigitte Raddatz wrote to the Jehovah's Witnesses that she was inclined to discontinue the preliminary proceedings, having found no ways of determining who were the real persons hidden under the pseudonyms used by the newspaper.

It seemed that "Die Welt am Sonntag" had taken some cases from the Internet, including some of persons who testified before the Independent Inquiry into Child Sexual Abuse in Germany instituted in 2016, but whose testimonies did not result in prosecutions. As for Barbara Kohout's "working method," the Prosecutor noted that she received telephone calls from anonymous persons who claimed to be victims and gave advice, without checking the stories or the identities of the callers.

Undaunted, the Jehovah's Witnesses asked the State Prosecutor on September 6, 2022, to continue the investigation, stating that, "It is of paramount importance to the religious community that appropriate investigations into the crimes referred to in the above article continue so that any perpetrators are identified, convicted and, as a logical consequence, removed from office." They also noted that Kohout was described in the article as possessing "detailed information on the alleged acts. She thereby unequivocally stated that she could potentially contribute to the clarification of the alleged criminal acts."

The State Prosecutor had to contact Kohout, something she might have not done before. She reported that Kohout "stated that the wording of the newspaper article did not (completely) correspond with her statements and that she could therefore not accept any responsibility for it." In any case, Kohout told the Prosecutor she had been "merely a listener for people who wanted to open up to her, and they would have contacted her using a pseudonym, their first name or general terms such as 'black sheep of the family.'" Accordingly, the State Prosecutor concluded again that no evidence of crimes had emerged, and terminated the proceedings on December 8, 2022.

Obviously, there is nothing wrong in offering confidential advice to persons who claim to be victims of sexual abuse and contact a telephone hotline or a counselor anonymously. However, it is an entirely different matter if the counselor uses this unverified information to slander an entire religious community or forward it to the media. Real sexual abuse of minors is a serious problem. Inventing abuse to defame religions somebody does not like is a not less serious problem: not only because it slanders the innocent but also because, by misdirecting the attention and the resources of those who investigate the abuses, it may end up protecting the guilty.

*Photo: Jehovah's Witnesses in Germany: evangelizing in Frankfurt am Main.  
Source: [jw.org](http://jw.org).*

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## **Hate speech and incitement to violence of a Turkish AKP lawmaker in Neuss**

By Willy Fautré, director of Human Rights Without Frontiers

HRWF (25.01.2023) – "Just as we won't give them the right to live in Turkey, we won't give them the right to live in Germany, either. No matter where they flee in the world,

we will destroy the PKK and FETÖ terrorist groups,” AKP MP Mustafa Açıkgöz said in [video footage](#) circulating on social media at mid-January, using a derogatory term coined by the Turkish government to refer to the faith-based movement of Fethullah Gülen as a terrorist organization.

Fethullah Gülen was an imam from 1959 to 1981. He developed the theology of Said Nursi that embraces democratic modernity and Islam. See our report on the Said Nursi movement [here](#). Since 1999, Gülen has lived in self-exile in the United States. He is an opponent to President Erdogan who has repeatedly but vainly asked the US to extradite him. He founded his movement (known as the *hizmet*, meaning "service" in Turkish), which is a 3-to-6 million strong volunteer-based movement in Turkey and around the world. All Hizmet's schools, foundations and other entities in Turkey have been closed by the Turkish government following the [2016 Turkish coup d'état attempt](#) which Erdogan blamed, without any evidence, on Gülen.

The Turkish lawmaker's remarks came during a meeting in Neuss of the Grey Wolves, which are seen as the paramilitary wing of the far-right Nationalist Movement Party (MHP), an ally of President Recep Tayyip Erdoğan's ruling AKP. They were interpreted as a call for violence on German soil.

The Düsseldorf prosecutor's office launched an investigation into the lawmaker from Turkey's ruling party after the German Foreign Ministry warned the Turkish ambassador saying that "hate speech has no place in Germany" and that what Açıkgöz did during the event in Neuss "must not be repeated."

"We made clear that foreign election campaign events must be approved by us in advance. If Turkish representatives don't play by the rules, we must determine the consequences," the ministry said in a tweet.

A law introduced in 2017 banned non-EU leaders from campaigning on German soil within three months of elections in their country. Foreign officials also need to file a request with the German government to hold any kind of political event in Germany.

Meanwhile, DW on Wednesday said Germany's Federal Office for the Protection of the Constitution (BfV), the country's domestic security agency, found the AKP lawmaker's speech at the Grey Wolves event "worrying."

The developments are expected to speed up the banning of the Grey Wolves in Germany, whose "violent tendencies" are said to endanger internal security in a recent report by the BfV.

In 2020 France officially banned the Grey Wolves after a center dedicated to the memory of those who died in the mass killings of Armenians during World War I was defaced with graffiti, including the name of the Grey Wolves.

## More reading

In English

<https://www.turkishminute.com/2023/01/17/germany-warned-turkey-over-akp-mps-hate-speech-targeting-pkk-member-gulenists/>

In German

<https://www.auswaertiges-amt.de/de/newsroom/regierungspressekonferenz/2574150>  
<https://twitter.com/AuswaertigesAmt/status/1615066604315836416>

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