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WEBINAR

Freedom of Religion From the USCIRF Report on Persecutions in Russia to Violations in Europe

held on January 29, 2021

The webinar presents and discusses the recent annual USCIRF report, by the Policy Analyst Jason Morton, on the violations of religious freedom worldwide. The report has confirmed the concerns of LIREC, and other NGOs, for the persecution against religious minorities as Jehovah's Witnesses, in Russia and elsewhere, carried out by some controversial anti-cult organizations. This is a problem that LIREC formerly brought to the attention of OSCE/ODIHR in 2013, when Italy was the object of recommendations due, precisely, to these associations' legal and media-related activism.

On the one hand, the USCIRF Report will hopefully allow for a greater international engagement in support of human rights in those areas; on the other hand, however, some anti-cult organizations like FECRIS (European Federation of Centers for Research and Information on Sectarianism), whose methods and purposes have been censured by the US commission, keep on carrying out its activities undisturbed in Europe.

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Introduction and Greeting Address

by **Raffaella Di Marzio**, Director of the Center for Studies on Freedom of Religion Belief and Conscience (LIREC), and **Luigi Lacquaniti**, Former MP

Transcript of the introductory speeches presented during the January 29, 2021 webinar organized by LIREC (Center for Studies on Freedom of Religion Belief and Conscience) entitled “Freedom of Religion: From the USCIRF Report on Persecutions in Russia to Violations in Europe”

Raffaella Di Marzio: Good afternoon, everybody. I would like to welcome all the participants, our technician Giorgio Gasperoni and the audience of our webinar. The subject we will address is the Freedom of Religion from the USCIRF Report on Persecution in Russia and Violations in Europe.

This webinar is from Italy, organized by the Center for Studies on Freedom of Religion, Beliefs and Conscience of which I am a director. For those who don't know us, LIREC is a free society, a non-profit society independent from any party or religious group. And it is the result of the project, of a project of a few people who for years have been committed with various kinds of studies and activism to the cause of defending freedoms. And now this webinar is a discussion about the USCIRF report, and this report is on the violation of religious freedom worldwide.

This report has confirmed the concerns of LIREC for the persecution against such minorities as Jehovah's Witnesses in Russia, which has been carried out by the controversial anti-cult organization named FECRIS. On the one hand, this recognition will often allow for a greater international engagement in support of human rights in that area. On the other hand, however, this same organization whose methods and purpose have been censured by the United States Commission keeps on carrying out its activities in Europe. In France, where FECRIS is headquartered, a special law, which can create a climate of general suspicion against religion and increase the State control on all religious groups, is under discussion. At the same time, anti-cult organizations that are associated with the very same international goals and which collaborate with the institution and the police forces in the past are known to be still active in Italy.

This is a problem that LIREC and other NGOs formally brought to the attention of the Organization for Security and Co-operation in Europe for years. In 2013, I participated at the Annual Meeting organized by the Organization for Security and Co-operation in Europe. And for the first time, I presented a statement to the Italian government during the plenary session. I said that for the last 15 years, my country has been witnessing the growing of dangerous scenarios of intolerance against religious minorities, which are variously labeled and stigmatized as cults, psycho-cults, destructive cults, and so on, due precisely to the anti-cult association's legal and media-related activism. In Italy, one of the most targeted groups is that of Jehovah's Witnesses.

We have taken and participated in several initiatives to raise public awareness in the media and Italian institutions promoted by some Italian members of Parliament who present questions about this matter. One of them will speak at this webinar, Honorable Lacquaniti. Moreover, LIREC and CESNUR organized at the Chamber of Deputies an international seminar about the persecution of Jehovah's Witnesses in Russia and elsewhere. And we wrote a letter to the Ministry of Foreign Affairs urging a diplomatic intervention, but we have no answer.

In conclusion, even if the Italian situation is very different from those of other countries, also in Italy discrimination towards them is still widespread in many ways. Not only Jehovah's Witnesses but also many religious and spiritual organizations call our organization for help for facing the disastrous effects of discrimination on the people and groups. We know that it's important to prevent this phenomenon. So, one year ago, we presented, at the Interministerial Human Rights Committee, at the Prime Minister's Office, and at the Chamber of Deputies, a strategy of implementation of the European Union guidance on protection and promotion of freedom of religion or belief. These are also the key pillars of LIREC's activity. This strategy could be useful to address the underlying problem because it does not concern only a specific religious group but also the right to religious freedom of all citizens.

Before giving the floor to the speakers, let us hear the greeting address of the Honorable Lacquaniti who was a member of Parliament, whom I thank very much for joining us today. He will speak in Italian, and I will read his speech in English.

Luigi Lacquaniti: [Greetings in Italian]

Raffaella Di Marzio: I thank Honorable Lacquaniti for his greeting address. Now I will read it in English.

Honorable Lacquaniti thanked LIREC, the "Center for Studies on Freedom of Religion, Belief and Conscience", and me in particular, for this invitation. He addressed his greetings to the speakers, all of them, distinguished representatives of an international academic, political, journalistic world, which today thinks deeply on religious freedom and, in particular, on the precarious situation of religious freedom in Russia. He recalled that, as a member of the Chamber of Deputies in the previous Legislature, until 2018, he made freedom of worship one of the major subjects of his political commitment. Initially, at the request of the Waldensian Church, of which he is a member, and later with the precious help and stimulating exhortation of LIREC.

Freedom of worship is enshrined in the Italian Constitution as a fundamental principle. Yet, how often this fundamental right is still muted is testified by the fact that in Italy the juridical category of "admitted religions", established almost a century ago by the fascist legislator, is still not completely overcome. And if the cardinal principle of Western democracies is undoubtedly the secular nature of the state – without secular state there is no authentic democracy –, secularism implies freedom to believe or not to believe; and, out of respect for the freedom of all citizens, it implies the freedom to believe whatever you want. In this sense it can be said that a modern democracy needs freedom of worship.

It is with this conviction that in the last Legislature Honorable Lacquaniti fought against laws issued in three Italian regions, Lombardy, Veneto and Liguria, which significantly limited the freedom of worship of migrants. He filed parliamentary questions, interpellations. He held press conferences with me and other deputies and senators. He participated in conferences. And, finally, he filed the bill "Rules on religious freedom and abrogation of the legislation on admitted religions." A work that, we can say, is still at its beginning.

At the end of his greetings, the Honorable Lacquaniti quoted Goethe who, 200 years ago, published his most famous novel *Elective affinities*, at the end of which Goethe, almost unexpectedly, invoked as a solution to the tragic condition of man a recomposition of humankind and its affections in a spiritual dimension. It is this spiritual dimension, a fundamental component of human beings, that—concludes the Honorable Lacquaniti—we want to protect, whatever our personal beliefs may be.

The Anti-cult Movement and Religious Regulation in Russia and the Former Soviet Union

*by Jason Morton, Senior Policy Analyst
at the U.S. Commission on International Religious Freedom (USCIRF)*

Transcript of a speech presented during the January 29, 2021 webinar organized by LIREC (Center for Studies on Freedom of Religion Belief and Conscience) entitled “Freedom of Religion: From the USCIRF Report on Persecutions in Russia to Violations in Europe”

Thank you for the invitation to speak with you today and for your interest in the important work of the U.S. Commission on International Religious Freedom (or USCIRF). USCIRF is a bi-partisan commission created by Congress to monitor international religious freedom conditions and make policy recommendations to the U.S. government. In August 2020, USCIRF published my report on “The Anti-Cult Movement and Religious Regulation in Russia and the Former Soviet Union,” and I appreciate the opportunity to introduce this research and discuss the ideas and concerns motivating it.

The primary purpose of this report was to understand and describe the complex landscape of religious regulation in the Former Soviet Union, including the ways in which developments in Russia influence those in other former republics, like Kazakhstan or Tajikistan, and vice-versa. These dynamics are too often dismissed as something uniquely Russian, or vaguely Soviet. Yet, while the Soviet legacy of current legislation is in fact real and significant, I found that it was impossible to describe the rise and shape of religious regulation in the region without describing the immense impact of Western influences, like the Anti-cult movement.

Indeed, rather than something uniquely Russian, or Soviet, contemporary religious regulation in Russia and Central Asia is heavily indebted to influences emanating from the West, including the Anti-cult movement, and the rhetoric and policies of the so-called “War on Terror” in the aftermath of the September 11, 2001 attacks. In Russia and Former Soviet Central Asia, these ideas helped to justify a return to religious policies born in the Soviet era, which primarily perceived religion as a threat to be managed and restricted, rather than a basic human right.

The Anti-cult movement first emerged in North America and Western Europe during the 1970s and 80s, after traumatic events such the Manson Family Murders (1969) and the Jonestown Massacre (1978) raised fears about the perceived threat of secretive groups. The movement was also informed by fears about Communist infiltration, borrowing pseudo-scientific concepts like “brainwashing” and “mind control” and the theories of psychologist Robert Jay Lifton and anti-Communist activist Edward Hunter.

Anti-cult rhetoric depicts New Religious Movements (NRMs) as “fanatic” or “bizarre,” and portrays individual members as helpless victims without their own free will or ability to save themselves. This rhetoric enables groups to justify the forced removal of friends and relatives from the religions of their choice, and even advocated for “deprogramming” regimens that used coercive (and highly questionable) psychological techniques.

In the late-1990s and early 2000s, a fragile Russian state eager for stability and unity adopted many aspects of this Anti-cult program, fueling a crackdown on religious minorities that has yet to diminish or end. In this context, the rhetoric of “brainwashing,” “mind control,” “zombification,” and “totalitarian sects,” which is frequently used to justify harsh measures, taps into fears about the Soviet past and its subjugation of the individual to a malevolent collective.

There is a perverse logic here: fears about the Soviet legacy have been leveraged to re-introduce Soviet-era laws and repressive tactics. Contrary to popular perception, the Soviet Union never outlawed religion: it regulated it. Most Bolsheviks were convinced that old beliefs were rooted in human suffering and would simply fade away as the attainment of communism removed any underlying need for them. Yet as religion failed to disappear, Soviet animosity towards religion in general, and the Russian Orthodox Church (ROC) in particular, intensified.

Anti-religious campaigns accelerated over the course of the 1920s, culminating in a 1929 Law on Religious Associations that set the pattern for religious regulation for the rest of Soviet history and beyond. The law required all religious groups to register with the state in order to receive legal status, made all religious activity outside the confines of a recognized church illegal, and banned the religious instruction of minors or the distribution of religious literature. In 1943, at the height of World War II, Stalin rehabilitated the ROC’s standing in Soviet society in order to harness its popularity for the state. The ROC became a quasi-state religion with privileged status.

Other traditional religions like Islam enjoyed similar status in regions where they dominated. Later laws reinforced the primacy of legal registration, carefully delineating the eligibility requirements and permitted activities. Registered religious groups were generally deemed safe and even useful, while those who failed or refused to register, like the Jehovah’s Witnesses, were deemed “enemies of the state” and treated as such.

When the Soviet Union collapsed, what had been a trickle of religious interest during the late-Soviet era became a flood as beleaguered citizens sought stability and reassurance. Although the majority of society remained non-religious, most religious groups experienced a dramatic increase in membership: especially NRMs like the Church of Scientology, the Unification Church, and the International Society for Krishna Consciousness. This period also witnessed the rapid rise of the Anti-cult movement, which is perhaps best illustrated through the career its most prominent proponent in Russia, Alexander Dvorkin. Dvorkin fled the Soviet Union and spent the period between 1977 and 1992 in the United States, where he embraced Russian Orthodox Christianity and spent time working at the U.S. government-sponsored news outlet, Voice of America.

In 1993, after returning to Russia, Dvorkin founded the Saint Irenaeus of Leon Information-Consultation Center (SILIC) under the auspices of the ROC and with the blessing of then Patriarch Alexey II. Almost 30 years later, SILIC remains the propaganda center of the Anti-cult movement in Russia and maintains an online database of NRMs, as well as an archive of writings.

Dvorkin has long provided the Anti-cult movement with a veneer of intellectual credibility. Since 1999, he has taught Sectarian Studies at the ROC’s University of St. Tikhon; yet, his degree in Medieval Studies provides no academic grounding in religious studies or the sociological and psychological concepts on which he so frequently relies. At a seminar in 1993, he allegedly coined the term “totalitarian sect,” a concept which effectively merged Western Anti-cult ideas with the post-

Soviet context, where anxiety about the return to the Stalinist past competed with fears about an unstable present.

On September 26, 1997, the Russian Federation passed a federal law which ended the state's permissive treatment of "religious minorities and introduced regulations based on previous Soviet policy. An arduous registration process required all applicants to provide the names and personal information of founding members (all of whom had to be Russian citizens), turn over founding documents and religious literature, and prove that the organization had existed on the territory of Russia for at least 15 years. Unsurprisingly, many religious minorities struggled to register in a system that could delay or deny their claim through an array of bureaucratic mechanisms.

The law was in fact designed to bolster established faiths and limit the spread of NRMs. The preamble acknowledged "the special role of Orthodoxy in the history of Russia and in the establishment and development of its spirituality and culture" as well as that of traditional religions like Islam, Buddhism, and Judaism, which constituted "an integral part of the historical heritage of the peoples of Russia." The ROC, the Anti-cult movement, and Dvorkin in particular, had intensely lobbied and mobilized supporters to push for the law's passage. Dvorkin's ideas about the need to rescue helpless citizens from the clutches of totalitarian sects through repressive religious regulations found allies in a government eager to reassert its control over society.

The subsequent widespread abuse of such laws in Russia is ample proof of their flawed nature. USCIRF does not advocate the exemption of religious groups or individuals from legal prosecution under a reasonable and equitable process. But laws that specifically target religion, that seek to define correct belief and punish non-conformity, are inherently flawed and unjust---enabling the kind of authoritarian abuse they claim to prevent.

In his 2000 Russian National Security Concept, Putin claimed that "protection of the cultural, spiritual and moral legacy, historical traditions and the norms of social life" was a matter of national security and argued for "the formation of government policy in the field of the spiritual and moral education of the population."

Putin's administration has implemented this policy of "spiritual security" to steadily constrict the moral/spiritual sphere, including under the guise of Anti-cult rhetoric and the Global War on Terror. Russia has indeed faced a legitimate threat from Islamist terrorism, but the laws it adopted go well beyond the scope of counterterrorism. In 2002, Russia adopted the Law on Combatting Extremist Activity, which contains no clear definition of "extremism," and allows for the prosecution of "incitement of social, racial, ethnic or religious hatred" or "propaganda of exclusiveness, superiority or inferiority of an individual based on his/her social, racial, ethnic, religious or linguistic identity, or his/her attitude to religion." A 2012 study by SOVA Information Center found that religious organizations constituted the majority of those accused under this law.

Just like the War on Terror, the Anti-cult movement is also international in scope and influence. In 2009, the same year in which he was appointed head of Russia's Council of Experts, tasked with monitoring religious activity and approving legal registration, Alexander Dvorkin became Vice-President of the European Federation of Research and Information Centers on Sectarianism (FECRIS), a French Anti-cult organization with pan-European influence. The French government provides the majority of FECRIS' funding and the group regularly spreads negative propaganda about religious

minorities, including at international forums like the annual Organization for Security and Cooperation in Europe (OSCE) Human Dimensions conference.

Over time, the rhetoric and ideas of the Anti-cult movement and the Russian state have converged noticeably. In 2012, Putin claimed that “totalitarian sects” were “growing like mushrooms,” and “present[ed] a distinct threat to society” that needed to be addressed by legal mechanisms at both the local and federal levels. In July 2016, the Russian government adopted a package of amendments, commonly known as the Yarovaya Law, which significantly enhanced the scope and penalties of previous religion and anti-extremism laws. The law characterizes sharing religious faith, or extending invitations to religious services, as illegal missionary activity if it occurs outside of officially registered spaces (including in private homes or over the internet). The law enables the government to monitor private electronic communications in what observers characterized as a direct “echo [of] the sweeping powers wielded by the KGB” in Soviet times.

On April 20, 2017, Jehovah’s Witnesses were banned outright across Russia, based on the accusation that the church was an “extremist organization.” The same year, USCIRF recommended Russia for designation by the State Department as a “country of particular concern” (CPC) under the International Religious Freedom Act of 1998 (IRFA), as one of the world’s worst violators of religious freedom.

All of these issues have an impact beyond the Russian Federation, not least in Ukrainian territories it illegally occupies. Russia brought along its restrictive religious regulation framework when it invaded Crimea in 2014, including the symbiosis between Anti-cult ideas and national security. The occupation regime in Ukraine frequently has used religious regulations to terrorize the general population, targeting Jehovah’s Witnesses and members of the Ukrainian Orthodox Church, as well as activists in the Crimean Tatar community, the majority of whom are Muslim, and frequently charged with extremism and terrorism.

In post-Soviet Central Asia, repressive religious policies mirror those in Russia, with mandatory registration and broad extremism legislation that targets religious minorities. Yet for the most part, these tend to draw more on the rhetoric of the War on Terror than the Anti-cult movement. In Tajikistan and Turkmenistan, registration is mandatory and all unregistered religious activity is illegal. Thousands of mosques have been destroyed or turned into movie theaters, factories, and sporting clubs.

Kazakhstan, is the one Central Asian country with a particularly robust Anti-cult movement. It is also the only Central Asian state that retains a significant population of ethnic Russians and therefore an influential ROC presence. This is a strong indication of the link between the Anti-cult movement and the ROC. Although not all ROC clergy agree with the Anti-cult movement or sanction its ideology, ROC clergy and laity play a significant role in the movement and anti-cult centers are frequently funded by local parishes, or hosted in church facilities.

Before the enactment of its 2011 religion law, Kazakhstan had been one of the least repressive post-Soviet Central Asian states with regard to freedom of religion or belief. The religion law, however, set stringent registration requirements with high membership thresholds, and it banned or restricted unregistered religious activities while subjecting religious groups to police and secret police surveillance. As a result of the law’s registration requirements, the total number of registered religious

groups fell sharply after 2011, especially the number of “nontraditional” religious groups, which declined from 48 to 16. Although the religion law considers all religions to be equal, its preamble specifically “recognizes the historical role of Hanafi Islam and Orthodox Christianity” in an echo of the preamble to Russia’s 1997 legislation.

On Kazakhstani government webpages and state television, so-called experts demonize religious minorities and claim that they use “programming” and “zombification” techniques to prey on young people with psychological problems and turn them against their families and society. To combat this threat, the government funds “anti-sect” centers that distribute information about the dangers of these groups throughout the country,

The government also supports rehabilitation centers that claim to successfully deprogram victims through a combination of psychological, theological, and pedagogical methodologies. The first such center was founded in 2007 with the support of Alexander Dvorkin and the Russian Anti-cult movement.

The common denominator among all of these countries is the shared desire for stability after the collapse of the Soviet Union—which all of them experienced as a socioeconomic catastrophe—and the rise of Islamist terrorism. The rhetoric of the Russian Anti-cult movement, or the Global War on Terror, helps these governments to justify a return to repressive Soviet legal norms, even as they symbolically distance themselves from that problematic past.

The Anti-cult movement is fundamentally a propaganda outlet conducting a highly effective information war against religious minorities throughout Russia and many of the countries in which it retains influence. An effective response to the movement must also engage at the level of information, countering the perverse logic of Anti-cult propaganda with hard facts about its lack of credibility and complicity in the suppression of religious freedom. Panels, like this one, are essential to that process and it is a privilege to participate with you all.

Anti-Cultism as Ideology: Intolerance, Discrimination, Persecution

by *Massimo Introvigne*, Director of the Center for the Studies of New Religions (CESNUR)

Transcript of a speech presented during the January 29, 2021 webinar organized by LIREC (Center for Studies on Freedom of Religion Belief and Conscience) entitled “Freedom of Religion: From the USCIRF Report on Persecutions in Russia to Violations in Europe”

Today I would like to offer some comments on what is the anti-cult movement. In 1993, I introduced a distinction, which is now widely used, between a “counter-cult movement” and an “anti-cult movement.”

The counter-cult movement has always existed, although we can say that the name was created in the 19th century. But surely the sectarian criticism of other religions is as old as religion itself. We find that in the Bible; the Jews were not exactly kind when describing other religions, nor were the Christians when describing the Gnostics. So, the counter-cult movement is the effort by some religions, particularly Christianity in the movement’s most recent incarnation, to avoid that their members are converted by other proselytizing religions. And one of the tools is to stigmatize other religions active in proselytizing as “cults”. So, the counter-cult movement is very old. But it continued in the 19th century and flourished in the 20th century. A bible of the counter-cult movement is a book called *The Kingdom of the Cults* by Walter Martin, and it was published for the first time in 1965. This was a sectarian criticism of other religions using the category of heresy, criticizing other theologies. And its aim was not only to take those who had joined the so-called “cult” away from the cult, but to return them back to the Christian fold. Particularly in the United States where it was most active and targeted particularly two groups—the Jehovah’s Witnesses and the Mormons but also spiritualists, Theosophists, and Freemasons—the counter-cult movement was very much aware of a political climate of religious liberty and did not want to change it. So, it did not call on the government to crack down on the heresies, but relied more on lectures, books, articles, and preaching.

The counter-cult movement still exists. But it is different from the modern anti-cult movement, which is a product of what sociologists call the “Long Sixties.” In the United States, the ‘60’s were an era of revolution—cultural revolution, sexual revolution, and also religious revolution. Some scholars mention the date of 1965 and the repeal of an old law called the Asian Exclusion Act as important in this respect. The Asian Exclusion Act was in substance a racist law, which greatly limited the possibility of Asians settling in United States. In 1965, also because the U.S. needed the support of Asian countries in the war in Vietnam, the Asian Exclusion Act was eliminated, which made it easier for missionaries of different Asian religions—Hindus, Buddhists, and sometimes Christians, such as members of the Unification Church of Reverend Moon—to come to the United States. The fact that there were Asian missionaries led to a revitalization of Christian missions inside the United States, sometimes with very nonconventional or unorthodox theologies, such as in the Jesus movement and particularly in its radical wing, the Children of God, and increased the presence of indigenous American new religious movements such as the Church of Scientology.

All this led to a new phenomenon: young students decided to abandon their careers and colleges, change radically their lifestyle, and serve as full-time missionaries for the new religions—the Unification Church, Scientology – where they would not be called “missionaries,” but members of the Sea Org – or the Hare Krishna movement. And this mightily upset their bourgeois parents. You should figure that you are a parent, you have invested considerable money in the United States to send your son or daughter to college, and then you get the phone call. “You know what? I have decided not to become a lawyer or a doctor or an accountant, but to sell candies trying to persuade people that Reverend Moon is the messiah, or serve on a ship in the Sea Org of Scientology, or shave my head and sing in the streets as part of the Hare Krishna movement.” Most of these parents were not deeply religious at this stage and would not deeply care about the theology of their children. That’s the difference with the counter-cult movement. But they believed it was totally inconceivable that their sons and daughters would surrender their career to work full-time for a new religious movement. And they didn’t believe that may happen naturally or because of a free choice of their sons and daughters.

So, they embraced very liberally the ideology of brainwashing, which had been created in the Cold War by the CIA as an anti-Communist weapon, to criticize the Russian and the Chinese. The brainwashing ideology had been invented to explain why people could embrace such an absurd political faith as Communism. And now it was used to explain why young people could embrace such an absurd religious faith as Scientology or the Unification Church. So, the proliferation of new religious movements and the fact that thousands of young adults decided to work for them full-time led to the creation of something new, which did not exist before. And it was a secular—rather than a religious or sectarian—anti-cult movement. The first group we can call anti-cult in the United States was established in 1971 by a gentleman called Ted Patrick. Ted Patrick had a son in the Children of God. Well, in fact a son and a nephew both in the Children of God. And he established a group called FREECOG, Free our Children from Children of God, which later attracted the parents of people who had joined other movements, not only the Children of God, but also the Unification Church or Scientology or the Hare Krishna. Eventually, it became the Citizen’s Freedom Foundation and later the Cult Awareness Network.

Ted Patrick was a big man, a small bureaucrat from the State of California, and he had invented something. He had invented something called “deprogramming,” which was a process where young adults—members of new religious movements—were kidnapped in the streets, normally put in a black windowless van, which became the trademark of Ted Patrick’s interventions, and taken to a secluded place where they were detained and bombarded with negative information about the “cult” until they, hopefully—that was at least the idea of Ted Patrick—would leave the “cult.” So, the anti-cult movement had three main fields of activities, which were different from the old counter-cult movement.

First, rather than preaching in the churches, they tried to persuade the media of the ideology of brainwashing. They claimed brainwashing was real, was massively happening in the “cults,” and something should be done about it. Now we reach the field where the anti-cult movement has been very successful. As I will tell you, in other fields it has been remarkably unsuccessful; but in this field, it has been successful. To this very day, most mainline media still believe in brainwashing.

They still believe in the notion of “cults,” they still believe that “cults” are something sinister and dangerous.

Number two, they tried to persuade governments to pass laws against the “cults” and courts of law to punish “cults” for the alleged brainwashing. And here it was initially successful, but in the long run unsuccessful because, after some initial success, constitutional problems were raised. In the United States, no state passed an anti-cult law. There were some anti-cult laws in Europe in countries such as France and Spain, but not in North America. And in courts of law, in most cases, they were not successful.

And the third feature of the anti-cult movement was deprogramming—the kidnapping of members of new religious movements, their detention, and bombardment with hostile comments against the cult, sometimes accompanied by the use of not verbal but physical violence. This was also unsuccessful. There were some instances of successful deprogramming. But by the 1990’s, courts of law almost all over the world—except for Japan, where deprogramming was forbidden only recently, and South Korea, where it’s still going on—had declare deprogramming a crime.

So, as I said, three main campaigns: liaising with the media—successful to this very day, even in countries like Italy; trying to have anti-cult laws passed by Parliaments—unsuccessful in the United States, successful in some European countries; and deprogramming—unsuccessful in general, because courts of law came to regard it as a criminal activity, with some exceptions around the world and now only South Korea.

So how does the ideology of the anti-cult movement work? I would say that the ideology of the anti-cult movement has four main tenets. Tenet number one: “cults” are not religions. There is a difference between “cults,” which are bad, and the religions, which are good or indifferent. Tenet number two: how do we know group “A” is a “cult” rather than a religion? We know it because it uses brainwashing. If you are a religion, you persuade people through normal persuasion. If you are a “cult,” you persuade people through brainwashing. Tenet number three: How do we know that brainwashing is practiced by “cult” “A”? Because ex-members say that. Of course, they’re not all the ex-members, but some ex-members would claim they have been brainwashed. And tenet number four: Since some ex-members say they were brainwashed, but other ex-members say they were not brainwashed, how do we know that we should believe the first group of ex-members? And the answer is: because we are told by the anti-cult movement. And the anti-cult movements are reliable because they are on the side of the “victims,” while academic scholars, for instance, are not reliable because they are on the side of the criminals, of the “cultists,” and not on the side of the victims. Human rights organizations are also not believable because they are on the side of the criminals and not on the side of the “victims.”

And this ideology in these four points was sold, number one, to the media, creating an atmosphere of intolerance, which is a cultural phenomenon. Then it was sold, at least in some countries including in Italy, to police and some politicians and courts of law. And intolerance became discrimination, a legal factor. And in some countries, including Russia and China as we heard, it led to the criminalization

of groups, such as the Jehovah's Witnesses in Russia, or The Church of Almighty God, or Falun Gong in China, and to real physical persecution with torture.

In conclusion, what is the health status of the anti-cult movement? Many scholars believe that the anti-cult movement, particularly in North America, was about to disappear after receiving two main blows between 1990 and 1995. In 1990 the U.S. District Court for the Central District of California, in the *Fishman* decision, ruled that brainwashing is a pseudoscientific theory which cannot be used in courts of law and the main tenets of this decision stand. So, after *Fishman*—that was the name of the case—brainwashing theories and witnesses cannot be offered in American courts of law.

And in 1991, one of the deprogrammers, Rick Ross, made a mistake. He was asked by the mother of a guy called Jason Scott to deprogram him. And Jason Scott was a member of a large African American Pentecostal church called the United Pentecostal Church—normally not called a “cult” by anybody except by some Christians including the mother of Jason, who disagreed with their interpretation of the Trinity, which for theologians is what they would call a “modalist” interpretation of the Trinity. So, Rick Ross tried to deprogram Jason Scott but failed. Jason Scott escaped and sued him and sued the Cult Awareness Network, which had referred his mother to the deprogrammer. With the help of the Church of Scientology—which cooperated with the United Pentecostal Church, putting at their disposal its main lawyer Kendrick Moxon and its private detectives, who were able to prove that the Cult Awareness Network, while officially not approving of deprogramming, under the table was referring people approaching them to the deprogrammers, and taking a percentage of the fees of the deprogrammer—eventually, Scott won a multimillion-dollar judgment and the Cult Awareness Network went bankrupted. And his tradename, trademark and archives were purchased by a group of people connected with the Church of Scientology.

So, the *Fishman* decision in 1990 and the *Scott* decision in 1995 were terrible blows for the anti-cult movement. And to this very day, it's difficult in the United States for the anti-cult movement to operate in the old way through political pressure and deprogramming. But I would say that the anti-cult movement was hit hard but not killed by these two American court decisions for two reasons. Number one: Of course, American decisions have no influence outside the United States. And in countries like France, not to mention Russia or China, the anti-cult movement is still officially supported by politicians and governments. And number two: while the narrative of the anti-cult movement is almost absent in the academia (where it is supported by a tiny minority of scholars of new religious movements who do exist, and should be respected in their right to exist, but they are a small minority among academics), the anti-cult movement, on the contrary, is supported by many journalists. The greatest success on the anti-cult movement was to establish a clear foothold in the media and particularly in television, movies, popular culture.

One of the reasons of this was that in the world of American media many didn't like the Church of Scientology, which in turn had a very strong presence in Hollywood. But this presence was resented as something wrong or dangerous, particularly because of its attitude toward psychiatry and psychiatric drugs, by other people in Hollywood and in the media sector. That was one reason but not the only reason. So the anti-cult ideology, while not successful in the academia and not very successful in courts of law (at least in the United States), remains quite active and present—and thus

the USCIRF report says “dangerous for religious liberty”—in the world of the media, in totalitarian states, such as Russia and China, and among politicians and governments in a handful of European countries, including France and Belgium, but with definite influences also in Italy, Germany, the Netherlands, and a handful of other countries. Thank you.

Anti-Cult Squads: A New Form of Repression in the Service of State Security

by *Marco Perduca*, Former Senator in Italy (2008-20130) and
Coordinator of Science for Democracy

Transcript of a speech presented during the January 29, 2021 webinar organized by LIREC (Center for Studies on Freedom of Religion Belief and Conscience) entitled “Freedom of Religion: From the USCIRF Report on Persecutions in Russian to Violations in Europe”

Jason Morton and Massimo Introvigne have already raised some of the structural elements of the anti-cult actions or “movement,” as Introvigne has called them. I’ve seen that now there are new ways of talking about these groups, especially in Italy. We talk a lot about Satanist groups, or the latest wave, apparently, is the so-called “psycho-sects.” So, there is an evolution also in terms of language of the object of all these studies and activities. But I think we have in a way to take Italy perhaps out of the bunch of countries that have been presented before because of our peculiar relationship with religion in particular, which is, of course, the Catholic religion and the Catholic Church, Italy being also the host country of the Holy See, which is the place where this religion finds its main headquarters. And I think that—and I totally agree with what Dr. Introvigne had said before—sometimes these kinds of activities are carried out or promoted, perhaps not necessarily directly, but they are implied in their common actions and knowledge that it’s the big, well-established religion organization that is suggesting that the other smaller or newer—at least in a specific place, not because they may be more recent than the Catholic Church—pose a threat, not necessarily to the main religion or religious groups but sometimes to society as a whole.

But I’m a former member of the Italian Parliament, so I would like to concentrate more on the legal/political aspects of the activities that have been carried out under this umbrella of anti-cult actions. And let me go back to the Italian Constitution. The Italian Constitution in Article 7 states that “the State and the Catholic Church are, each in their own order, independent and sovereign. Their relations are regulated by the Lateran Pacts.” Amendments to the pacts have been accepted by two parties later on in the ‘20’s and in the name of Concordat, if I may translate it that, and do not require constitutional revision procedure. So, in a way, they can be changed according to the will of the two parties. And the will of the two parties was reiterated in the early ‘80’s with this concordat, which serves as a model for other European countries. I can think, for instance, about Poland and Croatia that have this kind of special relationship with the Catholic Church. Article 8, on the other hand, says that “all the religious denominations are equally free before the law. Religious confessions other than the Catholic Church have the right to organize themselves according to their own statutes as they do not conflict with the Italian legal system. The relations with the State are regulated by law on the basis of agreements with relevant representatives.”

After the Constitution was adopted over 70 years ago, additional laws have established the relationship between the government of the State and religious groups that, in a way, do not speak in a comprehensive way of freedom of religion or belief. And I do not think that we need special laws

to grant freedom of religion because what we have in the Constitution is already particularly clear. What has been adopted over the years is a special relationship in financial terms between the State and religious groups. That they get money directly, not from the State, but through a complicated mechanism in which some parts of people's taxes are channeled to the religious groups that are recognized by the State, and not only recognized by the State but also allowed to join the scheme of redistribution of taxes that we called "otto per mille," which is 0.8 percent of our taxes can go to a religious group.

Now, after the decrease of public interest in religions, a tricky mechanism was adopted that allows a religious denomination to participate in a redistribution of the undistributed percentage of money that the Italians did not want to give to religious groups according to the percentage of those that had, in fact, ticked the box expressing their preference. So, to make a long story short, let's say that only 30 percent of Italians decided to give money to one of the religious organizations recognized. And within this 30 percent, 80 percent checks the Catholic Church. The entire 80 percent of the "otto per mille" goes to the Catholic Church, which at the end of the day is over a billion euros a year to do nothing, and which is not also receiving any kind of competition from the State, which is also one of the other entities that can get this amount of money. I am saying this because sometimes if you scratch very well the surface, then you will find gold is actually what we are talking about rather than general principle or religious views.

The other problem that there is, again it has been mentioned before by Dr. Introvigne, is that we are talking about problems that are being shared with authorities. Not necessarily by people that are suffering some sort of human rights violation, but by people that have left the groups or relatives of the groups of the people, members of the group, or anti-cult groups that have specific departments that do the work. And even if Italy, or to the best of my knowledge—perhaps Dr. Introvigne may know more—but I found that the latest report on this kind of cults goes back to 1998 with some numbers that, of course, might have changed over the years. And so, we really don't know the dimension of the phenomenon that we're talking about when we talk about these things in the Italian context. These groups have become the experts without any kind of criticism coming from anybody because not many people know that these groups are active, and they also are in consultation with the police. But when they organize their national conferences, you have journalists that go there, take notes, or do a cut-and-paste of the press releases; and this is what remains in the news. So that is what comes out of this conference.

And in preparing for today's webinar, I searched the internet. And I found some interesting piece news that, in particular, concentrated in 2018 when Italy had for the first time in its history a government, a coalition government, made by two political parties that ran one against the other. But they were able to find some sort of an agreement to form a government, which was as it was portrayed in the Italian media—and to a certain degree I would agree with that—a populist and sovereigntist, sovereign in particular, nationalist. And they had a gentleman, the leader of one of the two parties, who became Minister of the Interior, which is the head of the police in political terms. And we know that since 2006, Italy has set up some anti-cult police squads that have been working—I would say outside of the law because there is no special law that they want to apply—using tactics but also reaching out to consultants in a very unclear or nontransparent way.

So, it seems like the activities to monitor the work of the so-called “sects” or “cults” is mainly directed by one group and one group only. That is called the Community of Pope John XXIII, which in 2019 organized a conference to sound the alarm of the phenomenon that, according to their work, is growing or was growing. And I’m sure that they say the same thing every year, but nobody checks the numbers that were being projected the year before. In 2018, apparently, they had received over 2,400 requests for help. But, of course, you don’t know. There’s no way to double check if such a figure is true. And not only they organize these conferences, and usually the news of those conferences appears in the local newspapers of the city where they organized the event.

But I found also additional information on the website of the Italian State Police. They have a media outlet that is called Modern Police, *Polizia Moderna*. And there you can see that the victims of phenomenon of satanic sects is increased. Since the beginning of 2018, the Pope John XXIII Community has received, again, 2,467 requests for help with the prevalence of contact in northern Italy and then center and then the south. The alarm was launched in Rome in one Catholic University on the occasion of a conference entitled “The Trap of the Sects,” which was organized in collaboration with the police and where Minister Salvini also attended together with the attorney general at the Court of Appeal of Catanzaro, which is a big city in the southwest of the country. And there were also other professors of psychology that also participated and had shared their view of the situation also cautioning that isolation, exclusive attendance, idealization of leaders, change in habits including eating habits are the signs that needed to be taken into consideration when talking about these things.

Because this is what all these elements, or these alarms, were shared in 2018 when there was that government, but also ten years before, to try and reinstate in the Italian criminal code a crime that in Italian sounds like *plagio*, “plagiarism,” but it doesn’t work in English. I’m sure there are different ways to translate that—I would say it’s “mental” or “psychological manipulation.” The crime was deleted in the early ‘80’s by decision of the Constitutional Court because it was difficult to demonstrate that such a thing had happened. And, per se, it didn’t have all the elements to be considered a crime. That, of course, if there are actions that may follow this kind of psychological manipulation that violate the criminal code, that’s a different story altogether, and they should be prosecuted as such. But, then again, if you look at the suggestions of the minister in charge of the police on that day, and before and after those specific events, there is always the agglutination of this problem together with other problems. So, at the end of the day, you don’t know what you are talking about. So, phenomena such as cyberbullying, alcohol, drugs, gambling, prostitution, and sex tell us that society has serious problems, suffering from individualism, selfishness, excess of consumerism. This is what Minister Salvini said on that occasion: “We need to put the family at the center of our attention, restore hope, money, certainty, and stability, and to recover the most precious asset—time.” The strategy to combat the phenomenon followed by a specialized team of investigators and the anti-cult squad were illustrated by another gentleman who was in charge of a directorate at the state police.

Over the years, a lot of organizations were formed—and I will make a list later in my speech when I will share with you some questions that I formally introduced nine years ago as parliamentary questions that have not received an answer— among them in 2016, the Italian Victims of Sects Association was founded. It’s a not-for-profit organization that on its website says that it “possesses

the knowledge that can be shared with those who want moral support and correct information concerning an unexplored world characterized by omissions and institutional ‘distractions’.” So, at the end of the day, the lack of an ethical state is the biggest problem here. So, people want to be told how to live, how to behave, or who to share their free time with. And this is the very, I think, concerning type of message that is being sent out by these anti-cult groups.

In 2006, the state police created an investigative department that is called the Anti-sect Squad. And there it says that they act in the context of crimes against the person: homicides, gender-based violence, sexual violence—that’s in the explanation of Francesca Romana Capaldo, who is the deputy superintendent of the State Police and head of the Anti-cult Squad; so nothing that has to do with religion, freedom of religion or belief—homicide, gender-based violence, sexual violence. And she also explains that the word “sect” is the most suitable to describe this type of groups. There are some common characteristics: a leader with a strong personality and manipulative ability (like in any political party, for instance); with a strong dose of cynicism (like in any political party, I would say); and great criminal entrepreneur versatility (perhaps not like in any big political party, but we know that there are a lot of members of political parties in prison also for their great entrepreneurial versatility); a pyramidal structure and a real proselytizing program (once again, political parties could fall into that category), which is based on the weakness of the interlocutor in this situation; the group becomes the family and is forced to donate all of its assets. And this has been said without anybody questioning the figures upon which these statements have been said. And we’re talking about something that is speaking on behalf of the police. The department has opened investigation following report of former adepts but also relatives and friends of the victim. Among the crimes that are ascribable, we find sexual or group violence, embezzlement of money, scams, fraud or even theft of information, possession or trafficking of drugs. So all crimes that would already have an article of the criminal code to take care of that.

According to Dr. Anna Maria Giannini, who is the director and coordinator of the lab of applied experimental psychology at La Sapienza University in Rome and who has been often invited to this kind of meetings, the difference between freedom of worship and manipulation is very clear. Freedom of worship enshrined in the Constitution, as I mentioned before, draws inspiration from forms of belief or adherence to religions that do not involve illegal actions or forms of aggression and self-destruction. Manipulation, on the other hand, can lead to criminal acts. In this case, we are not talking about values but suggestive actions carried out against someone who, cheated or deceived, is led to act in the interests, for example, of the guru of a sect. The interests can be linked to the absolute power you want to have over the other, to economic or social advantages or more.

I don't know if you ever heard of anything called “hooligans,” but this also sounds a lot like that. So why target a group that have something to do in metaphysical ways, to values or ideas or ideals or religious structure that do not belong to our tradition? Here I would like to open a little parenthesis. While I was a member of Parliament, I was member of the Committee on Justice. And we had to follow for over a year a lot of hearings in which the people listed here that were collaborating with the police were cautioning the Italian legislature to reintroduce this article of the psychological manipulation in the criminal court. And the reason why we did not arrive at the compromise solution after over almost two years of this is because, not only I tried to do my best not to have that final

compromise materialize but because very Catholic members of Parliament said that all this—the paragraph that I just read—could be applied to a parish or to anybody that has had a very strict, perhaps sometimes also violent, Catholic upbringing, because we know that the use of force, on the one hand, or again on pupils or young kids in some Catholic schools or in the more religious institutions, has been the law of the land for many years. At the same time, one could say that because of their membership in the Catholic Church, the priests that have been accused of pedophilia actions and sexual harassment against boys could suffer yet additional penalties on this. So, I think there is a lot of problems around this thing.

“Getting out of a sectarian experience is not easy,” continuing with Dr. Giannini. “Getting away is difficult precisely because of the isolation. This is practiced by convincing the victims that family members are negative entities, that they want their harm, and that they are the source of their suffering, while we know that the biggest number of sexual harassment cases happen within the family. This is something that we have data about. In the most fortunate cases in which it is possible to come out of what is real nightmare—violence, kidnapping, deprivation of food and sleep to weaken the will—the person feels a very strong psychological discomfort, fails to recognize, accept, and understand how it was possible to be manipulated up to that point.”

But those have been, of course, made a lot of promises, but they never went to the point. They were general suggestions, strengthening the postal police, updating crimes to the era of social media because there again is considered to be yet another evil to be combatted, contrasted, cyberbullying, drugs, alcohol, gambling, prostitution, sectarianism, because our option, obviously there, in a society that has structural problems that suffers from individualism, selfishness, and excessive consumerism, once again.

This is incredible, but we’re still talking about excessive consumerism in 2018 or 2020. Because it was convinced that certain things cannot be solved by decree, luckily, but so we have to go back and put the family at the center of our society and so give it resources and stability. And Italy in those days also had a special minister that was in charge of family affairs, someone who was also very, very Catholic, very conservative Catholic and very prohibitionist when it comes also to all the other sexual and recreational revolution that Massimo Introvigne mentioned in his speech before.

Let me end with what I have done as a member of Parliament. It has been said before that also laws have been introduced by some. But, unfortunately, those that were entrusted over power given to the police did not have too much luck. I introduced a question that I prepared with some of the people that I’m sure are in the audience today, and I want to later thank them. This was introduced in November 2012. And I was questioning that the main consultant of the anti-cult squads it was a priest belonging to the Pope John XXIII Community, which was accredited as an expert for the first time in 2002 on the Angels of Sodoma, Sodom case, in which his report contributed in a decisive way for the incarceration of an alleged member of a satanic sect that never existed. So how is that possible that the police relies on the counsels of a gentleman like that? In addition to the anti-cult service of the John XXIII Community, the police operates almost exclusively leaning on the Anti-cult Forum, which is an association for research and information on cults called ARIS, the Center for

Psychological Abuse Studies (CESAP), and Family Victims of Sects (FAVIS) and “Giù Le Mani Dai Bambini” which means “hands off kids.”

This forum is a group that, despite not having any scientific expertise or practice in the methods of investigation or academic qualification in any of the fields that could be related to the issue of cults, it's a member of FECRIS, which is the French body known for controversies and religious intolerance. And I am sure we will hear about that later on. So I put a few questions, but I would like to concentrate on four. The question was directed to the Ministry of the Interior, the Ministry of Justice, and the Ministry of Welfare because they are the three that follow this kind of issue. What was the cost related to maintaining an anti-cult department within the police in terms of annual budget since their establishment in 2006? And what was the cost of the consultants, because I'm sure that these people that would collaborate with the police get some per diem or support of a sort. And what is the number of the people employed in the department? What are the academic skills of the members of this Anti-cult Squad also in relation to the scientific nature of their methods of analysis? And what basis the experts that collaborate with them are selected? If it was known by the Minister of Interior, Justice, and Welfare that these groups of experts have the possibility of influencing the investigation of the State Police, and that the Catholic priest carries out an activity of monitoring minority cults on behalf of the police itself. And if they indeed that such a thing was happening, and if they believe that that was appropriate and also in line with the law. And, lastly, if the Minister of the Interior deemed it necessary to have at all an anti-cult department within the State Police that worked in relation to those cases, and if they should be considered a threat to public order because this is one of the reasons why they had been established. And if the rest of the criminal proceedings initiated with the contribution of the Anti-cult Squad and the expert it involves confirmed the need for the existence of such a department.

So, these questions, unfortunately, all remain. And I think they constitute a very serious violation of the rule of law: you are innocent until proven guilty. This is how it should work, not the other way around. And unfortunately, this is the model that has been applied for many years. It continues to be applied by this squad. And I don't know if one day, perhaps, this year is actually the 15th year of the existence of this squad. A new parliamentary question should be asked to have a list of all the successful cases being brought to the end by this squad and all their collaborators. I thank you very much for your time.

The Activities of FECRIS in the EU Member States

by *Willy Fautré*, Director and Co-founder of *Human Rights Without Frontiers (HRWF)*

Transcript of a speech presented during the January 29, 2021 webinar organized by LIREC (Center for Studies on Freedom of Religion Belief and Conscience) entitled “Freedom of Religion: From the USCIRF Report on Persecutions in Russia to Violations in Europe”

Last summer, the US Commission on International Religious Freedom (USCIRF) published a paper about the anti-cult movement in present-day Russia and in the Soviet Union which highlighted the negative role of the *European Federation of Research and Information Centers on Sectarianism*, better known under its acronym FECRIS, founded in Paris in June 1994.

In its paper, USCIRF points at Alexander Dvorkin, a notorious extremist Russian Orthodox anti-cult activist, who has been the vice-president of FECRIS for about a dozen years. He is the liaison agent between FECRIS, an anti-cult organization largely financed by France, the champion of *laïcité* in Europe, and a constellation of Russian Orthodox clerical and missionary organizations characterized by their nationalistic, reactionary, homophobic and xenophobic agenda and discourse.

FECRIS appeared in Europe in the 1990s in the middle of a wave of collective suicides and homicides inspired by some marginal religious groups in North America, Europe and Asia. It was founded at the instigation of the French anti-cult association UNADFI (National Union of Associations for the Defence of Family and the Individual).

Since its inception, FECRIS has surfed on this worldwide wave of panic and has easily enjoyed the support of public powers and traditional religions.

In 2005, FECRIS got the participatory status as INGO (International Non-Governmental Organization) at the Council of Europe. This recognition was controversial. Movements defending religious freedom and scholars then voiced their disagreement.

In 2009, FECRIS obtained consultative status with the Economic and Social Council (ECOSOC) of the United Nations (UN) and has hereby access to the UN in New York, Geneva and Vienna.

Throughout the last two decades, FECRIS has been mainly financed by the French State which year after year has faithfully provided almost 100% of its budget, as Thierry Valle will explain you afterwards. It can therefore be said that France has been and still is the driving force of FECRIS, its aura at the international level and its influence on the policies of some member states of the European Union.

FECRIS anti-cult activities in some member states of the European Union

FECRIS is an umbrella organization which currently has member associations in 11 EU member states: Austria, Belgium, Croatia, Finland, France, Germany, Italy, Poland, Spain and Sweden. In each country, one local anti-cult association is affiliated to FECRIS while in France and Germany, there are four.

In the mid-1990s, the anti-cult ideology of FECRIS found a particularly sympathetic ear in **France, Belgium, Germany and Austria** which were the first and only countries in the EU to create a permanent state institution claiming to monitor the alleged intrinsic dangerousness of cults but in fact organizing cult hunting campaigns legitimized by public powers.

These four states decided to work out and implement a specific anti-cult policy.

Austria created a documentation and information center on cults in 1998. It was named *Federal Office on Cult Issues/ Bundesstelle für Sektenfragen* and placed under the authority of the Federal Ministry of the Environment, Youth and the Family. The mandate of this state-sponsored body was allegedly to warn and protect society against so-called cults. A brochure titled *Sekten – Wissen Schützt* (Cults – Knowledge Protects) stigmatizing such movements was also widely distributed. The establishment and operation of a Federal Office about Cult Issues and other similar offices at the state level with public funding was controversial.

Additionally, several provinces set up offices that provided information on “sects” and “cults” that was in reality stigmatizing such groups and their members.

The driving force behind the anti-cult campaign of the Austrian state was the FECRIS member association called GSK, *Society against Cult Dangers/ Gesellschaft gegen Sekten- und Kultgefahren*, which for several years was led by Friedrich Griess, a retired engineer and committed Roman Catholic. He became the third president of FECRIS from 2005 to 2009. He was known for his aggressive activities against the Norwegian group Smith’s Friends, an evangelical non-denominational church, that his adult daughter had freely joined. Griess’ anti-cult motivation was a personal vendetta that tore up his own family. The brochure *Sekten – Wissen Schützt* (Cults – Knowledge Protects) financed and published by the Federal Office on Cult Issues was a major tool of propaganda in the hands of GSK, other anti-cult movements and activists.

In 2016, Human Rights Without Frontiers published a documented research paper by Dominic Zoehrer about the financing of GSK, FECRIS member association. The author found out that it had been subsidized for many years by the City of Vienna (1992-2008) and the State of Lower Austria (2000-2010) but there was a disturbing lack of transparency concerning the precise amount of total public funds it had received and the ratio between public and private funding. According to its current website, the GSK still receives funding from the State of Lower Austria through the "Office Generations", which has been renamed to "Department for Families and Generations".

In **Germany**, the parliament set up a commission of inquiry in 1996 which published a report in June 1998. However, in the aftermath of this report, there was no political majority to create a state-sponsored cult observatory and to define a specific policy targeting so-called cults, except for the Church Scientology, created by Ron Hubbard in the US, and the Unification Church, created by Rev. Moon in South Korea. Both were viewed as a threat to the German Constitution.

The ban on Mr. and Mrs. Moon’s access to the German territory commissioned by the Interior Ministry in 1995 was prolonged in 1998 by three more years and was only considered unjustified in 2007 by the Higher Administrative Court of Rhineland-Palatinate after 12 years of legal wrangling.

As to the Church of Scientology, it was placed under surveillance of the *Federal Office for Protection of the Constitution/ Bundesamt für Verfassungsschutz*. The Church fought back on several fronts and

in 2003 was granted the same tax-free status as other Churches. In April 2005, Saarland's Higher Administrative Court put an end to the Church of Scientology's intelligence surveillance on the grounds that seven years of such surveillance had failed to yield any results justifying any prolongation. However, a blatant discriminatory measure has persisted for more than 20 years: the so-called "cult filter."

In September 2019, Human Rights Without Frontiers addressed this issue in an oral and a written statement at the OSCE/ ODIHR Human Dimension Implementation Meeting in Warsaw saying:

In Bavaria and a few other German Länder, the authorities use what they call "sect filters" when someone applies for a public job, a public service contract or a government bid. These "sect filters" contain questions exclusively targeting the possible affiliation or relationship of the candidate with Scientology. If so, the candidacy will be disqualified and so will it be if the applicant refuses to fill in the questionnaire.

This is not only intrusive and discriminatory but this gravely violates the international human rights standards and stigmatizes the followers of Ron Hubbard as sub-citizens. The teachings of Scientology are not banned in Germany and spreading them is not a criminal activity. Therefore, their followers should not be treated differently from the followers of the Bible, the Coran, the Bhagavad Gita, the Buddhist or any other teachings.

In fact, Germany did not need a specific state agency to elaborate an anti-cult policy and action plan. The report of its parliamentary enquete commission was sufficient for the four FECRIS member associations and dozens of anti-cult groups supported and funded by the Catholic Church and the Lutheran Church to legitimize their cult-hunting activities.

France and Belgium

Although I will leave it to Thierry Valle to speak about France, where four FECRIS member associations have been for decades the driving forces of a very aggressive state anti-cult policy, a common course of action has been adopted by France and Belgium:

- creation of a parliamentary commission,
- publication of a report about cults and a list of almost 200 allegedly suspicious religious groups
- creation of governmental agencies to fight against such groups
- close collaboration with private anti-cult movements, such as FECRIS member associations
- promulgation of specific laws targeting the stigmatized groups
- implementation of large-scale policies targeting such groups
- harassment by the tax administration and other state agencies

In **Belgium**, a parliamentary commission of inquiry was set up in April 1996. A report about the illegal practices of cults and the danger they can pose to society and individuals, particularly minors, was published a year later. A controversial list of 189 allegedly suspicious movements was attached to the report. The magnitude of the stigmatization that this report and this blacklist created was heavily criticized by European and American scholars in religious studies, at the OSCE and at the UN.

On 2 June 1998, the Belgian Parliament promulgated the “Law creating an Information and Advisory Centre on Harmful Sectarian Organizations” (CIAOSN) and an “Administrative Coordination Agency for the Fight Against Harmful Sectarian Organizations”.

All these legislative steps clearly indicated an alignment on the FECRIS anti-cult ideology. This bias was confirmed by the appointments of the successive CIAOSN boards of directors. At that time, the FECRIS affiliated member association in Belgium was an obscure group created by some activists who were unknown by experts on religious matters. The influence of FECRIS on Belgium’s policy was and is to be mainly attributed to the very aggressive policy of France inspired by the FECRIS four member associations.

After two decades of international criticisms, the composition of the new board of directors put in place in July 2020 now shows a very different face from former appointees but the original objective remains the fight against so-called “harmful sectarian organizations.” The board comprises four French-speaking and four Dutch-speaking members: magistrates, lawyers, jurists, police, intelligence services, politicians.

Guy RAPAILLE, the current president was the director of the “Comité R” in charge of the oversight of the Belgian intelligence services from 2006 to 2018;

Thierry WERTS, former francophone spokesman of the Federal Prosecutor’s Office from 2015 to 2017 before being appointed as advisor at the Court of Appeal of Brussels;

Eric ROBERT, president of the peace judges and the police courts judges of Namur district;

Dany LESCIAUSKAS, retired Federal Police officer;

Luc WILLEMS, a lawyer, co-rapporteur of the 1997 Belgian report on cults as an elected Flemish Christian Democrat member of the House of Representatives, retired from Belgian politics;

Frank JUDO, a Flemish Christian Democrat politician, historian, jurist and philosopher;

Bert BROECKAERT, a specialist in ethics and comparative religion teaching at the Faculty of Theology and Religious Studies, KU Leuven;

Yvette DE WEYER, a Flemish jurist at ‘Bruxelles Formation’.

The list of substitute members also comprises of eight members, including five members of previous boards. One of them, Mireille STALLMASTER-DEGEN, is worth mentioning as she presents herself on her LinkedIn page as FECRIS secretary general. It is also worth stressing that Eric BRASSEUR, retired director of the CIAOSN, is on the list of substitute members.

The anti-cult ideology continues to permeate the activities of the CIAOSN as it is evidenced by a study of its website: support for the activities of FECRIS and two of its member associations in France. There is also a bias against the movement of Jehovah’s Witnesses about which the CIAOSN mainly relies on press clippings while largely ignoring academic studies.

The publicity in favor of four Belgian anti-cult organizations also raises some concerns. One of them, AVISO (Aid to Victims of Cults), was created in 2012 and is FECRIS member association in Belgium. The composition of its nine-member board speaks for itself. A few examples:

André FRÉDÉRIC, AVISO president, member of FECRIS board since 2018, Socialist senator and promoter of the 2012 Law on the abuse of weakness specifically targeting cults;

Eric BRASSEUR, former director of CIAOSN;

Mireille DEGEN, FECRIS secretary general, former member and currently substitute member of CIAOSN board;

Dany LESCIAUSKAS, member of CIAOSN board;

Roland PLANCHAR, a well-known journalist at La Libre Belgique, a major newspaper of Catholic orientation, who has regularly supported CIAOSN activities.

Obviously, the anti-cult ideology of the CIAOSN continues to be strongly influenced by FECRIS ideology despite the warnings of the US Commission on International Freedom and the cult issue in Belgium is still politically perceived by the authorities as a potential cluster of illegal, criminal and security-threatening activities.

In conclusion of my presentation, I will quote the recommendations of the US Commission on International Religious Freedom (USCIRF) to the U.S. Government:

Publicly censure Alexander Dvorkin, FECRIS vice-president, for his ongoing disinformation campaign against religious minorities;

Counter propaganda against new religious movements by the European Federation of Research and Information Centers on Sectarianism (FECRIS) at the annual OSCE Human Dimension Conference with information about the ongoing involvement of individuals and entities within the anti-cult movement in the suppression of religious freedom.

France, Belgium, Austria, Germany and other EU member states should seriously take these recommendations into consideration and implement social distancing from FECRIS and its affiliates.

FECRIS Is Almost Entirely Financed by the French State: GONGO or NGO?

by *Thierry Valle*, President of the Coordination of Associations and Individuals
for Freedom of Conscience (CAP Freedom of Conscience)

Transcript of a speech presented during the January 29, 2021 webinar organized by LIREC (Center for Studies on Freedom of Religion Belief and Conscience) entitled “Freedom of Religion: From the USCIRF Report on Persecutions in Russia to Violations in Europe”. Some more information and references have been added by the author

Thank you. First, the NGO Branch should be apprised that FECRIS is in actuality not an NGO because it is almost entirely financed by the French State in order to forward France’s policies to “combat” minority belief groups in international forums.

Under Article 70 of the UN Charter, the ECOSOC may make arrangements for representatives of the « specialized agencies », established by intergovernmental agreement, to participate without a vote in its deliberations, while under Article 71 it may make suitable arrangements for consultation with « non-governmental organizations » which are concerned with matters within its competence. Hence, under the UN Charter « specialized agencies » (governmental) and « NGOs » (private) are two distinct categories.

Resolution 1996/31 of 25 July 1996 regulating the consultative relationship between the UN and NGOs indicates clearly that NGOs must be independent from governments. It also reproduces provisions regulating the financing of NGOs adopted in 1968 following revelations that the CIA had been funding some NGOs (without their knowledge). These provisions are as follows:

United Nations Economic and Social Council Resolution 1996/31, 25 July 1996

Consultative relationship between the United Nations and non-governmental organizations

13. The basic resources of the organization shall be derived in the main part from contributions of the national affiliates or other components or from individual members. Where voluntary contributions have been received, their amounts and donors shall be faithfully revealed to the Council Committee on Non-Governmental Organizations. Where, however, the above criterion is not fulfilled and an organization is financed from other sources, it must explain to the satisfaction of the Committee its reasons for not meeting the requirements laid down in this paragraph. **Any financial contribution or other support, direct or indirect, from a Government to the organization shall be openly declared to the Committee through the Secretary-General and fully recorded in the financial and other records of the organization and shall be devoted to purposes in accordance with the aims of the United Nations.**

The normal financing of NGOs is through the contributions of individual members to reflect their representation of civil society. As an exception to this rule, State funding should be transparent and comply with the aims of the United Nations.

Yet, as the table below shows, FECRIS has been financed almost entirely by the French State since 2001 – *the ratio of public funding by the French State for FECRIS has averaged 94% since 2001.*

FECRIS has three member associations in France:

- 1) Union Nationale des Associations de Défense de la Famille et de l'Individu (National Union of Associations of Defense of the Family and the Individual) (UNADFI);
- 2) Centre Contre les Manipulations Mentales (Center Against Mental Manipulations) (CCMM) ; and
- 3) Groupe d'Etude des Mouvements de Pensée en vue de la Prévention de l'Individu (Study Group on Movements of Thought for the Prevention of the Individual) (GEMPPPI).

All three of these organizations are also almost entirely funded by the French State:

- UNADFI has averaged 97% public funding by the French State over the last ten years;
- CCMM has averaged 93% public funding by the French State over the last years; and
- GEMPPPI has averaged 91% public funding by the French State over the last years. (tables attached)

While these associations pretend to defend human rights and to protect the interests of individuals against “sectarian organizations” they deem objectionable, this is not the case. In reality, they are not representative of civil society as their extremely low support from members of the public shows. They only survive through financial support by the French State.

Moreover, NGOs almost totally funded by States are extremely suspect when they operate in the human rights field. Such organizations are labeled as Government Organized NGOs or “GONGOs”, a phenomenon detailed in the recent state-of-the-art Encyclopedia of Life Support Systems of UNESCO:

NGOs and their Independence from Governments

The most difficult question about the independence of NGOs is whether they come under governmental influence. **Individual governments do at times try to influence the NGO community in a particular field, by establishing NGOs that promote their policies. This has been recognized by quite common use of the acronym GONGO, to label a government-organized NGO.** Also, in more authoritarian societies, NGOs may find it very difficult to act independently and they may not receive acknowledgment from other political actors even when they are acting independently. **Beyond these unusual situations, there is a widespread prejudice that government funding leads to government control. In the field of human rights, it would damage an NGO for such a perception to arise, so Amnesty International has strict rules that it will not accept direct government funding for normal activities.** On the other hand, development and humanitarian relief NGOs need substantial resources, to run their operational programs, so most of them readily accept official funds. While these NGOs would like the security of a guaranteed budget for their administrative overheads, governments generally only want to support field costs for projects.[1]

So, contrary to development and humanitarian relief NGOs who yearn for government funding, true human rights organizations are very reluctant to accept it in order to preserve their independence.

They are so aware of the problem that on June 6, 2006, eleven prominent NGOs adopted the International Non-Governmental Organizations (INGO) Accountability Charter.[2] Stressing the need for civil society legitimacy, accountability and transparency of NGOs, they invited other INGOs to undertake the same commitment in order to promote and garner support for the highest common standards of conduct for NGOs working trans-nationally.

In the Charter, the signatories expound that they are independent non-profit organizations and they commit to the following:

We aim to be both **politically and financially independent**. Our governance, programmes and policies will be non-partisan, independent of specific governments, political parties and the business sector.

According to these international standards, an NGO pretending to act for human rights should be politically and financially independent.

Not only is it suspect to find government funding in NGOs which pretend to combat violations of human rights by the States, it is also suspect, in case of an NGO fighting against human rights violations purportedly committed by private groups as FECRIS pretends to do, that this NGO is almost entirely government funded and is in essence a camouflaged government organization.

This indicates that the NGO is used by the government to fight against certain targeted groups of civil society. This phenomenon of GONGOs has been very well described at the 58th Annual DPI/NGO Conference (United Nations Department of Public Information), New York 7-9 September 2005, when Mrs. Shirin Ebadi, Iran lawyer, Nobel Peace Prize 2003, explained it in the following terms:

A central attribute of an NGO is its independence from government. This characteristic, when combined with popular appeal, is the guarantee of its authenticity and effectiveness. Independence does not mean that NGOs cannot receive assistance from their own or other governments, but rather acceptance of such assistance should not influence their autonomy and non-partisanship. (...)

Another method undemocratic governments use to undermine the credibility and effectiveness of NGOs is to use the name for groups of their own creation. **Members of such government-controlled NGOs are then sent to international gatherings to issue false reports and raise irrelevant questions in order to distract public attention from the dismal human right record of those in power.** Such groups, which are in fact government NGOs known as GONGOs, actually present the agenda of the autocratic state while pretending to be non-partisan and by doing so, prevent the true voice of the people to reach the international community.

GONGOs are present in Africa supported by autocratic States.[3] But this situation has also been developing in Western democracies, where governments control NGOs by financing them quasi-entirely so that they forward their policies.

This growing and alarming global trend has been roundly criticized by NGOs, human rights groups and the media. As reported in an article of 21 April 2007 by the Washington Post:[4]

Democracy's Dangerous Impostors

Gongos are sprouting everywhere; they're in China, Cuba, France, Tunisia and even the United States. Gongos are government-organized nongovernmental organizations. Behind this contradictory and almost laughable tongue twister lies an important and growing global trend that deserves more scrutiny: Governments are funding and controlling nongovernmental organizations (NGOs), often stealthily.

Some Gongos are benign, others irrelevant. But many, including those I mentioned, are dangerous. Some act as the thuggish arm of repressive governments. Others use the practices of democracy to subtly undermine democracy at home. Abroad, the Gongos of repressive regimes lobby the United Nations and other international institutions, often posing as representatives of citizen groups with lofty aims when, in fact, they are nothing but agents of the governments that fund them. Some governments embed their Gongos deep in the societies of other countries and use them to advance their interests abroad.

This description precisely fits the case of FECRIS, which pretends to fight for human rights, but has been nearly entirely subsidized from the very beginning by the French government to promote its policies and to participate in international forums such as the Council of Europe, the OSCE and the United Nations to masquerade as an independent NGO while supporting the environment of religious intolerance promoted by French government officials who work for MIVILUDES.[5]

This worrisome situation has been exposed by the UN Special Rapporteur for Religious Freedom in her report following her visit to France from 18 to 29 September 2005 in the following terms:[6]

108. However, she [the Special Rapporteur] is of the opinion that the policy and measures that have been adopted by the French authorities have provoked situations where the right to freedom of religion or belief of members of these groups has been unduly limited. Moreover, the public condemnation of some of these groups, as well as the stigmatization of their members, has led to certain forms of discrimination, in particular vis-à-vis their children.

And the Special Rapporteur pointed out the role played by government subsidized organizations, i.e. FECRIS' affiliates UNADFI, CCMM and GEMMPI, in the stigmatization campaigns which lead to violations of minorities' rights:

113. Moreover, she recommends that the Government monitor more closely preventive actions and campaigns that are conducted throughout the country by private initiatives or Government-sponsored organizations, in particular within the school system in order to avoid children of members of these groups being negatively affected.

Nevertheless, FECRIS and its affiliates continue to go forward with their derogatory campaigns to denigrate religious minorities on behalf of the government. Yet, what the government may not do directly because it violates human rights treaties mandating religious pluralism and tolerance, it may not do indirectly by almost entirely subsidizing GONGOs like FECRIS to engage in activities in

contravention of religious neutrality and tolerance. This violates the letter and spirit of human rights treaties and contravenes UN NGO standards.

FECRIS Is Devoted to Purposes Contrary to the Aims of the UN

At the last Human Dimension Implementation Meeting of the OSCE on 29 September 2009 in Warsaw, FECRIS stated:

We do not believe that cults have any role to play in a body such as OSCE whose aim, among others, is the protection of those persecuted for their religious beliefs. Cults are rarely persecuted. **They are not religions or even belief systems.**

This denial of the most basic rights to minority belief groups and the lobby of FECRIS in international forums so that their voice would not be heard is totally contrary to the aims of the UN as expressed in the Charter, of practicing tolerance and dialogue and of *promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion.*

While FECRIS portrays itself as a collection of national associations protecting the family, the individual and democratic society against “sectarian” activities, in reality, this group fosters and fuels discrimination and intolerance directed at minority religious organizations and their members in Europe through the dissemination of false and misleading information about them and through actions which interfere with their right to freedom of religion, freedom of association and freedom from discrimination.

Examples of civil condemnations and criminal convictions regarding improper and illegal actions in violation of fundamental United Nations human rights principles taken by FECRIS member groups or individuals associated with such groups include the following.

Deprogramming. One of the most reprehensible and illegal activities utilized by certain representatives from FECRIS member groups in the past in violation of fundamental Council principles is the technique of « deprogramming », which corresponds to the kidnapping and forced reconversion of the follower. In a decision rendered by the European Court of Human Rights in 1999 against Spain regarding false imprisonment and deprogramming, the Human Rights Court determined that the FECRIS member group AIS/Pro Juventud had a « direct and immediate responsibility for ... the applicants ... loss of liberty» (37680/97, Ribera Blume and others v. Spain).

Deprogramming. Cyril Vosper, at the time an executive board member of FAIR, a FECRIS member group from the United Kingdom, was convicted in December 1987 in Germany for false imprisonment and causing bodily harm in a deprogramming case. He was not expelled from FAIR.

Deprogramming. In 1990, two members of SADK, the FECRIS member group in Switzerland, were sentenced to prison in connection with a violent deprogramming attempt on a member of the Hare Krishna movement. Mr. Rossi, the spokesman for SADK in 1990, spoke out on behalf of SADK in

favor of the deprogramming in which the victim had been subdued with tear gas, saying “We support and approve of the deed.”

Deprogramming. Members of Swedish FECRIS member group FRI have been convicted in connection with a deprogramming attempt on a member of a Christian group in Gothenburg Sweden.

Promotion of “Sect” filters. The German FECRIS member group AGPF has promoted and disseminated so-called « protection clauses » – clauses inserted into employment contracts that attest that the applicant is not associated with Scientology – to companies in Germany for their use.

Defamation. Mr Friederich Griess is the President of FECRIS and a Board Member of Austrian FECRIS group GSK. On approximately six occasions, Austrian Courts have determined that Mr. Griess defamed Norweger, a Christian religious group present in over 60 countries, by disseminating false and derogatory information to the public regarding this religious group.

Defamation. Courts in France have determined that UNADFI and individuals and groups associated with UNADFI have engaged in defamation by disseminating false and derogatory information on targeted minority religious groups and individuals associated with such groups in approximately eight cases.

Defamation. In a final judgement on 19th December 2001 rendered by the Munich State Court (Case Az: 908736/99), Ms. Heide-Marie Cammans, founder of the German FECRIS member group Sect-info Essen, was ordered to stop circulating falsehoods about the religious group Takar Singh. Sect-info Essen was also forbidden from circulating a book it had been distributing about Takar Singh. (*Die Neuen Heilsbringer, Auswege oder Wege ins Aus*)

FECRIS, under the guise of fighting against violations of human rights by minority belief groups which it labels “totalitarian groups” to make its activity look in alignment with the UN purposes, actually encourages activities contrary to fundamental human rights and the Rule of Law.

In 2007, a budget of 45,000 Euros was granted by the French Prime Minister to FECRIS to organize conferences, mainly their annual conference which took place on 28 April 2007 in Hamburg and was entitled “Cults and Esotericism: New Challenges for Civil Societies in Europe”.

In the preamble to that conference, FECRIS President Friedrich Griess first acknowledged that FECRIS was “particularly grateful to the French government that makes [its] work possible by its subsidies and confidence”. He then explained the subject of the conference:

In the title of the conference, the expression “Esotericism” appeared for the first time. The practice of esoteric knowledge which has become more and more popular and which hitherto was believed to be harmless is dangerous inasmuch as it can be used as a basis for the totalitarian influence of gurus of all kinds. In the same way as it has proven false that scientific and technological progress is a solution to everything, the idea which seems now dominant is that everything can be tackled in the

“spiritual” way, throwing overboard thousands of years of human experience. A “change of paradigm” in this field would result in a total loss of reality.

Even if the concerned beliefs or practices are not favored by FECRIS or the French authorities, it is not the State’s role to finance an ideological and intolerant fight against minority belief groups.

For the following year 2008, the French Prime Minister allocated an amount of 38,000 Euros to FECRIS for conferences, mainly their annual conference which took place on 12 April 2008 in Pisa, Italy and was entitled “State responsibility to protect citizens against destructive cults: analysis of present and possible future models”.

During that conference, one of the first speeches was by Catherine Katz, Secretary General of MIVILUDES. After insisting on the role played by MIVILUDES at the annual conferences of FECRIS each year, she explained the French policy to fight against “undue influences” or “mental subjection”:

It is important to be watchful, to inform people, the public in general, but also to inform the services in charge of investigations. In that sense, French policy is original because it puts the pressure wherever risks of digression exist. I do not pretend that all has been done; despite everything there is still much work to do because **it is very difficult to make people understand that an individual may in fact not be free. It is, furthermore, an area where one actually transfers one’s personal convictions.** (...)

In France, a certain number of cultic/sectarian risks have been detected. Undue influence is the first of these risks with regard to the problem of cultic aberrations.

Here we have the core of the French policy which the Secretary General of the MIVILUDES presents as original and which is forwarded by the GONGO FECRIS. Under this policy, conversion to new religious movements is considered an undue influence or mental subjection and the followers are considered as not having their own free will.

The President of MIVILUDES in his report to the French Prime Minister in July 2008 explained that the followers of new religious movements are *“followers who are not yet conscious of being victims”, that these followers “do not consider themselves as victims and they even demonize those who want to help them as they are under psychological subjection.”*[7]

This concept of undue influences or psychological subjection is further explained in MIVILUDES’ annual report 2008 at page 59:

Mental subjection is characteristic of sectarian deviations. Repression by the State must be initiated as soon as (...) one or several persons start adopting ideas that are being spread and are different from the ideas usually shared by the social consensus.

In order to organize this repression of minority beliefs, the President of MIVILUDES recommended in his 2008 Report systematic police interventions on denunciations and, during custody, a special support organized with a psychologist and anti-sect associations (FECRIS' affiliates UNADFI and CCMM) to try to reconvert the arrested followers to "normal" ideas as *"followers who are not conscious of living in a situation of dependency" are "susceptible of strong emotional reactions at the time of their arrest and in the following hours"*.

These views and recommendations which are shared and pushed forward by State funded FECRIS violate the rights of minority belief groups as revealed by the numerous convictions of members of FECRIS mentioned above.

UNADFI openly proclaims, in its applications for funding by the French Ministry of Defence, that it "behaves as an auxiliary to the de-concentrated services of the state", including acting as an auxiliary to police and intelligence services.

The ideological fights lead by FECRIS and MIVILUDES and organized and financed by the French government should not be endorsed by the United Nations.

The United Nations, religious experts, and UN treaty-based bodies have consistently found that the expression « religion or belief, » as well as the individual terms « religion » and « belief, » must be construed broadly to include non-traditional religions and all forms of belief.

Likewise, the Human Rights Committee has found that freedom of religion is not limited in its application to traditional religions and that 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 by a predominant religious community, contravenes Article 18 of the International Covenant on Civil and Political Rights.

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 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 by a predominant religious community.*

General Comment No. 22 on Art. 18 (Para 2).

Under international human rights standards, States have no business repressing minority religious beliefs. And the arrangements for consultations with NGOs were not designed to forward the interests of States, as was recently reminded by the European Union representative at the UN. Ambassador Hans Dahlgren made the following official statement on behalf of the European Union at the ECOSOC substantive session 6 – 30 July 2009 in Geneva:

In the view of the European Union, these and other cases reflect a negative trend in the working of the NGO Committee, giving cause for concern that the guiding principles for granting ECOSOC consultative status are gradually being undermined. **The arrangements for consultations with NGOs were not designed to forward the interests of States; on the contrary, they were designed to allow civil society actors to support and enrich the work of the UN by providing a perspective which very often differs from that of States.** The EU values this, at times challenging, contribution and would therefore respectfully urge States on the NGO Committee to work together to defend and uphold the guiding principles agreed by us the Member States in resolution 1996/31.[8]

[1] Article 1.44.3.7: expertise by Professor Peter Willetts, City University of London, “What is a Non-Governmental Organization?”

[2] ActionAid International, Amnesty International, CIVICUS World Alliance for Citizen Participation, Consumers International, Greenpeace International, Oxfam International, International Save the Children Alliance, Survival International, International Federation Terre des Hommes, Transparency International and the World YWCA.

[3] See Professor Carole Rakodi University of Wales, Cardiff, *The Urban Challenge in Africa: Growth and Management of Its Large Cities*, 1997, as part of the United Nations University Programme on Mega-cities and Urban Development.

“Another strategy is the creation by governments of their own NGOs favourable to state positions in specific sectors such as the environment and, as noted above, women’s movements. These new phenomena have been aptly christened by observers as GONGOs (government-owned NGOs).”

[4] <http://www.washingtonpost.com/wp-dyn/content/article/2007/04/20/AR2007042001594.html>

[5] MIVILUDES is the acronym for the Interministerial Mission of Watch and Fight against Sectarian Drifts; it is a French government interministerial entity under the Prime Minister.

[6] E/CN.4/2006/5/Add.4

[7] Report page 42.

[8] **Ref:** PRES09-225EN, **EU source:** EU Presidency

Challenges for Freedom of Belief in our Society: Institutional Discrimination

by Camelia Marin, Deputy Director of Soteria International

Transcript of a speech presented during the January 29, 2021 webinar organized by LIREC (Center for Studies on Freedom of Religion Belief and Conscience) entitled “Freedom of Religion: From the USCIRF Report on Persecutions in Russia to Violations in Europe”

Thank you very much for inviting me to this event. I am enchanted to hear all your points of view. Bringing together all this information helps to understand the situation worldwide, and especially in the EU. First of all, Soteria International was founded in 2007, and our core point is to protect the human rights and highlighting violations due to misunderstandings of spiritual practice. We also work for acknowledging that spirituality cannot be regarded as a separate practice, but rather, it is integrated in all individual and social activities.

Regarding the subject for today, we’ve spoken at several forums and we know very well that respect for freedom of religion or belief is a subject of great importance for international institutions, as its violation deprives people of sacredness. But as minority religions and spiritual and esoteric movements gain momentum in the modern world, so do those who criticize them, often helped by sensationalist media and institutionalized interest.

The large propagation of misinformation based on interpretations, rumors and exaggerations often lead to marginalization and persecution of spiritual practitioners. We have observed how discrimination, incitement to hate, marginalization and stigmatization of spiritual movements are just some of the critical issues reported by civil society. Our organization has studied different cases, which showed us that there are certain similarities and patterns to the persecutions in the cases that we observed. In this event, we will contribute with information from studying cases from four different EU member states; Belgium, Czech Republic, Italy and Romania.

Regarding Belgium previous speaker Willy Fautré pointed out the problems of the Parliamentary Commission. When the Parliamentary Commission presented the list of the cults, Ogyen Kunzang Chöling, a Buddhist Tibetan organization, was defined as a “sect.” Right after, a police investigation started, with all the issues that we heard about regarding the squad in Italy; blocking the streets, policemen climbing the walls of the buildings and so on. As a result of this unsubstantial qualification, a very strong mediatized judiciary investigations started in 1997 against this association, which in order to show their innocence, had to release numerous documents proving so.

The main accusation was financial malpractice even though financial counter-expertise done by the members of the organization showed errors of the financial expert appointed by the judge. Ogyen Kunzang Chöling members were accused of criminal organization aimed to create and maintain a harmful sectarian organization, without this being listed as an offense in the penal code. The main accusation, the financial support, was offered in legal accordance with their association status, as support to the 15 members who lived in the organizations’ centers in France and Belgium.

The police investigation took more than 18 years, which is exceeding the reasonable time. During this unjust investigation, nothing much happened. From time to time a prosecutor asked some

questions to one witness or another. European Court of Human Rights had convicted Belgium because of this very long investigation period, but no change in the case. The investigation court recognized that the reasonable time had elapsed but refused to take appropriate measures to resolve the situation and left the tribunal and court, courts in charge of the case. The Supreme Court maintained this position despite the jury's prudence of the Human Rights Court, which had already condemned Belgium for such practice by deciding that once the reasonable time violation is recognized by the court, the same court must take appropriate measures against the violation and resolve it, and not leave this to another court. This didn't happen in their case, and the case continued for 18 years just under investigation.

The previous panelists have demonstrated how the anti-sects are acting, and how there is a kind of collaboration between the anti-sects and the state. Sometimes, if we look deeper or a bit more profoundly in the cases, we see that the rule of law is not entirely applied, or the rule of law seems to be applied differently regarding spiritual organizations. According to the rule of law in Belgium, the Ogyen Kunzang Chöling case should not have existed (with such a long period of policy investigation), but still we have it.

It seems factual that the rule of law does not apply equally to spiritual groups, and that this can be found systematically in EU-member states.

In a Czech case from 2010, the police raided Poetrie Esoteric Institute, interrogated its students, based on alleged accusation against the leaders Jaroslav Dobes and Barbora Plaskova. The police confiscated a large amount of objects and documents. Search warrants were not always shown when entering the houses. The police left no copy of the search minutes. Also, those interrogated were put to sign confidentiality agreements. And actually they were put to sign them not only in the police institution facilities, according to the Czech law in such a situation, but also on the street and in the private houses of those interrogated. Confidential information was leaked to the media during the police investigations and court trials. The prosecutors were not maintaining the criminal case secrecy. Everything was published, even though, as Marco Perduca was saying, as long as it is not the decision of the court, all those involved should be considered innocent until proven guilty.

In Manila on 10th of June 2015 Jaroslav Dobes and Barbora Plaskova were put in detention center, refusing to be deported to Czech Republic, and asking for political asylum in the Philippines. The same evening, there was an attempt to forcefully deport Jaroslav Dobes back to the Czech Republic. He was taken from the detention center and in a car, towards the airport, he was given the plane ticket with Turkish Airline and a Czech passport. He had health issues after the time in detention and collapsed in the airport, and the airline would not accept him as passenger. Instead he was brought back to the detention center.

Afterwards, Soteria International and also probably some of our collaborators participating here, investigated how it's possible that the Czech authorities are involved in such a situation, and they denied. They said that there was no Czech involvement at all, none of the institutions being part of this. When asked who else could issue a Czech passport we eventually received the answer that it could have been a fake passport.

Still, this is not the first case when rule of law seems to be put aside in this case. For example, in the first instance, they were convicted in absentia. The witnesses of the prosecutors were not actually

heard in the trial, only their initial declarations. Human rights were not entirely respected and the case still represents a case of concern for our organization.

This is exactly what Mr. Marco Perduca was mentioning earlier about the hostility and misinformation campaigns run by anti-sect organizations, and creation of the Italian Anti-sect Squad within the Italian police. And there are so many cases here like Arkeon, Ananda Assisi, Damanhur, Osho, Scientology, Atman Italy. All of them connected to the anti-sect movements who are not having the democratic mandate nor expertise for their information to be the base of police interventions or policy making.

In the Romanian MISA case the defamation campaigns, institutional blockades, police attacks all seem to be coordinated and conducted in a centralized manner from high levels of state power. In 2004 the so-called “Operation Christ” was initiated as the biggest police raid in modern Romania. Three hundred heavily-armed policemen from the anti-terror squad and gendarmes entered private houses belonging to members of the yoga school MISA. A lot of private material was leaked to mass media, covering the aberrant abuses with scandal journalism. Human rights organizations such as Amnesty and The Helsinki Committee questioned the legality of the actions, but the public opinion still only followed the police and prosecutor’s narrative. All these cases illustrate the question how rule of law can be set aside when it comes to spiritual movements in democratic societies?

Professor of law Gunther Jakobs has proposed the concept Feindstrafrecht - the law for the enemy - to explain this phenomenon. His claim is that in some cases, there is a need for dangerous people—who are considered as terrorists, mobsters, criminals—not to be treated as equal citizens, not to be treated by law, apply nothing in their favor but to suspend their rights in order to easier have them convicted. It is worth pointing out that professor Jakobs considers that this policy should be openly institutionalized; if you put yourself outside society, you should not enjoy the same protection as those within society. Well, this raises a lot of questions.

For example, Feindstrafrecht disables existing laws in order to deprive people of legal protections. Secret services, and those who influence them, would decide that a person becomes an enemy. So, why are some spiritual movements considered as the enemy of the state? Is it because they indirectly seem to criticize the current order of things?

Feindstrafrecht is usually conceptualized regarding terrorists, drug dealers, Mafiosi, human trafficking networks and so on. But it seems that sometimes other uncomfortable persons or movements come to enter this list as well. The CIA seems to massively abuse any law when it claims to have reasons. But those reasons are confidential and just for those who are working inside.

In the MISA case the organisation was accused of being terrorist, human trafficking, sexual corruption, and paramilitary extremist even if there were never presented any evidence to support such allegations. Everything started by the fact that Mr. Gregorian Bivolaru had a warrant under the national security law. Crimes that are part of the national security have been mentioned in the administration of evidence and in the approach of the judges. Still, no accusations which could convict or bring such a person under the suspicion of being a danger to society was ever presented. But invoking such situations released the mandate for national security needed to conduct the raid by the task force with over 300 masked gendarmes and police, with drawn weapons expecting a paramilitary subversive

enemy of the state, while actually entering the homes of yoga practitioners, which never were proving any kind of aggression.

The police confiscated personal belongings without proper mandate. The mandates were just regarding data communication. They were confiscating jewelry, passports and IDs. They were confiscating even very personal objects like panties and so on. Apparently, they confiscated even vacuum cleaners. So, they took almost everything they found. And much is still kept today. Minors were interrogated for hours with no family and no lawyer present, even though the lawyer was there, asking to be present. Even the official report states that they were administering pills to those minors.

The handling of the case is clearly under a form of Feindstraffrecht. The actions qualified for Mr. Gregorian Bivlaru to receive asylum in Sweden in 2006, where he also received a UN refugee passport. Still, in 2013 the Supreme Romanian Court convicted him in absentia, continuing to ignore rule of law during the court trials. This is all official and well-documented for whoever wants to look into it. In 2016, France arrests Gregorian Bivolaru and extradites him to Romania while Sweden repeatedly asks France to send him back to Sweden, upholding their protection of him as a religious refugee. The UN refugee passport entitles the refugee to travel freely, except in the home country. What interests managed to let France send him back to Romania, rather than Sweden? Sweden's justice system was considered without any red flags, while Romania was heavily criticized in the MCV report at the same time. Germany had just decided not to extradite anyone to Romania, because of the inhumane conditions of their jails. But in the case of Mr. Gregorian Bivolaru many rules were bent or skipped. Actually, the laws were systematically violated, and persecution and convictions were carried out regardless of their proportionality, necessity or lack of evidence. This is precisely how the Feindstraffrecht works, and Mr. Gregorian Bivolaru was considered an enemy of the state.

And in all these cases—Ananda Assisi, Arkeon, Ogyen Kunzang Chöling, Damanhur, Gregorian Bivolaru, MISA, Guru Jara, Twelve Tribes, Scientology, and several others, who uses such a powerful tool of the state against organizations with an apparently beneficial role in the society and why? Spiritual organizations speak about morality, principles, ethical and moral codes, aiming for people to live at the high standard of morality. In 2004 Mr. Bivolaru and his yoga movement MISA was quite an anti-corruption force in Romania, captive of organized crime and corrupt structures, as demonstrated by the MCV reports. Actually, the prime minister who according to leaked party documentation personally ordered the entire investigation and campaign against MISA, was many years later convicted of corruption.

So, let me finish with asking who is the enemy of the state, and do we really want a politically applied Feindstraffrecht?

The Sad Consequences of the Persecution of Jehovah's Witnesses in Russia

by Yaroslav Sivulskiy, Representative of the European Association of Jehovah's Witnesses

Transcript of a speech presented during the January 29, 2021 webinar organized by LIREC (Center for Studies on Freedom of Religion Belief and Conscience) entitled “Freedom of Religion: From the USCIRF Report on Persecutions in Russia to Violations in Europe”

Ladies and gentlemen! It is an honor for me to address you today to talk about the problem of the unprecedented mass religious repression that has been taking place in Russia, a member state of the Council of Europe, for more than three years now. Jehovah's Witnesses are a well-known Christian denomination recognized in all European countries, numbering over 8 million active members in the world (or more than 20 million people, if you include those who attend their meetings). They are known as peaceful and law-abiding people. Russia has become the only country in the world to officially declare them extremists and subject them to mass criminal prosecution.

To begin with, allow me to conduct a short excursion into history. Jehovah's Witnesses have existed in Russia since the late 19th century. They even tried to obtain legal recognition from the Soviet authorities, but were unsuccessful. The peak of the persecution of the Witnesses in the Soviet era came in 1951 with the so-called “Operation North,” when thousands of Jehovah's Witnesses from Belorussia, Moldavia, the Baltics and Ukraine – entire families – were exiled to Siberia in freight cars. Many did not survive the ordeal, but thanks to these events, many Russians responded to their preaching, and the number of Witnesses increased, which was the exact opposite of what the authorities wanted to achieve.

In 1991, Jehovah's Witnesses in the USSR were finally rehabilitated as victims of political repression. Thousands received official certificates of rehabilitation and ever since they have received a small financial allowance from the state every month. I know about this first-hand as my father was acknowledged as a victim of political repression for of our faith.

Starting in around 2009, the clouds began to gather over the Russian Jehovah's Witnesses again. Courts in two Russian regions added a large list of printed publications of Jehovah's Witnesses to the so-called Federal List of Extremist Materials. This was done on the basis of false pretexts and with the help of so-called expert studies. An expert would simply say that such and such a quotation bears signs of hatred, enmity, and so on, and the court would declare the entire book “extremist.” Here is one example of such a quote:

Quote: *“Although Josiah was only a child, he was old enough to know that he should make friends with people who serve Jehovah. May you do the same and choose to do what is right!”*

The expert concluded that: “In saying ‘he should make friends with those...,’ the text implies that at the same time ‘you should not make friends with others.’ This constitutes hidden propaganda of

discord based on religious affiliation... A negative attitude towards people who do not believe in Jehovah is being promoted.”

This is just one example of how ordinary expressions of religious people, characteristic of any religion, are being artificially interpreted by so-called experts as incitement to hatred. This has allowed the courts without even thinking about it to classify such statements as signs of extremism.

The next step was the closure of several local religious organizations (LROs) of Jehovah's Witnesses on the grounds that some publications from the Federal List of Extremist Materials had been found in their possession. What is important here is that it wasn't the Witnesses who brought these books to their places of worship. It was police and FSB officers who did it. In fact, law enforcement officers engaged in the systematic planting of compromising evidence. Some of these episodes were captured on video. The Witnesses themselves immediately stopped using all publications that had been pronounced extremist.

On April 20, 2017, the Supreme Court of the Russian Federation ruled that since some LROs had been found guilty of possessing “extremist literature,” the national office of Jehovah's Witnesses in Russia, the Administrative Center located in St. Petersburg, should be liquidated. This was done, and at the same time all the remaining 395 LROs throughout the country were closed down as well.

At the trial representatives of the Ministry of Justice insisted that the ban would not affect ordinary believers, it was only about legal entities, just a formal decision on paper and nothing more. But in reality, exactly the opposite occurred. As early as May 2017, Dennis Christensen, a citizen of Denmark who lived in Russia, was arrested. He spent two years in a pre-trial detention center like a dangerous criminal while he waited for the decision of the trial court. He was even denied house arrest. In the spring of 2019, the court of appeal upheld his conviction for extremism and sent him to prison for 6 years. He became the first Jehovah's Witness in modern Russia to receive a real prison term, but not the last. Today there are already 19 of them. Half of them have already served their time in the prison colony, but 9 are still imprisoned. At present 45 Jehovah's Witnesses are behind bars. The majority are in pre-trial detention awaiting the outcome of their trials.

Incidentally, 2020 saw another legal first. For the first time the authorities revoked the Russian citizenship of two Jehovah's Witnesses who had not been born in Russia. In May Feliks Makhammadiyev and Konstantin Bazhenov had their citizenship revoked. Feliks Makhammadiyev was recently released from prison and immediately deported from Russia.

In 2020 the authorities continued to commit acts of torture against detained Jehovah's Witnesses. As a reminder, in February 2019 at least 7 peaceable Witnesses from Surgut reported that they had been subjected to electric shocks, suffocation and beatings in the building of the Investigative Committee. The authorities employed torture to try to force the Witnesses to answer questions about where Jehovah's Witnesses hold their meetings, what goes on at their meetings, the names of their elders and the passwords to their telephones. A year later on February 6, 2020, officers from Correctional Facility No. 1 in Orenburg beat with batons and kicked five Witnesses. Feliks Makhammadiyev was

particularly seriously beaten, and as a result he was hospitalized with broken ribs and damage to his lung. He required an emergency operation and needed drainage to remove fluid from his lungs.

Several days later on February 10th, 31-year-old Vadim Kutsenko from Chita, Zabaikalsky Territory, was taken into the forest and beaten, strangled, and given electric shocks.

On July 13th in Voronezh, five Witnesses reported that they had been tortured during raids or interrogations. 44-year-old Yuriy Galka had his arms tied behind his back and a bag put over his head. While he was suffocating, he was beaten and suffered a broken rib. The documents stated that the injuries were purely “domestic”. 51-year-old Anatoliy Yagupov also had a bag placed over his head and was hit with a chair. At the headquarters of the Voronezh Regional Police, officers ordered 29-year-old Aleksandr Korol tell them the names of elders of congregations of Jehovah’s Witnesses in Voronezh. To obtain the information they suffocated him with a polythene bag and at the same time hit his face. None of the officers involved have been brought to justice for any of the acts of torture committed against Jehovah’s Witnesses, even though the incident in Surgut took place almost two years ago.

Since the start of 2021 the repressive machine in Russia has been speeding up. There are 45 people in prisons and detention cells, another 26 under house arrest, and around 1,300 searches in total have taken place. In the hundreds of criminal cases, there is not a single victim of any crime or evidence of a real crime. All accusations are based on the facts of regular religious practice of any religion: reading and discussing sacred texts, prayers, songs, etc. Women, elderly people, single mothers are searched, fined, and subjected to pressure, threats, and insults. The oldest Witness involved in a criminal case is over 85 years old. Recently 90-year-old Rimma Vashchenko died before her criminal case could come to trial. In fact, five Witnesses have already died while under investigation, having not been able to stand the stress of persecution. There are now 430 Witnesses under criminal investigation. Many of them have been added to the official list of “extremists and terrorists” and can no longer use bank cards, receive a salary, purchase insurance policies or even buy a SIM card.

To make it easier to understand what Jehovah’s Witnesses in Russia are having to face on a daily basis, I would like to invite you to watch a short video.

VIDEO: <https://www.youtube.com/watch?v=Lwck-RMuObE> (min. 11:38)

As you can see, ordinary, law-abiding citizens are being treated like dangerous criminals. If you live in Russia and believe in the wrong God, the door of your house can be broken down, you can be thrown to the floor or forced to stand face to the wall with the point of an automatic weapon against you.

Anti-cultists associated with the Russian Orthodox Church have played a pivotal role in the current crises affecting religious freedom in Russia. Since late 1990s they have purposely incited hatred in society towards religious minorities, using hate speech, far-fetched and unproven accusations, well-worn stereotypes, engendering fear and xenophobia. And they don’t operate on the fringes of society

with little influence. One of the leaders and inspirations for this movement is Aleksandr Dvorkin, who headed the Expert Council for Religious Expert Studies of the Ministry of Justice of the Russian Federation. In Russia, anti-cult views are broadcast at the highest level; by leading mass media outlets and state-run television channels.

The accusations of Russian anti-cultists against Jehovah's Witnesses were completely dispelled by the European Court of Human Rights back in 2010 in the case of "The Religious Community of Jehovah's Witnesses of the City of Moscow against the Russian Federation." The aforementioned Aleksandr Dvorkin played an important role in that process, unofficially directing the prosecution and even testifying against them. Jehovah's Witnesses were accused of all kinds of conceivable and inconceivable sins. These charges were dismissed by the ECHR as untenable. For example, the judgment stated: "The European Court concludes that the prosecution's argument about causing harm to the health of citizens is not based on factual data." Russia had to restore the Moscow LRO and pay compensation to Jehovah's Witnesses.

So, then the anti-cultists decided to change tactics and take a different approach – via bans on literature. As I mentioned earlier, in 2010, some publications of Jehovah's Witnesses were added to the official list of extremist literature. All that remained was on the basis of this to liquidate legal organisations, and then use this as a pretext for the repression of ordinary religious worshippers, the majority of whom had never even been members of these organizations. They were able to accomplish this very successfully. Here again the Ministry of Justice played a vital role, for which Aleksandr Dvorkin acted as a consultant. It was the Ministry of Justice that filed the claim to the Supreme Court in 2017 to ban the activity of Jehovah's Witnesses.

Of course, anti-cultist propaganda alone would not have been sufficient to ban an entire religion at state level. But years of large-scale work on public consciousness in Russia had paved the way and created all the prerequisites for the ban. Officers of the special forces, officials, prosecutors, judges, and police officers are people like everyone else. They also watch television and can be influenced by propaganda.

Immediately after the decision of the Supreme Court, the Moscow Patriarchy of the Russian Orthodox Church made it clear that they approved of the decision. Metropolitan Ilarion, an official spokesman for the Russian Orthodox Church who heads the Department for External Church Connections of the Moscow Patriarchy announced that the decision to ban Jehovah's Witnesses was "a positive step in the affair of the battle against the spread of sectarian ideas." It's no exaggeration to say that Russian anti-cultists, affiliated with the majority church, have succeeded in doing what has not been achieved in any other country in the Western world – to outlaw an entire religion, consisting of tens of thousands of worshippers, with their ensuing criminal prosecution simply for their beliefs. These individuals are not bothered about the humiliation being endured, the cruel treatment in places of detention, torture, fines, or unjust long-term sentences.

Opponents of religious freedom in Russia have achieved another unprecedented accomplishment – the ban of a Russian translation of the Bible. This was also done by means of a made-to-order expert

study. The SOVA Information and Analysis Center wrote this on this subject: *“The obvious inconsistency, uselessness, and the blatant absurdity of their own arguments does not worry them. So, when asked whether these materials contain grounds and justification of the need to overthrow the constitutional order of the Russian Federation, the experts answer “yes”, since they show that Jehovah's Witnesses believe in the depravity of the current state of affairs, the coming end of the world, the victory of Jesus over the devil, his conquering of the world and the destruction of all rulers, ‘wicked people and demons’, the accession of Jesus to the throne and the beginning of a new world order. When asked whether the submitted materials contain calls to violate the territorial integrity of the Russian Federation, the answer was again an affirmative “yes”, since Jehovah's Witnesses believe in the inevitability of a change of power at the end of the world, and where there is a change of power, there is seizure of territories.”* And similar absurd arguments. But they were accepted by the Vyborg City Court on August 17, 2017. Thus, Russia became the only country in the world in which you can be jailed for possessing a Bible published by Jehovah's Witnesses.

We are grateful to European and international organizations for their support of Jehovah's Witnesses in Russia. On March 12th of last year, 27 CoE member states announced: *“All people, including members of the Jehovah's Witnesses, must be able to peacefully enjoy their human rights, including the right to freedom of religion or belief, freedom of association and peaceful assembly and freedom of expression, without discrimination. [...] We therefore call on the Russian Federation to conduct prompt, effective and thorough investigations into all reports of such acts. [...] Since the liquidation of all local religious organizations of Jehovah's Witnesses in Russia, reportedly 869 houses have been searched, 26 individuals are in pre-trial detention, 23 under house arrest, 316 are charged and 29 already convicted. [...] According to reports from the European Association of Jehovah's Witnesses, echoed also by Forum 18 and media articles, on 6 February 2020, in Orenburg, five individuals (Aleksey Budenchuk, Gennadiy German, Roman Gridasov, Feliks Makhammadiyev, and Aleksey Miretskiy) were beaten by prison officials of Penal Colony No. 1. All suffered severe injuries and one needed hospitalization. In addition, on 10 February 2020, Vadim Kutsenko was reported to be tortured before being taken into custody, as law enforcement officers repeatedly beat and choked him and applied electric shocks, while demanding information on other Jehovah's Witnesses.”*

On July 23rd of last year, the OSCE issued a statement saying: *“We have heard the Russian delegation claim more than once at the Permanent Council that Jehovah's Witnesses are, and will continue to be, able to practice their religion freely, and that freedom of religion or belief is guaranteed in the Russian Federation. However, we continue to see numerous reports about home raids, detentions, and criminal investigations concerning Jehovah's Witnesses. This is in strong contrast with the claims by the Russian delegation. [...] All people, including members of the Jehovah's Witnesses, must be able to peacefully enjoy their human rights, including the right to freedom of religion or belief, freedom of association and peaceful assembly and freedom of expression, without discrimination, as guaranteed by the Constitution of the Russian Federation, Russia's OSCE commitments and obligations under international law.”*

On October 1st, the Committee of Ministers of the Council of Europe examined how Russia was implementing the 10-year-old judgments of the ECHR in the case of “Jehovah's Witnesses of Moscow against the Russian Federation” and “Krupko and others against the Russian Federation.” In 2010,

the ECHR ordered the restoration of the rights of the Moscow LRO, and Russia complied with. But in 2017, this organization was liquidated again, and since then the situation has only worsened. In 2020, the first criminal case was opened against Jehovah's Witnesses in Moscow. Moreover, it became apparent that Russia obstructs the work of European bodies in every possible way and ignores requests for information.

Despite the unanimous support of international state and non-governmental organizations, no measures have yet managed to encourage the Russian government to stop persecuting innocent people. In connection with the events related above, Russian Jehovah's Witnesses have filed over 60 applications to the European Court of Human Rights. Their appeal of the Supreme Court decision to liquidate all legal entities has been given priority treatment, so we expect a decision from the ECHR in the near future. Maybe it will kick-start the situation on the ground, though on the other hand Russia has already shown that it is capable of not implementing ECHR judgments.

Meanwhile, Jehovah's Witnesses continue to trust in God and courageously speak about their faith in courts. I want to quote just a few words from 66-year-old Yuri Savelyev's last word in court. He is from Novosibirsk and he spent over two years in pre-trial detention awaiting the verdict. On December 16, 2020, the Leninsky District Court of Novosibirsk sentenced him to 6 years in prison for his religious beliefs. Here's what he said in his last word:

“I have no enemies, and for my almost 67 years I have never been brought to administrative or criminal responsibility. By my conviction, I am a pacifist, that is, against any form of violence, be it verbal, psychological or physical. For 40 years of my working career I've been repeatedly awarded prizes, certificates, and featured on the Board of Honor of workshops and factories. I have positive references from relatives, neighbors and friends. [...] I was born in the Soviet Union, and from childhood I was taught to be truthful, respect my elders, honor my parents, work honestly, and lead a healthy lifestyle. This is what I taught my children. And I'm ashamed that Russia is again organizing the shameful persecution of the most peaceful, kind and law-abiding citizens of this country.”

Thank you for your attention!

Conclusion

by *Raffaella Di Marzio*, Director of the Center for Studies
on Freedom of Religion Belief and Conscience (LIREC)

Transcript of the concluding remarks presented during the January 29, 2021 webinar organized by LIREC (Center for Studies on Freedom of Religion Belief and Conscience) entitled “Freedom of Religion: From the USCIRF Report on Persecutions in Russia to Violations in Europe”

At this point, I would like to express some ideas emerged from the presentations we have heard. I think that all presentations show how the Jehovah’s Witnesses case in Russia and elsewhere is an emblematic example of how intolerance against a religious minority, promoted by anticult organizations like FECRIS and supported by media, is the seed of discrimination and persecution.

Moreover, speakers have pointed out as the anti-cult propaganda is more dangerous when the State is not neutral as it should be and the police acts on the basis of incorrect information from anti-cult organizations, violating the human rights of religious and spiritual minorities.

As we have heard today from representatives of different European countries, many religious minorities are victims of intolerance and stigmas, something we strongly oppose in order to prevent discrimination and persecution. The European Union should take into account the reports of NGOs denouncing continuous violations of freedom of religion and intervene not only with countries that violate the rights of minorities, but also with anticult organizations that contribute to create a climate of unjustified hostility towards pacific religious and spiritual groups. This is the only way to prevent strong violation of human rights as it is happening in Russia.

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