



International Conference

Religion in Post-Modern Society Conceptual, social-political and legal aspects

Kiev, May 20-21, 2008

Interactions between public powers, communities of faith or belief, and society

A critical and constructive look at religious intolerance in France and in Belgium

In the first half of the 1990s, the world was shaken up and horrified by a series of collective suicides, homicides and attacks perpetrated in America and in Europe at the initiative of leaders of religious movements or movements claiming to be religious. Quite recently, dramatic deviant behaviors of religious community leaders have again been in focus in Romania, in Russia and in Texas.

Modern terrorism perpetrated by a religious group started in Japan with Aum Shinrikyo. In 1992, the group tried to acquire the Ebola virus in order to contaminate the population but failed in its attempt; in 1993, the organization failed again in its endeavor to disseminate anthrax; in 1994, they managed to carry out a gas attempt in Matsumoto which killed 7 people and injured 200 others. Finally, in 1995, they spread sarin gas in Tokyo's subway which caused the death of 12 people and injured 5,000 others.

Since September 11, 2001 Islamist movements have emerged as new actors of violence and terrorism¹ whose objective is to impose their religious-political agenda in Muslim countries and in the world.

These phenomena have deeply influenced the perception of religions by the public powers, the media and society in Europe. All EU member states have taken drastic preventive measures to thwart terrorist attempts by Islamist groups and militants based inside and outside the EU as they represent high risks for public order and security. A small number of EU member states – especially in-German-speaking and French-speaking areas - adopted new laws and put in place specific mechanisms targeting and lumping together all communities of faith and belief other than Catholicism, Judaism or Islam. This was done without any serious scientific risk assessment.

France has been and still is the spearhead of the most controversial policies in this regard. Due to the influence of its media in neighboring countries and to its cultural aura in the

world, France is also influencing the francophone regions of Belgium and Switzerland, and other countries in Central and Eastern Europe.

This presentation will analyze the interactions between public powers, communities of faith or belief, and society in France and also in Belgium where almost half the population is francophone. The first part will very briefly describe the constitutional and legal framework regulating the relations between state and religions. The second part will analyze the responsibility of the state in the development of religious intolerance. The third part will focus on religious intolerance fostered by anti-sect movements and activists. The conclusions will provide constructive recommendations taking into account the mistakes made by France and Belgium.

France: Constitutional and legal provisions guaranteeing freedom of religion or belief

The French Constitution guarantees freedom of religion or belief. According to its Article 2, "France is an indivisible, secular, democratic, and social republic. It ensures the equality of all citizens before the law, without distinction as to origin, race, or religion. It respects all beliefs." Furthermore, Article 77 (3) of the Constitution guarantees the principle of equality: "All citizens shall be equal before the law, regardless of their origin, race or religion. They shall have the same duties."

The Government of France generally respects the right to freedom of religion or belief, as it is protected by the relevant international treaties. The rights and the independence of the clergy are fully respected by the state. Religious bodies have the right to self-government. The right to religious education is also recognized and respected by the state. Religious and belief communities can open private schools (95% are Catholic) and have access to public financing. Religious instruction is not offered in public schools. All religious and belief communities have the right to own and acquire property, and to maintain institutions for religious and charitable purposes.

The Law on the Separation of Church and State of December 9, 1905 makes provisions for France to ensure freedom of conscience, to guarantee the free practice of religions, to prevent any interference of religions in state matters, and conversely.

In principle, there is no state recognition of any religion and no hierarchy of religions. In principle, the State does not subsidize any religion. There is no compulsory or specific mechanism of registration of communities of faith or belief and no such registry.

Religious and belief communities can acquire legal personality either as an *association cultuelle*, whose activities are by law strictly limited to worship and which enjoys tax exemption (1905 Law), or as a cultural association, which is not tax exempt but may carry out non-profit commercial activities (1901 Law). This creates a de facto two-tiered system of hierarchy of religions, especially when the communities of a specific religious denomination are systematically denied the status of *association cultuelle*. The full status of *association cultuelle* must however be confirmed by the local prefecture if the community of faith or belief wants to enjoy the fiscal advantages linked to it.

Almost all new religious movements have been systematically denied this form of legal personality, even when fulfilling the conditions of the 1905 Law. For many years, Jehovah's Witnesses have been involved in legal battles to acquire this status. By the end of 2006, more than fifty of their associations had been registered as *associations cultuelles* and had gained tax-exempt status. However, societal attitudes have not followed the legislative developments.

Belgium: Constitutional and legal provisions guaranteeing freedom of religion or belief

The constitution guarantees the rights and freedoms of ideological and philosophical minorities (article 11), freedom of worship and its public practice, including the freedom to manifest one's opinions in all matters (article 19). No one can be compelled to take part in activities and ceremonies of a religion (article 20). The state may not intervene in the appointment of religious clergy (article 21). The constitution guarantees the respect of

philosophical, ideological, or religious beliefs of parents and their children at school and provides for religious education in public schools (article 24). It also guarantees the payment of the wages and the retirement pensions of the clergy of recognized religions and moral assistants of secular humanism (article 181).

The Belgian system of relationships between the state and religions in Belgium is historically rooted in a specific system of hierarchy of religions: state-recognized and non-recognized religions. However, recognition criteria have never been enshrined in the constitution, in decrees or in laws. After Belgium gained independence in 1830, Catholicism, Protestantism and Judaism enjoyed de facto state recognition on the basis of the official status they had been granted under French rule at the beginning of the 19th century. Anglicanism was recognized in 1835, Islam in 1974, and Orthodoxy in 1985. Secular humanism was recognized as a community of belief in 1993 (article 181(2)) and the Buddhist association is on its way of state-recognition as a community of belief as well. Non-recognized communities of faith or belief usually register as non-profit associations. All religions and belief systems recognized by the state in the 20th century had previously the sole status of non-profit associations.

There is no compulsory mechanism of registration of communities of faith or belief and no such registry.

All religious and belief communities are allowed to carry out charitable and economic activities. Faith-based schools can be opened and receive state subsidies if they fulfill the general requirements of the ministry of education. There are religious classes for Catholic, Protestant, Jewish, Muslim and Orthodox students as well as ethics classes in public primary and secondary schools. The independence of the clergy and the right of self-government of religious bodies are recognized and respected.

Religious intolerance and defamation fostered by state institutions and politicians in France and in Belgium

In recent years, the participating states of the Organization for Security and Cooperation in Europe (OSCE) have expressed increasing concern over the rising number of hate crimes and violent acts of intolerance committed by states and non-state actors throughout the OSCE region. In this regard, it is worth mentioning two excellent reports respectively entitled, "Combating Hate Crimes in the OSCE Region: An Overview of Statistics, Legislation, and National Initiatives"ⁱⁱ and "Hate Crimes in the OSCE Region: Incidents and Responses."ⁱⁱⁱ

The second report published last year documents numerous violent manifestations of hatred toward various social, ethnic, ethno-religious and religious minority groups.

In the last ten years, France, Belgium, Austria and Germany have been identified and repeatedly criticized at the U.N. and at the OSCE as the main state actors fostering religious intolerance and discrimination in Western Europe. For years, at the OSCE/ODIHR in Warsaw, many complaints have been publicly expressed against these Western European democracies, all related to actions by state entities and state-funded private entities engaged in the denigration of a number of small-sized communities of faith or belief.

In 1998, **France** established a top level agency, MILS (Interministerial Mission to Battle against Sects) which was renamed MIVILUDES (Interministerial Mission for Vigilance and Battle against Sectarian Deviations) in 2002. Under the guise of hunting so-called sectarian deviations, these state entities mainly fought and go on fighting against specific communities of faith and belief of foreign origin like Jehovah's Witnesses, the Unification Church, Sahaja Yoga or Scientology, just to name a few. In the last ten years, several anti-sect parliamentary commissions have been set up, reports stigmatizing small religious groups have been published and laws targeting them specifically have been adopted^{iv}. However, other more pressing issues such as acts of terrorism committed by separatists in Corse and in Baskland which were accurately and extensively documented by a European report^v did not lead to similar parliamentary initiatives. This policy has generated a climate of intolerance and discrimination towards such groups and their members.

On 17 October 2007, the president of MIVILUDES, Jean-Michel Roulet, announced to a gathering of high officials that he had been charged with libel after stating in a televised report that the sums collected by the organization "Tradition, Family and Property" (TFP), a group of Catholic laymen^{vi}, could be used fraudulently.^{vii} Judicial proceedings against him are in process. According to the annual report of MIVILUDES published in 2007, TFP constitutes a "risk of being a cult characterized by its opaque functioning and the vagueness of its objectives".

Jean-Pierre Brard, a member of the National Assembly associated with the French Communist Party, was accused several times and charged once for libel against Jehovah's Witnesses. In 2007, Mr. Brard, who had also been the vice-president of the study group for cults at the National Assembly, was once more sued by the Jehovah's Witnesses for calling them "absolute delinquents." Mr. Brard has even attempted to invoke parliamentary immunity to avoid being held to judicial standards of evidence and proof in reference to denigrating attacks on minority religious movements. On 6 September 2001, the Court of Appeal of Paris stated that Mr. Brard had made a defamatory statement towards Steiner schools at the TV News of France 2 on 17 June 1999 with regard to the 1999 parliamentary report on sects and money which he was chairing but the court held that he had done it in good faith and was therefore not guilty of public defamation.

On 3 April 2007, the Court of Cassation, Civil Chamber 1, annulled the 22 March 2006 decision of the Court of Appeal of Paris which had declared non-guilty Mrs. F. on a mission at the MILS and Mrs. P., then member of the National Assembly in a case where the plaintiff, the AMORC association, had felt defamed by both authors of the book "Sectes, démocratie et mondialisation" (Sects, democracy and globalization) published by the famous *Presses Universitaires de France*. In that book, AMORC had been accused among other things of pursuing personal interests, of supporting racist theories and threatening freedoms, of being structured like a mafia, and of functioning like a criminal organization.

At the Human Dimension Implementation Meeting of the OSCE/ODIHR held in Warsaw in October 2006 French Jehovah's Witnesses complained that in the first nine months of 2006, 67 of their places of worship had been vandalized, including attacks with Molotov cocktail and firearms^{viii}. That was more than the Jewish communities had registered during the same period.

France's religious policy alerted U.N. Special Rapporteur on Freedom of Religion or Belief Mrs. Asma Jahangir, who decided in 2005 to carry out an official fact-finding mission in France. In her report she recommended "[avoiding] the stigmatization of members of certain religious groups or communities, including those whose members have never committed any criminal offence under French law." She also expressed her hope that "future actions of MIVILUDES will be in line with the right to freedom of religion and belief and avoid past mistakes." She also said in her report that she would closely monitor the activities of MIVILUDES.^{ix}

In a report dated 8 March 2007^x, Mrs. Asma Jahangir sent a communication to the French government to ask questions about the way they were dealing with the Plymouth Brethren. In her observations to the French government, she noted that the concepts of "religion" and "belief" must be understood in a broad sense. "The Special Rapporteur urges the government to make sure that the mechanisms in charge of the management of these religious groups or belief communities deliver a message based on tolerance, freedom of religion or belief, and the principle according to which people's actions can only be judged through appropriate judicial proceeding." Moreover, "she recommends to the government to monitor more closely the prevention actions and campaigns which are carried out all over the country by private entities or organizations sponsored by the state, especially in the school education system, to avoid any suffering of the children of members of such groups."^{xi}

In addition to maintaining state entities to fight against 'sectarian deviancies' French public authorities have also sub-contracted with private anti-sect groups including UNADFI (National Union of Associations for the Defense of Families and Individuals) and CCMM (The Center Against Mental Manipulation). Not only does the state provide some 90% of their budget, it has granted them the same public charity status as the Red Cross. Under the guise of protecting individuals and families against 'sects' and of 'defending' persons

they consider 'victims', these organizations fuel religious intolerance against specific groups and foment fear of minority and little known religious movements in general. Their method makes little use of courts of law where due process and constitutional rights must be respected. Rather they publicize their accusations in the media. They also hold 'sensibilisation training programs' for civil servants in government ministries, for school teachers and school administrators, for students preparing to become teachers, and for parents and students in public schools. They also lobby parliamentarians at national and multilateral levels and hold international conferences to raise fear or as they term it 'awareness'.

In **Belgium**, a special parliamentary commission issued a report on the dangers allegedly posed by "sects" in 1997 and one year later, a law was promulgated to create an "Information and Advisory Center on Harmful Sectarian Organizations" (CIAOSN). The mandate and the activities of this state agency were challenged by several religious groups in various courts. In September 2005, the Belgian State had to publish a decision of the Court of Appeal of Brussels in two major national newspapers which was saying that the parliamentary commission on "sects" had published biased information stigmatizing the Belgian branch of the "The Universal Church of God."^{xii}

In 2006, unreliable information published by the parliamentary commission was again highlighted in a judgment of the Court of Appeal of Brussels concerning the case *Anthroposophic Society against the French Community of Belgium*^{xiii}, one of the federated entities of Belgium. The Anthroposophic Society had been wrongly accused of the death of a young girl, a statement made by the spokesperson^{xiv} of a Belgian private anti-sect group during the hearing by the parliamentary commission and reproduced without any control in the parliamentary report. The French Community was sentenced to a symbolic Euro for publishing this false information in a brochure called "Guru, beware of you"^{xv} widely publicized on television and radio, in newspapers, schools, police stations, and so on. The judgment also provided that the distribution of the brochure had to be stopped but the damage caused to the reputation of the Anthroposophic Society was then irreparable.

In 2007 the Court of Appeal of Brussels again condemned the Belgian state in the case "*Sahaja Yoga v. Belgian State*" after the CIAOSN had published biased information about this religious group and labeled it a "harmful sectarian organization."^{xvi} The CIAOSN had to correct the information on its website and to send a denial to each of the recipients of its report.

Despite their providing biased and unreliable information and despite the aforementioned court decisions, private anti-sect organizations in Belgium continue to enjoy the moral and logistical support of the state and its various agencies^{xvii}.

It must be stressed that both France and Belgium chose not to rely on the expertise of sociologists, historians of religions, and professors of constitutional and human rights law to determine their policy on the "sect" issue. The academic community was even ostracized by public powers in this matter.

Religious intolerance and defamation fostered by anti-sect groups and activists

Saying that anti-sect organizations are guilty of religious intolerance and defamation is not a groundless statement. Court judgments in Belgium were mentioned above. Court decisions against prominent leaders of anti-sect groups in France confirm it. Here are a few notable examples.

In July 2007, Catherine Picard, (president of UNADFI) was condemned by a French court for defamation against Jehovah's Witnesses and had to pay them 6750 EUR^{xviii}. In an interview, she had stated that the group was "structured as a pyramid, like all criminal organizations."

Jehovah's Witnesses had already won several cases against anti-sect activists: Janine Tavernier, an earlier President of UNADFI; Mrs. Ovigneur-Dewynter, President of ADFI; Jacky Cordonnier, member of UNADFI.^{xix}

On 9 May 2007, the Appellate Court of Paris (11th Chamber, Section A) condemned Mr. Bernard Kouchner^{xx}, France's Minister of Foreign and European Affairs since 18 May 2007, and Marc Tessier, publishing manager of TV Channel France 2, to pay together 1,500 EUR to Mr. Marcel Terrusse, and 2,000 EUR for the court expenses on the ground of "public insult" (Ref.: File Nr 06/04791). On 6 January 2003, during the TV program "Mots Croisés" devoted to human cloning, Mr. Bernard Kouchner used the words "sales cons" (bloody idiots) to qualify the Raelians and said about Mr. Marcel Terrusse who had been invited as the spokesperson of this community of belief: "ce type est un dangereux salaud" (this guy is a dangerous bastard). Marc Tessier was sentenced on the ground that he failed to remove these insults from the program which had been recorded several hours before being broadcast.

On 7 May 2007, in the case *Law 1901 Association CAP v. Daniel Groscolas*, the First Civil Chamber of the Court of Grand Instance in Marseille^{xxi} condemned Daniel Groscolas^{xxii}, manager of the website of the CCMM, an anti-cult organization affiliated to FECRIS and financed by French public powers, to a fine of 1500 EUR for defaming the association CAP which defends freedom of conscience and in particular the rights of religious minority groups labeled as sects and of their members. In an article entitled "The implementation of the methods of Dr Goebbels" and posted on <http://www.ccm.asso.fr>, Mr. Daniel Groscolas was accusing CAP of using Goebbels' methods of manipulation and disinformation.

Despite repeated convictions of various leaders and prominent members of private anti-sect organizations on grounds of defamation and despite the separation between state and religions, various public authorities in France continue to finance groups defaming religious minority groups and creating an atmosphere of religious intolerance leading to commission of hate crimes and vandalism.

In MIVILUDES 2007 annual report published in 2008, its president Jean-Michel Roulet (presently charged with libel) congratulates FECRIS, a European network of anti-sect movements, for claiming that "totalitarian and harmful sects^{xxiii} have instrumentalized the OSCE/ODIHR. The report remains silent about the numerous judicial condemnations of the FECRIS president^{xxiv} as well as leaders of French FECRIS member groups." Mr. Roulet was a member of France's Delegation at the annual OSCE/ODIHR meeting in Warsaw in September 2007 where all these matters were clearly set forth before all nations present, and where FECRIS leaders publicly admitted that 90% of their financing came from the French public powers. Yet in preparing his annual report he failed to mention that the main objective of some FECRIS member groups is to defend a specific Church against competition from other religious movements. This is the case of St Irineus of Leon Centre for Religious Studies in Moscow, which is run by Alexandr Dworkin. This anti-sect organization which is funded by the Russian Orthodox Church, does not hesitate to accuse Falun Gong, the group heavily persecuted in China, of being a dangerous sect.

One can wonder if it is the role of France to promote and to support the action of an international network such as FECRIS, to finance some of its French member organizations despite the repeated condemnations of their leaders on the grounds of defamation of religions, a hate crime condemned by the OSCE/ODIHR and the U.N.

The European Court and the case Riera Blume & Others v. Spain^{xxv}

The unreliable and biased character of the sources of information that anti-sect movements represent is also reinforced by a judgment of the European Court of Human Rights which highlights the negative role played by a Spanish anti-sect association affiliated to FECRIS.

In 1983, the Directorate General of Civil Defence (DGSC) of the *Generalitat* of Catalonia (the Government of Catalonia) received through the association *Pro Juventud* ("Pro Youth"), an anti-sect association, a request for assistance from several persons who claimed that members of their families had been captured by a group known as *CEIS (Centro de Investigaciones Esotérico/ Center of Esoteric Investigation)*. According to the families' complaints, those who ran the group had managed to bring about a complete change of personality in their followers, leading them to break off ties with their family and friends and inciting them to prostitution and other activities designed to obtain money for the organisation.

On June 20, 1984, a raid took place and many people were arrested, among whom were the six complainants, all adults. According to an official of the Public Safety Department, there was an alleged risk of unpredictable reactions from members of the sect up suicide if they were released. However, on the next day, the duty judge nevertheless decided to release the detained but gave oral instructions to the police that they should be handed over to their families, to whom it should be suggested that it would be as well to have them interned in a psychiatric centre, on a voluntary basis as regards the persons of full age, in order for them to recover their psychological balance.

Later, they were taken by members of the Catalan police in official vehicles to a hotel some thirty kilometres from Barcelona, where they were handed over to their families with a view to their recovering their psychological balance. Once at the hotel, the applicants were taken to individual rooms under the supervision of persons recruited for the purpose, one of whom remained permanently in each room, and they were not allowed to leave their rooms for the first three days. The windows were firmly closed with wooden planks. While at the hotel the applicants were, according to them, subjected to a process of "deprogramming" carried out in the presence of their families by *Pro Juventud* which had reserved the hotel rooms and paid for them, which had recruited and paid the young people responsible for the sequestration of the applicants in the hotel and which had hired the psychologist and the psychiatrist. On 29 and 30 June 1984, after being informed of their rights, the applicants were questioned by the Assistant Director-General of Public Safety, in the presence of a lawyer not appointed by the applicants. On 30 June 1984, ten days after their arrest, the applicants could finally leave the hotel.

As soon as they were released, the six applicants lodged a criminal complaint. In 1997, after exhausting all the domestic remedies, they lodged a complaint at the European Court on the basis of Articles 3, 5, 8 and 9, the latter one protecting their religious freedom.

In its judgment, the Court held that, while the families and the anti-sect association bore the direct and immediate responsibility for the sequestration of the applicants during their ten day's loss of liberty, the authorities knew all the time that applicants were held against their will at the hotel and did nothing to put an end to the situation. Unfortunately, the Court did not consider it necessary to examine the case under Article 9 (freedom of religion) and condemned Spain on the basis of Article 5 § 1.

Conclusions

Faced with the mutation of the domestic religious landscape and the globalization of religious issues, some EU member states have opted for restrictive measures in the management of new religious issues and challenges.

France has taken a leading position in the development of public policies spreading de facto suspicion towards any non-conformist religious doctrine and group. France's policy of blacklisting, harassment and stigmatization of such groups is however unjustifiably discriminatory and even dangerous. Moreover, the French state has relied on private anti-sect movements and activists as primary sources of information and for the implementation of part of its policy although a number of them have been repeatedly sentenced by French courts on the grounds of defamation of certain religious communities. By creating MILS and then MIVILUDES and by appointing Jean-Michel Roulet, indicted for libel, as president of this agency, the French state has created a climate of intolerance that has been amplified by the media and has shaped the negative perception of such groups by society.

In short, the whole policy of France based on the work of MIVILUDES and private anti-sect organizations has caused more problems than it has solved. It has damaged its reputation in international fora, such as the United Nations or the OSCE. It has also highlighted the fact that more anti-sect actors, whether in a public position or in a private organization, had been found to violate the laws of the French Republic than leaders of religious groups.

Belgium which has opted for the French strategy of confrontation with the support of anti-sect groups rather than dialogue has created the same problems and has experienced the same negative backlash. The work of its public institutions has been disavowed on several occasions by Belgian courts.

It is the duty of the state to guarantee public order and the security of its population, but potential dangers must be assessed by non-biased actors. The main mistake of France and Belgium has been to listen to political, ideological or private groups of interests and to turn a deaf ear to the opinions and warnings of sociologists, historians of religions, and professors of constitutional and human rights law.

Freedom of religion or belief has its limits but laws and mechanisms of exception targeting specific groups or meant to prevent so-called "sectarian deviations" are not the right answer to perceived possible dangers.

The advisory mission of the state should better be entrusted to a network of independent experts from university institutions dealing with the psychological, sociological and historical dimensions of the issue in consultation with the Advisory Panel of Experts on Freedom of Religion or Belief of the OSCE/ODIHR and the Venice Commission of the Council of Europe.

Willy Fautré

Director of *Human Rights Without Frontiers* (Brussels)

Website: <http://www.hrwf.net> - Email: w.fautre@hrwf.net

ⁱ Islamist terrorism is motivated either in whole or in part by an abusive interpretation of Islam; the use of violence is regarded by its practitioners as a divine duty or sacramental act (Source: TE-SAT 2008, EU Terrorism Situation and Trend Report <http://www.europol.europa.eu/index.asp?page=publications&language=>)

ⁱⁱ Published in 2005 by the OSCE Office for Democratic Institutions and Human Rights (ODIHR). Al. Ujazdowskie 19, 00-557 Warsaw, Poland. Website: <http://www.osce.org/odihr>. ISBN 83-60190-07-0

ⁱⁱⁱ Published in 2007 by the OSCE Office for Democratic Institutions and Human Rights (ODIHR). Al. Ujazdowskie 19, 00-557 Warsaw, Poland. Website: <http://www.osce.org/odihr>. ISBN 83-60190-44-5

^{iv} On 15 April 2008, the French newspaper *Le Parisien* revealed that former member of the National Assembly Georges Fenech would be entrusted by the Prime Minister with a study mission on sects. He would be mandated to examine how the courts apply laws pertaining to sectarian deviations. In this regard it is worth mentioning that he is involved with 41 other persons in a criminal proceeding related to the sales of weapons to Angola.

^v See TE-SAT 2008, EU Terrorism Situation and Trend Report .

^{vi} Name of the Catholic Group : Tradition, Famille et Propriété (TFD)/ Tradition, Family and Property (TFP). See the French daily newspaper *Le Monde* dated 23 October 2007 <http://www.europol.europa.eu/index.asp?page=publications&language=>.

^{vii} Their lawyer, Gérard Ducrey, said to *Le Monde* (23 October 2007) that the organization had never been convicted.

^{viii} See http://www.osce.org/documents/odihr/2006/10/21346_fr.pdf

^{ix} UN. Economic and Social Council. Commission on Human Rights, 62nd session. Item 11 (e) of the provisional agenda. Cical and Political Rights, Including the Question of Religious Intolerance. Report submitted by Asma Jahangir, Special Rapporteur on freedom of religion or belief. Addendum 2. Mission to France (18-29 September 2005). E/CN.4/2006/5/Add.4, 8 March 2006

^x UN General Assembly A/HRC/4/21/Add.1, Human Rights Council, Fourth Session, Implementation of General Assembly Resolution 60/251 of 15 March 2006 entitled « Human Rights Council ». Report of the Special Rapporteur on Freedom of Religion or Belief, Asma Jahangir, Addendum 'Summary of cases transmitted to Governments and replies received'. See par. 137-145 on France.

^{xi} Translation by HRWF. Official text only in French : « La Rapporteuse spéciale exhorte le gouvernement à faire en sorte que ses mécanismes chargés de la question de ces groupes religieux ou communautés de conviction livrent un message fondé sur la tolérance, la liberté de religion ou de conviction, et le principe selon lequel nul ne peut être jugé pour ses actes autrement que par les voies judiciaires appropriées. » En outre, « elle recommande au gouvernement de suivre de plus près les actions et campagnes de prévention qui sont menées dans tout le pays par des entités privées ou des organisations patronnées par l'Etat, notamment dans le système scolaire, afin d'éviter que les enfants des membres de ces groupes n'en pâtissent. »

^{xii} See "Avis judiciaire" published in *Le Soir*, 3-4 September 2005

^{xiii} Cour d'Appel de Bruxelles, 9e Chambre. Ref. Nr. 2006/2846/ Court of Appeal, 9th Chamber, Ref. Nr. 2006/2846

^{xiv} The spokesperson of that anti-sect group, Dr Charles Berliner, was then a deputy member of the board of the CIAOSN.

^{xv} "Gourou, gare à toi! J'ai ma liberté de penser. Les jeunes et les sectes nuisibles. Campagne de prévention de la Communauté française. Published by « Gouvernement de la Communauté française. Cabinet de la Ministre-Présidente, Place Surlet de Chokier 15-17, 1000 Bruxelles. »

^{xvi} Hof van Beroep van Brussel, 8ste Kamer, Ref. Nr. 2006/4586 / Court of Appeal, 8th Chamber, Ref. Nr. 2006/4586

^{xvii} Dr. Berliner and Mrs. Nyssens-Dussart were for several years on the board of the CIAOSN. Belgian and FECRIS affiliated anti-sect groups were privileged partners of CIAOSN in a number of conferences and consultations.

^{xviii} See AFP press release dated 23 July 2007 "Mme Picard (UNADFI) condamnée pour diffamation envers les Témoins de Jehovah".

^{xix} Mrs. Ovigneur-Dewynter, President of ADFI Nord, 15 January 1997. The Douai Court of Appeal, 4th Chamber, condemned her for defamation regarding the Association of Jehovah's Witnesses in France. Case Nr 96/02832.

Jacky Cordonnier, member of UNADFI, 29th March 2002. Criminal conviction for defamation. The Marseille Country Court condemned him for libel regarding the Association of Jehovah's Witnesses. Decision Nr 2972/02, Number 01207964.

Janine Tavernier, President of UNADFI, 5th February 2003. The Paris Court of Appeal, 11th Chamber/ Section A, confirmed the judgment in the civil proceedings against Janine Tavernier and UNADFI (Decisions of the Paris County Court of 20 November 2001). Case Nr 01/03757.

^{xx} Among many other things, Mr. Bernard Kouchner is a co-founder of *Médecins sans Frontières* (Doctors Without Borders) and *Médecins du Monde*. Health Minister (1992-1993, 1997-1999, 2001-2002)

^{xxi} Judgment Nr 387 (7 May 2007) . Tribunal de Grande Instance de Marseille, Première Chambre Civile.

^{xxii} Daniel Groscolas was appointed general inspector at the Ministry of Education in 1990. After the publication of the parliamentary report on sects in France, he was commissioned to carry out a study on sects in the national school education system. After this investigation, he was asked to create and to lead a service for the prevention of sectarian phenomena in the school system. He was appointed a member of the MILS in 1996. From 1998 to 2000, he belonged to the orientation council of the MILS.

^{xxiii} Miviludes Report 2007, pp 111-112.

^{xxiv} Friedrich Griess, President of FECRIS.

Court case 17Cg 15/96d in Vienna Commercial Court in September 1996. Conviction for defamation against the Christian Family Fellowship, Styrian Christian Fellowship and the Life Fellowship (Norwegian Movement).

Court case 37Cg 77/98x in Vienna Commercial Court in September 1998. Conviction for defamation against the Christian Family Fellowship, Styrian Christian Fellowship and the Life Fellowship (Norwegian Movement).

Court case 17 O 85/98 in Stuttgart County Court in Germany in June 1998. Conviction for defamation against the Norwegian Movement"

Court case 37 Cg 19/00y in Vienna Commercial Court in March 2000. Conviction for defamation against the Norwegian Movement" on the website of his association

Court case GZ 8E 3407/00 w in Klosterneuburg District Court. Violation of a settlement agreement. He failed to pay a fine and was ordered to remove false information from his web page and from search engines.

Judgment procedure GZ 8F 2687/02 s-3 in Klosterneuburg District Court. Violation of settlement agreement and order to pay a fine.

Court case Gz 008 E 2687-02, 6th April 2004, Klosterneuburg Court.

^{xxv} See the court decision at <http://www.cesnur.org/2002/blume.htm>