

Human Rights Without Frontiers Int'l



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Newsletter "Intolerance and Discrimination Based on Religion or Belief"

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FRANCE

HRWF: Social hostility towards a number of minority religious groups

*OSCE Human Dimension Implementation Meeting - Working Session 14:
Freedom of thought, conscience, religion or belief*

HRWF (06.10.2014) - Human Rights Without Frontiers Int'l recommends to the government of France:

- 1) To revise its policies stigmatizing and ostracizing so-called sects and their members
- 2) To stop financing organizations fueling social hostility towards religious or belief groups
- 3) To respect the jurisprudence and the fundamental principles of neutrality and impartiality governing the relations between the state and any religious or belief community as advocated by the jurisprudence of the European Court
- 4) To examine the good practices of the Geneva-based Centre d'Information sur les Croyances in Switzerland which is financed by three French-speaking and one Italian-speaking cantons.

Social hostility towards a number of minority religious denominations in France is a source of concern for experts in freedom of religion or belief.

A sociologist of religions in Canada, Prof. Susan Palmer, has published a 250-page book (*) based on research trips in France that was supported by two standard grants from the Social Sciences and Humanities Research Council, a federal granting agency of Canada. She visited 14 religious groups that appeared on the list of 173 sects and also 'immigrant religions'.

- She interviewed spiritual leaders, lawyers and anti-cult activists
- She visited rural communes, ecological farms and meditation centers
- She attended lectures and court proceedings
- She collected new religious movement literature, anti-cult bulletins and media

reports

- She tried repeatedly to arrange meetings with MIVILUDES (Mission Interministérielle de Vigilance et de Lutte contre les Dérives Sectaires) and UNADFI (Union Nationale pour la Défense de la Famille et de l'Individu) who never responded to her phone calls

Over the course of her research, the Canadian researcher observed the many ways in which these groups were ostracized and subjected to social control. The groups were raided by police and military squadrons, their offices searched, the leaders arrested, and the groups were banned from participating in community festivals and from renting conference rooms. Many of their members, French citizens, lost their jobs or were denied promotions once their affiliation with a so-called sect was unmasked.

Some of the people Prof. Susan Palmer interviewed were in the midst of divorce and custody disputes, and due to their sect affiliation had already lost access to their children or had their visiting rights curtailed. Many members complained of sudden tax audits and of *mediabolization* (demonization in the media).

Some of the groups investigated by the Canadian scholar have successfully lodged complaints against France at the European Court but their image was irremediably damaged by various French state institutions and actors, state-sponsored anti-sect organizations and the negative media coverage during the domestic judicial proceedings.

While it is legitimate for a state to protect its citizens and to warn them against various dangers, stigmatizing some belief systems on the basis of unreliable and biased information gravely contributes to various forms of discrimination and social hostility such as verbal insults, physical assaults, attacks of places of worship and community buildings, and so on.

A good practice that should inspire France is certainly the policy of the *Centre d'Information sur les Croyances* (CIC) in Switzerland which is financed by three French-speaking and one Italian-speaking cantons.

The CIC, a public institution, is led by a Council the members of which are independent, highly competent in various domains and do not represent public authorities, political parties, mainline religions or belief systems.

The CIC respects the principle of neutrality as advocated by the jurisprudence of the European Court of Human Rights. It collects data about religious movements and treats them in a scientific non-biased way. It publishes reports on religious movements without drawing any conclusion, judgment of value, assessment, advice or recommendation, without warning against a specific religious group but leaves it to the reader or the applicant for information to make his/her own opinion according to his/her needs.

The public authorities of the four cantons have decided not to demonize newly established religious or belief groups. They have chosen to disregard the ostracization, confrontation and repression approach of the "sect/cult issue". The CIC privileges the problem resolution approach through objective information, dialogue between conflicting parties and education. This approach is in line with the philosophy of living together in a context of religious diversity and tolerance.

(*) The New Heretics of France: Minority Religions, La République, and the

Government- Sponsored "War on Sects," by Susan Palmer. Oxford University Press, 2011. 304 pp., b&w illustration, £45.00/\$74.00. ISBN-13: 9780199735211.

TURKMENISTAN

HRWF: Prison terms for conscientious objectors and members of unregistered religious groups

*OSCE Human Dimension Implementation Meeting - Working Session 14 :
Freedom of thought, conscience, religion or belief*

HRWF (06.10.2014) - Human Rights Without Frontiers Int'l recommends to the government of Turkmenistan:

- 1) To release objectors to military service and to adopt a legislation creating an alternative civilian service
- 2) To grant all religious communities the right of association, assembly and worship
- 3) To allow believers of any religion to share their beliefs individually or collectively
- 4) To lift censorship on the publication, production and import of religious literature
- 5) To decriminalize the religious activities of unregistered religious groups and their members

In **Turkmenistan**, young Jehovah's Witnesses are in prison for conscientious objection to military service. They have no opportunity to perform alternative civilian service as it is the case in almost all the OSCE Participating States. They are usually sentenced to terms of 12 to 24 months. Upon release, the same men have at times been prosecuted as "repeat offenders" and then placed in a strict regime prison.

While several objectors were released in the first semester of this year, others were arrested:

Pavel PAYMOV, Suhrab RAHMANBERDYEV and Admirlan TOLKACHEV are in the general regime section of the camp while Matkarim AMINOV and Dovran MATYAKUBOV are in the strict regime section.

On 7 July 2014, Merdan AMANOV was given a one-year prison sentence and was being held in pre-trial detention in Yashlyk, 40 km from Ashgabad.

Other prisoners of conscience punished for merely exercising their right to religious freedom:

Bibi RAHMANOVA (33), a mother of a four-year-old son, was sentenced under fabricated charges of "assaulting a policeman" and hooliganism on 18 August to four years in a general regime colony, a prison for criminals.

Bahram SHAMURADOV (42) was sentenced on 2 July to a four-year prison term on the fabricated criminal charge of distributing pornography in the northern city of

Dashoguz.

Aibek SALAYEV was sentenced to four years' imprisonment in April 2012 on the fabricated charge of "hooliganism".

Local Jehovah's Witnesses accuse the law enforcement forces of fabricating charges so that they can put an end to their proselytism activities and deter the other believers.

The government goes on denying registration to a number of Protestant communities and Jehovah's Witnesses. Unregistered religious groups and unregistered branches of religious groups cannot legally conduct religious activities, including establishing places of worship, gathering for services, disseminating religious materials, or proselytizing. Unregistered religious activity is punished as an administrative offense, with fines ranging from the equivalent of \$125 to \$500.

Although no laws expressly prohibit holding religious services on residential property, the housing code states that communal housing should not be used for any activities other than living. The religion law states that religious services must be held at the religious group's designated location.

The domestic publication of religious literature is prohibited by decree, and the Committee for Religious Affairs must approve imported religious literature. Only registered religious groups can import literature, though with a lot of restrictions.

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Some activities in 2014

Presentation of an analysis of the 16.09.2014 decision of the European Court in the case

Atudorei v. Romania at a side-event of the OSCE/ODIHR HDIM in Warsaw (30.09.2014)

Statement on social hostility towards religious minorities in France at the OSCE/ODIHR HDIM in Warsaw (30.09.2014)

Side-event on ethnic minorities in Azerbaijan at the OSCE/ ODIHR HDIM in Warsaw (29.09.2014)

Statement on the Russian-speaking minorities in the Baltic States at the OSCE/IDIHR HDIM in Warsaw (29.09.2014)

Meeting with the President of the European Parliament, Martin Schulz (25.09.2014)

Meting with the vice-president of the European Parliament, Wieland (25.09.2014)

Interview with The Voice of America about human rights in North Korea (08.09.2014)

**Interview with RIA Novosti about the events in Ferguson/ USA
(21.08.2014)**

**Interview of Willy Fautré by the Italian weekly "Tempi" about HRWF
Campaign for the Sakharov Prize to the Sudanese Meriem Ibrahim
(23.07.2014)**

**Presentation at a hearing of NGOs in the Framework of Japan's sixth
periodic review during the 111th session of the UN Human Rights
Committee in Geneva (14.07.2014)**

**Publication of an article in The Parliament Magazine: "European Court of
Human Rights' uphold French burka ban setting dangerous precedent"
(11.07.2014)**

**Participation of HRWF Policy Adviser Dr Mark Barwick as facilitator and
workshop trainer in Bratislava on "Prevention of Genocide & Mass
Atrocities" organized by the Budapest Center for the International
Prevention of Genocide and Mass Atrocities (30.06-03.07.2014)**

**Participation in ICISA's conference in Washington and presentation on "Sect
Observatories: Neutrality of the State and Public Powers, European Court
Jurisprudence and Good Practices" (03-05.07.2014)**

**Participation of HRWF Policy Adviser Dr Mark Barwick in consultation in
Stockholm on European cooperation in "Preventing and Countering Far-
Right Extremism" in partnership with the Institute for Strategic Dialogue
and the Swedish Ministry of Justice. (25-26.06.2014)**

**Participation in the Conference of the Oxford Journal of Law and Religion
"Sacred and Secular" in Oxford and presentation on "The EU Guidelines on
Freedom of Religion or Belief, a Challenge to the EU Institutions"
(24.06.2014)**

**Publication in Russian with St Petersburg University of HRWF book on
FECRIS**

**Publication of "Un kaleidoscope de la crise ukrainienne" in Histoire et
Liberté, Institut d'Histoire Sociale (pp 15-36)**

**Mission in Odessa about the 2nd May tragedy and the presidential election
(17-26.05.2014)**

**Participation in a meeting of the Grand Round Table in Budapest (08-
09.05.2014)**

**Workshop organized by Dr Mark Barwick, HRWF Policy analyst, at the EU
Fundamental Rights Agency annual meeting in Vienna (11.04.2014)**

**Presentation at the conference "Organ Harvesting in China" at the EESC in
Brussels (19.03.2014)**

Interview about "Organ Harvesting in China" by NTDTV (19.03.2014)

Lecture about human rights advocacy for a group of Swedish university

students (19 March 2014)

**Breakfast meeting at the European Parliament with Mgr Borys Gudziak,
Ukrainian Greek-Catholic Bishop (19.03.2014)**

**Organizing a conference on "Religious Minorities in Iran" at the European
Parliament
(18 March 2014)**

**Co-organizing the side-event "The Rise of Religious Intolerance" at the UN
in Geneva with a presentation on "Religious Intolerance & Ethno-Religious
Conflicts in Africa" by Dr. Mark Barwick, HRWF Policy Analyst (10.03.2014)**

Fact-finding mission in Azerbaijan (01.03 - 07.03.2014)

**Fact-finding mission in Japan (17-21.02.2014) and press conference in
Tokyo (19.02.2014)**

**Interview by Polish Television "Telewizja Elblaska" on the collaboration
NGOs - European Parliament for the promotion of human rights
(30.01.2014)**

**Participation of HRWF Policy Adviser Dr Mark Barwick as facilitator and
workshop trainer in the Budapest conference on "Prevention of Genocide &
Mass Atrocities" organized by the Budapest Center for the International
Prevention of Genocide and Mass Atrocities (27-29.01.2014)**

**Participation in a demonstration against human rights violations in Russia
outside the European Council in Brussels (27.01.2014)**

**Participation in the briefing of the Human Rights Dialogue EU-Azerbaijan
and debriefing of the Human Rights Dialogue EU-Armenia (20.01.2014)**

**Lecture on the EU and freedom of religion or belief for Brigham Young
University (15.01.2014)**

HRWF Newsletter on Freedom of Religion or Belief in Italian (14.01.2014)

**Publication of "The International Community and North Korea - Which Way
to Go? Encourage Conversion to Capitalism or Sanctions?" in "Human Rights
and Democratic Transition in North Korea", Hans Seidel Foundation
(January 2014)**

HRWF network of experts covers more than 20 countries, including

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AZERBAIJAN: The Institute of Peace and Democracy
DEMOCRATIC REPUBLIC OF CONGO: Ligue des Sacrifices Volontaires pour
les Droits de l'Homme
GEORGIA: Human Rights Information and Documentation Center
IRAQ: Assyrian Aid Society
JAPAN: Life Fund for North Korean Refugees
MOLDOVA: Promo-LEX Association
NEPAL: Human Rights Without Frontiers/ Nepal
RUSSIA: Sova-Center
RWANDA: Association Rwandaise des Travailleurs Chrétiens
SERBIA: Centar 9
SOUTH KOREA: Korean Rehabilitation Center for Torture Victims and
Families (KRCT)
TCHAD: Droits de l'homme sans frontières
UKRAINE: International Centre for Policy Studies
USA: Women's Rights Without Frontiers

Electronic Newsletters

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