

# A SPECIAL MESSAGE TO THE PARLIAMENTARY ASSEMBLY'S COMMITTEE ON LEGAL AFFAIRS

## FECRIS's application for INGO status sent back by PACE Bureau

Evidence of civil and penal convictions comes to Bureau's attention.



*Roger Ikor, extremist founder of FECRIS member group CCMM, called for "an end to all this balderdash, from cults, but also from the great religions."*

The Bureau of the Council of Europe's Parliamentary Assembly (PACE) has declined to pass onto the Assembly an application by the European Federation of Centres of Research and Information on Sectarianism (FECRIS) to be granted consultative (now called "participatory") status with the Council of Europe.

The Bureau's refusal to forward the application is apparently based on evidence that had come to their attention concerning many civil and

penal convictions of FECRIS member groups and individuals associated with them. Based on those convictions, the Bureau questioned the report recommending approval by Rapporteur Mr Dick Marty of the Council of Europe's Committee on Legal Affairs and Human Rights.

In conducting his investigation into FECRIS' application, Mr Marty evidently did not have available to him all the evidence regarding the convictions, both civil and penal, of FECRIS member

groups, nor additional evidence that has come to light that strongly argues against consultative status being granted.

The past and current conduct of FECRIS and its member groups is an important factor in assessing and determining whether it qualifies for INGO status. Particularly relevant is Resolution (2003)8, which lays down the requisite conditions. Point 9.c of the Resolution states that INGOs undertake "to promote the respect of the Council of

Europe's standards, conventions and legal instruments in the member states, and assist in the implementation of these standards."

According to Professor Ben Vermeulen, senior researcher at Utrecht University in the Netherlands, "It is evident, that an organization which through its aims and purposes, or the means that it employs, acts in a way which is inconsistent with these standards should not be given INGO status. For instance, the fact that an organization uses 'deprogramming', a technique allegedly used by AIS/Pro Juventud - a member group of FECRIS - which, according to the European Court of Human Rights in *Ribera Blume v. Spain* (14 October 1999), is a violation of Article 5 of the European Convention on Human Rights (ECHR) in as far as the government is involved is a strong argument against allowing INGO status to such an organization. Such an organization acts against the spirit of the ECHR, and thus does not live up to the aforementioned standards."

A secondary point is whether or not the individual and group convictions and actions are simply the result of a few individuals "going astray" or whether these convictions reflect FECRIS' ethos. In that light,

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# FRI – Swedish FECRIS group



*Members of the Swedish FECRIS member group FRI.*

**M**embers of the Swedish group FRI have been involved in deprogramming as recently as mid-2003. Some time between June and August that year, an adult member of a free Christian Church was incarcerated in a psychiatric hospital solely on the basis of his religious beliefs. FRI members Per and Gudrun Swartling, along with deprogrammer Pether Öhlén who has worked with FRI in the past, had been approached by the family because of their concerns that Carl-Johan, their son, had joined a minority religious group. As Mr Olsen was unable to persuade the son to leave his faith, it was arranged that the young man be involuntarily placed in a psychiatric institution. The “diagnosis” that formed the basis for his committal was a contrived psychiatric condition called “religious delusion”. Mr. Ohlen was clearly working closely with the doctors in this institution as the son was at one point given the choice of a 50% reduction in the drug that was being administered to him if he were to cooperate with Mr. Ohlen. Eventually it was arranged for an independent

doctor to examine Carl-Johan. This doctor concluded that was not suffering from any psychiatric condition. After two months of wrongful imprisonment, he was released. It is noteworthy that FRI failed to counsel the parents and the son to resolve their differences through dialogue and tolerance – essential Council of Europe principles – and instead condoned the unethical and improper detention of the young man on the basis of his religious beliefs. ■

*“FECRIS member group FRI failed to counsel the parents and their son to resolve their differences through dialogue and tolerance - essential Council of Europe principles - and instead condoned the unethical and improper detention of the young man on the basis of his religious beliefs.”*

## VIOLATING COUNCIL OF EUROPE STANDARDS

**I**n September 2001, the Committee of Ministers of the Council of Europe laid down the standards to be observed in its Replies to Recommendation 1412 and Recommendation 1396 (Docs. 9220 and 9215 adopted at the 765th meeting of the Ministers’ Deputies).

The Committee stated that “governments are under an obligation, in their dealings with such groups [of a religious, esoteric or spiritual nature], to remain in conformity not only with Article 9 but with all the provisions of the European Convention on Human Rights and other relevant instruments protecting the dignity inherent to all human beings and their equal and inalienable rights. This entails, inter alia, a duty to respect the principles of religious freedom and non-discrimination”.

In accordance with this principle, the Committee notes that: “legal measures in this area should be applied vis-à-vis illegal practices carried out in the name and by such groups, using ordinarily available procedures of criminal and civil law (Paragraph 10 iii of the recommendation).”

“Freedom of thought, conscience and religion is of vital importance for the identity of believers and their conception of life, but is also equally important for atheists, agnostics, sceptics and the unconcerned; it includes the right to hold or not to hold religious beliefs, to practice or not to practice a religion and to change one’s religion or belief;”

“Religious pluralism is an inherent feature of the notion of a democratic society and thus a key reference for determining whether or not a restriction on religious freedom is acceptable under paragraph 2 of Article 9 of the Convention; states are entitled to take action within the law if it becomes clear

that a movement or association carries on, ostensibly in pursuit of religious aims, activities which are harmful to the population and contrary to the law (cf. also, as regards abuse of rights, Article 17 of the Convention) but the fundamental principles must be religious freedom and, in criminal law, the presumption of innocence;"

"Where religious pluralism gives rise to religious divisions, with attendant tensions, the public authorities' response should not be to eliminate religious pluralism, but to strive to ensure that the various groups respect each other."

"Distinctions based essentially on religion alone are not acceptable - and that the freedom enshrined in Article 9 of the Convention is guaranteed not only to citizens, but to all persons within the jurisdiction of the Contracting States."

FECRIS and its member groups have failed to comply with these standards and there is no reason to suppose they will do so in the future. They do not qualify for INGO status.

## Condoning Brutalities

FECRIS member group CCMM in France has implicitly condoned the campaign of torture, death and persecution of the Falun Gong by the Chinese government. This is a campaign so destructive that the UN Special Rapporteurs on Torture, Summary Executions, Violence Against Women, Religious Freedom and Freedom of Expression have published detailed reports in 2004 documenting the campaign of persecution.



*Unlike United Nations rapporteurs who have severely criticized the persecution of the Falun Gong in China, FECRIS has condoned it.*

The current president of FECRIS French member group UNADFI, former MP Catherine Picard, has admitted to meeting with the Chinese "leader of religious affairs" regarding their treatment of "cults". Neither FECRIS, UNADFI or CCMM have ever criticized the persecution; on the contrary, CCMM attended a Chinese government symposium intended to justify its persecution of Falun Gong, reproduced Chinese government propaganda about Falun Gong and publicly announced that the Chinese wished to emulate the approach taken by CCMM against "sects" in France to crack down on Falun Gong.

The Talmudic truth "who can protest an injustice but does not is an accomplice to the act" directly applies to FECRIS complicity regarding China's abysmal treatment of Falun

Gong. No group that has participated in such a symposium or implicitly supported and condoned the brutal and violent suppression of millions of members of Falun Gong - one of the great human rights tragedies of the last few years - should be approved by the Council of Europe. ■

## ACADEMIC AND LEGAL EXPERTISE

Legal and human rights experts, theologians, sociologists and other academics that have researched the field of religion have condemned the approach taken by FECRIS and its members groups - which represent the "anti-cult movement," as it is generally called.

In 1998, a Swedish government commission report "In Good Faith: Society and the New Religious Movements" stated: "The main conclusion drawn by the Swedish Commission from several visits to organisations in other countries acting within the sphere of new religious movements is that nothing should be done to augment disagreement between these movements and the rest of the community. On the contrary, society should help to bring about a dialogue between all parties concerned."

Internationally renowned scholars such as Professor Mikael Rothstein from Copenhagen University and the late Dr. Bryan Wilson, Professor Emeritus of Oxford University, have agreed that "anti-cult groups" (which comprise the membership of FECRIS member groups) do not present an accurate picture of the groups they label "sects". Such false portrayals have had devastating effects on the lives of individual members of targeted groups. ■



*Meeting of the committee of Ministers of the Council of Europe®*

# How did FECRIS's Application Get so Far?

Given the record of civil and penal convictions of FECRIS member groups and individuals associated with them, we may ask, "How did FECRIS' application get as far as the Bureau of the Council of Europe?"

It is interesting to note that during the time the Legal Affairs Committee report was compiled, the person in charge of the Secretariat was a French lady named Danielle Coin.

Ms Coin has expressed her pro-FECRIS sentiments well before this time. Indeed, as long ago as February 1, 1994, ADFI Sarthe wrote to their members that Ms Coin, at the time working in the General Secretariat of the Council of Europe, had encouraged FECRIS member group UNADFI to set up an NGO. Indeed, FECRIS itself reported that Ms. Coin attended their April 1999 conference entitled, "First Large European Meeting about Cultic Difficulties."

Then in a June 1997 article in the staff magazine, Council of Europe Journal, promoted both ADFI and FECRIS. Titled, "Stay Away from Sects", the article contained a reference to Ms. Coin as follows:

"Danielle Coin, who looks after the issue at the Committee on Legal Affairs and Human Rights, sees sects and their activities as a very real danger. Who do they go for? Anyone – students, the jobless, the old, Council staff. Every sect has

its own favored pitch. Some aim at the well-own, looking for funds (and perhaps with political intentions as well). Others go for those lower down the social ladder. Their selling points?

Given the record of civil and penal convictions of FECRIS member groups, we may ask how FECRIS's application for INGO status has gone as far as it has.

They all promise happiness and self-fulfilment. Some stress self-knowledge and may offer personality tests. Free assessment of this kind is essential to hooking the unwary – and makes the promises of

bliss even harder to resist afterwards. 'Education's no protection,' says Danielle. 'You can have as much education as you like, and still fall for the lure of the irrational and miracle solutions. And if educated people aren't safe, then what about the others?'"

Ms Coin's statements convey the same biased and stereotyped image of minority religious and spiritual movements that has been rejected as unscientific by experts in the field of religion. ■

Experts in the field of religion have rejected biased and stereotyped images of minority religious and spiritual movements.

## MORE FECRIS MEMBER GROUP FACTS

**LAWSUITS:** Six persons have filed suit to have UNADFI dissolved on the grounds that it is violating its statutes.

**SUICIDE:** Rumors so hounded therapist Dr. Yves Julien that he eventually committed suicide. On a March 21, 2001 French TV show, *Vie Privée*, *Vie Publique*, the then president of UNADFI had admitted that ADFI did no investigation before its staff spread a rumor that Dr. Julien's centre was a sect. Rumors led to a city regulatory agency closing down the doctor's center, which had been known for saving lives. The doctor

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# LAWSUITS DOG FECRIS MEMBER GROUPS WHILE TAXPAYER PAYS

**F**ECRIS is primarily a French organization and receives more than 90% of its funds from the French government. Its strongest support comes from its French member organizations, UNADFI and CCMM.

Public records, however, show that UNADFI and CCMM are not stable organizations. Although they have soaked up several million taxpayer francs to fuel campaigns of intolerance, in the case of CCMM, the manner in which these funds have been obtained and used is highly questionable. Both organizations face lawsuits that could force them into either bankruptcy or dissolution.

In 2001, Patricia Casano-Vivien, then president of CCMM, manoeuvred the underwriting of CCMM's new headquarters by obtaining 4.5 million Francs (686,000 euros) from the Prime Minister's Office. At the time, Casano-Vivien's husband, Alain Vivien, occupied the position of President of the Interministerial Mission to Fight Against Sects (MILS), located in the Prime Minister's office. Vivien resigned in June 2002 and MILS was disbanded later that year.

Notwithstanding these funds, confronted by a lack of membership fees, CCMM faced a financial crisis. Its administrative board report of February 9, 2002, reported "following a court mandate, a receiver was appointed to manage the CCMM association from June to October 2001." The organization had been unable to pay its own staff.

To solve the problem, CCMM decided to sell its building – the very one purchased a year previously with 4.5 million francs from the Prime Minister's office. It also reduced its staff -- including Ms. Casano-Vivien herself, who sued CCMM for abusive dismissal and got 15,000 euros in damages.

CCMM may be reluctant to state publicly that Ms. Casano-Vivien, while its president, squandered more than 90,000 euros on refurbishing her office. That these funds came from the French taxpayer is beyond question. CCMM's balance sheet for 2000 shows that the organization received 1,640,000 francs in subventions compared to only 84,179 in membership fees, i.e. a rate of 95% public funds to 5% private.

As a comparison, 91.8% of the sup-

**FECRIS member group CCMM obtained funds from the Prime Minister's office to purchase a new headquarters and then sold the building to pay off its debts.**

port for the association "Doctors without Frontiers" comes from private donations -- i.e. the reverse proportion. The Reason? Unlike FECRIS member groups, Doctors Without Frontiers is perceived by the private sector to provide a valuable and needed service that deserves support.

The current CCMM President, Daniel Groscolas, has stated in the group's newsletter "for several years, the statutes of the association were not always respected, we are trying to return to a legal way of operating."

The situation facing UNADFI is not much better. The organization is currently under suit from 6 persons on the grounds that it has violated its statutes. If the suit is successful, UNADFI faces dissolution.

CCMM's and UNADFI's irresponsible use of taxpayer money and the unstable condition of the organizations is another reason why FECRIS does not qualify to be granted INGO status by the Council of Europe. ■

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was devastated and eventually killed himself.

**EXTREMISM:** Alexander Dvorkin, head of the FECRIS member group St. Irenaeus of Lyon Center of Religious Research in Russia, includes even Mormons in the "sect milieu". According to Marat S. Shterin, a Senior research fellow at The State Library for Foreign Literature in Moscow, Dvorkin classified Mormons as "mafioso structures" and criminal organisations in a court case a few years ago.

## Council of Europe Should Deny INGO Status

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the dubious origin of many of FECRIS' member groups indicates that intolerance and demagoguery are central to their activities. The French FECRIS group, CCMM, was founded by Roger Ikor, an extremist who detested religion generally and once wrote, "If we listened to ourselves, we would put an end to all this balderdash, from cults, but also from the great religions."

Ikor's fulminations against what he called "sects" provide a window into

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**Roger Ikor, CCMM Founder**

his militancy. In his book, *I Lodge a Complaint*, he wrote:

"If you admit that we have to fight them because they are harmful, then they have to be fought with determination, as one fights a dangerous enemy on a battlefield, without letting an excess of scruples paralyse you with continuous wonderings about principles. The stake is too high to authorise weakness and indulgence. And the imperatives of this fight are to be placed high enough in the hierarchy of values, sometimes even above respect of freedom. We are on the plane of actions, not thoughts only."

CCMM's extremist founder cannot be dismissed as an isolated aberration within FECRIS. The Austrian FECRIS member group G.S.K. was founded by Friederike Valentin, a self-admitted admirer of Adolf Innerkofler, a notorious anti-Semite of the 1930s. In her 1975 doctorate dissertation on Innerkofler, she praised his "originality, deep piety and his helpfulness [through which] he could win countless people and impress them in a positive sense -- in the sense of pure action, embodied in everyday Christianity."

In fact, Innerkofler was an anti-Semite entirely in tune with the Nazi era in which he lived. Although Valentin claims that "Innerkofler always spoke against the Jews, not for racist but for religious reasons," a letter he wrote in 1938 to Der Stuermer, the Nazi government's mouthpiece, gives his position: "Since my youth and until today I am a convinced anti-Semite and never miss a chance to speak against the Jews in school, in lectures and in sermons. I am therefore happy that finally the Jewish influence is much weaker today."

FECRIS, it is clear, stands for an intolerant and discriminatory ideology. Tolerance and dialogue are fundamental to the structure and activities of the Council of Europe. FECRIS groups have demonstrated beyond doubt that they do not encompass these principles and do not act in line with democratic standards when forwarding their campaigns.

**The conviction of FECRIS member groups and their leaders include those of two FECRIS vice-presidents. This cannot be constructed as occasionally "going astray" but is endemic to FECRIS groups. On that basis, FECRIS does not qualify for INGO status.**

The convictions of FECRIS member groups and their leaders include those of two Vice-Presidents of FECRIS itself. This cannot be construed as occasionally "going astray" but is endemic to FECRIS groups. On this basis, FECRIS does not qualify for INGO status. ■

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