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**OSCE MEETING ON ANTI-SEMITISM AND  
ON OTHER FORMS OF INTOLERANCE  
Cordoba, 8 and 9 June 2005**

**AUSTRIA**

**State sponsored discrimination of religious minorities – Analysis & recommendations:**

**Austria, with a population of 8,2 Million has no less than 38 Anti-Sect offices operating in the country. Proportionally, this marks an unmatched record in Europe and even on a global scale. 6 are run by the state (incl. the federal sect-observatory office), 10 by the Catholic Church (occasionally Catholic Anti-Sect activities are co-sponsored by governmental institutions), 10 by the Protestant Church, 4 are private associations and 8 are family-counselling offices with priority focus on “sects”. Members of religious minorities report numerous cases of religious discrimination in schools, communities and in their workplace. They especially hold the state responsible for creating an atmosphere of religious intolerance and spiritual apartheid.**

**1. The Federal Sect Office**

In 1998, the Austrian Parliament passed the Federal Law for the Establishment of a **Documentation and Information Office for Matters Concerning Sects**. The tasks of this office, whose head was appointed and supervised by the minister for social security and generations, were to collect and distribute information about dangers originating from programs or activities of sects or sect-related activities. The Federal Sect Office received in recent years annually € 428 000,- support from the Federal government.

**Austria’s constitutionally granted neutrality of the state in religious matters is torpedoed by the following facts:**

- **“Sects” within the mainstream churches are excluded from observation** by this office. The law is not applied to state-recognized churches and confessional communities and is therefore discriminatory (Expert View by Prof. Christian Brünner Karl-Franzens-University of Graz, Institute for Austrian, European and Comparative Public Law, Political Sciences and Public Administration).
- The in 1998 appointed **director of the federal sect office** is the former leader of the controversial Vienna based, private Anti-Cult Organisation GSK („Gesellschaft gegen Sekten- und Kultgefahren“), which is also a member group of FECRIS (see paragraph 3 & 4).
- **Two key staff members of the federal sect office:** A Catholic theologian and a pedagogue in Protestant theology.
- Besides, there is **no legal protection in cases of defamation of religious organizations**. The office still (unofficially) distributes the infamous anti-sect brochure “Knowledge protects”, which targets 22 religious minority groups. The named groups have generally never been consulted and no authors are named in the publication. The booklet is written in a warning context and has the effect of a blacklist. Teachers repeatedly justified their discriminating behaviour towards pupils from minority religions with the content of the brochure and the Anti-Sect videos, which are being circulated nationwide in schools (see next paragraph).

**2. 44 Anti-Sect Videos in Austrian Schools**

**Most high-school students have to attend lessons on “Sektenaufklärung”, which in reality means biased anti-cult lessons in religious- and social education.** The information contained in the materials is not only largely outdated. It is also discriminating and biased, since it is often produced by the apologetic quarters of the mainstream churches in order to project their view on small religions or so called ‘sects’. Especially children, whose parents are members of a targeted religious minority, are suffering under these circumstances. So far, the Ministry of Education has done nothing to prevent the use of stigmatising anti-sect teaching materials.

**3. The Vienna based, private Anti-Cult Organisation GSK („Gesellschaft gegen Sekten- und Kultgefahren“), member group of FECRIS is sponsored by the Federal Ministry of**

**Social Security & Generations (annually € 22 000) and the City government of Vienna (annually € 18 170).**

Furthermore, the **state government of Lower Austria** provides monetary support to GSK and employs the group to hold anti-sect seminars for parents and schools, disregarding the unscientific approach and the controversy of one **leading figure of the organisation: Mr Friederich Griess - Board Member, webmaster of GSK and vice-president of FECRIS.**

Mr. Griess has been convicted for defamation a number of times against the religious group Norweger (Christian group present in over 60 countries). He made statements without any foundation such as the group were the cause of a suicide, that they have a higher suicide rate than the general population and that they caused psychological damage. Yet despite Court decisions, he still made false statements about the group on the Internet.

The degree of his religious intolerance can be measured by one typical quote of Mr. Griess: In a book "Mein Kind ist sektenhörig" he states: "Sect-people are 80 percent primitive and stupid persons" and "The people there are becoming more and more stupid and it is easy to realize from one hundred meters that they belong to a sect".

**4. FECRIS (European Federation of the Research and Information about Cultism) is the French based European anti-cult umbrella organisation. The organisation is currently seeking its NGO consultative status within the Council of Europe (COE):**

**Extracts or summaries of judgements concerning FECRIS member groups and individuals:**

**(1) Friedrich Griess, Secretary General of FECRIS** Court case: 17Cg 15/96d in Vienna Commercial court in Sept. 1996. Conviction for defamation about the Christian Family Fellowship, Styrian Christian Fellowship and the Life Fellowship (Norwegian Movement) including that they enlist people by "flirty fishing", engage in incest, adultery and deceit.

**(2) Friedrich Griess, Secretary General of FECRIS** Court case: 17Cg 15/96d in Vienna Commercial court in March 1997. Conviction for defamation with regard to the Christian Family Fellowship, Styrian Christian Fellowship and the Life Fellowship (Norwegian Movement) "Norwegians".

**(3) Friedrich Griess, Secretary General of FECRIS** Court case: 37Cg 77/98x in Vienna Commercial court on Sept 1998. Conviction for defamation for alleging that the Christian Family Fellowship, Styrian Christian Fellowship and the Life Fellowship (Norwegian Movement). Fine of 60,000 Austrian shillings

**(4) Friedrich Griess, Secretary General of FECRIS** Court case: 17 O 85/98 in Stuttgart County Court in Germany – June 1998. Conviction for defamation against the "Norwegian movement."

**(5) Friedrich Griess, Secretary General of FECRIS** Court case: 37Cg 19/00y in Vienna Commercial court in March 2000. Conviction for defamation and ordered by court to publish a correction statement on his web page and establish a link to the web page of the Norwegian Movement.

**(6) Friedrich Griess, Secretary General of FECRIS** Court case: GZ 8E 3407/00 w in Klosterneuburg District Court. Violation of settlement agreement. He did not pay a fine and was ordered to remove false information from his web page and from search engines.

**(7) Friedrich Griess, Secretary General of FECRIS** Judgement procedure GZ 8F 2687/02 s-3 in Klosterneuburg District Court. Violation of settlement agreement and order to pay a fine.

**(8) SADK, 1990** [FECRIS member group], Switzerland In 1990, two members of FECRIS member group SADK were sentenced to prison in connection with a violent deprogramming attempt on a member of the Hare Krishna movement. Mr. Rossi, who at the time was the spokesman for SADK, spoke out loudly in favour of the deprogramming (during which the victim had been subdued with tear gas) saying "We support and approve of the deed."

**(9) FRI, 1990** [FECRIS member group], Sweden Case Nr B4901-88, ref.Nr. 75636712, issued December 19, 1990. In this judgement FRI-member Eva Pehrsson (now Pohl) was sentenced for the illegal deprivation of liberty and kidnapping of Gustavsson.

**(10) FAIR, 1987** [FECRIS member group], United Kingdom Cyril Vosper, at the time an executive board member of FAIR, was convicted in Germany for false imprisonment and bodily harm in December 1987.

**(11) ADFI Paris** [FECRIS member group] was condemned by the Paris County Court (Tribunal de Grande Instance) for defamation regarding Mrs. Josiane Henri and Mr. Ian Combe. (Decision RP 59 656, RG 7 987/92, ASS/20.02.92, CIVIL TRIAL COURT OF GENERAL JURISDICTION OF PARIS, 1st Chamber, 1st Section) 27th May 1992.

**(12) Mrs. Tavernier** [President of a FECRIS member group]. 5th January 1994. Criminal conviction for defamation. The Paris Court of Appeal confirmed the judgment regarding the culpability of libel of Mrs. Tavernier and the punishment imposed on her by the Paris County court on 22nd June 1993. Decision n° 5490/93, APPEAL COURT OF PARIS, 11th Chamber on 5th January 1994

**(13) Mrs. Ovigneur-Dewynter, President of ADFI Nord** [FECRIS member group], 15th January 1997. The Douai Court of Appeal condemned Mrs. Ovigneur-Dewynter, President of ADFI Nord for defamation regarding the Cultural Association of the Jehovah's Witnesses in France. Case N° 96/02832, Decision on January 15th, 1997, 4th Chamber, APPEAL COURT OF DOUAI

**(14) Jacky Cordonnier**, [member of UNADFI, FECRIS member group]. 29th March 2002. Criminal conviction for defamation. The Marseille County Court condemned her for libel regarding the association of Jehovah's Witnesses. Decision n° 2972/02 Number 01207964

**(15) Janine Tavernier President of UNADFI** [FECRIS member group]. 5th February 2003. The Paris Court of Appeal confirmed the judgment in the civil proceedings against Janine Tavernier and UNADFI (decisions of the Paris County Court of 20 November 2001). Case N° 01/03757, Decision of February 5th, 2003, APPEAL COURT OF PARIS, 11th Chamber, section A

**(16) AGPF and Sect-Info Essen** [FECRIS member groups]. The German Federal Supreme Court ruled on 27 March 1992 that it was unconstitutional for the State to provide funding for organisations such as AGPF and Sect-Info Essen, both FECRIS member groups. (The case was brought by the new religious movement, OSHO, Ref. Case Nr. 7C21-90LU66). That AGPF and Sect-Info Essen deal with new religious movements in a way that cannot be considered objective or neutral was made clear in this decision.

**(17) Ms. Heide-Marie Cammans**, founder of Sect-info Essen [FECRIS member group]. In a final judgment on 19th December 2001 by the Munich State Court, Ms. Heide-Marie Cammans, founder of FECRIS member group Sect-info Essen was ordered to stop circulating falsehoods about Takar Singh (an Eastern religious group) on pain of being fined up to 500,000 DM or, if not paid, jailed for up to 6 months. Case Nr. Az: 908736/99 Munich I State court, 9 civil chamber (Germ.: Landgericht Munchen I).

**(18) CIC [FECRIS member group]. Ian Haworth is a FECRIS founding member and runs the UK group Cult Information Centre (CIC).** He has a court decision against him on 24 Oct 1989, when the Supreme Court of Ontario (Canada) ordered he pay \$10,000 in libel damages to a philosophical group. At the time Mr. Haworth was involved in a similar group to CIC in Canada. On the 17 April 1996 there is also a UK High Court decision against him for non-payment of the damages award

**(19) Siren (FECRIS correspondent group)** 27 March 1997. 2 members of the group were convicted of kidnapping in The Netherlands.

**(20) AIS/PRO Juventud** [FECRIS member group] (Canals case 1995) Spain which states that:

*"That the group AIS had intervened in all breaches of fundamental rights which the accused has suffered of. That neither the President nor her group had any consent at all to carry out any 'therapeutic work' on him. That this group did not have any kind of judicial authorization to replace the lack of 'consent' of the supposedly ill person. That in consequence, in a State of Rights, it is not possible to tolerate the degradation, whatever the purpose may be, of a citizen that has proven his mental integrity."*

**(21) AIS/PRO Juventud [FECRIS member group]** (Riera Blume case, 1999) European Court of Human Rights which states that "In the light of the foregoing, the Court considers that the national authorities at all times acquiesced in the applicants' loss of liberty. While it is true that it was the applicants' families and the Pro

Juventud association that bore the direct and immediate responsibility for the supervision of the applicants during their ten days' loss of liberty, it is equally true that without the active cooperation of the Catalan authorities the deprivation of liberty could not have taken place."

## **5. Two Anti-Cult laws since 1998: The law to establish the Federal Sect Office and the law of Confessional Communities:**

Articles 14 and 15 of the Constitutional Act on General Human Rights of Citizens provided for freedom of religion and created a system of state-recognized and non-recognized churches and religious communities.

**Three legislative acts provided the framework for legal recognition:** the 1874 Law on Recognition of Churches and Religious Communities for "state-recognized churches and religious communities" (*staatlich anerkannte Kirchen und Religionsgemeinschaften*); the 1998 Law on the Status of Religious Communities providing for "confessional communities" (*Bekennnisgemeinschaften*); and the 2002 Law of Association providing for a status of "associations" (*Vereine*).

**Thirteen religious organizations were recognized by the state:** the Catholic Church, the Lutheran Church, the Islamic Community, the Eastern Orthodox Church, the Old Catholic Church, the Buddhist Community, the Jewish Community, the New Apostolic Church, the Church of Jesus Christ of Latter-day Saints, the Armenian Apostolic Church, the Syrian Orthodox Church, the Methodist Church and the Coptic Orthodox Church. "State-recognized religions" were granted various privileges such as exemption from taxation, government funding, free broadcasting time, religious instruction in public schools and pastoral care in prisons and hospitals.

**The 1998 law** introduced additional criteria in order to gain the status of a "state-recognized religion": membership of at least 0.2% of the population (approximately 16,000) and a 20-year period of existence, at least ten of which must be as a "confessional community." However, should the 0.2% criteria had been systematically applied in practice, only four of the 13 state-recognized churches and religious communities would have been recognized. In 2003, the Coptic Orthodox Church was granted the status of a state-recognized religion by a special law, although it only had 1,600 members and had only been a "confessional community" since 1998.

"**Confessional communities**" (under the 1998 law) had to have at least 300 members. Their doctrine and statutes needed to be submitted to the Federal Ministry of Education, Science and Culture for examination and decision. Their official status did not provide for fiscal and educational privileges enjoyed by "state-recognized religions." Their legal status was similar to the status of "associations" under the 2002 law, which entitled them to own property. Apart from that, they were given some insignificant privileges, unlike "associations." The confessional communities were: Jehovah's Witnesses, Free Christian Society/Pentecostals, Evangelical Alliance, Seventh-day Adventists, Hindu Religious Community, Baptists, Movement of Religious Renewal, Baha'i Faith and Mennonites.

The existing system and in particular the **1998 Law on Confessional Communities is inherently discriminatory** as it *de facto* prevents religious organizations from obtaining a state-recognized status and relegates them to a second-class status.

**Islam was granted the status of "state-recognized religion"** by a special law in 1912. Under a separate act, the "Islamic Denomination" had public legal status and had represented the Islamic community since 1988. Besides, there had been Islamic religious instruction in public schools since 1982/83.

There was **no law banning headscarves** (*hijab*) and many girls wore them to school. Teachers were allowed to wear headscarves in Islamic religious lessons in public schools. Problems, however, were encountered in everyday life: wearing a headscarf led to cases of intolerance and some discrimination in various sectors such as housing and employment.

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## **RECOMMENDATIONS**

### **1. Recommendation:**

(a) **Federal Sect Office:** FOREF proposes to the Minister of **Social Security and Generations** to stop using the discriminatory term "sects" and start using instead terms such as "small religions" or "religious minorities", etc.

(b) to the Austrian parliament to re-draft the law regarding the federal sect office to make the following changes possible:

- To employ unbiased staff (appointments should be supervised by an independent scientific council)
- To put emphasis on mediation and conflict resolution in line with the British organisation INFORM (Dr. Eileen Barker)
- To accept accountability to and advice from an independent scientific committee

## **2. Recommendation:**

### **44. Anti-Cult videos and biased anti-cult lessons in religious- and social education:**

FOREF proposes to the Ministry of Education to permit an independent scientific council to review those 44 videos and monitor anti-cult lessons in schools.

- To the Ministry of Education to establish a hotline for children who become victims of religious discrimination
- To employ an ombudsman for victims of religious discrimination in schools
- To give tolerance-training to teachers
- To give tolerance-education to pupils

## **3. Recommendation:**

### **Private Anti-Cult Organisation GSK (member of FECRIS)**

**FOREF recommends to the Minister of Social Security and Generations and to the government of Lower Austria to immediately cut financial support for this organisation, unless the following adjustments are made by GSK:**

- Employ unbiased staff (appointments should be supervised by an independent scientific council)
- Stop the present demagogic and discriminatory approach and start to put emphasis on mediation and conflict resolution
- Accept accountability to and advice from an independent scientific council

## **4. Recommendation:**

### **FECRIS**

- FOREF recommends to the French government to immediately stop their massive financial support for this organisation, unless FECRIS sacks its infamous and repeatedly convicted executives (Mr. Griess and others).
- To the Council of Europe to refrain from granting a NGO consultative status to FECRIS for the same reason.
- To the various national governments to stop sponsoring or employing FECRIS member groups in their nations, until the organisation adheres to the principles of fairness and basic human rights.

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For detailed Information please contact the FOREF Office.