

**Implementation of the Declaration on the Elimination
of all Forms of Intolerance and of Discrimination
based on Religion and Belief**

Summary of the report on the situation in the Federal Republic of Germany by Mr. Abdelfattah Amor, United Nations Special Rapporteur on Religious Freedom. (All quotes in italic).

1. The Rapporteur mentions the entry ban for the founding couple Rev. and Mrs. Moon and the loss of the tax-exempted status of the German Unification Church:

The German government refused the founder of the Unification Church, the Reverend Sun M. Moon, and his wife Hak J.H. Moon entry into its territory in November 1995 on the grounds that they constituted, according to representatives of the community, "a threat to public order" and as such were said to fall into the category of persons who should be refused entry by the countries that have signed the Schengen Treaty. The Special Rapporteur was informed by the German authorities that the ban was based on the provisions of the legislation on aliens and the courts would have to decide whether it should be upheld. The Unification Church has also been denied tax exemption, because, according to its representatives, a "lower court" would not agree to hear testimony from experts on the Unification Church, but based its decision on the evidence of a financial official, who had decided that the community was political in nature. State publications giving information on the so-called sects and psycho-groups were said to be defamatory and wrong about the Unification Church and based solely on the opinions of opponents of the community; the representatives of the Unification Church regarded this as a departure from State neutrality. The pamphlets in question, moreover, were circulated in State schools in order to denigrate the Unification Church. ... Finally, according to its representatives, the Unification Church encountered an atmosphere of intolerance as a result of the behaviour of the major Churches and the State, an atmosphere which was fed by the media. (p.66)

2. The report then reminds the federal government that there must not be any discrimination against any religious community because of its faith or belief:

In conformity with international law, State intervention in the field of religion and belief cannot involve taking responsibility for people's conscience and promoting, imposing or censoring a particular faith or belief. (p.101)

3. The report states that in Germany the Unification Church along with other religious minorities face a climate of suspicion and intolerance:

A climate of suspicion, or latent intolerance, responsibility for which, in their view, lies with the major Churches, which are anxious to preserve their dominant religious status and stem the loss of members to other groups and communities in the field of religion and belief. The major Churches allegedly use their influence with the State for this purpose through its political and administrative institutions, and in particular through public information campaigns on sects, assistance for victims of sects and the Bundestag's Study Commission. This climate is allegedly maintained by the popular press and sometimes reflected among low-ranking civil servants. However, according to these same representatives, by satisfying

the demands of the major Churches in the areas referred to above, the State is violating the principle of neutrality. (p.95)

4. The report emphasises that information disseminated by the German government on minority religions must be strictly neutral and not defamatory or discriminatory:

The State's obligation to remain neutral applies to the content of the information, which should not be discriminatory, defamatory or slanderous. As has been pointed out in Part II.C, the State's legitimate role in informing and educating citizens has to be performed within precise limits (principles of necessity, fair balance, equity, and value judgements based on facts that have been properly and fairly assessed) and in conformity with the law. In any event, remedies must remain available to individuals and groups wishing to dispute the content of official information and, where necessary, oppose its dissemination. (p.98)

5. The report called upon the Federal Government to create a climate of tolerance:

The Special Rapporteur also believes that the State, beyond day-to-day management, must implement a strategy to prevent intolerance in the field of religion and belief. He believes that sustained efforts are required to promote and develop a culture of tolerance and human rights. The State must play an active role in developing awareness of the values of tolerance and a non-discrimination in the field of religion and belief. Lasting progress may be achieved, mainly through education and above all the school, by ensuring that a human rights culture is imparted by school curricula and textbooks and by properly trained teachers. This educational strategy must not only propagate a culture of tolerance among the population, by inculcating values underpinned by human rights, but also develop awareness and reasoned and reasonable vigilance towards any form of abuse or threat in the field of religion and belief. (p.102)

6. The report also calls upon the media to exercise religious tolerance:

The Special Rapporteur also recommends a campaign to develop awareness among the media, and in particular the popular press, which all too often portrays matters relating to religion and belief in a grotesque, not to say totally distorted and harmful light. The recommendations made by the Special Rapporteur under the programme of advisory services (E/CN.4/1995/91, p.147) should therefore be implemented, in particular training workshops for media representatives to develop their awareness of the need to publish information that respects the principles of tolerance and non-discrimination. These measures would also make it possible to educate and shape public opinion in accordance with these principles. (p.103)

End of summary