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The protection of minors against excesses of sects

Amendment¹ No. 35

In the draft resolution, replace paragraph 5 with the following paragraphs:

"The Assembly recalls that in 1992, when examining the issue of freedom of religion and religious minorities, it chose to discontinue the use of the word "sect" and replace it with "groups of a religious, esoteric or spiritual nature" (Recommendation 1412 (1999)). This decision recognised that the word "sect" and other pejorative or stigmatising labels should not be used in Council of Europe reports. In reaching such a conclusion the Assembly reflected international standards such as the UN standards regarding freedom of religion and religious minorities.

The Assembly notes the results of the questionnaire distributed to all Parliamentary delegations that the unlawful activities of members of religious organisations fall within the scope of the general criminal law and the laws on freedom of worship. It further notes that France is the only country where there is currently an initiative in Parliament to increase protection for minors against the influence of religious minorities. Furthermore, it takes solace from the fact that, even in France, senior politicians, the police, education officials or child protection organisations regard cases of physical or psychological ill-treatment of minors as exceptional (reference Prime Minister Dominic de Villepin, Sept 2005, et al). The Assembly draws attention to the work done by the French Prime Minister's office MIVILUDES and, in particular, the conclusions of the report of George Fenech in 2009 that there was no real problem in sixteen other Council of Europe countries which had been studied.

The Parliamentary Assembly reaffirms its belief that freedom of thought, conscience and religion is a fundamental right and, therefore, supports the approach of the European Court of Human Rights in, for example, its decision to deem unlawful the refusal of the Hungarian Court to allow a father to see his child because the father belonged to a Pentecostal movement (Vojnity). It also welcomes the Court's determination to expose the danger of prejudice unrelated to fact when deployed against particular religious minorities such as Jehovah's Witnesses (see *Jehovah's Witnesses of Moscow vs Russia* (app 203/02))."

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