

Resolution 1992 (2014)¹

Final version

The protection of minors against excesses of sects

Parliamentary Assembly

1. The Parliamentary Assembly recalls the commitment of the Council of Europe to a policy for the protection of minors, which has led to the adoption of a number of conventions in this area, including the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse (CETS No. 201), the Council of Europe Convention on Action against Trafficking in Human Beings (CETS No. 197) and the European Convention on the Exercise of Children's Rights (ETS No. 160), and which may be relevant where the excesses of sects lead to exploitation and abuse of or trafficking in children, or to disregard for their rights in the framework of judicial proceedings.
2. The Assembly is particularly concerned about the protection of minors, in particular minors who belong to religious minorities including sects. It is committed to a policy for respect for freedom of religion or belief as stated in Article 9 of the European Convention on Human Rights (ETS No. 5) and condemns intolerance and discrimination against children on grounds of religion or belief, in particular in the education system.
3. The Assembly itself has adopted texts on child protection and welfare, including [Recommendation 1551 \(2002\)](#) "Building a 21st century society with and for children: follow-up to the European strategy for children ([Recommendation 1286 \(1996\)](#))", [Resolution 1530 \(2007\)](#) and [Recommendation 1778 \(2007\)](#) "Child victims: stamping out all forms of violence, exploitation and abuse" and [Resolution 1952 \(2013\)](#) and [Recommendation 2023 \(2013\)](#) "Children's right to physical integrity".
4. The Assembly is concerned when any minors are abused in any way. It is vital that existing legislation be firmly applied and that this is done within the context of respecting the rights of children and their parents in line with Articles 9 and 14 of the European Convention on Human Rights and the jurisprudence of the European Court of Human Rights.
5. The Council of Europe has always promoted a culture of "living together" and the Assembly has spoken out on several occasions in favour of freedom of thought, conscience and religion, as well as in favour of minority religious groups, including those which have recently appeared in Europe, in particular in [Recommendation 1396 \(1999\)](#) on religion and democracy and [Recommendation 1804 \(2007\)](#) on State, religion, secularity and human rights and in [Resolution 1846 \(2011\)](#) and [Recommendation 1987 \(2011\)](#) on combating all forms of discrimination based on religion. The Assembly believes that any religious or quasi-religious organisation should be accountable in the public sphere for any contraventions of criminal law and welcomes announcements by established religious organisations that reports of child abuse within those organisations should be reported to the police for investigation. The Assembly does not believe that there are any grounds for discriminating between established and other religions, including minority religions and faiths, in the application of these principles.
6. The Assembly notes that, in conformity with [Resolution 1530 \(2007\)](#), the protection of minors, parental rights and freedom of religion or belief are to be promoted in any context, whether public (including public schools, hospitals, etc.) or private (including private education systems, the family, sport and other recreational activities, religious activities, etc.).

1. *Assembly debate* on 10 April 2014 (17th Sitting) (see [Doc. 13441](#), report of the Committee on Legal Affairs and Human Rights, rapporteur: Mr Rudy Salles; and [Doc. 13467](#), opinion of the Committee on Social Affairs, Health and Sustainable Development, rapporteur: Mr André Bugnon). *Text adopted by the Assembly* on 10 April 2014 (17th Sitting).



7. The Assembly therefore calls on the member States to sign and/or ratify the relevant Council of Europe conventions on child protection and welfare if they have not already done so.
8. The Assembly also calls on national parliaments to set up study groups on the protection of minors, in particular those belonging to religious minorities.
9. The Assembly calls on member States to ensure that no discrimination is allowed on the basis of whether a movement is considered a sect or not, that no distinction is made between traditional religions and non-traditional religious movements, new religious movements or sects when it comes to the application of civil and criminal law, and that each measure which is taken towards non-traditional religious movements, new religious movements or sects is aligned with human rights standards as laid down by the European Convention on Human Rights and other relevant instruments protecting the dignity inherent to all human beings and their equal and inalienable rights.