



## **Recommendation 1412 (1999)1**

### **Illegal activities of sects**

(Extract from the Official Gazette of the Council of Europe – June 1999)

1. The Assembly recalls its [Recommendation 1178 \(1992\)](#) on sects and new religious movements, in which it considered that major legislation on sects was undesirable on the grounds that such legislation might well interfere with the freedom of conscience and religion guaranteed by Article 9 of the European Convention on Human Rights as well as harm traditional religions.

2. The Assembly reaffirms its commitment to freedom of conscience and religion. It recognises religious pluralism as a natural consequence of freedom of religion. It regards state neutrality and equal protection before the law as fundamental safeguards against any form of discrimination and therefore calls upon state authorities to refrain from taking measures based on a value judgment concerning beliefs.

3. In Recommendation 1178 (1992), it simply recommended that the Committee of Ministers take measures to inform and educate young people and the general public and requested that corporate status be granted to all sects and new religious movements which had been registered.

4. Since that recommendation was adopted, a number of serious incidents have taken place which have prompted the Assembly to study the phenomenon once again.

5. The Assembly has come to the conclusion that it is unnecessary to define what constitutes a sect or to decide whether it is a religion or not. However, there is some concern about groups that are thought of as sects, whatever religious, esoteric or spiritual description they adopt, and this needs to be taken into account.

6. On the other hand, it takes the view that it is essential to ensure that the activities of these groups, be they of a religious, esoteric or spiritual nature, are in keeping with the principles of our democratic societies and, in particular, with the provisions of Article 9 of the European Convention on Human Rights, as well as being legal.

7. It is of prime importance to have reliable information on these groups that emanates neither exclusively from the sects themselves nor from associations set up to defend the victims of sects, and to circulate it widely among the general public, once those concerned have had the chance to comment on the objectivity of such information.

8. The Assembly reiterates the need to include specific information on the history and philosophy of important schools of thought and of religion in academic curricula, especially those for teenagers.

9. The Assembly attaches great importance to protecting those most vulnerable, and particularly the children of members of religious, esoteric or spiritual groups, in case of ill-treatment, rape, neglect, indoctrination through brainwashing and non-enrolment at school, which makes it impossible for welfare services to exercise supervision.

10. Therefore, the Assembly calls on the governments of member states:

i. where necessary, to set up or support independent national or regional information centres on groups of a religious, esoteric or spiritual nature;

ii. to include information on the history and philosophy of important schools of thought and of religion in general school curricula;

iii. to use the normal procedures of criminal and civil law against illegal practices carried out in the name of groups of a religious, esoteric or spiritual nature;

iv. to ensure that legislation on the obligation to enrol children at school is rigorously applied, and that appropriate authorities intervene in the event of non-compliance;

v. where necessary, to encourage the setting-up of non-governmental organisations for the victims, or the families of victims, of religious, esoteric or spiritual groups, particularly in eastern and central European countries;

vi. to encourage an approach to religious groups which will bring about understanding, tolerance, dialogue and resolution of conflicts;

vii. to take firm steps against any action which is discriminatory or which marginalises religious or spiritual minority groups.

11. Furthermore, the Assembly recommends that the Committee of Ministers:

i. where necessary, provide for specific action to set up information centres on groups of a religious, esoteric or spiritual nature in the countries of central and eastern Europe in its aid programmes for those countries;

ii. set up a European observatory on groups of a religious, esoteric or spiritual nature to make it easier for national centres to exchange information.

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1. Assembly debate on 22 June 1999 (18th Sitting) (see Doc. 8373, report of the Committee on Legal Affairs and Human Rights, rapporteur: Mr Nàstase, Doc. 8379; opinion of the Social, Health and Family Affairs Committee, rapporteur: Mr Hegyi; and Doc. 8383, opinion of the Committee on Culture and Education, rapporteur: Mr de Puig).

Text adopted by the Assembly on 22 June 1999 (18th Sitting).