

**OBSERVATORY ON  
INTOLERANCE AND DISCRIMINATION  
AGAINST CHRISTIANS IN EUROPE**

**REPORT 2012**

**EUROPE: LEGAL RESTRICTIONS  
AFFECTING CHRISTIANS**

**2012: CASES OF INTOLERANCE OR  
DISCRIMINATION AGAINST CHRISTIANS**



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# WHO WE ARE

The Observatory on Intolerance and Discrimination against Christians is an NGO registered in Austria. The Observatory hosts a website which monitors and catalogues instances in which Christians and Christianity are marginalized or discriminated against throughout Europe. The Observatory focuses on Europe (European Union, EU accession countries, and wider Europe).

The Observatory gathers incidents of discrimination against Christians from media sources and individuals who report to us. We brief international governmental organizations, such as the EU Fundamental Rights Agency (of which I am a member of the Advisory Panel) and the Organization for Security and Co-operation in Europe (OSCE). Our findings are available to politicians, NGOs, journalists and interested individuals through our website. The Observatory is a member of the Fundamental Rights Platform of the EU-Fundamental Rights Agency.

Our work aims to encourage victims of intolerance and discrimination to tell their stories, and to raise awareness among all people of good will that the phenomenon ought to be taken seriously and is in need of common responses.

**Report to us!** Have you been discriminated against on the grounds of your Christian faith? Have you been verbally attacked and silenced when stating a Christian position? Do you know someone who has been mistreated in any way because he or she is a Christian?

**Please email us your story at [observatory@IntoleranceAgainstChristians.eu](mailto:observatory@IntoleranceAgainstChristians.eu).**

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# PART I

# LEGAL RESTRICTIONS

# AFFECTING CHRISTIANS

# IN EUROPE

## Introduction:

## What is Freedom of Religion?

**Art 9 ECHR / Art 10 EUFRC / Art 18 UDHR**

*“Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief and freedom, either alone or in community with others and in public or private, and to manifest his religion or belief, in worship, teaching, practice and observance.”*

From the above-mentioned sources of international law as well as from the Catholic Church's teaching, freedom of religion and conscience comprises inter alia the following<sup>(1)</sup>:

- The right to adhere, or not to adhere, to a religious belief
- The right to be free from coercion in religious matters: no one is to be forced to act in a manner contrary to his own beliefs
- The right to manifest religion or belief, in worship, teaching, practice and observance.

The right to religious freedom is not only an individual right, but also applies, as a collective right, to religious communities. For them, it comprises inter alia:

- The right to govern themselves according to their own norms
- The right to honour the Supreme Being in public worship
- The right to instruct their members in the practice of the religious life,

- The right to select, educate, appoint, and transfer their own ministers
- The right to communicate with religious authorities and communities abroad,
- The right to erect buildings for religious purposes, and to acquire and use suitable funds or properties
- The right to public teaching and witness to their faith, whether by the spoken or by the written word.
- The right to hold meetings and to establish educational, cultural, charitable and social organizations, under the impulse of their own religious sense.

It is generally recognised that there is one important limitation to that right: it is that just public order must be observed. For this reason, the obligation for the State to respect freedom of religion does not mean that homicide, violence, theft, fraud, extortion, slander, sexual abuse, polygamy, adultery, or similar, must be tolerated if they occur in a 'religious' context. Nor is the State obliged to tolerate the propagation of any 'religious' or 'secular' doctrines, however sincere the belief of their adherents may be, if they promote or justify such behaviour. In that sense, the State does have the right to exert certain supervision over the beliefs and attitudes that circulate in society, and to intervene where the common good so requires.

There are however, a number of laws, documented by the Observatory on Intolerance and Discrimination against Christians, show that often state interventions go beyond the just limitations mentioned above. In the following chapters we present our concerns in these areas:

Chapter 1: Limiting Conscientious Objection

Chapter 2: Curbing Free Speech by Hate Speech Legislation

Chapter 3: Violations of Freedom of Assembly and Association

Chapter 4: Discriminatory Equality Policies

Chapter 5: Limiting Parental Rights

Chapter 6: The Latest ECHR Jurisprudence on Religious Freedom

Every chapter consists of a short theoretical analysis and continues with examples of laws in different European countries. These are not exhaustive and serve as mere examples: Unfortunately there are many more laws in Europe that impose restrictions on the free exercise of one's faith as a Christian.



# Chapter 1: Limiting Conscientious Objection

## **Art 18 UDHR**

*"1. Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.*

*2. Freedom to manifest one's religion or beliefs shall be subject only to such limitations as are prescribed by law and are necessary in a democratic society in the interests of public safety, for the protection of public order, health or morals, or for the protection of the rights and freedoms of others."*

## **Art 18 ICCPR**

*"1. Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.*

## **Art 9 ECHR**

*"1. Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief and freedom, either alone or in community with others and in public or private, and to manifest his religion or belief, in worship, teaching, practice and observance."*

## **Art 10 EUFRC**

*"1. Everyone has the right to freedom of thought, conscience and religion. This right includes freedom to change religion or belief and freedom, either alone or in community with others and in public or in private, to manifest religion or belief, in worship, teaching, practice and observance.*

*2. The right to conscientious objection is recognised, in accordance with the national laws governing the exercise of this right."*

*"Freedom of thought, conscience and religion is one of the foundations of a 'democratic society' within the meaning of the Convention"*

**- European Court of Human Rights, Kokkinakis v. Greece, January 2012**

Freedom of conscience enables a believer to live according to the demands of his faith, which gives meaning to his own life. Limiting or denying an individual the right to freedom of conscience, devoids this right of meaning and violates personal autonomy as a main requirement of human dignity.

While recognized as a right, it is also a moral obligation for everyone to act according to his conscience. 'Conscientious objection' is therefore not a 'privilege' the legal order confers on religious believers. Instead, it describes the dilemma of those who, in their workplace or elsewhere, face a conflict of duties between what their own conscience and what their employer (or, in other instances, the law) requires them to do. Where - exceptionally - a law foresees a 'right to conscientious objection', this is often due to the fact that the content of that law is controversial.

This is the case with the 'conscience clauses' that, in many countries, are found in laws on abortion, euthanasia, organ transplantation, assisted procreation, stem cell research, etc.: they are indicative of the legislator's sentiment that the practices and activities against which the 'right to conscientious objection' is guaranteed, are highly questionable and objectionable from a moral point of view, and that, even where a state accepts those practices, it must not impose them on anyone. In a certain sense, such 'conscience clauses' may also represent a political compromise between those who accept and those who oppose the practices in question. For the opponents, it is the second best solution: the best would be not to require or to prohibit the morally objectionable practices in question. And if the law included no 'conscience clause', they would have to object nonetheless, in order to preserve their moral integrity.

It would be mistaken to assume that conscientious objection against abortion (or other morally controversial practice) is always and only grounded on 'religious belief'. Such assumption is often suggested by those who seek to dismiss moral objections against those practices as 'fundamentalist' or 'irrational' – with the apparent purpose of preempting a reasonable and objective debate on the matter in question. But wherever such a debate is allowed to take place it quickly turns out that the moral objection can be based on solid and objective reasons, and that the objector may even be an atheist. Where the law explicitly recognises 'conscientious objection', it makes no distinction between religious believers and non-believers. Article 10.2 of the EUFRC explicitly recognises the right to conscientious objection as a fundamental right.

It is therefore worrisome when NGOs or government institutions discuss 'conscientious objection' in the context of 'religious liberty' – as if it was a religious issue. What is even more worrying is the call for 'regulation', which in this case means restriction, of this fundamental right.

There are some who claim that "human rights, including rights to conscientious objection, apply only to individuals and not to institutions"<sup>(2)</sup> and that, for this reason, Christian hospitals, or even Christian Churches, are not entitled to them. This is wholly wrong: it is said nowhere in international law that human rights can only be exercised individually; on the contrary, with regard to certain human rights, their collective nature is explicitly recognised.

Others claim that conscientious objection is fine as long as a successful and supervised referral to someone else is mandatory. But a referral is equally unacceptable, as it presents a form of cooperation which is morally comparable to performing the procedure oneself. It is very important that laws do not oblige to refer to someone else for a valid objection of conscience.

The virulent campaigning by which certain groups seek to undermine – mostly in the context of abortion - the right to conscientious objection is revelatory of their intolerance and of their deeply rooted opposition against the very same human rights to which, on the surface, they pay profuse lip service. A striking example for such an attempt was the draft report submitted by Mrs. Christine McCafferty to the Parliamentary Assembly of the Council of Europe, which aimed to oblige doctors and nurses to practise abortion despite their conscientious objection. Fortunately, the attempt was defeated and the right to conscientious objection re-affirmed in the fall of 2010.

At the Observatory, we receive many reports about and are especially worried with regard to the following professional groups:

- Medical staff, including performing doctors and anaesthetists, nurses and midwives, and administrative staff: This includes also students of these professional areas. While often the law grants objection of conscience, it is necessary to also consider the practical difficulties which arise from the objection. Students report difficulties in finishing their studies without participating in procedures they object to. Objecting medical staff complains frequently about being overlooked in promotion processes.

*“Importantly, it would also see that religious liberty and identity is preserved by accommodating those who by their deeply held beliefs would prefer not to provide them certain good and services.”*

**- Gary Streeter, Member of Parliament, UK, February 2012**

- Pharmacists, working in state or confessionnal hospitals, or in a pharmacy, as owner or employee should also have the right to conscientious objection.

- Registrars of births, marriages and deaths, discover a conflict of conscience when laws are changed allowing for marriage of and adoption by homosexual couples. In direct state service and application of the law, it is naturally difficult to claim conscientious objection. It is however necessary that registrars who entered their profession before such laws were made have a possibility to opt out. Secondly, as a requirement of tolerance and respect, it is recommended that in the competent offices an attempt is made to accommodate everyone and organise the work load in a manner that troubled staff can remain in the job.

- Owners of locations for wedding ceremonies are not allowed to refuse their property to homosexual couples in several countries. The public license to conduct civil law acts in a private building is often tied to accepting the government’s rules without the possibility of objection of conscience.

### **Examples:**

**Austria:** In Austria, pharmacists do not enjoy an explicit right to conscientious objection. The so called “morning after pill” may be obtained either by prescription or in case of emergency without a prescription. Besides other functions, the taking of the morning after pill may result in an early abortion. The Austrian criminal code contains a conscience clause for medical staff with regard to abortion. But for pharmacists there is no such clause. It is therefore unclear, whether pharmacists have a right to conscientious objection or not. The professional representation of pharmacists says there isn’t. This body argues that there is a legal obligation to contract; and that not delivering would be an act of non-assistance to a person in danger. Therefore, pharmacists or employees of pharmacies do not dare to withhold the abortifacient drug for conscientious reasons. It is necessary to introduce a law in Austria which explicitly recognises the freedom of conscience of pharmacists<sup>(3)</sup>.

**Belgium:** In 2007, a law was passed requiring a pharmacist to sell any type of legal drugs. This position was modified in a pharmaceutical law on the 15th of October 2010. Article 32 states now that without prejudice of the rights of the patient, the continuity of the caring and the execution of the order, the pharmacist has the right to refuse delivery according to his conscience and refer the client immediately to another pharmacist, where the drug will be available, otherwise he needs to deliver himself. Even though these changes constitute an improvement, the duty to refer to someone else who will make the objectionable drug available, is problematic to the objector.

**Belgium:** Registrars of birth, marriages and deaths are not entitled to refer to their conscience to refuse to register a gay marriage as a civil act. Owners of wedding locations cannot opt out of facilitating gay marriages in their places.

**Czech Republic:** The so-called “emergency pill” was freed from the need of prescription in November 2011, women can buy Postinor-2 and Escapelle for women over the age of 16. The Czech Pharmaceuticals Chamber published a “recommended policy” discussing the ethical view on the issue: “Due to the pill’s effects, some pharmacist might have personal reservations to sell it. Those pharmacists whose consciences do not allow to sell abortifacients can deny selling the pill only in such situation when there is not a problem for the buyer to get the pill from another pharmacist. If there is no possibility for the buyer to purchase the pill from another pharmacist in reasonable time and distance, the pharmacist is obliged to sell the pill no matter what his conscience requires.” A group of pharmacists signed a petition against this restriction of their freedom of conscience.

**France:** The French law says: “A doctor is never required to perform an abortion (...). No midwife, nurse or physician assistant, whoever he is, can be forced to participate in an abortion.”<sup>(4)</sup> But the reality is different: the organization of the hospitals, the lack of staff, the schedules of the surgery departments and the pressure on the medical staff make a refusal on the grounds of freedom of conscience difficult. Also a medical student cannot - in theory - be compelled to participate in an abortion<sup>(5)</sup>, but again, the reality is different. Jean, 22, told the Observatory: “Nowadays, it’s almost impossible to graduate without doing an abortion”. Amanda adds: “The road to become a gynecologist as a Christian is a real obstacle course.” The problem is particularly striking when it comes to students wishing to become obstetrical-gynecologists. Paul states: “For me and my Catholic friends, as medical students, the question of our consciences holds

us back tremendously. Those of us who are drawn to gynecology in the end decide to go for other areas of medicine because becoming a Christian gynecologist is a real minefield. It feels as if one can be expelled at any time or be forced to do an abortion."

**France:** A regrettable particularity of the French law is that conscientious objection for pharmacists is nonexistent. Pharmacists are compelled to stock and sell the so-called "morning-after" or abortion pill<sup>(6)</sup>. Moreover, in France, in cases of 'passive euthanasia' (i.e. a voluntary interruption of treatment), the physician has the right to be replaced by another doctor<sup>(7)</sup>, but nothing in the law mentions the case of the other medical professionals, including nurses who often find themselves in very difficult situations. The prospects are not rosy: The very principle of conscientious objection is at risk. Eva Joly, French member of the European Parliament, recently said: "I am absolutely for France to abolish the clause of conscientious objection for doctors."<sup>(8)</sup>

**Ireland:** The code of conduct for pharmacists requires that all pharmacists sell everything that is lawfully available in the state. This includes the so-called 'morning after pill'. The Irish constitution has strong religious freedom protections, but if a pharmacist is unwilling to sell the morning after pill he would have to take his employer to court and plead for his constitutional rights. This could be very expensive and therefore most pharmacists with an objection to abortifacients in practice either sell them or quit their job.

*"One wants to deny to religions - and particularly to Christian denominations - any cultural, social or political importance, by relegating them to the private sphere and the individual consciousness. . . . One even comes to harm people's liberty by prohibiting to employees, under threat of dismissal, to wear religious symbols or by requiring that they act, when exercising their professional responsibilities and policies, without any account of - or even against - their religious beliefs. . . .*

*Freedom of religion is certainly one of the human rights which is the most specifically and importantly recognized by national constitutions and international conventions but is, paradoxically, ranked among those the most seriously and systematically violated."*

**- Giorgio Feliciani, University of the Sacred Heart, Milano, Italy, March 2012**

**Ireland:** A civil registrar could go to jail for up to six months for refusing to officiate at the ceremony of, for example, a same-sex couple. While churches are not forced to actually perform such ceremonies directly, they might face fines if they refuse to rent out halls for same-sex couples who wanted to use it for their reception following a civil partnership.

**Lithuania:** Doctors and students of medicine in the field of obstetrics and gynecology do not enjoy an explicit right to conscientious objection. While there is a draft law introducing such a right, the ministry of health advised against it. The political debate is ongoing.

**The Netherlands:** The collective working agreement for hospitals in its article 3.2.10 general obligations of the employee and Article 20 of the Law on interruption of a pregnancy guarantee that on the basis of serious conscious objections the execution of or participation in unethical medical procedures can be refused. However, early and late pregnancy interruptions are part of the required training for obstetrician or gynaecologist. Also nurses must acquire their part in these procedures during the course of their studies. While objecting gynaecologists might experience practical difficulties to find a placement, the Commission for Equal Treatment stated in 1997 and 2000 that not to employ an objecting candidate nurse on grounds of organisational difficulties was legitimate.

**Poland:** Pharmaceutical Law requires public pharmacies to provide medical products and medical devices in the quantity and range needed by the local population. The current law does not provide for the possibility to refuse sale of drugs except in very specific cases, eg. in doubt authenticity of the prescription. It is found that the type of drug or pharmacological properties do not constitute grounds for refusal. State authorities may revoke the license to operate a pharmacy if the pharmacy does not comply with these demands. There is a list of cases in which pharmacist can refuse to sell the drug. In order to ensure real respect for freedom of conscience, the relevant statutory provisions protecting the right to conscientious objection should be introduced in the Pharmaceutical Law.

**Poland:** While the abortion law in Poland is rather restrictive, it does not contain an explicit provision for “conscientious objection” to any of the medical staff involved in legal abortion. Currently, there is no legal obligation forcing medical students to take part in an abortion as a condition for completing their education. Nevertheless the new syllabus of 2012 imposes on them the obligation to “know in practice all the basic medical and therapeutic procedures” within the gynecological area of medicine. The

interpretation of the above may include abortion. The Pharmaceutical Act imposes on the pharmacy the obligation to sell all pharmaceuticals or para-pharmaceuticals which are legally accepted in Poland. There is no legal possibility to decline the sale of such an item for conscience reasons. Even though the “morning-after-pill” is illegal, pharmacists would prefer not to sell other drugs which partly work as abortifacients.

**Spain:** The Act on Sexual and Reproductive Health N° 2/2010 regulates the willful interruption of pregnancy. It grants a right to conscientious objection only to those health professionals who are required to participate directly in an abortion procedure. (Article 12 §2, Article 19). “Directly” is defined narrowly and does not include steps leading to the abortion, such as referral or preparation (Manuel Resa Alcalá vs. Gerencia del Área Sanitaria Norte de Málaga, March 2001). Pharmacists are required to keep in stock and order without delay all legal medication, disregarding freedom of conscience. These Spanish laws fall short of the requirements of internationally recognized human rights. To fully protect freedom of conscience, religion and belief, the right to conscientious objections must be widened.

**Spain:** Registrars are not allowed to refuse to conduct same-sex union procedures or ceremonies. Caso Judge Juez de Paz of the town of Pinto was forced to resign because he refused to officiate homosexual unions.

**Sweden:** In Sweden, there is no conscientious objection for health care workers, in fact there is a total absence of legal statutes that protects the freedom of conscience for health care workers, midwives, nurses, physicians, medical students or pharmacists. Health care workers, who are reprimanded, repositioned or put at disadvantage for refusing to perform procedures such as abortions, claim that their rights under article 9 of the Convention in compliance with the European Council resolution are infringed.

*“There is a real risk that moral relativism, which imposes itself as a new social norm, will come to undermine the foundations of individual freedom of conscience and religion. ... the rationality of the human conscience in general and of the moral action of Christians in particular requires explanation. Regarding morally controversial subjects, such as abortion or homosexuality, freedom of consciences must be respected. Rather than being an obstacle to the establishment of a tolerant society in its pluralism, respect for freedom of conscience and religion is a condition for it.”*

**- Archbishop Dominique Mamberti, Vatican, January 2013**

**United Kingdom:** Section 4 of the Abortion Act 1967 provides a conscientious objection to participation in abortion procedures. However, the scope of this conscientious objection clause is routinely being challenged. In 2012 two Catholic midwives in Scotland were told by the court that they must supervise other midwives performing abortions if required to do so by the hospital management.<sup>(9)</sup> Also in 2012, the General Medical Council released its Draft Guidance on Personal Beliefs and Medical Practice, which stated that doctors must “be prepared to set aside their personal beliefs” in relation to a variety of controversial areas, including prescribing contraceptives – including the abortifacient morning-after-pill, referring women for abortions and performing “gender reassignment surgery.”<sup>(10)</sup>

**United Kingdom:** There have been a number of cases in the past few years that have followed a similar pattern—where a Christian has a conscientious objection in the workplace because he or she cannot endorse, condone or approve homosexual conduct, no exemption will be made. The Christian will be forced to fall in line or leave the job. For example, in 2006 Lillian Ladele, an experienced registrar over births, deaths and marriages, was told that she had to participate in same-sex ceremonies. Rather than having her Christian beliefs accommodated, she was dismissed. In 2007 Gary McFarlane, a relationships counselor for a national organization, told his manager of his “conscientious difficulty in dealing with same-sex sexual practices and fulfilling his duty to follow the teaching of the Bible.” Rather than being accommodated, he was dismissed for gross misconduct. Both cases are now before the European Court of Human Rights.<sup>(11)</sup> The lack of accommodation for Christians who refuse to condone homosexual behaviour is also evident in other areas. For example, in recent years Christians have been prevented from fostering children because, during the interview process, the prospective care givers explained that they could not condone homosexual behaviour to young children in their care.<sup>(12)</sup> The local authorities considered this to be a breach of the commitment to “diversity” required by all foster care givers.



## Chapter 2: Curbing Free Speech by Hate Speech Legislation<sup>(13)</sup>

### Article 19 UDHR

*Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.*

### ART 11 EUFRC

*1. Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority...*

### Article 10 ECHR

*1. Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. ...*

Voltaire is quoted for this sentence: "I disapprove of what you say, but I will defend to the death your right to say it." Freedom of expression or speech is one of the fundamental rights of a democratic society. This includes the right to publically make declarations however unpopular and unpleasant they may be. This right also applies to public acknowledgement of one's faith and enables people to declare the truth according to their faith, as long as they are not direct instigations to violence. Unpopular, impolite, disrespectful or stupid statements are also protected under freedom of expression. The European Court of Human Rights even speaks of a "right to shock"<sup>(14)</sup>. So-called hate-speech legislation penalizes what people say. This is in contradiction to the fundamental freedom of expression, if there is no clear and present danger of incited violence.

For European Christians, two main areas of prosecution for critical speech are noticeable: Islam and homosexuality. Christians have found themselves in court for quoting the bible or arguing in their own words in favour of Christian positions, even though they were far away from inciting violence in intention or effect.<sup>(15)</sup>

The European Court of Human Rights has shown increasing support for censorship arguments. Indeed, two judges recently opined that "extremist opinions can bring much more harm than restrictions on freedom of expression."<sup>(16)</sup> Such a view, first introduced on the world stage half a century ago, must be challenged. There is a distinct lack of evi-

dence that insulting speech alone leads to acts of violence and that criminalizing such speech is an effective tool in combating violence. The harmful effects of “hate speech” laws are however easy to spot. They create a chilling effect on free speech: if it is difficult to predict what the result of saying certain things will be, self-censorship is the likely outcome.

Where is the balance to strike? US-Supreme Court Justice Olive Wendell Holmes declared in 1919 that: “The question in every case is whether the words used are used in such circumstances and are of such a nature as to create a clear and present danger that they will bring about the substantive evils that Congress has a right to prevent.”<sup>(17)</sup> Speech that might cause harm in some remote time and place must not be criminalized. Only if a “clear and present danger” is proven, namely a tight connection between the speech and the harm, speech should be criminalized.

Undoubtedly, giving strong protections to freedom of speech does not come without a risk—in a society that tolerates offensive and insulting speech there is always the risk that other citizens will be hurt and offended by what they hear. But that is the risk that liberal democratic nations simply have to take. Once the premise is accepted that the state must censor public debate through the criminal law, there is no logical stopping point, and the state will become empowered to prohibit the expression of an idea simply because the state, or society, finds that idea offensive or insulting.

In the middle of the last century, the argument that the state must be empowered to regulate and suppress “dangerous” speech of its citizens was advanced on the international stage by the then Communist nations. Many of the European nations that actively resisted such arguments half a century ago are now avid supporters of “hate speech” laws today. As the Colombian delegate warned the General Assembly of the United Nations nearly half a century ago, “to penalize ideas, whatever their nature, is to pave the way for tyranny.”<sup>(18)</sup>

*“We are not asking for special treatment, privileges or exceptions but merely the right to exercise freedom of speech.”*

**- Sean Kelly, Member of the European Parliament, Ireland, October 2012**

## Examples:

**France:** Hate speech laws are very strict in France. Since the law of December, 8th, 2004, any discrimination in speech against homosexuals is forbidden. Christians for example are unable to publically say that having a same-sex relationship is a sin. The consequence is that nobody criticizes homosexuality in itself on TV, radio or in newspapers.

**Sweden:** Swedish penal law contains the crime “agitation against a national or ethnic group,” a crime that carries a maximum penalty of 2 years in prison. The Swedish government charged four activists who wanted “start a debate about the lack of objectivity in the education in Swedish schools” by distributing leaflets on the „homosexual agenda.“ The Swedish Supreme Court acknowledged the applicants’ right to express their ideas, but found the statements had been “unnecessarily offensive.” Ultimately, the first three applicants were given suspended sentences combined with fines ranging from approximately 200 to 2,000 Euros and the fourth applicant was sentenced to probation.<sup>(19)</sup>

**United Kingdom:** According to section 5 of the Public Order Act 1986, it is criminal offence to use “insulting words or behaviour” which is “likely to cause harassment, alarm or distress.” Originally enacted to combat football hooliganism, this provision has led to the arrest and prosecution of many Christian street preachers in recent years. For example, in 2008 Anthony Rollins was arrested for expressing his Christian belief that homosexual conduct is morally wrong and in 2010 another preacher, Dale McAlpine, was arrested and spent seven hours in a police cell.<sup>(20)</sup> While charges were eventually dropped against both preachers, others have been forced to go to court to clear their name,<sup>(21)</sup> and some have even been convicted<sup>(22)</sup>. Pro-life campaigners have also been prosecuted for holding a demonstration outside an abortion facility<sup>(23)</sup> and in 2009 a Christian couple was prosecuted for “hate speech”<sup>(24)</sup> for allegedly insulting a Muslim during a private conversation.<sup>(25)</sup> A campaign has now been launched against the “hate speech” law<sup>(26)</sup>.

*“Even friendly criticism of homosexuality has led to criminal investigation.”*

**- Martin Kugler, Observatory on Intolerance and Discrimination against Christians,**

**October 2012**



## Chapter 3: Violations of Freedom of Assembly and Association

### Article 20 UDHR

*(1) Everyone has the right to freedom of peaceful assembly and association.*

### ARTICLE 11 ECHR

*(1) Everyone has the right to freedom of peaceful assembly and to freedom of association with others, including the right to form and to join trade unions for the protection of his interests.*

*(2) No restrictions shall be placed on the exercise of these rights other than such as are prescribed by law and are necessary in a democratic society in the interests of national security or public safety, for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of others. ...*

### Art 12 EU Charter of Fundamental Rights Charter

*Everyone has the right to freedom of peaceful assembly and to freedom of association at all levels, particular in political, trade union and civic matters, which implies the right of everyone to form and join trade unions for the protection of his or her interests.*

Freedom of Assembly and Association is the individual right to come together and collectively express, promote, pursue and defend common interests. This right is a cornerstone of democracy. As any other right, also freedom of assembly is subject to limitations which are either immanent or enumerated by law.

*"I was verbally (and almost physically) attacked during World Youth Day in Madrid in August 2011 by a group of anarchists who shouted at me and at the others in my group at a metro station and one of the anarchists wanted to beat me but somebody from our group protected me."*

**- Female Dutch World Youth Day Participant, November 2012**

With regard to Christian-inspired manifestations, the Observatory has recently noticed rising restrictions. Governments or courts, national or local, are debating or issuing so-called „banning miles“ around abortion facilities. This means that silent protest or prayer, often called „picketing“ or „side-walk counseling“, in front of such places is increasingly prohibited. In Austria, even stalking laws were used to prevent prayer in front of an abortion facility. To justify such severe limitation on a key freedom in a democratic society, compelling reasons of outweighing gravity are necessary.

Christian events, prayer meetings or Church services as well as Christian manifestations often suffer from attacks and interruptions. The Observatory recorded such hate incidents in several European countries<sup>(27)</sup>. These groups include the radical left, anti-religion groups, so called „antifa“ groups, radical feminists groups or radical LGBT activist. The methods include insult shouted in chorals – such as „If Mary had had an abortion, we would have been spared of you“ – or drawings of a crucified pig on billboards. Incitement to violence, overbearing noise to make public speaking impossible, as well as the blocking of roads or doors of conference halls, material damage and even physical attacks are not uncommon. Perpetrators are hardly brought to justice. It is therefore necessary to improve the training and raise awareness among law enforcement officers, so that the perpetrators will be found and brought to justice. Furthermore it is often the case that attacking groups receive funding by governments. It is very important that governments assess the funding they give to radical anti-religion, radical feminist or radical LGBT NGOs, and to withdraw these funds if there is evidence that they infringe in such a way upon freedom of assembly.

Also the OSCE Parliamentary Assembly Resolution of July 2011 recommends to assess legislation in the participating States, including laws on freedom of assembly<sup>(28)</sup> so “that the right of Christians to participate fully in public life be ensured.”

### **Examples:**

**Austria:** Anti-stalking legislation is used against side-walk counselling or picketing. On October 25th, 2011, the state court of Graz, Styria, upheld a judgement of the first instance condemning pro-life side-walk counsellors to pay fines on the grounds of “stalking.” The counsellors did not aim at the private conduct of the abortionist nor at the person of the abortionist himself – but tried to reach out to the women entering the abortion clinic. Nevertheless, the court surprisingly applied the stalking provisions not in the private (for which the stalking provision was originally instituted) but in the professional realm. The court further interpreted that mere standing in front of the door of the workplace without doing or saying anything qualified as stalking, even though the

*“So often the teachings of Jesus Christ are divided and ignored; so often those who try to live a Christian life are made fun of and ridiculed and marginalized...”*

**- Cardinal Keith Patrick O'Brien, former Archbishop of Edinburgh, April 2012**

alleged “victim,” the abortion doctor himself, was not able to see them himself (as he was inside the house). This wide interpretation of stalking creates a problem for freedom of assembly and freedom of expression, as it could be further interpreted as any manifestation calling for an act or an omission in the behaviour of individuals. The Austrian law has so far been applied in a discriminatory manner for specifically Christian concerns. There is also a debate in Austria about the introduction of a prohibition of pro-life manifestations in the proximities of abortion clinics, which could also lead to a violation of the freedoms of Christian citizens.

**Germany:** Christian-inspired non-governmental pro-life organisations often express their faith and their convictions by protesting in front of abortion clinics, or by simply standing in front of clinics or counseling centers in order to offer conversation and alternatives. In the German cities Freiburg and Munich, this activity has been severely limited. Local courts have given in to the pressure by the targeted locations, which could have been mainly financial ones. Courts have restricted the form of manifestation as well as established a geographical ban. Appeals are ongoing.

**Germany:** Anti-religion groups have created a climate hostile to frank discourse. Besides defamation campaigns and negative stereotyping, hate incidents have come to the Observatory's notice. Activists physically prevented a professor to enter an auditorium to voice deviating views. Anti-religion slogans and images are often used in hurtful manners, such as the public destruction of crosses, the image of Jesus as a crucified pig, or slogans such as “We are here to hurt your feelings” or “If Mary had had an abortion, we would have been spared people like you”. Such physically or verbally violent attacks are only employed by anti-religious groups and violate freedom of religion as well as social cohesion. Law enforcement officers often do not know how to react in such cases. It further seems that perpetrating organisations receive public funding. It is therefore very important that public funds are not granted to organisations which do not respect freedom of assembly or freedom of religion of political opponents.

**France:** Law 93-121 of January, 27th, 1993, so-called “loi Neiertz” made it a specific offense to obstruct abortions. Therefore manifestations in front of hospitals are frequently not permitted. A well-known doctor and embryologist, Xavier Dor, was condemned and sentenced to prison several times because he prayed together with a few others in front of a hospital and obstructed legal abortions. At 83, his latest trial is ongoing.

**The Netherlands:** Organisations may base their work on whatever beliefs or convictions - but to receive public funding, they must not object to current legislation. This creates a problem for Christian organisations especially with regard to objecting to medical procedures. In December 2009 the Dutch Patient Association (NPV) wasn't granted a subsidy by the town council of Rhenen because of its pro-life stance in the issue of Euthanasia. The refusal was clearly motivated by an anti-Christian attitude. Similar cases took place in Elburg and Vlissingen.

**Spain:** The Royal Decree 1497/2003 establishes the Regulation of the National Registry Associations. This Registry is supervised by the Spanish Ministry of the Interior and includes national associations and those listed in the same registers of the regions (Comunidades Autónomas). Organic Law 1/2002 implements the fundamental right of association, enshrined in Article 22 of the Constitution. Article 2.5 of the Act specifies that “the internal organization and operation of partnerships should be democratic, with full respect to pluralism.” Article 4.2 states that “the Administration may take preventive measures or precedent to interfere in the internal life of associations.” However, in Article 4.5, the law states that “the public authorities shall not provide any assistance to associations in the case where the admission process or its operations discriminate on grounds of birth, race, sex, religion, opinion or any other condition or personal or social circumstance.”

*“Why is the public demonstration of one's belonging to the gay community considered as normal when the wearing of a small cross isn't?... Just try to fire someone who openly claims his sexual orientation; he will cry to scandal and will probably obtain to be resettled. How are the Christians symbols dangerous? Who do they offend? . . . Europe is rejecting its Christian roots and identity. And if one speaks of freedom of conscience, why are we confronted with such restrictions? If in a civilized society the public and pacific demonstration of one's religious affiliation is impossible, what kind of society is this?”*

**- Vladimir Legoïda, Orthodox Patriarchate of Moscow, Church and Society Council,**

**March 2012**



## Chapter 4: Discriminatory Equality Policies

### Article 3 UDHR

*Everyone has the right to life, liberty and security of person.*

### Article 17 UDHR

*(1) Everyone has the right to own property alone as well as in association with others.*

*(2) No one shall be arbitrarily deprived of his property.*

### Article 8 ECHR

*(1) Everyone has the right to respect for his private and family life, his home and his correspondence.*

*(2) There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.*

Equality has become a major principle of political and legal thinking. Equality before the law was achieved over centuries by committed liberation movements. Today, this legal concept is often used to demand equality of moral choices, equality in statistics of men and women's CVs, and equality of how individuals treat each other. Such an understanding deviates from the original meaning of equality before the law. These attempts mount in the adoption of harsh anti-discrimination legislation, as for example currently debated at the European Union in the context of the fifth equal treatment directive and nationally in many European countries. This is being promoted using human rights language even though there is no backing in human rights. On the contrary, anti-discrimination legislation infringes upon private autonomy, freedom of association, the right to property as well religious freedom.

The object of the current discussion is the prohibition of unequal treatment on the grounds of religion or belief, age or sexual orientation concerning the provision of goods and services in the private sector. If such a law were to become reality, a Jewish hotel owner would have to rent out his assembly rooms to a Muslim society, even

against his will. A homosexual would not be able to sublet his house to homosexuals only and a private rail traffic company would not be allowed to give exclusive discounts to the elderly. A Catholic matchmaking agency specialised in bringing together people who share the same faith, would have to open its doors to people of other faiths. An evangelical graphic designer would have to design an invitation to the celebration of a same-sex union if requested, a Christian photographer would have to take pictures at a same sex ceremony, the pastry chef would have to bring a special cake created for the event, and so on and so forth.

In the area of employment and hiring, non-discrimination legislation is already *acquis communautaire*. This has proven problematic, for example when a Austrian senior Christian religious official was looking for a secretary. His legal advisor asked the commission for equal treatment before publishing the job advertisement: would they be able to reject a headscarf-wearing Muslim woman? The answer was no. On the basis of the first four equal treatment directives, 5 European laws allow a distinction due to religion in church employment only when there is a “genuine, legitimate and justified occupational requirement”, such as when it comes to preaching to the faithful<sup>(29)</sup>. This particular church dignitary decided not to publish the job advertisement, choosing instead to look for someone privately. The many locals qualified for the job who never had the chance to apply, paid the price of for the current system of anti-discrimination legislation. Services that are publically advertised today would seek to reach their customers in less public ways – and others potentially interested would never hear of them. This would cause a rise of prices. The “protected groups” might get shunned due to fear of lawsuits. In the end, it is the consumer who pays for this legislation.

Equal treatment legislation is phrased in an impartial way. But practice shows that it is very often Christians who are taken to court. Some examples: A Spaniard paid 12'000 Euros of administrative penalties because he was not willing to make his restaurant available for the celebration of a same-sex union. A couple in Britain running a private bed and breakfast had to pay up to 4'000 Euros of compensation fees because they denied a double room to a homosexual couple. A US - Christian dating agency was forced to add the search option “I am a man looking for a man”. Equal treatment laws create irresolvable moral conflicts for Christians by forcing them to choose between their belief and their business. In some countries equal treatment laws foresee administrative penalties, in others compensation fees. Explanatory materials to the laws often advise “painfully high” fines. Practically, the prohibition of discrimination in the provision of goods and services can cause an insoluble dilemma: to quit one's job, or one's religion.

*“Religion is held in contempt – especially the Evangelicals and the Catholics, who are seen as hopelessly out of sync with progressive notions like gay marriage.”*

**- Cristina Odone, The Telegraph, UK, June 2012**

The right to religious freedom is not only an individual right, but also applies as a collective right to religious communities. It comprises also the right to govern themselves according to their own norms. Evidently, hiring policies constitute a substantial part of these norms. The exception to EU anti-discrimination directives – namely a “genuine, legitimate and justified occupational requirement” – falls short of the need of religious communities.

Experience has shown that equal treatment laws lead to strategically motivated lawsuits. In the UK it is a common occurrence that radical lobbies look for interaction with companies led by people with convictions conflicting with the law – for example practicing Christians – with the plan of launching lawsuit.

Anti-discrimination or equality legislation tends to violate freedom of religion in its individual and collective dimension. It discriminates itself, often against Christians. It violates the foundations of human freedom, as Jean-Jacques Rousseau writes: “I have never thought, for my part, that man’s freedom consists in his being able to do whatever he wills, but that he should not, by any human power, be forced to do what is against his will.”

### **Examples:**

Austria / EU: In transposition of EU – law, Austria has adopted strict non-discrimination legislation in the employment sector. When a Christian religious official was looking for a secretary, his legal advisor asked the equal treatment commission before publishing a job advertisement: would it be permissible to reject a headscarf-wearing Muslim woman? The answer was no. On the basis of the first four equal treatment directives<sup>(30)</sup>, European law allows a distinction due to religion in church employment only when there is a “genuine, legitimate and justified occupational requirement”, such as when it comes to preaching to the faithful<sup>(31)</sup>. The here concerned Church dignitary decided not to publish the job advertisement, but to look for someone privately. Doing so many qualified potential applicants did not hear about the job - a sad consequence of disproportionate governmental interference in its citizens’ concerns.

**Denmark:** The parliament of Denmark has voted in June to force the established Evangelical Lutheran Church to perform same-sex “marriage” ceremonies inside their sanctuaries, although one-third of all the denomination’s priests say they will not participate in such rituals. Danish parliament voted by an overwhelming 85-24 margin to compel churches to carry out unions for same-sex couples that are identical to heterosexual marriage celebrations. Since 1997, homosexuals had been able to get “married” in a blessing ceremony after the normal church service. Under the new law, priests may opt out of performing the “wedding” service for theological reasons. However, a bishop must arrange for a replacement.

**Ireland:** Without exception, businesses are required under the Equal Status Act to offer goods and services to anyone who asks for them and the business cannot ‘discriminate’ on the basis of sexual orientation, marital status, etc. While churches are not forced to perform same-sex ceremonies, they might face fines if they did not rent out halls for reception following a civil partnership ceremony.

**European Union:** The proposal for a fifth equal treatment directive of the European Union on the prohibition of unequal treatment on the grounds of religion or belief, age or sexual orientation concerning the provision of goods and services by the private sector is being debated. This would require a Catholic matchmaking agency specialised in bringing together people who share the same faith to open its doors to people of other faiths. An evangelical graphic designer would have to design an invitation to the celebration of a same-sex union if requested, the Christian photographer would have to take picture there, the pastry chef would have to bring a special cake created for the event, and so on and so forth. Why would a graphic designer, a photographer and a pastry chef not want to work for the celebration of a civil partnership? Not because they reject homosexuals. They simply do not want to support such a marriage-like event for religious or conscientious reasons. Differential treatment could be legitimized if a judge deemed it to be “appropriate and necessary.” The consequence would be private entrepreneurship regulated by judges, implying costly lawsuits and a lack of legal certainty, impeding long term business planning. The proposed reversal of the burden of proof contradicts one of the most basic principles of Western law and brings forth further difficulties. Instead of the “benefit of the doubt” the equal treatment legislation allows for the “benefit of the victim of discrimination” only. Times are hard for small businesses as it is, why impose additional sorrows and constraints? For the government itself, controlling the compliance with these regulations imposes a significant additional effort. All of this in the end paid for by society at large. The 5th EU - equal treatment directive is

nothing else but an unacceptable patronisation. Especially for small businesses entrepreneurial freedom would turn from rule to exception. Compliance with these rules is expensive and time-consuming, correspondences with customers and new marketing strategies would frequently have to be cleared with attorneys.

**The Netherlands:** Marriage commissioners in Amsterdam must undergo annual evaluations to ensure they support same-sex “marriage” after revelations that two commissioners had refused to officiate at the ceremonies. Since 2007, the government in Amsterdam’s Nieuw-West district has only employed commissioners who agree to perform same-sex “marriages,” and officials apparently believed the district was free of “conscientious objectors.”

Further, public bodies have to break up contracts if a violation of the principle of non discrimination is established on the basis of the personal convictions of a private partner- A communal administration will therefore not be allowed to maintain a rental contract with a private house, used for civil marriages, if the owner of the house is found to object to an actual request for a same-sex marriage.

**Spain:** Strict anti-discrimination laws extending to the private sector, discriminate themselves against Christians. A Madrid restaurant was fined 12,000 € by the City Hall for refusing to serve a gay wedding party in 2006. The council considers that the owners have committed a ‘serious infraction’ and are guilty of discrimination.

**United Kingdom:** The Equality Act 2010 prohibits discrimination on several grounds, including sexual orientation, in the area of the provision of goods and services. While there is a vital exemption to the general prohibition against discrimination for religious organizations when providing goods or services, this can only be relied upon in limited circumstances and is not wide enough to cover many situations. Where the exemption does not apply, religious freedom has been severely restricted. The religious exemption, for example, does not apply “where the sole or main purpose of the organisation is commercial” and an organisation cannot lawfully discriminate on the grounds of “sexual orientation” in the provision of services, where the services are provided on behalf of a public authority. As a result of the law, Christian guesthouse owners have been successfully sued<sup>(32)</sup> and faith-based adoption agencies<sup>(33)</sup> have had funding removed and have been forced to close down or remove their religious ethos<sup>(34)</sup>.

*“People are increasingly being subjected to manipulation by what I would call the equality lobby.”*

**- John Deighan, Roman Catholic Church’s Parliamentary Officer, Scotland, October 2012**



## Chapter 5: Limiting Parental Rights

### **Art 26 (3) UDHR**

*Parents have a prior right to choose the kind of education that shall be given to their children.*

### **Art 14 ECFR**

*... the right of parents to ensure the education and teaching of their children in conformity with their religious, philosophical and pedagogical convictions...*

Parents are generally recognised as the prime educators of their children. It is a right of parents to ensure the education and teaching of their children in conformity with their religious, philosophical and pedagogical convictions.

However, schools increasingly promote values which conflict with traditional Christian morality, for example through pro-homosexual orientation programs, transvestite sensitivity programs, or gender identity curricula.

Therefore, more and more Christian parents wish to opt their children out of sexuality education, or homeschool them entirely. In several countries, this is becoming increasingly difficult.

In April 2012, the permanent observer mission of the Holy See to the United Nations stated that parents “have the right and duty to choose schools inclusive of homeschooling, and they must possess the freedom to do so, which in turn, must be respected and facilitated by the State. ... The State should respect the choices that parents make for their children and avoid attempts at ideological indoctrination.”

The reality however, looks very different: Several states legislated a partial or entire prohibition of homeschooling. In other countries, to opt out of sexuality education either of its entirety or of individual parts is forbidden. Or it is made practically impossible for parents to know and influence the contents of the subject. Another area of concern is the influence certain state regulations take on the contents of religious education –

thereby outlawing authentic Christian contents from being taught in a Christian education class. A completely different concern in the area of parental rights are laws which allow for ethically ambiguous medical procedures for minors without involving the parents.

### **Examples:**

**Belgium:** The report “Combattre l’homophobie – pour une école ouverte à la diversité”<sup>(35)</sup> of the public administration in charge for the French-speaking educational system, imposes on public and private kindergartens from first enrolment until the end of secondary education to address homosexuality, stating that religion stigmatises. The report specifically addresses the Christian tradition as judgmental (mentioning Saint Paul, Saint Augustine, Saint Thomas Aquinas) and in a ambiguous analysis says that at certain times, the Catholic church, and even popes, have performed homosexual rituals.

**Belgium:** Parental consent with regard to abortion virtually does not exist. There is no legal requirement to inform the parents of a minor wanting abortion. However, if the minor needs full anesthesia, the parents will need to give their consent.

**France:** In schools, the state is very strict with regard to political correctness. It is very difficult for Christian teachers to debate with their pupils about abortion. One of the most striking cases was Philippe Hisnard, a French Catholic teacher who was revoked and suspended from teaching because he organized a debate about abortion in a class of “civic education”.

Even in Catholic’s schools, the pressure is enormous. The minister of education asked headmasters of confessional schools not to conduct debates about homosexuality in order to „avoid homophobia”.

**Germany:** “Homeschooling” is prohibited. Parents’ rights are commonly understood to include the right to chose the form of education of one’s children, including the possibility of non-institutional education, such as so-called homeschooling. Germany, however, allows homeschooling only in the most exceptional circumstances. In general,

*“The State should respect the choices that parents make for their children and avoid attempts at ideological indoctrination,”*

**- Mission of the Holy See to the United Nations, May 2012**

parents do not have the option to homeschool their children. Offenders have to pay fines, and occasionally, prison sentences are pronounced. The law was first drafted as the Nazi-Reichsschulgesetz in 1938. It is now specified in different state laws, with varying fines. The UN special rapporteur on the right to education, Mr. Vernor Munez spoke in his 2006 report on Education in Germany of a “criminalization” of homeschooling. No improvements have since been made.

**Slovakia:** Homeschooling is severely limited. In fact, it is allowed only for pupils of 1st - 4th class in basic schools, for disabled children, or for children in custody and who are not able to go to school for longer than two months for health reasons. Permission for “individual education” must be granted by the director of the district school of the pupil. Another major problem is that the person who teaches the pupils has a pedagogical university qualification. As a consequence, homeschooling is very rare in Slovakia.

**Spain:** Spanish educational law includes a set of mandatory and evaluable school subjects under the generic category of Education for Citizenship which are indoctrinatory and violates the rights of parents. The Education for Citizenship curriculum is mandatory for primary and secondary education (children ages 10-16), and must be implemented into all Spanish schools (public and private). It has been designed (as the official curriculum admits) to shape the conscience of children, going deep into their values and their personal and family privacy. The new Government approved the preliminary draft (avant-projet) of a new educational law which will remove the Education for Citizenship curriculum for being indoctrinatory and having caused a major social conflict with more than 55.000 conscientious objections and a demand of 400 plaintiffs before the European Court of Human Rights. Changes made by a decree of August 3rd 2012 do not sufficiently tackle parents concerns.

**Sweden:** According to the Education Act (2010:800) homeschooling is practically forbidden in Sweden. Homeschooling is allowed only when exceptional circumstances apply, which is hardly ever granted. According to the preparatory work of the government bill, permissions should be granted with great restraint, stating explicitly that religious and philosophical reasons are not to be considered as exceptional circumstances.

**Sweden:** No opt out of sex education. In 2011, the Swedish Educational Broadcasting Company, a public service company (UR) launched a sex education campaign in Swedish schools, called “Putting sex on the map” (co-produced by RFSU, a member of the International Planned Parenthood Federation), targeting children of lower secondary

school age. Parents objected to the content of the materials, including explicit images and sex scenes, and claimed that scientific information, including physical and psychological risks of early sex debut, many sexual partners or abortion, is not included as much as it would be necessary. The programme's liberal approach makes parents fear that it would encourage sexual risk taking and open the door to abuse, especially since information on abstinence or fidelity is not included in the programme. There is no possibility to opt-out of the sexual education programme.

**Sweden:** There is no parental consent with regard to abortion. Much attention was drawn to a case where an eleven-year-old girl had undergone two abortions in a very short period of time without parental consent. The Parliamentary Ombudsman held that it had gone too far and concluded that "it is obvious that a child of this age (11 years) does not have the maturity to consider the consequences of an abortion by herself." In spite of this and several other cases, parental consent or information to the parents are only given in exceptional cases, as it has been stated in the preparatory work of the relevant government bill of (1988/89: 67 p 36) that "the specified view has been considered to mean that information regarding a minor girl that has sought or undergone a legal abortion can not normally, without her consent, be disclosed to the guardian."



## Chapter 6: The Latest ECHR Jurisprudence on Religious Freedom: Four Rulings Concerning Christians<sup>(36)</sup>

On January 15th, 2013, the European Court of Human Rights ruled in the four UK Freedom of Religion cases: one was ruled in favor, three against. The decision of the Court is not yet final and can be appealed to the Grand Chamber of the Court.

The applicants, Nadia Eweida, Gary McFarlane, Shirley Chaplin, and Lillian Ladele are British nationals who were born respectively in 1951, 1955, 1960 and 1961. They live in Twickenham, Exeter, London and Bristol, respectively. All four applicants are practising Christians who complain that UK law did not sufficiently protect their rights to freedom of religion and freedom from discrimination at work. Ms Eweida, a British Airways employee, and Ms Chaplin, a geriatrics nurse, complain that their employers placed re-

strictions on their visibly wearing Christian crosses around their necks while at work. Ms Ladele, a Registrar of Births, Deaths and Marriages, and Mr McFarlane, a counselor, complain about their dismissal for refusing to carry out certain of their duties which they considered would condone homosexuality.

## How Did the Court Decide?

Only in the case of Nadia Eweida, the court held that British Airways had not struck a fair balance between Ms Eweida's religious beliefs and the company's wish to "project a certain corporate image". Thereby, Ms Eweida's right under Article 9 of the European Convention on Human Rights was violated. The Observatory on Intolerance and Discrimination against Christians in Europe had intervened as a third party. The court ruled the rights of three others had not been violated by their employers: when it comes to competing rights, the court allows member states to balance. While this is very frustrating for countries like the UK, which continue to balance against religious freedom, the Court has not issued a blanket rule that sexual orientation must always trump religious freedom.

## What is Good About the Rulings?

Christian Concern, a UK – "based NGO, says that „these are significant breakthroughs and will be a great help in contending for Christian freedoms in the UK Courts in the future." The rulings challenged many of the principles adopted by UK Courts and asserted by the British government.

### 1. Wearing a Cross is Protected by Freedom of Religion

The UK Government had made the remarkable assertion that the cross was not a generally recognised Christian symbol. It also suggested that since wearing the cross is not compulsory for Christians, it is not a protected freedom. The European Court ruled that, in principle, wearing the cross is an expression of Christian faith and so is a freedom to be protected!

### 2. No Proof Required for What's Part of One's Religion

The UK Courts had held that beliefs about marriage as between a man and a woman was not a core component of Christian belief and so not protected. The European Court said that these beliefs were part of Gary and Lillian's Christian identity and so were in principle protected.

### 3. Resignment Option to Protect Religious Freedom is not Sufficient

The British Government suggested that because the individuals were free to resign and find other jobs, there had been no infringement of their freedom of religion - in other words, 'your freedom to resign secures your freedom of religion'. The European Court ruled that 'freedom to resign and find another job' is not sufficient to guarantee religious freedom.

### 4. Sexual Orientation does not Generally Trump Freedom of Religion

"In all the circumstances, the Court does not consider that the national authorities ...exceeded the margin of appreciation available to them" (paragraph 106). While this is very frustrating for religious believers in countries like the UK, which continues to strike the balance against religious freedom, the Court has not issued a blanket rule that "sexual orientation" must always trump religious freedom. There are many other countries in Europe that would balance the rights differently and the Court has stated here that they are free to do so. Hence, while the Court has not upheld Christian conscience in these cases, it has not ruled out the possibility of other cases being successful in the future. It is also worth noting that two of the judges decided in favour of Lillian Ladele, and their strongly worded dissenting opinion will also provide encouragement for the future.

## What is Disappointing and What is Next?

It was very disappointing that in Shirley, Lillian and Gary's case, the Court ruled that, although their religious freedom had been infringed, the circumstances had justified that interference.

### 1. Health and Safety

In Shirley's case, 'Health and Safety' was given as the justification. The European Court said that it was not in a position to examine the application of the Health and Safety policy. It had to assume that it was justified, as the UK Courts had suggested. However, no credible Health and Safety risk was ever demonstrated by the hospital.

### 2. Freedom of Conscience

In the case of Lillian and Gary, the European Court said that it was necessary to restrict their freedom in order to protect the freedom of others. However, in both cases, it would have been possible to accommodate Gary and Lillian's conscience, without there being any danger of anyone being denied a service. This important point will continue to be

made in the second instance: For Ladele and McFarlane, the Court needs to go one step further in its recognition of Christian conscience. The Chamber decision gave domestic authorities wide discretion in how they balance competing interests in their country. However, the Court could go a step further – recognising that countries do not have the discretion to override conscientious objection in cases such as these. The Court has taken this approach on the issue of conscientious objection to military service, so there is no reason why it cannot adopt the same reasoning on conscientious objection to promoting or condoning homosexual behaviour.

### 3. Margin of Appreciation

The fact that the Court applied its doctrine of the “margin of appreciation” to the conscience cases could be problematic for future cases originating from countries where Christian conscience is being overridden. However, giving countries wide discretion in this area may also be of benefit to conservative countries where the balance between religious freedom and other interests is being drawn in a different place. For example, in the recent case of *Gas and Dubois v France* (2012), the court cited the margin of appreciation to explain why it allowed member states to treat the issue of same-sex adoption differently. In that case, the Court held that France was not in violation of the Convention for denying adoption to a same-sex couple. Therefore, insofar as the margin of appreciation means that the country has discretion to decide the issue itself, this will benefit Christians in conservative countries and be problematic for those living in for liberal ones.

## Christian Leader’s Concern is Freedom of Conscience

On January 16, Archbishop Mamberti commented on Radio Vatican on the four cases: “There is a real risk that moral relativism, which imposes itself as a new social norm, will come to undermine the foundations of individual freedom of conscience and religion. ... the rationality of the human conscience in general and of the moral action of Christians in particular requires explanation. Regarding morally controversial subjects, such as abortion or homosexuality, freedom of consciences must be respected. Rather than being an obstacle to the establishment of a tolerant society in its pluralism, respect for freedom of conscience and religion is a condition for it.”



## PART II EXEMPLARY CASES OF INTOLERANCE OR DISCRIMINATION AGAINST CHRISTIANS IN 2012

The exemplary cases in this report were chosen to give a full picture of the variety of incidents taking place in our day. They are listed in chronological order. All cases are portrayed fully on the Observatory's website [www.IntoleranceAgainstChristians.eu](http://www.IntoleranceAgainstChristians.eu). There is no national or European reporting mechanism that would allow us to provide exhaustive numbers of frequency or developments over the past years. What we are able to do is to provide impressions of the phenomenon, revealing to the reader its diverse aspects and far reaching scope.



# January

## Poland: Catholic TV Channel Ignored in License Distribution

The Polish National Broadcasting Council (NBC) did not include a major Catholic TV channel in their distribution of crucial Digital terrestrial television multiplex licenses but accepted rather unknown commercial networks. Polish Christian groups as well as human rights activists are very concerned. This is a particularly important decision, as the technical future of the individual channels depends on it. For TV Trwam it is especially crucial, as the channel generates the funding for a widespread radio channel, standing and falling with the TV channel.

## International: Anti-Christian Threats to Observatory

The Observatory on Intolerance and Discrimination against Christians receives threats and anti-Christian messages such as: "Set the church on fire, keep the fire blazing, Christianity will soon fall!"

## Sweden: Liberal Politician Calls for Even Harsher Penalties of Restrictive Homeschooling Laws

The Swedish liberal party politician Lotta Edholm called for even harsher penalties for homeschooling and for a change to the country's social services law so that the government can take children away from home-schooling families more easily by allowing social workers to do so.

## Spain: Pro-Abortion Activists Spread False Claim That Bishop Said It Was OK to Rape a Woman Who Had an Abortion

Pro-abortion forces on the internet are engaged in an ongoing campaign accusing a Spanish bishop of legitimizing rape during a sermon denouncing the killing of the unborn.

## France: No Conscientious Objection for Pharmacists Selling Abortion Pill

French pharmacists are required by law to sell the „morning after pill“ which causes an early abortion. The absence of conscientious objection is a violation of freedom of religion and conscience.

## England: Mayor Who Criticised Halloween Punished

A church-going former mayor in Warwickshire who declined to take part in a Halloween event has been found in breach of equality rules for upsetting pagans.

## Scotland: Roman Catholic Firemen Disciplined for Refusal to Attend Rally Which Mocked their Faith

A group of nine firemen from Glasgow, including several Roman Catholics, were disciplined by their employers for refusing to march in a 'gay pride' rally. Strathclyde Fire Board apologized after legal steps were taken.

*"No one is forced to be a Christian. But no one should be forced to live according to the new secular religion as if it alone were definitive and obligatory for all humankind. ... The propaganda of secularism and its high priests want us to believe that religion is dangerous for our health. It suits them to have no opposition to their vision of a brave new world, the world which they see as somehow governed only by people like themselves."*

**- Cardinal Cormac Murphy-O'Connor, former Archbishop of Westminster, UK, May 2012**

### Bosnia-Herzegovina: Nuns Report Increase of Verbal Abuse and Discrimination

Nuns wearing habits are being subjected to verbal abuse in public more frequently in Bosnia-Herzegovina, say local Franciscan Sisters.

### Italy: Blasphemous Theater Play at Teatro Franco Parenti, Milan

Christian groups protested against the performance of a blasphemous theater play by Romeo Castellucci called "On the Concept of the Face, Regarding the Son of God". The director of the Vatican press office, P. Federico Lombardi, and Italian sociologist Massimo Introvigne drew attention to the case and called to strong but calm and prayerful reaction of the Christian community.

### Germany: Blasphemous Theater Play at Thalia Theater in Hamburg

The play "Golgotha Picnic" by Rodrigo Garcia contains "sedition, blasphemy and pornography", say Christian viewers.

### Spain: Pro-Abortion Attack Pro-Life Activists at Barcelona Hospital

Peaceful pro-life protesters against abortions at Barcelona Catholic hospital were attacked by pro-abortion counter-demonstrators, some of whom reportedly threw rocks and trash and shouted obscene insults.

### Lithuania: Ad For Pizza Mocks Christianity

Katpédélé, a Lithuanian Pizza Company, uses anti-Christian ad mocking the last supper and disposing satanic number 666.

### England: University Motion Orders Human-Life-Defending Groups to Invite Pro-Abortion Speakers

The students' union of University College in London has passed a motion to officially make the campus "pro-choice" and to impose a "restriction of freedom of speech".

## European Institutions: Discrimination Against Christian Communities in Bosnia-Herzegovina

On January 31st 2012, the third section of the European Court of Human Rights issued a judgment in the case of *Sindicatul Păstorul cel bun c. Roumanie* whereby it determined that the refusal of the Orthodox Church to register a trade union established within itself was contrary to freedom of association guaranteed by

Article 11 of the European Convention of Human Rights. This interferes with the internal organization of a religious institution. The Romanian Orthodox Church has publicly expressed its wish that the matter is now referred to the Grand Chamber for a new trial.

## February

### Ireland: Catholics to be Singled Out by Proposal to “Screen” Civil Servants with Regard to “Church Deference”

A proposal that senior civil servants which are likely to deal with the Catholic Church should be “screened” to ensure they do not show “inappropriate deference” to the church is to be debated at Labour’s national conference.

### Bosnia-Herzegovina: Discrimination Against Christian Communities in Bosnia-Herzegovina

Almost 20 years after the war in the Balkans, there is still discrimination against Christians, especially Catholic Christians, in Bosnia-Herzegovina. Cardinal Puljic, Archbishop of Sarajevo pointed out the situation of Christians in his country during a visit to the international headquarters of the Catholic pastoral charity Aid to the Church in Need (ACN).

### Ireland: Labour Party Calls for Prohibition of Enrollment Policies

According to an Irish Labor party proposal to be discussed in April, ‘Catholics first’ policy in state-funded Catholic schools is illegal, discriminatory and should be abolished.

### Ireland: Irish Bishop Investigated After Upsetting Humanist in Homily

Bishop Philip Boyce of the Raphoe diocese in northwestern Ireland was investigated by the police for “hate crime” after arguing that the Catholic Church in Ireland is under attack from “aggressive secularism”.

### France: Blasphemous Exhibition in Nantes

An art exhibit displaying disrespectful and mocking statues of the Virgin Mary opened in the Galery Albane in Nantes.

### France: Church of Épinais Completely Ruined by Criminal Fire

The church of Épinais had just been restored when it was completely destroyed during the night from February 4th to 5th, 2012. Five young men were arrested by the police.

### England: Archbishop of York Receives Racist and Threatening Emails

The Archbishop of York, Dr John Sentamu received racist and threatening messages just days after he voiced his support for traditional marriage, sparking a police hate crime investigation.

### United Kingdom: Guesthouse Owners Fined for Married-Couples-Only-Policy

The Christian owners of a guesthouse who restrict double rooms to married couples have been ordered to pay £3,600 in damages to a homosexual couple in January 2011. Their appeal was lost in February 2012.

### United Kingdom: Secularists Lobby to Remove NHS Chaplains

Secularists campaign to ban the use of National Health Service money to fund hospital chaplains.

### ECHR: Fines for Criticising Homosexuality OK for European Court of Human Rights

A Swedish law foreseeing prison sentences for criticising the homosexualist agenda in public was upheld by the Eu-

ropean Court of Human Rights which has ruled that there it was not in violation of freedom of expression. Four people were fined for a distributing leaflets.

### France: Church Vandalised and Holy Sacrament Desecrated in Châtillon

On Wednesday, February 8th, 2012, at about 1:30 p.m., the chapel of Saint Joseph in Châtillon was vandalized and the Holy Sacrament stolen.

### Spain: Bioethicist Calls for Black-List of Conscientious Objectors

Maria Casado, who holds the UNESCO Chair of Bioethics at the University of Barcelona calls for a national registry of doctors who will not perform abortions, in order to “improve” women’s access to “pregnancy termination.”

### United Kingdom: ‘Intolerant’ Campaign Against Tory MP Over Gay Marriage

Tory MP, David Burrowes, is facing an ‘intolerant’ campaign against him because of his opposition to homosexual marriage. The campaign is led by the treasurer of his local Conservative association, Philip Dawson, who is homosexual.

### United Kingdom: Hinckley United Reform Church Windows Vandalized

The Reverend Malcolm Clarke, minister at Hinckley United Reform Church, said two large “historic inscribed” windows had been completely smashed. The minister

*"Many of the mass-media broadcast a presentation of the Christian faith and history that is full of lies, misinforming the public as to the content of our faith as well as to what makes up the reality of the Church."*

**- Cardinal Peter Erdö, President of CCEE (European Bishops' Conferences), October 2012**

said he was shocked and saddened by the attack: "I feel sad and let down," Mr Clarke said.

### United Kingdom: High Court Bans Prayers At Formal Council Meetings, Government Responds in Favour of Religion

The UK Government has written to all local councils in England, telling them that new laws restore their power to hold prayers at official meetings after the High Court had ruled that local councils have no lawful power to hold prayers during official business. The court case was initiated by the National Secular Society and a local atheist ex-councillor who sued Bideford Town Council in Devon for conducting prayers, a custom that had been in place since the 17th century.

### United Kingdom: MP Receives Death Threat After Backing Traditional Marriage

David Burrowes, Conservative MP for Enfield Southgate, revealed at the launch of Coalition for Marriage (C4M) in London that he has received a death threat and hate mail after speaking out in support of traditional marriage.

### Russia: Punk Band Perform in Moscow Orthodox Cathedral

On February 21, five members of the Punk Band Pussy Riot performed on the altar of the Cathedral of Christ the Savior in Moscow for a few minutes. Beside a political oppositional message, they sang a song that contained unflattering characteristics of the clergy of the temple, as well as the Russian Patriarch, Kirill. The women were wearing colored masks. Church officials called their actions blasphemy, sacrilege, an insult to religious feelings.

### France: Cemetery Vandalized in Boué

Up to 100 graves were the target of vandals in the cemetery of Boué. Ornaments, crosses, plaques and flower pots and vases were broken. The cemetery had to be closed for the police's investigation.

### Spain: Exhibit "Obscenity" Targets Christianity and Shocks Believers

A photo exhibit at the Fresh Gallery in Madrid displays pictures by Bruce LaBruce displays intolerance against Christian symbols, deepens negative stereotypes and disregards feelings of believers.

### Scotland: No Right to Conscientious Objection for Midwives

In January 2012, Scotland's largest health board was taken to court by two Catholic nurses from Southern General Hospital in Glasgow, Mary Doogan and Connie Wood, who were denied conscientious objection with regard to abortion procedures. Judgment was handed down on February 29th: the midwives have been told that they must accept the decision of their hospital management and that they must oversee other midwives performing abortions.

### Germany: Constant Vandalism against Christian Churches

In Duisburg a group of migrant youths, aged between 10 and 14, keeps destroying the windows of Catholic and Protestant churches, disturbing services (eg. with firecrackers), write hate slogans on the church wall and insult the clergy. So far the police had only investigated one of the numerous cases of vandalism directed against churches in the area.

### United Kingdom: Catholic Schools Singled Out and Targeted for Distributing Faith-Based Moral Literature

An Christian booklet has been distributed to students in some Catholic schools in Lancashire, UK. Its comments on homosexuality raised the discontent of UK's largest trades union, who says that the government is allowing "homophobia" to be promoted in religious schools.

### United Kingdom: Christians Compared to Radical Muslims

Trevor Phillips, the head of the Equality and Human Rights Commission (EHRC), has ignited public controversy by comparing Christians who do not believe that homosexuals should be allowed to adopt children to "Muslims who demand the introduction of Sharia Courts".

*"We as Christians just want others to respect our views and not to be dismissed as irrelevant."*

**- Sean Kelly, Member of the European Parliament, Ireland, October 2012**



## March

### United Kingdom: Government: Christians Have No Right to Wear Cross at Work

The UK Government submitted to the European Court of Human Rights that the applicants' wearing of a visible cross or Crucifix was not a manifestation of their religion or belief within the meaning of Article 9, and, in any event, the restriction on the applicants' wearing of a visible cross or Crucifix was not an "interference" with their rights protected by Article 9.

### International: Vatican Website Hacked by Anti-Catholic Group

Hackers claiming ties to the group Anonymous are taking credit after the Vatican website went down Wednesday. They displayed the following message: "Anonymous decided today to besiege your site in response to the doctrine, to the liturgies, to the absurd and anachronistic concepts that your for-profit organization spreads around the world.

### Belgium: Negative Stereotyping on Belgian Television

The Belgian TV series "A tort ou à raison" drawn up by Marc Uyttendaele, repeated-

ly streams negative stereotypings of Catholics. The first episode, "l'affaire Sainte-Maxime" stages tendentiously a case of pedophilia in a Catholic high school; another episode "la plume empoisonnée" depicts how a fanatic Catholic woman forces her son to become a Catholic priest.

### Turkey: Christian Church Targeted

On Sunday, March 4, police notified the pastor of Samsun Agape Church that someone had attacked the church building. The attacker kicked in the church door to get inside. He also damaged the church sign before being detained by police and a neighbour.

### Ireland: Relic of St Laurence O'Toole Stolen

The 12th Century preserved heart of the Patron Saint of Dublin, Saint Laurence O'Toole, has been stolen from Christ Church Cathedral.

### Sweden: Homeschooling Association Leader Feels Forced to Move to Finland

Jonas Himmelstrand, who is president of the Swedish Association for Home Education (ROHUS), has left the country saying,

*"The religious neutrality of society' built by proponents of European secularism has turned in practice into a 'value cleansing' of this society."*

**- Metropolitan Hilarion Alfeev, Orthodox Patriarchate of Moscow, October 2012**

*“Christians are often portrayed negatively by some parts of the mainstream media compared to other groups... The media needs to be more responsible and fair in its representation of Christianity. Christian characters are often ridiculed in fictional TV programming, whereas other religious groups, such as Muslims, are treated sensitively and homosexuals portrayed positively.”*

**- Kemi Caroline Bamgbose, Christian Media Trust, UK, February 2012**

“the safety of my family could no longer be guaranteed,” and that the government of the town of Uppsala was “threatening” him.

### United Kingdom: Celebrity Suggests “Homophobic” Clergy Should be Jailed

The celebrity singer Will Young has suggested that clergy should be put in jail for speaking out too strongly against same-sex marriage.

### International: Destroy All Christian Church, Muslim Leaders Says

The most influential leader in the Muslim world issued a fatwa to destroy Christian churches. Response to this call is also possible in European countries.

### United Kingdom: Gay Activist Disrupts Mass With Video Cam

A homosexual activist disrupted a Mass held in a parish in Teignmouth, Devon, with a video camera last week as a priest prepared to read a letter from the country’s bishops conference opposing government efforts to legalize same-sex “marriage.”

### France: Church of Herblay Targeted by Criminal Fire

The Church of St. Martin, in Herblay, was the target of an arson attack on Thursday, March 8th, 2011. The fire was started in three different areas of the church but was stopped in time by a parishioner.

### Germany: Left Wing NGO Attacks Christian Information Event on Gender Mainstreaming

Left wing radicals in an NGO called “Antifa Action Heilbronn” protested against the event “Gender Mainstreaming- Overthrow of the Value System - the Secret Revolution”, organized by the Christian Democratic Union and called it a “provocation”. On their webpage the radical group smears the speaker of the event, Gabriele Kuby, who is committed to Christian values, calling her a “reactionary, antifeminist and homophobic agitator” and denoting the “Forum for German Catholics” as “collecting pool right wing activists”.

### Germany: Radical Left Calls for Burning of Churches

An online call to “see churches burning” was published as a “Christmas wish” in 2011 by a group of leftwing extremists

called 'Antifa Freiburg'. "We will not give up hope that there will be a miracle and we can warm ourselves next year at the glow of burning churches." Prosecution investigated but dropped the case.

### France: Mockery of the Last Supper on French Television

The French Channel Direct8 has streamed a new episode of the show "Very bad blagues" called "When one's an apostle" ("Quand on est apôtre") which mocks the last supper.

### Turkey: Young Boy Under Threat for Wearing a Cross

A 12-year-old boy, Hussein, witnessed his Christian faith by wearing a silver cross necklace in school. Muslim classmates taunted and spat on him. When the boy threatened to report one of the bullies, the bully's father threatened to "kill him". He says he also received a beating by his religion teacher.

### International: New York Times Ad Calls Catholic Church "Autocratic, Woman-Hating, Sex-perverting Old Boys Club"

Catholics and non-Catholics alike have reacted to a viciously anti-Catholic full-page advertisement in Friday's New York Times. The 'Freedom From Religion Foundation's ad, which takes the form of a letter to a "liberal Catholic", asks "Cafeteria" Catholics, "Why are you propping up the pillars of a tyrannical and autocratic, woman-hating, sex-perverting, antediluvian Old Boys Club?" The Freedom from Religious Foundation is led by Annie Laurie Gaylor and her husband, Dan Barker. Gaylor is author of the book, Abortion Is a Blessing.

### Cyprus: Bishop of Karpasia Prevented from Entering Occupied Area in Northern Cyprus

A new provocative action was carried out by the occupying regime in Cyprus when Bishop of Karpasia Mr. Christoforos was not allowed to enter the occupied area

*"It all hinges on a basic misconception: That somehow to create equality and space for minority faiths and cultures we need to erase our majority religious heritage... It's what the Holy Father called the "unrenounceable Christian roots of [our] culture and civilisation"... You cannot and should not erase these Christian foundations from the evolution of our nations any more than you can or should erase the spires from our landscapes..."*

**- Baroness Sayeeda Warsi, a Muslim, Cabinet Minister, UK, February 2012**

from the barricade of Astromeritis village. Later, he was also prohibited to go into one area of Agios Dometios. The bishop was stopped without explanation.

### International: Pop Star Madonna Profanes Christian Faith

It is not the first time the pop star Madonna uses the bashing of Catholicism as a base for the writing of her lyrics. "Girl Gone Wild" begins with the first few lines of the Roman-Catholic Act of Contrition as it shows the 53-year-old singer in black tight pants and stiletto heels while surrounded by topless men.

### Belgium: Churches Tagged in Couvin

The doors of seven churches of Couvin, in the diocese of Namur, Belgium, were targeted by vandals. The front door of the church of Couvin was marked in white paint saying "Religion is the opium of the people".

### European Championship: Bibles and Crosses Forbidden

The 14th edition of the European Championship Euro 2012, organized by the European Union of Football Associations (UEFA), will take place from June 8th to July 1st, 2012 in Poland and in the Ukraine. The leaders of the Polish Football Association have indicated the certain objects that will be forbidden to spectators in stadiums. Among these objects, crosses and Bibles are stated as part of the category of "racist and xenophobic materials, based on political and religious propaganda."

### France: Christians Insulted After Religious Service in Bordeaux

About fifteen people came to St Eloi's church to insult parishioners at the end of Sunday Mass. It is not the first time this Catholic church is targeted by anti-Christian acts, as it had already been covered with tags and anti-Christian posters.

### Switzerland: Blasphemous Exhibition in Neufchâtel

Would Christ have been Gay?" is the name of the exhibition in Neufchâtel, displayed from March 29th to May 12th in the 'Galerie C' of Neufchâtel (Switzerland). The four artist argue that they wanted to explore - through art - the question of Christ's sexuality.

### England: Christian Adverts Censored in London by Mayor

Boris Johnson, the Conservative Party mayor of London, ordered bus advertisements for overcoming same-sex attraction to be stopped. The campaign had been cleared by the Advertising Authority, and was designed to be an answer to a pro-homosexual campaign.

### France: French Anti-Sect Governmental Mission Raids in Catholic Communities

Since the presidency of MIVILUDES (Interministerial Mission of Vigilance and Fight against Sectarian Drifts) by Georges Fenech, several small Catholic communities have increasingly been targeted, the last one being "Amour and Miséricorde" (Love and Mercy).

### France: Vandalism in a Church in Haute-Savoie

On Good Saturday, just a few hours before the Easter Vigil, three men entered

the Church of Cruseilles (Haute-Savoie) and set fire to leaflets, prayer and singing books. An altar's tablecloth was also burnt and the main altar damaged.

### Belgium: Homosexual Lobby Campaign Offensive Towards Christianity

The LGBT association "Arc en Ciel Wallonie" runs a campaign based on 33 different pro-LGBT T-shirts. Among various messages, three of them offend Christianity: "Jesus too had two dads", "Marie, first surrogate mother" and "GOD made me gay" (two first ones originally in French: "Jésus aussi avait deux papas", "Marie première mère porteuse").

### Germany: Christian Club Reproached by Anti-Discrimination Authority

The Catholic Schützenverein voted in March 450 to 28 to not to allow homosexual or lesbian „kings“ or „queens“ to preside activities together with their partners. The German federal anti-discrimination commission screened this decision and declared it to be in disrespect of the law.

### United Kingdom: Catholic Schools Under Attack for Upholding Marriage

Secular campaigners have launched an attack on the Roman Catholic Church for urging its secondary schools to back the

current legal definition of marriage as between one man and one woman.

### Germany: Court Upholds Homeschooling-Ban Rendering Religious Convictions Irrelevant

Reformed baptist parents, who wanted to homeschool their three children, lost in the regional administrative court of Baden-Württemberg in Mannheim. The parents wanted to homeschool to protect their children from a form of „emancipation“ they did not favor, as well as in order to teach them Christian sexual ethics.

### Spain: Catholic Bishop to be Charged of ‘Inciting Hate’

Homosexual activists lobby for the prosecution of Bishop Juan Antonio Reig Pla of Alcala de Henares for preaching the Catholic Church’s position on homosexual acts. An international group of Catholic doctors defends the bishop.

### France: Groups from Catholic Schools Refused Access to Museum in Rennes

The Conservatory of Public Schools in Rennes refuses entrance to pupils from private Catholic schools. Director Jean-Louis Robert said: “This museum is for pupils of state schools only. We refuse that children from Catholic schools go to this museum. It’s our right and that’s how it is.”

### France: Church Set on Fire and Vandalized in Clouzeaux

The Church of the ‘Bon Pasteur’ was visited by vandals who tried to put it on fire after having done much damage.

### Ireland: Irish Legislative Proposal: 5-Year Prison for Not Breaking the Confessional Seal

The Irish Justice Minister has introduced a 5-year prison sentence for priests who fail to report sex abuse of minors if they hear about it in the confessional.

*“It seems to be accepted that Christians and the Church are legitimate objects of derision and ‘mickey taking’; whereas to ridicule other faiths is not ‘approved’ behaviour. Christians of today are held accountable for the faults of their predecessors. Sectarianism is blamed for many wars.”*

**- Norma Charlton, C&M Ministries, UK, February 2012**

## May

### Germany: Statue of Jesus Beaten and Beheaded

A 2-meter-tall statue of Jesus was attacked at a cemetery in Pausa/Saxony. The vandals beheaded the statue and hit the head until it broke into pieces. They left with the face. Pastor Frank Pierel is shocked and saddened and reports that such attacks take place rather frequently in his area. The material damage amounts to 3000 Euro.

### Slovenia: Cross Put on Fire in Strunjan

On Thursday, the 10th of May, Dean Verzel, together with a few adherents, set the XVIIIth century votive cross of Strujan on fire. The artist Dean Verzel and photographer Goran Bertok carried out the same act 10 years ago but were acquitted in court.

### France: Christian Graves Vandalized in Canohès

Four Christian graves were vandalized and tagged with anti-Christian wordings the cemetery of Canohès in the Easter Pyrenees.

### United Kingdom: Doctor Sacked For Emailing Prayer Loses Court Battle

Christian doctor who was sacked for emailing a prayer to his colleagues has lost his claim for unfair dismissal, after an Employment Tribunal ruled that there was “no need” for religious references to be made at work.

### France: Conscientious Objection Loses Ground

Medical Student, Carolin, 24: “I had to do an internship in a gynecology department, and I can tell you that when there is only one nurse for the whole department, you better forget about your conscientious objection.”

### United Kingdom: Law Society Revokes Christian Debate Over Marriage

The Law Society has revoked the booking of a Christian conference on marriage to be held by Christian Concern and other organisations because it considered it “contrary to its ‘diversity’ Policy”.

### Spain: Bishop Banned from Official City Events in Alcala

The city council of Alcala adopted a motion banning bishop Juan Antonia Reig Pla from official city events. The motion answers the bishop’s remarks criticizing homosexual lifestyle.

### United Kingdom: Christian Blogger Under Investigation by Gov’t Ad Authority for Running Pro-Marriage Ad

A prominent British Christian conservative blogger is under attack from a government agency, at the behest of a homosexual activist group, for supporting the defense of traditional marriage.



## June

### Austria: Vienna Church St. Johann the Evangelist Vandalized

On June 1, an unknown person entered the parish church of St. Johann Evangelist on Keplerplatz and destroyed several windows in the second entrance doors located inside the church.

### Austria: Homeschooling Restricted

Several English – speaking Christian families who home educate their children in Austria have come under pressure by the Austrian school authorities for educating their children in English. They have been fined and threatened with the children being taken away – even though there are schools in Austria which teach exclusively in English.

### Austria: Christian Manifestation Attacked by Homosexual Activists

About 70 Christians demonstrated in a prayerful and peaceful walk against the Vienna “Gay pride parade” in Vienna on June 16th. They were attacked by counterdemonstration of activists for a homosexual agenda.

### Denmark: Danish Lutheran Church Obligated to Perform Same Sex ‘Marriages’

The Evangelical Lutheran Church is forced

to marry same sex couples after vote of Danish Parliament.

### United Kingdom: Christian GP Called Guilty of “Malpractice” for Sharing his Faith

The General Medical Council’s Investigation Committee has reprimanded a Christian doctor for sharing his faith with a patient at the end of a private consultation.

### France: Catholic NGO Defamed By Government Report, Confirmed by Court

Georges Fenech, the president of the interministerial mission MIVILUDES, an acronym for Mission interministérielle de vigilance et de lutte contre les dérives sectaires (Interministerial Mission for Monitoring and Combatting Cultic Deviances), appointed to this position by François Fillon in 2008 and renewed in 2011, was convicted by the Paris criminal court on June 1, 2012 for public defamation.

### Poland: Left MPs File Complaint Against Cross in Polish Parliament

About 10 MPs of the anti-clerical “Palikot Movement” seek to enforce the removal of the Cross in the Polish Parliament by legal proceedings at the Administrative Court.

*“Whatever the strict legal situation, we believe that individuals should have the right to make statements of faith, and this extends to the wearing of appropriate jewellery.”*

**- Rev. Ian Galloway, Church and Society Council, Church of Scotland, March 2012**

### Bosnia-Herzegovina: Bosnian Government Fails to Offer Aid to Thousands of Catholics Wanting to Return

A significant number of Catholic refugee families plan to come back to Bosnia-Herzegovina, but the Bosnian Government does not offer assistance in rebuilding their houses and restoring infrastructure. 800 families have turned to the Catholic Church for help. Bishop Franjo Komarica of Banja Luka declared that it is actually the task of the government to provide support. He complained about the lack of political will on the part of the government and the international community to enable Catholics to return to Bosnia-Herzegovina.

### Netherlands: Party Proposes Explicit Ban of Conscientious Objection for Registrars with regard to Gay Marriage

The liberal party VVD (Volkspartij voor Vrijheid en Democratie) tabled a proposal in the second chamber of the parliament to prohibit the use of conscientious objection for registrars with regard to conducting gay marriages. There seems to be a majority in the parliament to support this proposal. The topic is expected to be debated until the end of the year 2012.

### Netherlands: Legislative Proposal Seeks to Limit Conscientious Objection for Registrars

On the 4th of July 2012 an amendment of

the law on public officers was proposed by the members Koser Kaya and Van Hijum to the Dutch Parliament: It calls for the dismissal of registrars for marriages, births and deaths who refuse to perform same-sex marriages on conscientious grounds - if not sufficient other tasks could be found for him or her. The proposal also seeks to establish a mandatory training of students studying to be a registrar on performing same-sex marriages.

### Germany: German Magazine Shows Pope with large Urine Stains

The German Magazine "Titanic" presents the pope as a senile for incontinent person by depicting him in a photomontage with a large urine stain on his white clothes while giving a blessing.

### Austria: Violence and Damages in Aggressive Disruption of a Pro-Life Manifestation

More than 80 pro-abortion-activists attacked the pro-life manifestation "1000 Crosses-March" organized by the Youth for Life and Human Life International in Salzburg-City. Blockages, insults and windows smashed kept a large number of police busy.

### International: Entertainer Madonna Creates Negative Stereotypes of Christians at Current World Tour

American entertainer Madonna tours the

world with her show MDNA. The song and video “Nobody Knows Me,” which is part of Madonna’s MDNA Tour, defames Christians and creates anti-Christian stereotypes.

### Austria: Left NGO Calls for Violence Against Christians

The Salzburg-based NGO „Infoladen“ calls

for violence against Christians when expressing pro-life views. In July they called for a counter-demonstration against a pro-life manifestation. „Let’s make their 1000-crosses-manifestation a disaster!“ and „Sink the 1000 crosses!“ are some of the slogans on their website.

## August

### Austria: NGO Calls for Withdrawal of Recognition for Russian-Orthodox Church

The Austrian Initiative “Religion is a private matter” seeks to deprive the Russian-orthodox Church in Vienna of its legal personality because of its involvement in the “Pussy Riot” case.

### Poland: Pro-Life Advocates Arrested for Displaying Abortion Posters

Mariusz Dzierżawski, founder of the Warsaw-based PRO Foundation – Right to Life, and a fellow PRO Foundation member were arrested by the local governmental authorities during an approved anti-abortion rally at the entrance of the Woodstock Festival held in the Western Polish city of Kostrzyn.

### France: Local Council in Broue Orders Removal of Cross at Cemetery

The City of Broue ordered the removal of a cross at the entrance to the city cemetery

at the instigation of a counselor, saying that “the cemetery is a public building; there should be no religious symbols.” This was done “in the name of tolerance.”

### United Kingdom: Boys Life Support Unit Switched Off Against The Wish of Christian Parents

The Judge of London’s Royal Court of Justice ruled on August 10th that the life support system of an 8-year-old boy may be switched off by team of doctors, ignoring parents’ wish to keep him alive.

### France: Desecrations of Cross and Chapel in the Bretagne

In the night of August 22nd to 23rd, a desecration took place in the garden of the Abbey of Saint-Jacut-sur-Mer (Bretagne): a cross has been stolen. On the night of August 25th to 26th, the chapel of Locmaria Carnac was desecrated and the number 6 had been tagged on the walls.

### Slovenia: Vandalism in Naklo

On 22nd August 2012 unknown perpetrators desecrated a chapel of Saint Anthony in Naklo, Slovenia. They wrote the word "Satan" on the floor and words like "You worship the wrong God" on one of the frescos with a black graffiti. On another fresco they drew a cross turned upside down.

### Germany: A Blasphemous Jesus Caricature Disturbs Religious Feelings of Christians in Kassel

A large publicity poster at the entrance to a cultural center in Kassel shows the caricature of Jesus on the Cross including an

offensive caption which caused strong indignation among Christians living in Kassel.

### Czech Republic: Restitution of Property to Catholic Church in Czech Republic Impeded by Social Democrats

A controversial campaign by the oppositional Social Democrats directed against the Church Property Restitution Bill has turned into a major brawl with Czech Catholics and other churches.

*"If you are a badge-wearing Christian, you are more likely to be marginalised more than any other religion."*

**- Peter Kerridge, Christian Media Premier, UK, February 2012**

## September

### United Kingdom: British Deputy Prime Minister Nick Clegg's Advisor Calls Same-Sex Marriage Opponents "Bigots"

A former senior advisor to Nick Clegg says supporters of traditional marriage are "bigots" and Mr Clegg should have said so too in a speech but changed it after public furor....

### Italy: Movie of Austrian Producer "Paradise: Faith" with Blasphemous Content

The movie "Paradise: Faith", shown at the film festival in Venice, scandalized the audience because of a masturbation scene using a cross.

### Sweden: Teacher Flunks High School Student for Saying that Homosexuality is an “Abnormal Orientation”

During a biology class a Swedish high school student spoke up and called homosexuality an “abnormal sexual orientation”. As a result of this comment the teacher flunked the student. The reasoning of the teacher is that it is the task of the educational system to teach pupils respect for all sexual orientations. The opposing view of the student doesn't correspond to the curriculum's goal.

### Cyprus: Churches in Occupied Cyprus Plundered

Numerous churches in the Turkish occupied area of Cyprus were profaned and turned into storage rooms, museums and mosques.

### United Kingdom: Christian Bed & Breakfast Owners Report Torrent of Hateful Messages

The Christian owners of a bed and breakfast in Britain, Mike and Susanne Wilkinson, have received countless hate-filled messages in the wake of refusing to give a homosexual couple a double room.

### United Kingdom: Prime Minister Thinks Teachers Should Not Be Allowed to Teach that Homosexual Behavior is a Sin

Prime minister David Cameron thinks that faith schools should not be allowed to teach that homosexuality is a sin, according to a quote featured by the Daily Mail.

### United Kingdom: Teachers and Others Threatened With Dismissal if They Didn't Endorse Gay Marriage

If gay marriage is legalized, teachers and others could be forced out of their jobs if they fail to endorse such unions, a top lawyer says. Parents would have no right to insist that their children are withdrawn from school lessons across the curriculum that approve of same-sex marriage. Chaplains who work in the NHS or the Armed Forces could be dismissed if they preach that marriage is between a man and a woman.

### United Kingdom: Christian Councillor was Expelled from Green Party because of her Views on Gay Marriage

A councillor for the Green Party, Christina Summers, a Christian, who disagrees with her party's support for redefining marriage should be “expelled”, an internal disciplinary panel has said. She has responded by saying the decision is a “typical symptom of prejudice, blatant prejudice”.

### Spain: Greenpeace Activists Harass Crossroads Walkers

Participants in Spain's first annual Crossroads walk, a Christian-inspired cross-country march for the right to life, were confronted with a group of angry Greenpeace activists, who were peeved by the walkers' pro-life position, and suffered insults, severe threats of violence and graffiti on their RV.

## France: A Church Stained With Muslim Signs in the Rhône

On the night of Friday 21 to Saturday 22 September the church of the city of Chas-sieu was spray painted in orange colour with the signs - "Islam is gaining momentum", the name of a terrorist and the new idol of suburbs "M. Merah."

## Germany: Pharmacists' Freedom of Conscience Uncertain

While the law does not protect the freedom of conscience for German pharmacists, a letter from the ministry, dated 1986 upholds it. Legally, the letter is not binding. The uncertainty of whether this letter would be followed by today's courts constitutes a difficulty in the ethical considerations and the freedom of acting according to one's conscience of pharmacists in Germany.

## Germany: „Homeschooling“ Still Prohibited

Parents' rights are commonly understood to include the right to choose the form of education of one's children, including the possibility of non-institutional education, such as the so-called homeschooling. Not so in Germany.

## Germany: Compulsory Sex Ed Problematic for Christian Families

Germany's strict federal laws on compulsory school attendance do not allow any opt out with regard to sexual education.

## Lithuania: Disrespectful Fashion Show Promotion

The Lithuanian fashion label Robert Kalinkin promotes the fashion show of his new spring/summer collection 2013 on October 10th entitled "Jesus Mary" with disrespectful posters in Vilnius transgressing the boundaries of good taste.

## International: Vatican and Several Cathedrals Virtually „Occupied“ in App

In the augmented reality app „Junaio“, several of the world's large cathedrals are decorated with a banner displaying the text "Abortion Pills, A Gift From God" and instructions how to do an abortion yourself with a medicine called misoprostol.

## United Kingdom: Christian Pro-Life Group Legally Threatened by Abortion Giant

Maria Stopes International (MSI), one of the biggest abortion providers worldwide located in the UK, threatened to take legal action against a pregnancy pro-life center (Good Counsel) for distributing and providing some information about the negative effects of abortion on mental health.

## Bulgaria: Christians Threatened in Muslim-Christian Area

"Christians are threatened by Muslim Neighbors," said a resident of the Roma neighborhood in Iztok, a suburb in Pazardjik (Bulgaria) in the television program "Fatherland Front" (Otechestven front) with Martin Karbovski.

## Germany: National Pro-Life-Manifestation Attacked by Radical Left Wing Groups

Every year in September, the March for Life, a national pro-life-manifestation, takes place in Berlin. Radical groups disturb the peaceful marchers each year - with methods ranging from insults and hurtful chanting, to blocking of roads or venues, to property damage or physical violence.

## France: A Catholic Bookstore Vandalized in Bordeaux

The Catholic bookstore located in front of the church of St. Eloi was vandalized on September 22-23. The store has been vandalized for the 26th time. The window was partly destroyed. For several years, the store has been the target of many attacks. This however, does not seem to impress the public authorities, the town hall or the mainstream media nor prompt them to take action.

*"This is not just about arguing the case for Christians, but for freedom of speech."*  
- Daniel Lipsic, Member of the Slovak Parliament, October 2012



## October

### France: Traditional Bible Reading Marathon Not Permitted in Paris

Evangelical Protestants who have organized an annual "Marathon of the Bible" with over 500 participants reading and sharing in Paris since 2003, did not obtain the permission to hold a session in 2012.

### France: Desecration of Two Churches in Soissons

On October 4, two churches were broken into, robbed, and desecrated in Soissons. In the church of Sainte-Eugénie, the presbytery and the door were broken open, the tabernacle was opened, papers and money was stolen.

### France: 70 Christian Graves Desecrated near Albi

Seventy graves were damaged at a small cemetery adjacent to a Catholic church. An investigation was opened after the discovery in Albi on October 4th. Seventy crosses were overturned and laid on the ground, 16 of them were broken, and funerary objects were vandalized in the cemetery in the area Fonlabour. The desecration was not signed nor claimed, said the departmental director of public safety (DDSP), the Commissioner Pierre-Marc Panazio, an AFP correspondent.

### Germany: Pro-Life Activists Continuously Attacked

Pro-Life activists continuously suffer attacks from radical groups, including physical attacks and property damages; as well as negative stereotyping by the media; and an infringement on freedom of assembly and expression by a ban mile.

### France: A Newly Restored Chapel Vandalized in Nice

The chapel of Saint-Jacques de Nice, which had been vandalized in June, was again targeted. After breaking into the door, the perpetrators attacked the statues that decorated the interior of the church building. Several of them were “beheaded”. The deputy mayor of Nice, Christian Estrosi, immediately denounced the act of vandalism in a statement through an act of “unfair, incredible and malicious act committed in the heart of a place of worship.”

### Croatia: Religious Radio Programme Arbitrarily Cancelled

For twenty years Croatia’s national radio station (HRT) had, through an agreement with the Bishop’s Conference, broadcast a five minute programme, “Praised be Jesus

Christ” edited by the local archdiocese. This agreement was ended by the HRT: it cancelled the programme without warning or explanation.

### France: A Dozen Graves Vandalized in Royan

In the cemetery of Tilleuls Royan a dozen graves were targeted by vandals, probably on the night from October 5th to 6th. Memorial plates and flower pots were broken. Police are investigating.

### Austria: Hostile Graffiti on Church in Vienna

Unknown perpetrators have spray painted the Catholic church “Kirche Am Hof”, which is one of the main Vienna churches in the inner city.

### Serbia: Exhibition in Belgrade Hurts Religious Feelings

Under the title “Ecce Homo”, the Centar za kulturnu the dekontaminaciju (“Centre for Cultural Decontamination”) displayed an exhibition of Swedish photographer Elisabeth Ohlson despite protests. The exhibition shows Jesus Christ in sexual orgies, such as in an image of the last supper with women dressed up and place in sexually explicit manners. Jesus, who holds up the Eucharist, wears black high heels under his white dress.

*“Parents have the right and duty to choose schools inclusive of homeschooling, and they must possess the freedom to do so, which in turn, must be respected and facilitated by the State.”*

**- Mission of the Holy See to the United Nations, May 2012**

### Germany: German Parents Lose Custody of Their Children for Homeschooling

A district court in Darmstadt, Germany has revoked custody of four children from their parents and ordered it turned over to the Jugendamt, Germany's child protective agency.

### France: Christian Graves Vandalized in a Cemetery of Landes

A dozen Christian graves were vandalized in the village of Moustey (Landes). The incident occurred in the night of Thursday, October 4 to Friday, October 5. A dozen headstones were damaged and knocked over. Plates and funerary equipment was damaged, motocross tires left deep scars and damages on the ground along walkways and on the central cross.

### Germany: Ban on Distribution of Bibles at Public Schools in Berlin

The International Gideons are known for distributing pocket Bibles for free - mostly at schools, hospitals, hotels and medical practices. They were denied to further distribute Bibles at public schools in Berlin by the ministry of education and cultural affairs.

### France: Arson at a Church in Marseille

On October 9, fire was set to the Church of St. Francis of Assisi in the district of Vauban (VI). Two doilies at the entrance of the church placed on two small tables were burned, causing severe damage.

Two individuals have been arrested and placed in custody in connection with this investigation of "arson." Allegedly it was not their first time of setting fire to the church.

### Austria: Pro-Life Offices Vandalized

The Vienna offices of Human Life International (HLI) were attacked and damaged during a World Prayer Congress for Life held on October 4th – 8th. During the attack the glass entrance door was broken and jars filled with black paint were thrown at the building, some of them making it an in and smearing computers inside. The front door of a building in which participants stayed over night was barricaded putting the people into significant risk.

### France: Church at Marmoutier Abbey Vandalised and Burglarised

On the night of the 7th of October the Church of St Etienne at Marmoutier Abbey, Alsace, France was broken into. The burglars stole seven chalices and spread hosts on the floor.

### France: Two Churches Vandalized in Mayenne

Two churches were vandalized in Mayenne in Meslay-du-Maine and Bignon-du-Maine on October 7, 2012. "There have been destructions of statues inside buildings, other ones were thrown down and taken away," said Lt. Col. Alain Lantz, commander of the gendarmerie company Laval.

### France: A Fire in the Church of Notre-Dame-aux-Neiges

On October 19 the sacristy of the Church of Notre-Dame-aux-Neiges was vandalised. The damages were extensive as the fires were lit inside the church after the sacristy was vandalised.

### Germany: Green Party Parliamentary Group Seeks to Disestablish Christian Institute for Youth and Society

The Christian community The Reichenberg Fellowship and its German Institute for Youth and Society have become the object of a parliamentary inquiry that the parliamentary group of the Green Party has directed at the state government of the German state of Hessen on October 19.

### Switzerland: Russian Orthodox Cathedral Vandalised in Geneva

Between the hours of 23 and 6 between the 13th and 14th of October unidentified individuals spray painted the facade of the Russian Orthodox Cathedral in Geneva. This was discovered at 10 Monday morning when Archbishop Michel arrived to open the church for the day. He said that it was the first time in the church's 150 year history that it was attacked.

### Germany: Disturbance in Cologne Cathedral by Supporters of the Russian Punk-Band "Pussy Riot"

Three masked fans of the Russian punk-band "Pussy Riot" disrupted the Sunday Mass in

Cologne's Cathedral as a sign of solidarity to members of the punk-band who had been convicted of causing disturbances in a church in earlier this year.

### France: Parish Church of St. Francis of Sales, Marseille, Set on Fire

In the neighbourhood of Vaudan two arsonists entered the Church of St Francis of Sales and set the altar vestments on fire causing considerable damage. The two unnamed individuals have been detained.

### Scotland: National Secular Society Pressured Highlands Council to Drop Prayers

The Highlands Council Scotland had the tradition of incorporating a prayer in its agenda before each meeting. However, during the summer the National Secular Society wrote a letter to the Council demanding it remove prayer from its formal agenda or it would face legal action. The Council has now dropped prayer from its formal agenda.

### France: Church Burglarized in Saint-Lys

Unidentified individuals broke into the parish church in Saint-Lys on the 28th of October. The incident was discovered by the parish priest when opening the church for church services. Upon initial investigation it has been reported that the priest's chair, two stools, a desk, a lectern, and an altar cloth were stolen. In addition, the pews in the church were dislocated.

## France: Two Churches Desecrated in the Bretagne

At St. Cornely the crucifix that sits above the Tabernacle was broken in half. In August, the altar at Locmaria-Plage had been painted with satanic symbols.

## France: House Owner Sentenced For Not Selling to a Homosexual Couple

A man was condemned because he refused to sell a house to a same-sex couple. The 69-year-old was sentenced to pay 800 Euro to the court and 300 Euro each to the same-sex-couple in damages, plus legal fees.

## United Kingdom: Christian B&B Owners Fined for Denying a Room to a Homosexual Couple

Christian bed and breakfast owners Francis and Susanne Wilkinson lost a lawsuit on their married-couples-only policy and were fined over 3,500 pounds for denying a double room to a homosexual couple. The Wilkinson's Bed&Breakfast is located in their own house where they live with their children. The courts apply a "zero tolerance" policy on grounds of "unlawful discrimination".

*"Today, religious freedom is under threat throughout the United States—at all levels of government, federal, state, and local—and abroad."*

**- Statement of the US-Bishops' Conference, November 2012**

## November

### Germany: Chapel Spraypainted with Insults in Haßfurt

A gothic chapel, a protected heritage monument which had just been renovated, was vandalised by graffiti in Haßfurt. The words which were spray painted onto the chapels walls read things like "F...king sick child abusers" and "I serve Satan".

### Austria: TV Team Produces Satire on Church in Cathedral Without Permission

In mid-November an episode of the satiric television serial "Wir Staatskünstler"

(We official state artists) was filmed in the Catholic Cathedral of St Pölten without permission. Three actors working for the Austrian public service broadcaster ORF (state TV) were dressed up similarly to the group "Pussy Riot", entered the church, imitated Islamic prayer moves and called upon "mother heaven".

### European Institutions: Proposed EU Commissioner Faces Opposition for Holding Christian Views

A consortium of homosexual, secular hu-

manist and abortion groups campaigned against the appointment of the Maltese Dr. Tonio Borg as the new EU Health and Consumer Protection Commissioner. The objection, they said, was nothing more than that Dr. Borg was a Catholic, with “staunchly conservative and outdated” views on homosexuality, divorce and abortion. The campaign fail soon thereafter.

### Scotland: Cardinal O’Brien Declared “Bigot of the Year”

Christian believers and other people in Britain are expressing outrage after the country’s leading homosexualist lobby group declared the Cardinal Archbishop of Edinburgh, Keith O’Brien, “Bigot of the Year” for his opposition to “gay marriage”.

### France: Caricature of Holy Trinity in Journal Hurts Feelings of Christians

In an attempt to support a bill legalising same-sex “marriage” the journal Charlie Hebdo published the 7th of November a front page image that depicted the three persons of the Holy Trinity engaging in homosexual intercourse. The caricature transcends any standards of decency. It does not respect religious feelings in a way that one might speak of hate incident.

### France: Secularists Condemn Churches Involvement in Public Life

The Grand Society of France, which is the largest Masonic organization in France, declared that “... churches are restricted only to the spiritual sphere, and not to in-

terfere legitimate public debate leading to evolution and progress of civil rights.”

### Czech Republic: Restitution of Property to Catholic Church in Czech Republic Accompanied with Dirt Campaign Against the Church

A controversial campaign by the oppositional Social Democrats directed against the Church Property Restitution Bill has turned into a major brawl with Czech Catholics and other churches.

### Scotland: Artist Depicts Pope as a Nazi-Pedophile

Dutch artist Jeff van Weereld’s piece “The Holy Truth” on display in Eden Court Theatre, Inverness, Scotland in November 2012, depicts the pope aroused, wearing a swastika shaped cross, and with his hands on two young boys.

The artist claims to reflect „four facts“ of the Church: “There is high incidence of paedophilia, the pope did spend a good part of his formative years in the Hitlerjugend and the Wehrmacht, the church is friendly to the outside, but not necessarily within the hierarchy and they do tend to cover up things.”

### United Kingdom: New Legislation on Gay Marriage might get Teachers Fired

The British Parliamentary Undersecretary of State, Liz Truss, states she was not able to rule out the possibility that teachers refusing to use stories or textbooks favoring same sex- marriage face disciplinary consequences.

## France: Anti-Christian Slogans Interrupt a Symposium for Life in Biarritz

Attendants at the Symposium for Life held in Biarritz, following the 18th of November demonstration against same-sex marriage by Civitas, was interrupted by an anti-Christian demonstration. With signs saying “yes, yes to sodomy, no, no, no to

the inquisition” held by men in nuns habits and women with devils horns the aim was one of offending. Worsening matters was the biased coverage by the press that failed to report on the anti-Christian nature of the demonstration.

## December

### Germany: Catholic Intellectual Threatened For Opposing Gay Adoption on TV

Following his appearance in a talkshow opposing homosexual adoption on German public service television, Martin Lohman, a Catholic intellectual has received severe threats via Email. He was sent an anonymous email stating the following: “I am homosexual, I have AIDS and I live in Bonn and I am now set on giving the gift of my immune disease to you, too. Should you feel a little prick of a needle soon, then that was most likely me with my needle.”

### Germany: Homeschooling Parents Portrayed as Sectarian Fundamentalists by Spiegel TV

Homeschooling family experiences negative stereotyping by Spiegel TV documentary: “We were not only a little disappointed and upset when we saw the outcome, which offends our Christian convictions and does not give unbiased information about the subject matter. My wife is called the ‘chief inquisitor’. The reporter suggests that our children are victims, socially isolated children, controlled by their stubborn fundamental-Christian parents.”

*“Christians in the UK face problems in living out their faith and these problems have been mostly caused and exacerbated by social, cultural and legal changes over the past decade... Christians in the UK are not persecuted. To suggest that they are is to minimize the suffering of Christians in many parts of the world... But the experiences of Christians in the UK seeking to live out their beliefs and speak freely illustrate a very real problem in the way religious belief, and in particular Christianity is understood and handled. The problem is a pressing challenge to our idea of a plural society.”*

**- Premier Christian Media Report “Clearing the Ground”, UK, February 2012**

### France: Desecrations at Saint Rambert, Lyon

One or more unknown persons broke into the Church of St Rambert in Lyon, France, and proceeded to damage the tabernacle, desecrating the Eucharist. Several liturgical objects were stolen and the altar damaged. In response, the parish priest convened an evening of prayer.

### Germany: Christian Rights' Activist Heavily Insulted And Threatened After Opposing Gay Adoption on TV

In the German public service broadcaster ARD's talk show "Tough but Fair" ("Hart aber Fair"), on Monday, December 3rd, the question whether homosexual couples should be allowed to adopt children was debated. Women's and Family Rights activist Birgit Kelle argued that children need a mother and a father. Following her appearance on the show, a journalist of the said ARD commented on his twitter account: "I think she is a witch. Witches get burned."

### France: Sign of the Cross Forbidden to Pupils by History Teacher in Narbonne

On a school trip to the nearby Cathedral of Saint-Jus, students of the local school Therese Leon Blum where warned against making the sign of the cross upon entering the Cathedral. As a punishment, the teacher mentioned three hours of after-hours at school. One of the parents wrote to the council to complaint but did not receive a response.

### France: Nativity Scene Burnt Down in a Church in Savoy

The nativity scene at the Church of Barby in Savoy was set on fire on Tuesday, December 18th, between 7 and 8 in the evening. The sacristan reported that it is not the first instance of attack the Church has experienced. The day after several parents and children of the parish set up a new nativity scene.

### Spain: Youth Demand the Handing Over of a Priest "to be Burnt" at Catholic School in Merida

During the morning of the 17th of December ten youths between the ages of 15 and 17 entered the Salesian School 'Maria Auxiliadora' in the outskirts of Merida, Spain. After assaulting the groundskeeper who had tried to stop their entrance, they made their way to the classrooms demanding the priests be handed over to be burnt and accusing the teachers of fascism.

### France: Vandalism of Christian Wayside Shrine in St-Germain-en-Laye

The French Observatoire de l'Christianophobie was notified of an act of vandalism against a statue of St Genevieve in St-Germain-en-Laye the 16th of December. The glass encasement of the image of the Saint was destroyed leaving the statue somewhat damaged.

## Germany: Insults and Removal Claims for Crucifix in Federal German Minister for Consumer Protection

Calls to remove the cross from the Federal German Minister for Consumer Protection argue that the public display of the crucifix was no surprise in an arm-exporting country - "because the crucifix was a pungent glorification of violence and an learning tool towards anti-Semitism."

## Austria: Series of Thievery in Austrian Churches

Since summer 2012 a series of thefts has been going on in Austrian churches around Melk. Figurines have been taken and in mid-December images have been cut out from flags used for processions.

## United Kingdom: High Court Rules No Right for Christians to Decline Sunday Work

A ruling by a High Court judge says that Christians have no right to decline working on Sunday as it is not a "core component" of their beliefs, considering that „many Christians work on Sundays“.

## Austria: University Professor in Austria Calls for Death Penalty for Pope

During Christmas holidays 2012, Austri-

alian born Richard Parncutt, professor for music sciences at the Karl-Franzens-Universität in Graz, issued the official University website to call for death penalty for the pope as a punishment for opposing artificial birth control and condoms. The university deleted the comments and summoned Prof. Parncutt to a disciplinary meeting: "Safeguarding human rights belong to the most important principles of the University of Graz." The professor apologized.

## France: Nativity Scene Statues Decapitated in Frejus

In front of the Tourist information office in Frejus, France, the wooden nativity scene of the local parish, suffered severe vandalism. During a night of the Christmas season the statues of Mary and Joseph were decapitated.

## United Kingdom: Muslims Shout Abuse at Christians Queuing for Christmas Services

Muslims protested in front of St Paul's Cathedral, London, on Christmas Eve 2012 while Christians were lining up to enter the Cathedral for services. One person reported to the Observatory: "We have been adversely affected, distressed, and inconvenienced because of the nature,

*"Christians are not asking for special treatment, but we are looking for a level playing field and for sincerely held beliefs to be given equal space in our law and in our society. I hope the Government will take this report very seriously."*

**- Gary Streeter, Member of Parliament, UK, February 2012**

loudness, and closeness of this verbal outpour of hatred and abuse. None of the Christians who were peacefully waiting in line to attend a Christmas celebration provoked the verbal abuse that we were forced to endure. At one point a Muslim male was loudly shouting abuse at us from a distance of about four meters.”

### Austria: Three Churches Set on Fire in Amstetten

On December 23, three churches were set on fire in the small town of Amstetten, lower Austria. One of the churches was severely damaged.

# ENDNOTES

- (1) (page 6) This summary is an excerpt of our publication „A Road Map towards Freedom of Religion“, published by the Observatory on Intolerance and Discrimination against Christians in Europe in September 2011. Free download: [http://www.intoleranceagainstchristians.eu/fileadmin/user\\_upload/Submission\\_to\\_Religare\\_by\\_the\\_Observatory\\_on\\_Intolerance\\_and\\_Discrimination\\_against\\_Christians\\_June\\_20\\_2011.pdf](http://www.intoleranceagainstchristians.eu/fileadmin/user_upload/Submission_to_Religare_by_the_Observatory_on_Intolerance_and_Discrimination_against_Christians_June_20_2011.pdf).
- (2) (page 10) European Humanist Federation, Submission to the EU-Religare Project.
- (3) (page 11) Compare: Imago Hominis, Ethik des Apothekers; IMABE, Band 15, Heft 2, 2008, ISSN 1021-9803, or Klement A., Die orale Notfallkontrazeption, Österreichische Apothekerzeitung (2003); 57(5): 230-232.
- (4) (page 12) Article L2212-8 du Code de la santé publique, original text in French: «Un médecin n'est jamais tenu de pratiquer une interruption volontaire de grossesse (...). Aucune sage-femme, aucun infirmier ou infirmière, aucun auxiliaire médical, quel qu'il soit, n'est tenu de concourir à une interruption de grossesse».
- (5) (page 12) Paragraphes 1 et 2 de l'article 2212-8 du Code de santé publique.
- (6) (page 13) Cour de Cassation, Chambre criminelle, du 21 octobre 1998, 97-80.981, Publié au bulletin.
- (7) (page 13) Code de la santé publique Article L1111-4, 3ème alinéa.
- (8) (page 13) <http://videospresidentielle2012.elle.fr/video.php?video=404f47d371cs&2012=true>.
- (9) (page 16) <http://www.intoleranceagainstchristians.eu/case/scotland-no-right-to-conscientious-objection-for-midwives.html>.
- (10) (page 16) <http://www.lifesitenews.com/news/doctors-must-refer-for-abortion-perform-gender-reassignment-surgery-uk-draf>.
- (11) (page 15) <http://www.christian.org.uk/issues/2012/ladele/>; <http://www.christianconcern.com/europeancases>.
- (12) (page 15) <http://www.intoleranceagainstchristians.eu/case/christian-foster-parents-forced-to-retain-from-fostering-children.html>; <http://www.christianconcern.com/cases/eunice-and-owen-johns>.
- (13) (page 17) Read more on this topic in „Censored: How European „Hate Speech“ Laws Are Threatening Freedom of Speech“, By Paul Coleman, Kairos Publications, November 2012. ISBN: 978-3-9503055-6-2.
- (14) (page 17) Handyside v. the United Kingdom, 7 December 1976, § 49, Series A no. 24.
- (15) (page 17) Please view our Advanced Search on [www.IntoleranceAgainstChristians.eu](http://www.IntoleranceAgainstChristians.eu) / Freedom of Speech.
- (16) (page 17) Concurring Opinion of Judge Yudkivska, Joined by Judge Villiger, Vejdeland v Sweden, Application no. 1813/07, judgment of 9 February 2012, § 11.
- (17) (page 18) Schenck v. United States, 249 U.S. 47, 52 (1919).
- (18) (page 18) Mr Ospina, A/PV.1406, 21 December 1965, § 72.

- (19) (page 19) Vejdeland and others v. Sweden, 2006. Read more on: <http://www.intoleranceagainstchristians.eu/case/fines-for-critizing-homosexuality-ok-for-european-court-of-human-rights.html>.
- (20) (page 19) 'Life Site News, 14 December 2010. Available at <http://www.lifesitenews.com/news/street-preacher-awarded-4000-for-wrongful-arrest-over-gay-remarks>; The Daily Mail, 1 May 2010. Available at <http://www.dailymail.co.uk/news/article-1270364/Christian-preacher-hooligan-charge-saying-believes-homosexuality-sin.html>.
- (21) (page 19) <http://www.christianconcern.com/our-concerns/religious-freedom/victory-for-free-speech-as-christian-preacher-found-not-guilty>.
- (22) (page 19) [http://www.christian.org.uk/rel\\_liberties/cases/harry\\_hammond.htm](http://www.christian.org.uk/rel_liberties/cases/harry_hammond.htm).
- (23) (page 19) <http://www.intoleranceagainstchristians.eu/case/pro-life-abortion-protestors-arrested.html>.
- (24) (page 19) The Daily Mail, 20 September 2009. Available at <http://www.dailymail.co.uk/news/article-1214666/Christian-hotel-owners-hauled-court-defending-beliefs-discussion-Muslim-guest.html>.
- (25) (page 19) For further information, please read: Coleman, Paul, Censored: How European "Hate Speech" Laws are Threatening Freedom of Speech, Kairos Publications: Vienna, 2012.
- (26) (page 19) <http://reformsection5.org.uk>.
- (27) (page 21) Please view our advanced search on [www.IntoleranceAgainstChristians.eu](http://www.IntoleranceAgainstChristians.eu) / Freedom of Assembly.
- (28) (page 21) The OSCE Parliamentary Assembly recommended in July 2011 in Belgrade that a "public debate on intolerance and discrimination against Christians be initiated and that the right of Christians to participate fully in public life be ensured" (12); that "in view of discrimination and intolerance against Christians, that legislation in the participating States, including labour law, equality law, laws on freedom of expression and assembly, and laws related to religious communities and right of conscientious objection be assessed" (13); and "encourages the media not to spread prejudices against Christians and to combat negative stereotyping" (15).
- (29) (page 25) Article 4(2) of Directive 2000/78/EC.
- (30) (page 26) Clf. Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation.
- (31) (page 26) Article 4(2) of directive 2000/78/EC.
- (32) (page 28) Bull and Bull v Hall and Preddy [2012] EWCA Civ 83. Available at <http://www.judiciary.gov.uk/Resources/JCO/Documents/Judgments/bull-v-hall-and-preddy.pdf>; Black and Morgan v Wilkinson, Claim, no. 0UD02282, 18 October 2012. Available at <http://www.judiciary.gov.uk/Resources/JCO/Documents/Judgments/black-wilkinson-judgment-18102012.pdf>.
- (33) (page 28) See "Adoption agencies shut under 'equality' laws", The Christian Institute, April 2009.
- (34) (page 28) For further information, please read: Coleman, Paul and Kiska, Roger, 'The Proposed EU "Equal Treatment" Directive: How the UK Gives Other EU Member States a Glimpse of the Future', I.J.R.F., Vol. 5(1) 2012.
- (35) (page 30) [www.enseignement.be/respel/](http://www.enseignement.be/respel/).
- (36) (page 32) We thank the Christian Legal Centre ([www.christianconcern.com/christian-legal-centre](http://www.christianconcern.com/christian-legal-centre)) and Alliance Defending Freedom ([www.alliancedefendingfreedom.org](http://www.alliancedefendingfreedom.org)) for their detailed analyses of the cases and the text elements provided in this text. We also thank the European Center for Law and Justice ([www.eclj.org](http://www.eclj.org)) for their publications.

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