

HUMAN DIMENSION IMPLEMENTATION MEETING
WARSAW, 24 September - 5 October 2007

AUSTRIAN DELEGATION

Working Session 2: Combating intolerance and discrimination and promoting mutual respect and understanding

As to the reproach of Austria sponsoring discrimination of religious minorities, we would like to inform participants on the legislative frame within which all religious communities can practice their belief:

The Law on Religious Belief Communities, enacted 10 January 1998, complements the 1874 Law on the Legal Recognition of Religious Communities. Both laws do not in any way limit the freedom of religion or belief of any individual or group in Austria. As a matter of fact, these two laws do not deal with freedom of religion as such, their purpose being to regulate, in a manner consistent with historically grown traditions, the various forms of organization of religious belief communities.

Freedom of Religion is guaranteed by the Constitution, as well as through Austria's adherence to the European Convention of Human Rights, which in Austria has the status of a constitutional law. The Convention guarantees the right of everyone, citizen or not, to practice one's belief, individually or in community with others, in private or in public. This also means that the individual's right to freedom of religion is not tied to the status or the legal form of the respective religious community.

In passing the Law 'On the setting up of a Documentation and Information Centre on Matters related to Sects' of 20 August 1998, the Austrian Parliament responded to long-standing and serious concerns among the population. In drafting this law, most care has been taken for keeping in strict conformity with national and international laws on data and information protection. The Centre is a service institution, providing information on a clearly defined legal basis. It is charged with documenting and providing information regarding dangers emanating from

programmes or activities of sects or sect-related activities provided there is probably cause for suspicion.

These dangers are listed in the law and comprise i.a. threats to the life or the physical and psychical health of persons, and to the free development of the human personality, including the freedom to enter or leave any such group. Furthermore, these dangers relate to the areas of family integrity, property or financial independence as well as the free spiritual and physical development of children and adolescents.

In any case, the Centre's activities are not about judging and evaluating matters of belief. Rather, they are aimed at defusing conflictual situations and arriving at sustainable solutions together with all parties concerned on the basis of well-founded factual information.

The allegation as to anti-sect videos for high-school students is misleading: such videos are only shown in the frame of religious tuition by the relevant religious communities. Freedom of religious belief demand abstention of any interference by the state.

Finally, in 2001, the Austrian Constitutional Court confirmed, in his rulings, that the Law on Religious Belief Communities are in conformity with the Austrian Constitution and thus are not infringing any constitutionally guaranteed rights.