

GERMANY: Jehovah's Witnesses Religious Freedom Report

STATEMENT BY THE EUROPEAN ASSOCIATION
OF JEHOVAH'S WITNESSES

2022
2022

OSCE Warsaw Human Dimension Conference
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SUMMARY

For more than 15 years, Jehovah's Witnesses in Germany have enjoyed the highest level of legal recognition and are free to assemble for worship, to build places of worship (Kingdom Halls) and to engage in their public ministry. Also, in recent years, there has been increased public acknowledgment that they were a group that was specifically targeted for persecution by the Nazi regime.

However, Jehovah's Witnesses routinely face intolerance and religious discrimination in Germany,

fuelled in part by false or misleading information disseminated in the media. Some officials have contributed to this intolerance by spreading misinformation about the Witnesses.

In other cases, officials have refused to treat incidents of assault and vandalism as religiously motivated hate crimes. Still others have needlessly interfered with the Witnesses' public ministry and efforts to render humanitarian aid.

2022



Abuses and Restrictions of Religious Freedom

DEROGATORY INFORMATION SPREAD BY AN OFFICIAL AGENCY

The German Independent Inquiry into Child Sexual Abuse has repeatedly disseminated false and derogatory information about Jehovah's Witnesses and the organization's policies to protect children from abuse. The Inquiry has resisted calls to correct misinformation and to allow representatives to respond to false claims.

- On **4 December 2020**, the Inquiry published a misleading report on its website, citing as "experts" anti-cult activists who are known to spread disinformation. Officials repeatedly denied the Witnesses' requests to correct the falsehoods. As of August 2022, the untruths remain in circulation.
- On **8 January 2021**, the then Independent Commissioner for Child Sexual Abuse Issues (the Commissioner) disseminated false information about the Witnesses' child protection policy. Calls to meet with the Commissioner remain unanswered.
- In **May 2022**, the Inquiry singled out Jehovah's Witnesses by creating on its website a separate topic page dedicated to the Witnesses. The Inquiry has not created a topic page for any other religious group.
- On **15 June 2022**, the Commissioner published a podcast featuring an anti-Witness activist who uttered false information about the beliefs and practices of the Witnesses.

LOCALITIES RESTRICT USE OF LITERATURE DISPLAY CARTS

For more than a decade, Jehovah's Witnesses have used small portable carts no larger than a shopping trolley to display Bible-based literature and positive Scriptural messages in public places. These temporary displays have been accepted in thousands of airports, train stations, tourist attractions and other public spaces in more than 100 countries around the world. However, dozens of localities in Germany have restricted or

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banned the use of such literature display carts, despite their non-commercial and unobtrusive nature.

- Authorities in **Fulda, Hamburg** and **Munich** decree that using literature display carts is a “special use” that requires a permit. In recent years, the authorities in these cities have issued 24 fines against Witnesses for using literature display carts as part of their peaceful religious ministry.
- Airport and train station operators in **Dusseldorf, Frankfurt, Hamburg** and **Munich** have discriminatorily and repeatedly denied or ignored requests to allow Witnesses to use literature display carts in these areas, despite granting permission to other religious or special-interest groups.
- Police officers in at least nine other localities, including **Altdorf, Augsburg, Bad Oldesloe, Kreuzberg-Berlin, Falkenberg, Kiel, Rudolstadt, Villingen-Schwenningen** and **Wittstock**, have harassed Witnesses using literature display carts.

Dozens of localities in Germany have restricted or banned the use of such literature display carts, despite their non-commercial and unobtrusive nature

OFFICIALS INTERFERE WITH RELIEF EFFORTS FOR UKRAINIAN REFUGEES

In **March 2022**, refugees fleeing the war in Ukraine began arriving in Germany. Among them were hundreds of Jehovah's Witnesses. The Witnesses in Germany immediately arranged to welcome these fellow believers and to provide for their basic needs. However, officials representing Deutsche Bahn, the national railway operator, refused to cooperate with Witness volunteers in their efforts to assist refugees arriving at three of the largest train stations in Germany: **Frankfurt, Munich** and **Berlin**.

Volunteers attempting to greet refugees were expelled from the station halls, and requests for permission were rejected or went unanswered by station managers. Other religious organizations, including the station mission and Caritas, a Catholic welfare organization, were allowed to operate booths within the station buildings.

At the refugee reception centre in **Hermeskeil**, Jehovah's Witnesses appointed a chaplain to care for the spiritual needs of arriving Witness refugees. However, the State Office with authority over the centre refused to recognize the chaplain and denied the Witnesses access that was afforded to other religious groups.

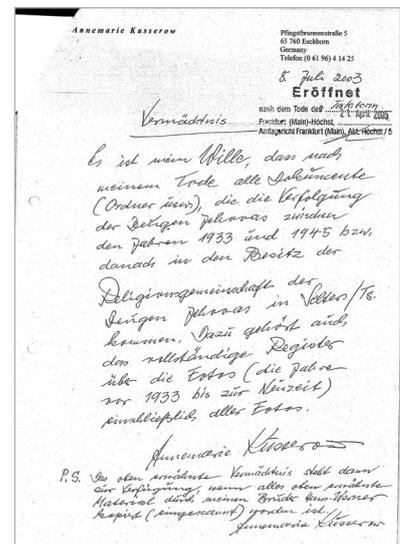
SCHOOL OFFICIALS AND TEACHERS INTERFERE WITH STUDENTS' FREEDOM OF CONSCIENCE

In at least nine instances, school officials or teachers in Germany refused to accommodate or recognize the religious beliefs of Witness schoolchildren, even when these beliefs were respectfully and clearly explained by the youths themselves.

In **January 2022**, in the state of **North Rhine-Westphalia**, twin boys who are Jehovah's Witnesses were forced by their primary school teacher to participate in holiday craft activities offensive to their religious beliefs. The teacher told the class that the boys were "not real Christians" because they did not participate in these activities. The same teacher also forced them under threat of punishment to sing the national anthem.

MILITARY HISTORY MUSEUM REFUSES TO RETURN HOLOCAUST VICTIM ARCHIVE

The Kusserow family suffered intense persecution as Jehovah's Witnesses during the Nazi era, in part because of refusal to serve in the German army. The family left behind an archive of historical interest, which was legally willed to Jehovah's Witnesses in Deutschland, the official religious association of Jehovah's Witnesses. Nevertheless, in defiance of the family's wishes, on **18 November 2021**, the Koblenz Regional Court decided that the Military Museum of the Federal Republic of Germany did not need to return the archive to the organization. The museum refused to agree to a friendly settlement and consequently an appeal was filed. This is pending.



Annemarie Kusserow's will that legally establishes the official religious association of Jehovah's Witnesses in Germany as the owners of the Kusserow family's archive

Interference With Manifestation of Religious Belief

In general, Jehovah's Witnesses in Germany are free to practise their faith without fear of violence against either their person or their places of worship. However, in a number of cases where Witnesses have suffered violence, the police, prosecutors or courts have failed to acknowledge that the crimes were motivated by hate and/or religious intolerance. Investigations have been left unresolved, and convicted perpetrators have received much lighter sentences than if they had committed the same action against another religious group.

PHYSICAL AND VERBAL ASSAULTS; VANDALISM OF RELIGIOUS BUILDINGS

- **Hesse.** On **6 February 2020**, a mentally disturbed man threatened a group of Jehovah's Witnesses with a knife while they were peacefully engaged in public ministry. The prosecutor did not press charges for almost two years. When the Witnesses complained to the State Minister of Justice, the judge declined to consider evidence of religious hatred. The Witness victims appealed the decision.
- **Bad Laasphe.** On **3 March 2022**, a Witness couple received an anonymous letter containing personal threats to their lives and referring to the persecution of Jehovah's Witnesses during the Nazi regime. Until now, the police have not been able to identify a perpetrator.
- **Villingen-Schwenningen.** On **20 May 2022**, an 83-year-old female Witness visited one of Jehovah's Witnesses who had fled Ukraine as a refugee. The landlord forced the 83-year-old to leave the property because she is one of Jehovah's Witnesses, forcefully pulling away the chair on which she was sitting so that she almost fell. On **22 May 2022**, the landlord's wife and her son-in-law assaulted the Ukrainian Witness, pushing her against a wall and forcing her to sign a lease termination agreement in German. She declined to file a criminal complaint.
- **Bassum.** Starting on **21 September 2019** and continuing until **December 2019**, a former Witness damaged a Kingdom Hall several times. He also attacked a religious minister by knocking him

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The interior of a Kingdom Hall in Bassum after it had been vandalized

down, kicking him repeatedly and insulting his religious beliefs. The accused was convicted and fined, but the court downgraded the attack on the religious minister from “dangerous bodily harm” to “bodily harm” and decided not to take the religious hatred motivation into account. The religious minister has filed an appeal.

- Düsseldorf.** On **8 April 2022**, a former Witness disrupted a religious meeting and was subsequently excluded from the Kingdom Hall. Two days later, he attempted to enter the building and upon being denied entry made threats, damaged property and attempted to block others from entering. The police were called and removed him by force. Over the next three months, the man was observed, or suspected of, vandalizing the building on more than 10 separate occasions, damaging door locks, breaking a window, defacing signs and destroying the doorbell system. On three occasions, he was also seen perpetrating similar acts against a Kingdom Hall in **Berlin**, with damage totalling EUR 3,000. The man left letters containing violent threats at both locations. Despite the evidence, no official action has been taken against the perpetrator. On **6 August 2022**, the same individual tried to enter a Kingdom Hall in **Wuppertal**. A local elder told him that he was not allowed to enter the property and that he would call the police. The man left. In view of the man's previous attacks, the elder reported the matter to the local police. Some minutes later, while congregants were arriving at the Kingdom Hall for the religious service, the man returned and attacked the elder who previously denied him entry, using pepper spray. The elder was admitted to hospital and discharged two days later. The police were called.
- Heidelberg.** On **19 and 20 February 2022**, obscene, hate-filled messages were painted on the door of a Kingdom Hall. The building was vandalized again on **9 April**. A criminal complaint was filed, but no perpetrators have been identified.
- Recklinghausen-Suderwich.** On, or shortly before, **28 February 2022**, an explosive device was placed in the letterbox at a Kingdom Hall. The explosion severely damaged the letterbox. A criminal complaint was filed, but no perpetrators have been identified.



One of Jehovah's Witnesses pictured immediately after he was attacked by an assailant who used pepper spray

- **Osnabrück-Nord.** On **18 April 2022**, a Kingdom Hall was vandalized with satanic symbols. A criminal complaint was filed, but no perpetrators have been identified.

RELIGIOUS INTOLERANCE IN THE MEDIA, ACADEMIA AND OTHER PUBLICATIONS

For several years, the news media coverage of Jehovah's Witnesses has been largely pejorative. During the **first half of 2022**, 30 articles appeared in the German media containing one-sided and unverified allegations, including material from associations of former Witnesses and representatives of other religious organizations. In the past year, Jehovah's Witnesses were the subject of exclusively negative reports in 10 television programmes and seven radio programmes from public broadcasters. In none of the reports were professional standards followed in questioning the statements of the protagonists and/or informants nor was there any effort to examine opposing material. Many more dubious and unprofessional reports were published by private broadcasters and social media channels.

- Leipziger Universitätsverlag GmbH, an academic publishing house, published Alexander Kühn's thesis "Christian Extremism in Germany", which included 20 factually untrue statements about Jehovah's Witnesses. Both the university and the publishing house were informed of the libellous content in the doctoral thesis, but they refused to acknowledge the infringement. On **31 December 2020**, a lawsuit was filed against the publishing house with Hamburg Regional Court. On **6 May 2022**, the Court confirmed the infringement and strongly advised the defendant to agree to a settlement. Finally, the publishing house issued a cease-and-desist declaration for all 20 statements in question, which means that these statements may not be repeated in any other work in the future. Nevertheless, this misleading and defamatory reference work has been placed in at least 45 major libraries in Germany, Switzerland and Austria.
- On **9 August 2017**, the news agency *Zeit Online* posted an article that included a factually untrue statement about Jehovah's Witnesses. The news agency refused to acknowledge the infringement, so legal proceedings were initiated. On **13 March 2022**, the Hamburg Regional Court ruled that the

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statement was false and seriously violated the rights of Jehovah's Witnesses. After the news agency lodged an appeal, the Court accepted that the disputed statement was an expression of opinion rather than an untrue factual statement.

- In **November 2018**, public broadcasting corporation Südwestrundfunk (SWR) posted a broadcast online containing six factually untrue statements about Jehovah's Witnesses. SWR refused to acknowledge the infringement, and so legal proceedings were initiated. The court was expected to issue its decision on **9 September 2022**.
- On **7 July 2017**, the Protestant Church in Germany Central Office for Worldview Issues (EZW) signed a cease-and-desist declaration committing to refrain from repeating six untrue statements about Jehovah's Witnesses that it had made in two pamphlets. In **September 2021**, it was observed that EZW has violated its obligation, since five of the six statements could still be found on its website. EZW refused to acknowledge any breach and refused to pay the contractual penalty, so a lawsuit was filed. **On 29 July 2022**, in its preliminary evaluation, the court advised EZW to settle the case by agreeing to pay a contractual penalty of EUR 5,000. Additionally, EZW published a defamatory booklet entitled *Jehovah's Witnesses—A Controversial Religious Organisation*. This contains several negative essays about Jehovah's Witnesses, including four untrue statements. EZW again failed to acknowledge the infringement, and so legal proceedings were initiated with the Hamburg Regional Court. A hearing was scheduled for **9 September 2022**.

Positive Developments and Meetings With Officials

DIALOGUE WITH THE GOVERNMENT ON HUMAN RIGHTS CONCERNS

Jehovah's Witnesses appreciate excellent contact with the Ministry of Foreign Affairs, the Commissioner for Human Rights Policy and Humanitarian Assistance and the Federal Government Commissioner for Global Freedom of Religion in relation to human rights concerns in Russia.

COMMEMORATION SITE FOR JEHOVAH'S WITNESSES

On **13 January 2022**, during a speech in the German Bundestag, Erhard Grundl, a member of Parliament, mentioned the need for a memorial site in Berlin to commemorate the persecution of Jehovah's Witnesses in Nazi Germany.

In **May 2022**, Claudia Roth, Minister of State and Federal Government Commissioner for Culture and the Media of Germany, suggested publicly that the German government should give Jehovah's Witnesses a memorial site in the capital city of Berlin, as they did with other victim groups such as Jews, Sinti and Roma. She mentioned that this is necessary since "Jehovah's Witnesses were one of the first groups persecuted by the Nazis". Afterwards, she was supported in a newspaper article by Prof. Wolfgang Benz, one of the world's leading historians on National Socialism.

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GERMANY:

Religious Freedom Objectives

JEHOVAH'S WITNESSES RESPECTFULLY REQUEST THE GOVERNMENT OF GERMANY TO:

Stop the German Independent Inquiry into Child Sexual Abuse from violating State neutrality by publishing inaccurate information about Jehovah's Witnesses and by directing the public to manifestly biased organizations

Respect the wishes of the late Kusserow family as victims of the Nazi persecution, and transfer their archive to Jehovah's Witnesses as the legal heir

Enforce media standards prohibiting libel and slander, especially as they relate to religious intolerance

Thoroughly investigate hate crimes against Jehovah's Witnesses and their Kingdom Halls, and prosecute perpetrators of these religiously motivated attacks

Allow Jehovah's Witnesses in all parts of the country to peacefully manifest their religious beliefs by means of literature display carts

Uphold the freedom of conscience of Witness schoolchildren by offering alternatives to assignments that violate their religious principles

Representatives of Jehovah's Witnesses welcome the opportunity to engage in a constructive dialogue with representatives of the Germany government.

Office of Public Information

Jehovah's Witnesses
World Headquarters

FOR MORE INFORMATION

Please contact the Office of Public Information for Jehovah's Witnesses at OPIGov@jw.org.

Visit the Newsroom at jw.org or scan here to obtain additional news and information about Jehovah's Witnesses.

