

106TH CONGRESS
1ST SESSION

S. RES. 230

Expressing the sense of the Senate with respect to government discrimination in Germany based on religion or belief.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 9, 1999

Mr. ENZI (for himself and Ms. LANDRIEU) submitted the following resolution; which was referred to the Committee on Foreign Relations

RESOLUTION

Expressing the sense of the Senate with respect to government discrimination in Germany based on religion or belief.

Whereas government discrimination in Germany against individuals and groups based on religion or belief violates Germany's obligations under the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, and the Helsinki Accords, which provide that member states must "recognize and respect the freedom of the individual to profess and practice alone or in community with others, religion or belief acting in accordance with the dictates of his own conscience";

Whereas the 1993 through 1998 State Department Country Reports on Human Rights Practices in Germany have disclosed acts of Federal, State, and local government

discrimination in Germany against members of minority religious groups, including Charismatic Christians, Muslims, Jehovah's Witnesses, and Scientologists;

Whereas State Department Human Rights Reports on Germany have also disclosed acts of government discrimination against United States citizens because of their religious beliefs;

Whereas State Department Human Rights Reports on Germany have disclosed discrimination based on religion or belief in Germany in such forms as exclusion from government employment and political parties; the use of "sect-filters" (required declarations that a person or company is not affiliated with a particular religious group) by government, businesses, sports clubs, and other organizations; government-approved boycotts and discrimination against businesses; and the prevention of artists from performing or displaying their works;

Whereas United Nations reports have disclosed discrimination based on religion or belief in Germany, and a 1997 report by the United Nations Special Rapporteur for Religious Intolerance concluded that the Government of Germany "must implement a strategy to prevent intolerance in the field of religion and belief";

Whereas the 1998 report of the State Department's Advisory Committee on Religious Freedom Abroad warned that unless the work of the German Government's Parliamentary Inquiry Commission on "so-called sects and psychogroups", which investigated dozens of religious groups, including Mormons and other minority Christian groups, "focuses [its] work on investigating illegal acts, [it] runs the risk of denying individuals the right to freedom of religion or belief", and the Committee specifically reported

that “members of the Church of Scientology and of a Christian charismatic church have been subject to intense scrutiny by the Commission, and several members have suffered harassment, discrimination, and threats of violence”; and

Whereas in 1997, a United States immigration judge granted a German woman asylum in the United States, finding that she had a well-founded fear of persecution based on her religious beliefs if she returned to Germany: Now, therefore, be it

1 *Resolved*, That the Senate—

2 (1) urges the Government of Germany to up-
 3 hold its commitments to “take effective measures to
 4 prevent and eliminate discrimination against individ-
 5 uals or communities on the grounds of religion or
 6 belief” and “foster a climate of mutual tolerance
 7 and respect between believers of different commu-
 8 nities”, as required by the Organization on Security
 9 and Cooperation in Europe’s Vienna Concluding
 10 Document of 1989;

11 (2) urges the Government of Germany to enter
 12 into a constructive dialogue with minority groups
 13 subject to government discrimination based on reli-
 14 gion or belief;

15 (3) continues to hold the Government of Ger-
 16 many responsible for protecting the right of freedom
 17 of religion or belief of United States citizens who are

1 living, performing, doing business, or traveling in
2 Germany; and

3 (4) calls upon the President to assert the con-
4 cern of the United States Government to the Gov-
5 ernment of Germany regarding government discrimi-
6 nation in Germany based on religion or belief.

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