

**Human Dimension Implementation Meeting
26 September to 7 October 2011
Warsaw**

Working Session 13: Tolerance and non-discrimination II: Review of the implementation of commitments on promotion of mutual respect and understanding, 4 Oct. 2011 3-6 p.m.

**HUMAN DIGNITY AND FUNDAMENTAL RIGHTS OF
CHRISTIANS ARE THREATENED AND VIOLATED WHEN THEY
WANT TO DEVELOP AND EXPRESS THEIR IDENTITY AND
SEXUALITY FREELY AND IN RESPONSIBILITY TO THEIR
CHRISTIAN FAITH**

**STATEMENT OF THE REGISTERED ASSOCIATION „WUESTENSTROM“
to the OSCE/ODIHR and Participating States, Human Dimension Implementation
Meeting, Warsaw 2011**

Mr. Moderator, Ladies and Gentlemen,

I come to you as the spokesman of the registered association Wuestenstrom. We are an association of people who have been struggling with sexual problems, especially with unwanted same sex attractions. I myself had to find a way to deal with unwanted same sex attractions. We are working with and for a minority of people in Germany, Switzerland and Austria, who desire to live their sexuality in accordance with their own personal insights and with the principles of their Christian faith, especially with people with same sex attractions (homosexual feelings), but also with bisexuals or paedophiles. They experience their sexual

desires as something that does not belong to their personality, their being or their intrinsic identity. So because of their convictions, they do not want to live as homosexuals, bisexuals or paedophiles. Many have the wish to seek a change in their sexual orientation as far as it is possible - or choose to live a celibate life and need support in that.

I am also a board member of the European umbrella organization LinC, with lots of ministries helping persons in their strugglings with same-sex attractions or a transsexual orientation.

Our association respects any decision an individual makes concerning his or her sexual orientation. So we appreciate the OSCE principles and commitments, for example the implementation of commitments on promotion of mutual respect and understanding.

Regrettably, we as a counseling association and also the men and women who want our help do not experience respect or understanding, but are slandered and defamed and violated in our and their human dignity - although human dignity should be guaranteed in accordance with Article 1 in the Universal Declaration of Human Rights, the Charter of Fundamental Rights of the European Union and in the German Constitution.

In The Constitution of the Federal Republic of Germany we find in Article 1: „The dignity of man is inviolable. To respect and protect it shall be the duty of all public authority.“ Human dignity always means that a person has the right to realize personal autonomy and self-determination.

The inviolability of human dignity actually means that the human being has the right and the inviolable freedom of how to think about her or his own life or way of living herself or himself and to realize it in compliance with the laws (see Christoph Endres, *Die Menschenwürde in der Verfassungsordnung, Zur Dogmatik von Artikel 1 GG*, Mohr Siebeck 1997 - engl.: *Human dignity in the constitutional order, about the dogmatics of Article 1 German Constitution*, Mohr Siebeck, 1997).

However, there are several incidents in the past to the present day, showing that it is getting more and more difficult in Germany and also in other European countries to deal with one's own sexuality individually and in freedom. This right and with that the dignity of man is violated in Germany concerning the field of human sexuality. For example:

- The efforts to modify the German Constitution and to impose the controversial phrase of a „sexual identity“ in Article 3 - what is already happening in various state constitutions in Germany. We state that the term "sexual identity" violates the human dignity, because it follows a certain ideology and philosophy under which the person should be forced. This contradicts the right to find oneself in one's identity in a process of autonomous self-presentation. Also it contradicts the principle, that Fundamental Rights are universal (see Menke C., Pollmann, A., *Philosophie der Menschenrechte*, Hamburg 2007). Whereas terms like „sexual identity“ are culturally particular. This term for example is based on the philosophy of constructivism, saying that every sexuality is a construct.
- We can see this also in the efforts of the German Lesbian and Gay Association to deny the right to psychotherapy for those who don't want to live out their homosexual feelings or even want to change their sexual orientation. Such targets are currently supported by the political Left in Germany, Bündnis 90/The Green Party and by parts of the SPD (the Social Democrats). They often refer to a controversial statement of the State Secretary Hermann Kues in 2008, who said: „The Federal Government does not have the view, that homosexuality requires therapy or is susceptible to any kind of therapy.“ With that he and the Federal Government deny the right of individuals, to suffer from their homosexuality, to seek therapeutic help, and they also deny the right of professionals, to offer help or to do research in this field of psychotherapy.
- This also has an effect on the freedom of research, as seen at the Congress of Psychiatry and Religion in Graz in Austria in 2007 and a similar scientific conference in Marburg in Germany in 2009. The pressure of gay and lesbian activists together with politicians especially of the Green Party succeeded in the cancellation of our workshop in Graz and in demonstrations with anti-religious slandering and property damage in

Marburg. One thousand policemen were needed to protect the participants of this scientific conference, while politicians of the Green Party like Volker Beck and Kai Klose published greetings for the demonstrators full of insult and slander. For example, we have been compared to persons denying the Holocaust. With that they justified, why they did not want to listen to the experiences and facts we wanted to share. What such politicians want and what they do threatens Fundamental Freedoms like the freedom of thought, conscious and religion (Article 18 Universal Declaration of Human Rights), the freedom of opinion and expression (Art. 19 UDHR) and the freedom of peaceful assembly and association (Art. 20 UDHR).

- We can see that also when politicians especially of the Green party alongside with gay activists demand, that the state has to deprive the charitable status of those organizations who are welcoming and helping those people who are looking for change in their sexual orientations - against the mainstream.
- At the same time, this also has an effect on the Freedom of Association in Germany: people are being slandered in public if they support an organization like wuestenstrom, the German Institute for Youth and society or the White Cross. We know of persons and organizations, who do not dare to invite us, to print statements that are neutral or even positive towards us as persons or organizations because they fear to be slandered publicly, not to be allowed to use public buildings for a conference for example, to lose the patronage of politicians or national ministries.

Recommendations to the OSCE/ODIHR, to:

- Be aware and raise awareness of the discriminations and hate or fear-based incidents that Christians who seek help with unwanted same-sex attraction, and those who offer help, are experiencing.
- Have a category in TANDIS that covers these cases specifically

Recommendations to OSCE/ODIHR and Participating States:

- Please do not promote efforts to implement culturally particular ideologies like the idea of an inherent „sexual identity“ in constitutions and laws. Subjectivity as part of the idea of human dignity must never be defined by any particular theory!

Freedom means to judge by oneself, what is right and what is wrong, and to live ones live according to that own understanding!

Thank you very much for your attention.
Stefan Schmidt
Speaker, wuestenstrom e.V.