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## Urgent complaint to the report of the Special Rapporteur on violence against women and against girls, its causes and consequences, Reem Alsalem (UNSRVAW) and request for amendment of the agenda for the 53rd session of the United Nations Human Rights Council (UNHCR).

We, the undersigned organizations from the fields of fathers, mothers, parents, grandparents, child protection, science and research, as well as the family professions that work with and support parents after separation and divorce, strongly oppose the report of the Special Rapporteur Reem Alsalem (UNSRVAW) submitted to the Human Rights Council and demand that the consideration of this report be removed from the current agenda and only dealt with at a later date after a careful examination of the report. The identified shortcomings of the UNSRVAW report are so serious that it should not be considered by the Human Rights Council until its reliability or unreliability has been carefully examined.

We expressly endorse the analysis<sup>1</sup> of the UNSRVAW report of 02.06.2023, which was decisively written by GARIPA and PASG and the internationally respected scientists united there, and we will supplement it with further, also national, perspectives. Therefore, we would like to preface the statement of PASG and GARIPA to the report of UNSRVAW:

*" The authors of this document (the "Analysis") carefully reviewed the Report and found many misleading statements, extensive misinformation, blatant errors, use of science denial techniques, and deliberate misrepresentations of the current state of peer-reviewed published research, scientific inquiry, and case law support for the family dynamic of parental alienation. These errors are so egregious that we believe they constitute a deliberate attempt to mislead mental health professionals, legal professionals, and policy makers, such as the Human Rights Council and other components of the United Nations.*

*The Report of the Special Rapporteur is unreliable and dangerous; the misinformation contained in this Report is likely to cause irreparable harm to children and families.*

*Therefore, after conducting our Analysis, we recommend that the Human Rights Council immediately withdraw the Report from publication and prohibit any component of the United Nations from relying on it."*

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<sup>1</sup> An Analysis of the Report by the Special Rapporteur on Violence against Women and Girls, Its Causes and Consequences to the United Nations Human Rights Council, GARIPA and PASG, 02.06.2023

It was further pointed out that the UNSRVAW report blatantly violates the United Nations Code of Conduct. How this could happen should be clarified in an independent, public investigation in order to protect the reputation and standing of the United Nations.

We continue to demand that the over 1,000 submissions sent to UNSRVAW be published in full, as promised in advance.

The Human Rights Council should address the issue of parental alienation in a neutral and scientific manner. It is an important issue that affects the protection of human and children's rights. Parental alienation is a serious form of psychological violence against the affected children and the alienated parent - whether this is the mother or the father.

### Signing persons and organizations

<p>Markus Witt Certified Mediator</p> 	<p>Annemie Wittgen Chairman of the Board</p> 
<p>Dr. Hans-Peter Dürr KiMiss Institute</p> 	<p>Ulf Hofes Chairman of the Board Dad mom too - Association for Separate Parenting</p> 
<p>Anton Pototschnig Certified Social Worker &amp; Family Coach</p> 	<p>Dr. phil. Dipl. Soz. Arb. Marc Serafin</p>  <p>Social scientist Lecturer at the Catholic University of Applied Sciences NRW</p>
<p>Stefan Dringenberg 1. chairman</p> 	<p>Karsten Rulofs, Marcus Gnau Federal Executive Board</p> 
<p>Anna Pelz Systemic therapist, sociologist (M.A.)</p> 	<p>Andre Rossnagel Board of Directors</p>  <p>Väter-Netzwerk e.V.</p>

## With regard to the UNSRVAW report, we make the following comments in addition to the comments made by GARIPA and PASG:

The UNSRVAW report states that there were about 1000 submissions to their call. However, no reference is made to voices that refer, for example, to the scientific evidence of parental alienation and its effects. This already results in an inadmissible reduction of the factual basis.

In addition to the comments mentioned in the analysis of GARIPA and PASG, which are available and have not been taken into account, we are also aware of the following comments from Germany:

- Hochstrittig.org from 04.12.2022
- Väteraufbruch für Kinder e.V. from 08.12.2022
- Papa Mama auch e.V. - Association for Separate Parenting from 18.11.2022
- Trennungsväter e.V. from 15.12.2022
- ISUV e.V. from 08.12.2022

In order to restore confidence in the impartiality of the UNSRVAW and the UNHCR Special Rapporteurs, the public must be given access to the documents submitted, as was promised in advance and as required by the principle of transparency enshrined in Article 8a. This also includes making transparent with which unnamed "experts" information meetings were held.

According to Article 8b, the reliability of the information provided would also have to be verified. In the present report, however, only anecdotal information was provided without any form of validation, e.g. on the basis of court records.

In our view, the UNSRVAW has also violated the requirements of its mandate and has entered into a "call for evidence" designed as a sham trial not with the necessary neutrality, but with a preconceived opinion. We also see a direct violation of its mandate in the UNSRVAW's denial of the necessary protection to female victims of parental alienation and contributing to the re-victimization of these women.

It should also be noted that the UNSRVAW in its report consistently mixes domestic violence and parental alienation in an inadmissible manner. These are entirely different forms of manifestation, which must be considered separately.

### On the situation in Germany

Insofar as it has also been claimed for Germany, with reference to an unknown statement by the Association of Single Mothers and Fathers (Verband Alleinerziehender Mütter und Väter, VAMV), that "*cases have been reported in which children have been taken away from their primary caregiver and forced to live with the parent of the perpetrator against whom they are resisting,*" it is unclear what cases are supposed to be involved here. For one thing, assuming this to be true, a few individual cases would not be evidence of a systematic problem, but merely of unfortunately occurring, individual bad decisions.

But even this is subject to considerable doubt. In Germany, single-parent organizations and activists in solidarity with them have been making such claims for years. So far, not a single case has actually been proven.

On the contrary, a recent scientific evaluation showed that the history of domestic violence is extensively taken into account in custody and contact law<sup>2</sup>.

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<sup>2</sup> Meysen, Thomas (2021) Kindschaftssachen und häusliche Gewalt - Umgang, elterliche Sorge, Kindeswohlgefährdung, Family Procedural Law; SOCLES International Centre for Socio-Legal Studies

It turned out in several cases brought forward that the allegation of violence made by the mother was apparently made for tactical reasons, as the mothers and their support environment seemed to expect advantages from this in the family court proceedings<sup>3 4</sup>.

Several cases were thus reported. However, when the facts were examined, these reports proved to be inaccurate and misrepresentations. In its report, the UNSRVAW also refers only to reported circumstances, but not to proven ones.

The vehemence with which these descriptions suddenly appeared from German single-parent organizations and were placed in the media was astonishing. These coincide exactly with the efforts of the UN Special Rapporteur Alsalem against parent-child alienation, who was appointed in July 2021, which once again suggests a coordinated, international approach.

Because since autumn 2021 by these single-parent organizations in Germany strengthened attempts to denigrate parental alienation by intensive lobby work and to achieve a one-sided, sex-referred consideration of a massively extended violence concept. For this as "proof" a study of the sociologist Dr. Wolfgang Hammer<sup>5</sup> published in self-publication was presented - in co-operation with three Single-Parenting organizations.

This alleged study, with which massive political and public sentiment is created, does not correspond to any scientific criteria, uses a selective choice of anecdotal reports exclusively from mothers and shows considerable logical, scientific and legal errors and contradictions. It also openly denounces and devalues organizations, experts and scientists as pedophiles, mentally ill, etc., who do not correspond to its own opinion. Joint custody is rejected, shared parenting is only considered sensible if the mother wants it, and parental alienation is presented as unscientific and long since disproved. In the meantime, Hammers' elaboration has been widely criticized.<sup>6 7 8</sup>

The analysis of Hammer's work could be summarized in terms of objective and orientation as follows:

*"The recognizable goal of Hammer and the single-parent associations allied with him is to influence political decisions in the sense that mothers alone have to decide about children, that they are allowed to act contrary to any state mandate to protect "their" children, and that maternal abuse of children (e.g. in the form of parental alienation) is made invisible. After several rulings by the BVerfG and the ECHR on human rights violations, the German legislature has continued to develop family law. Hammer is not afraid to call for a roll backwards."*

In addition, the organizations that attempt to deny parental alienation are themselves suspected of actively promoting or at least tolerating parental alienation.<sup>9</sup>

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<sup>3</sup> OLG Braunschweig, decision of 22.07.2022, 1 UF 180/20,

<https://dejure.org/dienste/vernetzung/rechtsprechung?Gericht=OLG%20Braunschweig&Datum=22.07.2022&AktENZEICHEN=1%20UF%20180%2F20>

in addition fact check of hochstrittig.org in the associated case of the mother Maria B. and the assertions of the activist and self-proclaimed child protection expert Sonja Howard <https://hochstrittig.org/der-fall-maria-b/>

<sup>4</sup> OLG Celle, order dated July 14, 2021, 10 UF 245/20, <https://voris.wolterskluwer-online.de/browse/document/3215d85a-e1d4-4f85-8f11-20875386344c>

<sup>5</sup> Dr. Wolfgang Hammer, Family Law in Germany, 2022, <https://www.familienrecht-in-deutschland.de/>

<sup>6</sup> The highly controversial Hammer study - an initial assessment, <https://hochstrittig.org/das-hochstrittige-hammer-werk/>

<sup>7</sup> Väteraufbruch für Kinder e.V., Analysis of the "Study" on Family Law in Germany, [https://vaeteraufbruch.de/fileadmin/user\\_upload/VAfK-StellungnahmeHammer\\_web\\_.pdf](https://vaeteraufbruch.de/fileadmin/user_upload/VAfK-StellungnahmeHammer_web_.pdf)

<sup>8</sup> Der Spiegel, Stigmatized Mothers, Discredited Fathers, <https://www.spiegel.de/familie/familienrecht-bei-trennung-und-scheidung-was-es-mit-der-hammer-studie-auf-sich-hat-a-e1960902-e377-4596-a93f-c27ea964c611>

<sup>9</sup> Thus, at VAMV events, tips and instructions were given on how to "remove" the father from the child's life as efficiently as possible, even without his own misconduct (<https://www.youtube.com/watch?v=EfgvPCHTZmg>). The former chairwoman of the VAMV stated in a newspaper interview that if the child developed a longing for his father, then the child should be told that the father had died ([http://www.tinaklopp.de/listen/brigitte\\_Dossier.pdf](http://www.tinaklopp.de/listen/brigitte_Dossier.pdf)).

In the meantime, the VAMV openly goes about scandalizing every use of the term parental alienation in political talks and events and wants to ban it.<sup>10</sup> Other single-parent organizations pursue this publicly likewise.

Linguistically, mothers who are alienated from their children are now referred to by these organizations as victims of gender-based violence. Parental alienation from fathers does not exist in these portrayals, and there is a massive effort to show that parental alienation is merely an instrument to bring children to pedophile fathers.

The UNSRVAW report also states that some reports, apparently also from Germany, would indicate that custody and access orders were also enforced by the police "*where the child clearly did not want this*".

We now have knowledge of several cases in which such cases were actively provoked by the mothers and their support environment. The extraction of the children announced in the apron were filmed with before perfectly aligned camera positions and the children by these posed situations massively loaded. Since then, intensive lobbying has been carried out with this television report<sup>11</sup>.

In another case, the police were deliberately ambushed. The mother had been illegally in hiding with the child for many months and withheld the child's school attendance as well as contact with the sibling, the father and all friends. In doing so, she violated clear court orders for the protection of the child. She then pretended to the police that she was ready to hand over the child to the police officers.

Once on site, the child was then shielded by the mother and her field of supporters. Camera teams were on the scene. Evidence of alleged police violence was obviously to be created, which did not succeed. The incidents were documented in detail by the police and the court<sup>12</sup>. The behavior of the mother and her supporters placed a massive burden on the child, who also had to live in illegality for almost 1 ½ years. On the part of the court, the mother's supporter environment was described as "sectarian" and also consisted of the aforementioned single-parent organizations.

## Conclusion

The developments shown in Germany, which largely coincide with other countries, show that the denial of parental alienation, as is also attempted with the UNSRVAW report, contrary to scientifically validated facts, is primarily intended to serve the purpose of making post-separation violence against children and alienated parents, whether mothers or fathers, invisible. However, this is contrary to the objectives of the United Nations and should be prevented by all available means.

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<sup>10</sup> So happened among other things on the 1. family right conference of the FDP parliamentary group in the German Bundestag on 13.03.2023

<sup>11</sup> This is what happened by the activist Carola Wilcke at the hearing in the Saxony-Anhalt state parliament on 19.10.2022 on the "Hammer study" on the case of Corinna A. from Wismar

<sup>12</sup> OLG Celle, order dated July 14, 2021, 10 UF 245/20, <https://voris.wolterskluwer-online.de/browse/document/3215d85a-e1d4-4f85-8f11-20875386344c>