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A REPORT FROM THE
GLOBAL PROJECT AGAINST HATE AND EXTREMISM

From America with Hate

THE ALLIANCE DEFENDING FREEDOM'S
ROLE IN ADVANCING ANTI-LGBTQ+ AND
ANTI-WOMAN AGENDAS IN EASTERN EUROPE

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CONTENT WARNING: This report contains offensive and potentially triggering language, specifically in reference to anti-LGBTQ+ hate and disinformation spread by organizations and people covered in this report. The authors chose to include offensive quotes in the report to illustrate the bigotry and hate disseminated by ADF and ADFI representatives and to show why these groups must not hold positions of influence in front of state and international bodies.

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November 2021

EXECUTIVE SUMMARY

For nearly the last decade, the Alliance Defending Freedom International (ADFI) has been quietly fostering a transnational, rights-violating movement, including allying with groups that argue, as many white supremacists do, that declining birth rates among white Europeans and growing immigrant populations are a demographic threat to Western societies.

ADFI, the international wing of the American Christian legal powerhouse Alliance Defending Freedom (ADF), sits at the heart of a powerful international network committed to rolling back the rights of women, LGBTQ+ people, and others under the banners of “protecting the family” and “religious liberty.”

The crux of this is that ADF, under the name of ADFI, is exporting across the globe the strategies and tactics that it has successfully employed for years in the United States to roll back civil and human rights. Launched in 1994 by 35 Christian Right leaders, ADF has worked for decades to undermine the rights of women and the LGBTQ+ community. It has pushed to eliminate access to contraception and abortion, advocated for the criminalization of sexual acts among consenting LGBTQ+ adults in the U.S. and abroad, pushed conspiracies about a “homosexual agenda” destroying societies, falsely argued that LGBTQ+ people are more likely to be pedophiles, worked to deny rights to transgender people, developed model legislation to allow the denial of goods and services to LGBTQ+ people under the guise of “religious freedom,” and lobbied for the appointment of judges to uphold its agenda. Its CEO, Michael P. Farris, an ally of former President Trump, was also instrumental in crafting an effort to overturn the American 2020 presidential election (see more page 14).¹

Due to its statements and activities, ADF has been listed as an anti-LGBTQ+ hate group by the Southern Poverty Law Center since 2017.² The group has also been known to work with other organizations with bigoted agendas, whether anti-immigrant, anti-Muslim or anti-LGBTQ+.

Excellent reporting by *openDemocracy* and the European Parliamentary Forum on Population and

Development, among others, has exposed ADFI's activities. But because of its behind-the-scenes approach, ADFI and the allies it has cultivated and strengthened often escape appropriate scrutiny even as their work continues to harm people around the world.

ADF has powerful allies in the United States, including former Vice President Mike Pence and former Attorney

General Jeff Sessions, among many others.³ During the Trump administration, ADF was a key player in the effort to attack and remove protections for LGBTQ+ people and to restrict reproductive freedom. It has also built similar powerful alliances with far-right actors in other parts of the world.

By exporting tactics and strategies honed and perfected over decades by evangelical leaders and litigators in the United States and

by collaborating with far-right political movements, both American and European, ADFI has quietly engineered an attack on equal rights for women and LGBTQ+ people that has found success in parts of Eastern Europe, among others. The evidence shows ADFI's negative impact on the rights of Eastern Europeans and reveals how it is powered from the U.S.

ADFI is a poisonous American export. It has helped empower far-right political parties like Law & Justice, or PiS, in Poland and Viktor Orbán's Fidesz in Hungary, whose autocratic encroachments are sanctioned by American hard-right evangelicals. In Poland, it has supported an ultra-religious legal group that rubs shoulders with nationalistic political elements known to have regularly attended the annual Independence Day March, a hotbed of white supremacist activism.⁴ Revealing the extent of its influence, ADFI is listed as a foreign NGO “supportive of human rights” on the Polish Ministry of Justice's website.⁵

ADFI'S AGENDA IS A THREAT TO HUMAN RIGHTS AND INCLUSIVE SOCIETIES. IT IS NOT A GROUP THAT SHOULD CARRY TRUSTED STATUS AT THE UN, THE EU, OR ANY OTHER BODY DEVOTED TO FOSTERING DEMOCRACIES AND PROTECTING ALL MEMBERS OF SOCIETY.

In other parts of Europe, ADFI has been less successful. But one of its enduring strengths is its understanding and willingness to play a long game, as it has in the U.S., and will continue to push its agenda fulsomely. After all, ADF has tried for decades to overturn *Roe v. Wade*, and now, a case before the American Supreme Court may lead to the elimination of abortion rights in the U.S.

ADFI, using the blueprint from its U.S. parent organization, employs five basic strategies:

- Collaborating and networking with far-right, religion-affiliated groups to advocate for policies that disproportionately harm the rights of women and LGBTQ+ people under the false banner of protecting the family or religious freedom. When beneficial, ADFI is seemingly even willing to work with groups espousing racist views.⁶

- Engaging in what it calls a “march through international institutions” by obtaining official status in bodies such as the UN and European Union and devoting considerable resources to those relationships. ADFI’s transnational network has been most successful when working behind the scenes to fashion legislation, share strategies, and push its agenda.

- Employing a legal tool often used by ADF in the U.S., ADFI files amici briefs at both a national level (such as in Romania and Poland) and a transnational level (such as at the European Court of Human Rights) to insert itself into legal battles on social issues throughout Europe, growing its reputation as a respected player in European legal affairs.

- Playing the long game. Exporting to other countries

the tactics and strategies it has sharpened in the U.S. over many decades to roll back abortion rights and institute anti-LGBTQ+ legislation, ADFI is not deterred by failure. It plays a long game, continuing to push its agenda regardless of short-term outcome.

- Financing its activities by channeling funds raised by ADF from its U.S. donor base to support rights-violating advocacy and policies in Europe.

Using the above strategies and funding mechanisms, ADFI works steadily to turn back the rights of women and LGBTQ+ people. This report will show how, behind ADFI’s pro-family facade, it advocates beliefs that are in line with the rights-violating agenda that drives far-right evangelical groups in the United States. Just as ADF and those groups seek to litigate away people’s rights, as seen most recently with the passage of the restrictive Texas abortion law, so does ADFI in Europe. In doing so, it not only provides support to populist, far-right political forces, but also makes life harder, often dangerous, for women and LGBTQ+ populations in the region. This rollback of rights has resulted in women being forced to move abroad,⁷ LGBTQ+ people experiencing an increase in mental health issues,⁸ being run out of their communities,⁹ and activists being targeted by law enforcement and receiving bomb and death threats.¹⁰

ADFI’s agenda is a threat to human rights and inclusive societies. It is not a group that should carry trusted status at the UN, the EU, or any other body devoted to fostering democracies and protecting all members of society.

Recommendations

- As Petra Bayr, chair of the equality committee of the Parliamentary Assembly of the Council of Europe in 2021, said, international bodies should “put in place strict mechanisms on accreditation and screening before allowing them access to influence the democratic processes.”¹¹

- All international bodies should review ADFI’s status and consider its true agenda and how that agenda comports with the values of the bodies.

INTRODUCTION

In 2016, women in Poland celebrated.

After tens of thousands of protesters filled the streets of Warsaw, Gdańsk, and other major Polish cities, the governing Law and Justice Party (PiS) was forced into a humiliating retreat on a bill that would have effectively outlawed abortion. Jarosław Gowin, then-Minister of Science and Education, said the protests had “caused us to think and taught us humility.”¹²

But neither the victory nor the humility would last.

In 2020, the Polish Constitutional Court, which had been stacked with judges¹³ loyal to the far-right, populist PiS (Law and Justice) party, ruled that a law authorizing the abortion of malformed fetuses was unconstitutional, effectively creating a blanket ban on abortion in the European Union member state.

The ban didn't just happen with domestic support though. Instead, it was a culmination of an effort supported by powerful and wealthy international actors who aim to advance a reactionary social agenda in Poland, and across Eastern Europe, at the expense of women and LGBTQ+ people. Taking a page out of their American activism, ADFI and their allies helped upend Polish abortion rights through the court system. Some wrote court briefs¹⁴ in support of the decision, while the ADFI worked closely with Polish hard-right groups who drove the advocacy and thinking around the case.¹⁵

“They didn't succeed in Parliament in 2016 so they went through the courts. Despite some of the biggest protest mobilizations in Poland's history they still passed it through,” said Klementyna Suchanow, a Polish writer and activist who has been on the frontlines in the fight for reproductive freedom. “It shows the power behind them (the pro-abortion advocates). You didn't hear about them and suddenly they started showing up in this project.”

This persistence is emblematic of both ADF and ADFI's strategic approaches. In the United States, ADF has waged a decades-long effort to overturn *Roe v. Wade*, which made abortion legal in 1973. The American Supreme



Thousands of people in Budapest, Hungary on July 6, 2019 celebrating LGBTQ+ pride and demanding equality.

Court will shortly hear a pivotal case, *Dobbs v. Jackson Women's Health Organization*, that could undo *Roe*. The impetus for the law was ADF, which advanced the language that Mississippi put into its anti-abortion law.¹⁶ Jonathan Mitchell, the author of the widely denounced 2021 Texas anti-abortion law that essentially provides bounties to individuals who sue people who helped someone obtain an abortion, is also an

ADF ally. He was paid nearly \$40,000 by ADF for services listed as “religious freedom.”¹⁷

Banning abortion is just one part of the rights-violating agenda that ADFI has been quietly exporting to other countries since it was established in 2010.¹⁸ The group claims on its website 24 wins at the European Court of Human Rights and 1,400 wins overall internationally, on a spectrum of issues. It has a large footprint overseas, with seven global offices and work in 99 countries.¹⁹ And it sits at the heart of a reactionary network that spans continents, including connections with an ultra-Catholic Latin American sect, European aristocrats, and Kremlin-friendly Russian oligarchs. Crucially, however, a significant part of this network is financed and supported by wealthy, well-connected, and politically sophisticated evangelical groups originating from the United States. As Dutch political scientist Cas Mudde has written, “the U.S. Christian right has long been a global player.”²⁰ Together, they have deeply harmed the lives of women and LGBTQ+ people across the globe.

Requests for comments from ADF and ADFI went unanswered.

Alliance Defending Freedom: Origins and History

Alliance Defending Freedom (ADF), initially named the Alliance Defense Fund, was launched by 35 American Christian Right leaders in 1994, a group that included Focus on the Family's James Dobson and longtime ADF president and anti-LGBTQ+ activist Alan Sears. Its aim was to use litigation to advance a social conservative agenda, with a mission statement that says it "exists to keep the doors open for the Gospel by advocating for religious liberty, the sanctity of human life, freedom of speech, and marriage and family."²¹ The group quickly established its credentials in the Supreme Court case *Rosenberger v. Rector and Visitors of the University of Virginia*, which ruled in 1995 that the university had discriminated against a student by refusing to provide him money to establish a Christian campus publication.²²

Soon after, ADF founded its Legal Academy and its Blackstone Legal Fellowship, which provided a strategic framework that ADF used to train Christian attorneys in their interpretation of constitutional law, so as to better advance evangelical policy agendas. In 2014, the Blackstone website noted that part of its core curriculum included a reading list that appears medieval inspired. "Rather, Alliance Defending Freedom seeks to recover the robust Christendomic theology of the 3rd, 4th, and 5th centuries," which, the statement continued, "is catholic, universal orthodoxy and is desperately crucial for cultural renewal."²³ The Blackstone Legal Fellowship in particular has provided significant returns for the organization. Advertised as "unique and influential," the summer program, aims to inspire a "distinctly



Michael P. Farris heads Alliance Defending Freedom and Alliance Defending Freedom International

"THE HISTORY OF THIS COUNTRY REFLECTS A DEEP CONVICTION THAT SODOMY IS CRIMINALLY PUNISHABLE CONDUCT AND NOT A CONSTITUTIONALLY PROTECTED ACTIVITY"

— MICHAEL P. FARRIS, CURRENT DIRECTOR OF ADFI, SUPREME COURT BRIEF, 2003*

Christian worldview in every area of law"²⁴ and teach students "how God can use them as judges, law professors and practicing attorneys to help keep the door open for the spread of the Gospel in America."²⁵ Alumni include current Supreme Court Justice Amy Coney Barrett and Senator Josh Hawley (R-MO).

Since 2000, ADF's influence has only risen, and the organization has been involved in 33 Supreme Court cases, with three more pending.²⁶ In 2017, the group scored perhaps its biggest victory with the high court's decision on *Masterpiece Cakeshop v. Colorado Civil Rights*, which gave a bakery the right to refuse to sell products to a gay couple. The group has also attempted to criminalize consensual gay sex, filing an anti-gay amicus brief in the 2003 Supreme Court Case



Supporters of LGBTQ+ equality outside the United States Supreme Court on Dec. 5, 2017, the morning of oral arguments in the *Masterpiece Cakeshop v. Colorado Civil Rights Commission*.

Lawrence v. Texas, arguing that there was a public health interest in banning same sex couples from engaging in “risky” sexual behavior. One of the co-authors of that brief was ADF’s current CEO, Michael P. Farris.²⁷

In 2017, despite initial reticence, Farris backed former President Donald Trump and again in 2020, claiming that Biden’s victory would result in a “sexual anarchy agenda” and that while Trump was “far from perfect,” his judicial appointments justified the decision.²⁸ Farris is deeply enmeshed in conservative, anti-choice circles. He has previously worked with both Jerry Falwell’s Moral Majority and Phyllis Schlafly during her fight to stop the Equal Rights Amendment. He is a personal friend of former Vice President Mike Pence and has maintained contact with a number of important figures in conservative circles, including Tony Perkins, head of another SPLC-designated hate group, the Family Research Council, conservative Senator Mike Lee (R-UT),²⁹ and Texas Attorney General Ken Paxton with whom Farris collaborated in the wake of the 2020 election in an effort to get Republican states to overturn the election of Joe Biden.³⁰

ADF now has a budget exceeding \$50 million and a staff of more than 250³¹ and is self-described as “The world’s largest legal organization committed to protecting religious freedom, free speech, marriage and family, parental rights, and the sanctity of life.”³²

Alliance Defending Freedom International

The domestic success of ADF allowed it to expand internationally. According to *Tip of the Iceberg*, a June 2021 report from European Parliamentary Forum (EPF) for Sexual and Reproductive Rights, ADFI's expansion, "Build[s] on the U.S. Christian Right's experience of attempting to provoke a desired change through the courts or other quasi-adjudicatory mechanisms."³³ In other words, ADF is employing its tactics and strategies honed in the U.S. to press an anti-abortion and anti-LGBTQ+ agenda abroad. It has also said that it views this work as protecting the U.S. from progressive developments in other countries, particularly in Europe.³⁴

Around 2010, ADF began its expansion overseas. That year, the group received consultative status at the United Nation's Economic and Social Council (ECOSOC), allowing them to lobby at the United Nations and its various subsidiaries.³⁵ At the same time, it launched its Global Initiative, which was described as an "international fight for religious liberty for Christians and establishing a larger ADF footprint to accomplish this mission." In 2012 and 2013, it participated in anti-LGBTQ+ events in Jamaica³⁶ and provided support to anti-LGBTQ+ politicians in Belize.³⁷ In the latter, ADF worked to defend a draconian Belizean statute that declared that "carnal intercourse against the order of nature" could be punishable by up to ten years in prison. In Jamaica, a country where violence and discrimination against LGBTQ+ people are rife,³⁸ ADF was part of a conference reaffirming a reactionary vision of marriage as "God's Law."

In 2010, ADF was accepted into the EU Transparency Register, which allows the organization to influence policies of EU institutions. Since being granted this status, ADF has, according to its website, "provided numerous expert opinions and keynote addresses to European Parliament committees and inter-groups."³⁹ It is also officially accredited by the Organization of American States, the Organization for Security and Co-operation in Europe (OSCE), and the EU Fundamental Rights Agency.⁴⁰

But it was the growth of ADFI's European offices – first seen with the establishment of the Vienna office in 2012 – that cemented ADFI as an important actor in the international pushback against equality and human rights efforts.

Since its initial establishment in Europe, ADFI has

opened offices in Strasbourg (where the European Court of Human Rights, the European Parliament, for half of the year, and the Council of Europe are based), London and Brussels (where the European Union is based, and the European Parliament meets half the time) and Geneva (where UN offices are based). These locations enable ADFI to effectively lobby as well as connect with like-minded institutions, chief amongst which is the European Center for Law and Justice (ECLJ), but also includes other evangelical American groups like the Acton Institute and Family Watch International (FWI).

In the decade that ADFI has been active in Europe, it has significantly increased its footprint and influence. Its website boasts 24 wins at the European Court of Human Rights (ECHR) and a network of 3,400 allied lawyers, a similar structure to that seen in the U.S.-based ADF.⁴¹ Similarly, just as ADF emphasizes legal training for young Christian lawyers through programs such as the Blackstone Fellowship, ADFI has the Veritas Scholarship, a year-long opportunity for recent graduates to "apply existing God-given skills and gifts" and "conduct legal and political research."⁴²

"[ADFI] are at the center of the anti-Sexual & Reproductive Rights Landscape," Neil Datta, secretary of the European Parliamentary Forum for Sexual and Reproductive Rights and author of the *Tip of the Iceberg* report, explained in an interview. "They have the convening role and niche expertise of great value of lawfare and litigation. Their legal expertise would probably be the most extensive among those who already have them... their name means something in the [anti-Sexual and Reproductive Rights, or anti-SRR] community"

ADFI's Rights-Violating Agenda

ADFI presents itself as a down-home Christian organization that stands up for worshipers and the family in the face of state regulations that threaten “religious liberty.” But it has shown itself to be incredibly adept at working behind the scenes – both in Europe and further afield – helping to coordinate the growth of an international social conservative movement focused on restricting the rights of LGBTQ+ people, reinstating restrictive gender roles, and pushing for abortion bans.

These aims have repeatedly overlapped with those of far-right populist parties in Europe – not only Poland's PiS and Hungary's Fidesz but also the xenophobic Vox⁴³ in Spain, the anti-Muslim Front National⁴⁴ in France, and the anti-immigrant and anti-Muslim Alternative für Deutschland in Germany,⁴⁵ to name but a few. While the aims of the parties are diverse, there is overlap among them, not only in their desire to pursue reactionary social agendas harming women and LGBTQ+ people, but also in their suspicion of supranational institutions like the European Court of Human Rights (ECHR).

Many of the positions advocated by ADFI and its allies are familiar religious objections to issues such as abortion, marriage equality and other equal rights for LGBTQ+ people. It's extremely important to note, however, that there is also significant overlap between some of the rhetoric ADFI and its allied networks espouse and that which is found among far-right extremists and anti-immigrant and anti-Muslim activists, including the “Great Replacement” conspiracy theory.

One of ADFI's particularly radical allies is Agenda Europe, conceived of at a 2013 retreat that brought together Americans and Europeans to “network and discuss two main issues: developing a Christian-inspired European think tank, and developing strategies for the pro-life movement in Europe.”⁴⁶ In the group's leaked manifesto, *Restoring the Natural Order*, the authors lament the fall of birthrates in Europe, noting that, “The

increasingly frequent breaking up of marriages... has dire consequences for society: there is a correlation between the instability of relationships and declining birth rates.”⁴⁷ This is a similar argument to the white nationalist “Great Replacement” conspiracy theory, that claims

white Europeans are being “replaced” intentionally by non-white mass immigration and those with increasingly secular, progressive values. This idea has served as the motivation for terrorist attacks perpetrated by white supremacists against immigrants, Muslims, and Jews.⁴⁸

Other common white nationalist tropes seen in *Restoring the Natural Order* are claims that: Islam is, at least in part, an inherently violent religion and it is not irrational “to oppose the idea of Muslim mass immigration;”⁴⁹ feminism “has established itself as a new secular ideology of world-

wide outreach...Feminism is in fact Marxism in new clothing;”⁵⁰ an ill-defined “Western Civilization” is in perilous decline; and that socialism/social welfare states are slowly corrupting the familial unit.

“IT IS HIGH TIME FOR WESTERN SOCIETY TO UNDERSTAND THAT FEMINISM IS A HIGHLY DESTRUCTIVE IDEOLOGY THAT WILL UNDERMINE AND DESTROY ANY SOCIETY THAT COMMITS THE ERROR OF EMBRACING IT.”

“RESTORING THE NATURAL ORDER: AN AGENDA FOR EUROPE,” *AGENDA EUROPE*, 2013, PG. 14

ADFI IS A NODE IN A FAR-RIGHT NETWORK BETWEEN THE U.S. AND EUROPE

Supporting the reactionary social policies advocated for by ADFI and its allies brings certain advantages for far-right political parties like Fidesz or PiS. Domestically, it enables the ruling party to distract from important issues like the economy, corruption, autocratic encroachment,

and inequality. In Hungary for instance, recent polling shows that anxieties over the economy and the ongoing COVID pandemic dominate Hungarians' concerns across party lines.⁵¹

Fidesz is facing a parliamentary election in 2022 and a string of recent scandals⁵² including a Member of European Parliament (MEP) being forced to step down after being allegedly discovered at a "gay sex party" in Brussels.⁵³ In response, Orbán is attempting to reorganize his support by focusing his attention on a referendum to support a so-called Child Protection Law that bans "the promotion of LGBTQ+ issues" from schools in Hungary.⁵⁴

In the international sphere, these issues present the possibility of crafting alliances between well-funded conservative groups who see an opportunity to prevent any movement toward women's rights and LGBTQ+ equality in places like Eastern Europe. According to Remi Balek, a researcher at the European Parliamentary Forum (EPF), this is a particularly resonant agenda due to the post-communist histories of both Poland and Hungary.

"Years of communism massively weakened social trust in Eastern Europe... left parties and their ideas were for a long time (and still are) associated with the former regime, so it's very difficult for the political leaders from the left side to create any stable and popular formation," Balek explained. "That makes the political scene in these countries extremely imbalanced [towards the right]."

U.S. conservative media attention to Eastern Europe, and particularly Hungary, reflects a growing interconnectivity between the far right there and in the U.S. Fox News' Tucker Carlson for instance, who has repeatedly aired complimentary segments on Viktor Orbán⁵⁵ (as well as advocated for the "Great Replacement" conspiracy theory),⁵⁶ visited Budapest in August 2021, where he interviewed Orbán⁵⁷ and was also a speaker at the Mathias Corvinus Collegium Fest, an inaugural event celebrating the Mathias Corvinus Collegium, a new residential college that has been financed to the tune of over \$1.7 billion by Orbán's government.⁵⁸

In September 2021, former Vice President Mike Pence

was in Hungary speaking at the Budapest Demographic Summit, where he praised Hungary's lowered abortion rates and expressed hope that America's Supreme Court would soon turn the tide against abortion, likely referring to ADF's Mississippi case. The Summit typically focuses on decrying illegal immigration and advocating for families, specifically white European families, to have more children.⁵⁹ A major far-right American event, CPAC or the Conservative Political Action Conference, at which ADF leaders have spoken repeatedly in the past, will be held in Hungary in March 2022.⁶⁰

The result of all this is an increasingly interconnected, transnational religious far-right in which ADFI acts as an important node between the U.S. and Europe. By collaborating with hardline groups on the ground in Eastern Europe, while also being able to count on the support from powerful conservative figures in the United States, ADFI helps drive a united campaign pushing for reactionary far-right causes. As a result, women and LGBTQ+ people are being robbed of their rights.

While Poland provides an example of what can happen when ADFI and its far-right allies are successful, its failed campaign in Romania provides additional insight into how the group operates on the ground.

In 2018, ADFI believed that the generalized definitions of marriage under the Romanian Constitution could potentially be used to expand the definition to

include LGBTQ+ couples. Consequently, it campaigned for a referendum to limit its definition to between a man and a woman. In attempting to advance this referendum, ADFI partnered with hardline religious groups in the country. Specifically, it worked with the Coalition for Family (CfF), which has ties to Romanian white nationalist elements and also Russian ultranationalists.⁶¹ ADFI and CfF also collaborated with Zeljka Markic,⁶² an anti-abortion campaigner who successfully led a previous anti-LGBTQ+ campaign to limit marital definitions in her native Croatia in 2013.⁶³ So it seems that ADFI, like ADF, is more than happy to ingratiate itself not only with questionable allies, but individuals who can help achieve their ends of creating a broader anti-rights network.

**"[YOUNG PEOPLE] TODAY
FACE A CULTURAL SITUATION
WE'VE NEVER SEEN BEFORE
– THE DISAPPEARANCE OF
CHRISTIANITY... AND ITS
REPLACEMENT WITH AN
ORPHANED CULTURE FREE
OF GOD... WHICH 'LIBERATES'
A MAN FROM ALL HIS LIMITS
(INCLUDING CARNAL) TO
PRODUCE SOLITARY, ISOLATED
AND NATIONLESS INDIVIDUALS"**

— SOPHIA KUBY, DIRECTOR OF STRATEGY AND OUTREACH, ADFI, AUGUST 2020 INTERVIEW*

* "Why Arete? Interview with Sophia Kuby," Comunidad y Justicia, August 11, 2020

ADFI STRATEGIES

The fact that the Polish abortion ban came into law through the courts underscores how important legal influences (whether immediate or long-term) can be for organizations working to roll back women's and LGBTQ+ rights. Defeated in the political sphere, anti-abortion advocates nonetheless found a way to pass their law by relying on the courts and judges sympathetic to their cause. This is not only emphasized in ADFI's strategies, but also in who they choose to work with.

The clearest ADFI legal strategy is to support attorneys financially and otherwise (who work directly for or are affiliated with ADFI) when they take up cases that either have a religious aspect to them or can set a precedent for a religious-based challenge to a law, and thus have worrying broader implications for reproductive freedom and LGBTQ+ equality. In Norway for instance, the group supported allies in helping to ensure that a doctor could avoid providing birth control to a 16-year-old girl.⁶⁴ In a case eerily reminiscent of *Masterpiece Cakeshop* in the U.S., ADFI prepared legal briefings for a Northern Ireland baker who in 2018 refused to decorate a cake with messages supporting marriage equality.⁶⁵

When it comes to broader, more complex national-level cases, direct intervention is a less salient tactic for ADFI. But these complex cases also offer ADFI the ability to ingratiate itself as a "repeat player" when it comes to social issues and thus, slowly, gain respect and reputation.

As another strategy, they frequently file amicus curiae briefs.

Defined as a way for outside observers who are not a direct litigating party to offer their opinion, expertise or advice, amicus curiae briefs have become a favored tactic by NGO groups seeking to influence national and supranational legal decisions. Crucially, in Europe, they have been increasingly adopted by conservative groups. In a 2013 article for the *Netherlands Quarterly of Human Rights*, Laura Van den Eynde notes that, while there has been a general increase in the number of NGO interventions via amicus curiae briefs in the ECHR since 1983, the parties responsible for the most recent upswing have been conservative organizations such as the ECLJ and



Sophia Kuby is a key ADFI staffer in Europe.

ADFI.⁶⁶

"This phenomenon has been observed before in the U.S. Supreme Court already for three decades" Van den Eynde notes.⁶⁷ "Since then, conservative and libertarian legal advocacy groups [in Europe] have multiplied and gained currency."

The use of amicus curiae briefs was visible during the debate over Poland's abortion law. According to a report by *openDemocracy*,⁶⁸ ADFI and ECLJ submitted at least seven amicus curiae briefs to various European bodies in support of Poland's abortion ban. Many of ADFI's briefs are not on their website or available elsewhere publicly, a brief submitted by the ECLJ in January 2020 argues⁶⁹ that abortion is a form of eugen-

ics and that it violates the inherent "dignity" of human life.

Datta explained how the victories that ADF had previously had in the U.S. has inspired it to take those strategies abroad – although he noted that the difference in the legal systems makes it harder for ADFI to replicate those victories exactly. "ADF has a long history in the U.S. of engaging in lawfare and litigation and they have had success – either directly or indirectly," Datta said. "They use these arguments that were successful in the U.S. and then they've repackaged them in the European context."

"ADFI's really only been a major player in the EU since 2013/14, so they're still at the beginning [of their influencing attempts]," Datta continued. "In this strategy of trying to test out U.S. legal arguments in the European context, they're also now discovering the differences between the two."

For a group that puts such an emphasis on "freedom," there is a deep hypocrisy for ADFI to attempt to fundamentally change the legal structure from outside leaving millions of citizens with fewer freedoms than they had before. "It's like an invasion," Polish journalist and activist Klementyna Suchanow said. "Catholicism here is rather flexible, religion is one thing but living your life is a different issue... it's part of the culture, it's not vividly lived. Seeing such people come here with such ideas, it's totally crazy."

Key Players

Michael P. Farris – The current CEO of Alliance Defending Freedom, of which ADFI is a program, [Michael Farris](#) has spent decades involved in evangelical causes. He previously worked with both Jerry Falwell and Phyllis Schlafly, and he founded the Home School Legal Defense Association in 1983. He has brought cases, many of which are anti-LGBTQ+ or anti-abortion, before the Supreme Court, 8 Federal Circuit Court of Appeals, and Appellate Courts in 13 states.

Paul Coleman – [Paul Coleman](#) is the Executive Director of ADFI and previous recipient of the Blackstone Legal Fellowship. He has been involved in more than 20 European Court on Human Rights cases, and has authored a book, *Censored*, which addresses “the rise of so-called ‘hate speech’ laws throughout Europe and their devastating effect on freedom of speech.” He’s also a regular guest on [Tony Perkins’](#) (President of the anti-LGBTQ+ Family Research Council) Washington Watch Podcast.

Sophia Kuby – The daughter of prominent anti-gender activist [Gabriele Kuby](#) (who has said there is no “innate same sex attraction”), [Sophia Kuby](#) has worked for ADFI for more than half a decade. Previously she oversaw European Union Advocacy, but since 2018 she has been overseeing “the organization’s training programs and alliance relations internationally.” Prior to joining ADFI she worked for [European Dignity Watch](#), an organization that provides “policy analysis and research on issues of anti-discrimination legislation and bio-ethical topics such as abortion.”

Adina Portaru – ADFI’s senior counsel in Europe, [Adina Portaru](#) focuses on work in Brussels where, according to her biography, she focuses on “advocacy at the international institutions in Europe.” In 2016, she also filed a brief to the Romanian government [advocating for the referendum on marriage](#) (which would affirm that marriage is between a man and a woman) to proceed forward.

ADFI Is Linked to Far-right European Groups

Ordo Iuris

Despite being less than a decade old, the Ordo Iuris Institute for Legal Culture (OI) has rapidly developed into a critical node in Eastern Europe for far-right conservatism and become an incredibly powerful player in Polish politics. The Catholic legal group was founded in 2013 as an offshoot of the ultra-Catholic Brazilian Tradition, Family & Property (TFP) Network. With only around 40 lawyers on staff, the organization wields an outsized influence both on debates on social issues within Poland and on the governing Law & Justice Party. Poland's abortion law for instance, which bans all abortion except in the cases of rape, incest, or when the mother's life is in danger, was drafted with the help of OI.⁷⁰ In 2020, the group also filed a constitutional amendment, aiming to restrict sex education for teenagers, under the name "Stop Pedophilia," which falsely claimed that the LGBTQ+ lobby was attempting to teach toddlers and preschoolers about sexual consent and orgasms.⁷¹ In 2021, the group inaugurated the Collegium Intermarium, a university based in Warsaw aiming to foster "Christian and classical traditions."⁷² In January 2021, the group also hosted a video conference with Valerie Huber, a former Trump appointee in the Department of Health and Human Services, to talk about the Trump administration's efforts to "preserve life."⁷³

"Ordo Iuris is the most influential lobby that you could think of that has been operational for a rather short period," Polish political scientist Rafal Pankowski explained. "It's quite unheard of in some ways, we've never seen anything like this; a relatively new organization gaining influence in a relatively short period of time."

OI has deep ties to PiS. As Polish media outlet OKO has reported,⁷⁴ a number of former OI members have entered prominent positions within the Polish

government. These include Aleksander Stępkowski, the former President of OI who was appointed to the Polish Supreme Court in 2019. Another former OI associate, Krzysztof Wiak, was also appointed to the Supreme Court in 2018.⁷⁵ OI for its part has been extremely supportive⁷⁶ of PiS' judicial reforms to the Supreme Court, which have been criticized for violating judicial independence⁷⁷ and the separation of powers.⁷⁸ OI also has former members on the Polish Council of the National Institute of Freedom, as well as the National Development Council.⁷⁹

Earlier this year, it was reported that the National Institute of Freedom, which helps finance Polish-based NGOs, gave approximately \$830,000 in grants to organizations run by Tymoteusz Zych, Ordo Iuris' Vice-President.⁸⁰

OI also has links to the even more extreme-right Confederation Liberty and Independence Party (Konfederacja Wolność i Niepodległość), described by the University of Oslo's Center on Extremism⁸¹ as "an amalgam of diverse far-right actors" whose beliefs include transforming Poland into an "ethnocracy embodying a mythicized, culturally homogenous nation built around traditionalist-Catholic principles." Konfederacja regularly rubs shoulders with white nationalist groups at events such as Warsaw's Independence Day rallies.⁸² According to Klementyna Suchanow, the marriage between Konfederacja MP Krzysztof Bosak and OI lawyer Karina Bosak⁸³ was the culmination of an increased intermingling between the two groups.

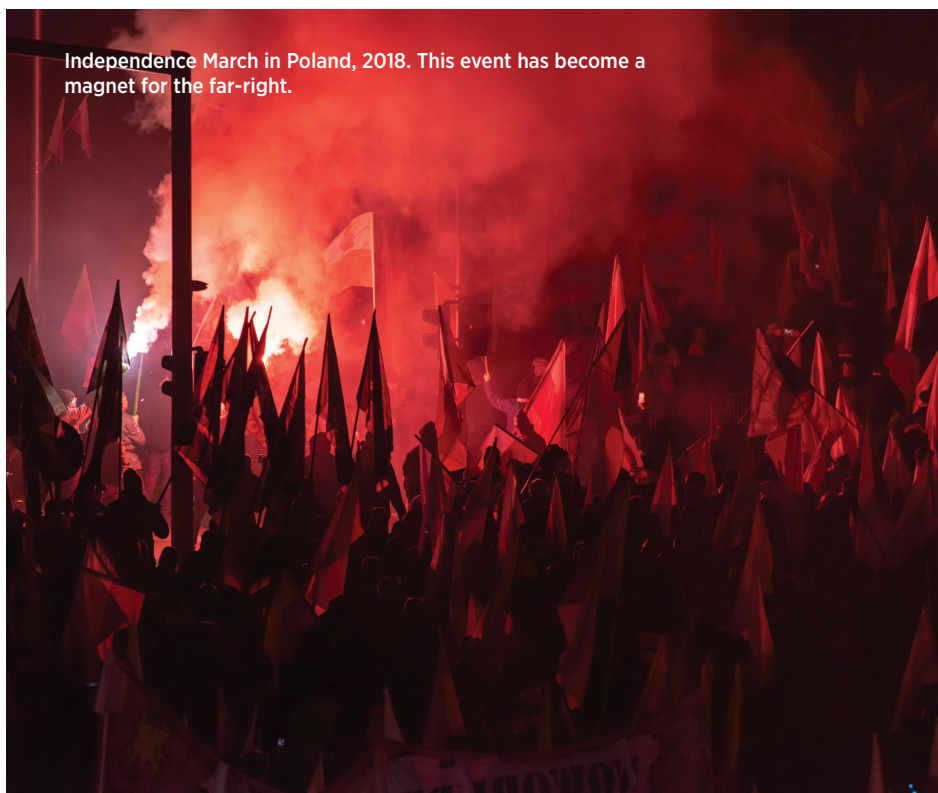
"Initially they said they were just legal people using legal arguments," Suchanow said. "Then they started supporting this party outright. The marriage happened later, and it was a culmination of those relations. OI started

defending people from Konfederacja.”

Both ADFI and the European Center for Law and Justice (ECLJ) have networked with and given support to OI. This can be seen clearly on the Polish Ministry of Justice’s website, where ADFI and the ECLJ are both listed, shamefully, as Foreign NGOs “supportive of human rights,” along with Family Watch International.⁸⁴ The ECLJ is listed as a partner on OI’s website,⁸⁵ as was ADFI on OI’s initial website.⁸⁶ ADFI celebrated the introduction of Poland’s landmark abortion law (as well as taking partial credit for it) and was also present during OI’s inaugural conference in 2012.⁸⁷ When Ordo Iuris was granted ESOC consultative status by the UN, the group specifically compared itself to the ECLJ and ADFI.⁸⁸ Multiple members of Ordo Iuris were also present during the 2016 Warsaw Agenda Europe Conference, as were members of ADFI – notably Sophia Kuby, Director of Strategic Relations and Training (see more page 14). The ECLJ for its part, has defended OI against the European Commission’s complaints about increased anti-LGBTQ+ rhetoric, calling such assertions, “ideological blackmail.”⁸⁹

The case of Alice Neffe highlights further connections between OI and ADFI. In December 2020, Neffe was appointed by the Polish Government as the deputy director in the Office of the Plenipotentiary for Equal Treatment, according to the investigative media outlet *OKO.press*.⁹⁰ Neffe, who describes herself on Twitter as “French-Polish with a Finnish Twist,”⁹¹ had less than a year of experience working in Poland prior to the appointment. Crucially, however, she did work at ADFI’s Brussels offices for three years as a lobbyist, where she drafted an anti-abortion opinion (submitted on behalf of ADFI to the Polish Constitutional Court in 2018).⁹² She also spoke at a 2018 conference, organized by OI,⁹³ entitled “Forum of Rights and Freedoms.”

Ordo Iuris’ astronomical growth in the last decade means that it is now far from reliant upon bigger



Independence March in Poland, 2018. This event has become a magnet for the far-right.

international partners – in fact it has begun to expand into Croatia⁹⁴ and Estonia.⁹⁵ Both Klementyna Suchanow and Rafal Pankowski however agree that it could not have been established and grown the way it did without outside, international help. “When OI was created [organizations like ADFI] were the financial and know-how support for them,” Klementyna Suchanow said. “It’s a legal organization but this is something new in Poland. The know-how was coming from across the ocean. You see some comparisons with the U.S. in terms of ways to act. It’s an American idea with Russian influence.”

“One of the aspects of this movement is that it’s internationalizing. Who is doing what and working with is difficult to say because they’re all interconnected,” Rafal Pankowski said. “The U.S. connection has been important as has the Russian connection.”

Agenda Europe

Agenda Europe aims to advance strict traditionalist societal positions. Established around 2013, its leaked manifesto entitled *Restoring the Natural Order*, gives a glimpse into the group's beliefs. This document was first acquired by the French ARTE Television in 2017, and then again separately during the 2017 hack of the Spanish anti-LGBTQ+ organization HazteOir.⁹⁶ Sophia Kuby, ADFI Director of Strategic Relations & Training, has disavowed the manifesto but there is strong evidence linking her to the wider network, not least the fact that the domain name for the group's initial website was registered to her.⁹⁷ ADFI staff have also been heavily involved in the group's activities.

The document shows that one of the group's main beliefs is that sexual liberation, and equal rights for women and LGBTQ+ people, has led to a degradation in society that, if left unchecked, could fatally undermine the values that have "built Western civilization"⁹⁸ These changes are referred to as a "Cultural Revolution," which is very similar to the concept of "Cultural Marxism," a popular fearmongering idea used by far-right and white supremacist individuals and organizations for the process that leads to policies that advance civil rights for marginalized communities.⁹⁹

The document claims that "Feminism is in fact Marxism in new clothing"¹⁰⁰ and that the push for LGBTQ+ rights has been underpinned by Marxist ideology. It goes on with another false claim that "intimidation and violence" have been the "trademark of the abortion and homosexualist movements."¹⁰¹ Crucially, despite this group being European-focused, the influence of America looms large. Early in the document, for instance, it remarks on how *Roe v. Wade* and *Griswold v. Connecticut*, which affirmed the right of married couples to use contraceptives without

government interference, "ushered in an unprecedented era of judicial activism on the national level, in particular in the U.S. but also in various European Countries."¹⁰²

Agenda Europe's goals for the long term make clear the kind of unequal society they envision. They include:¹⁰³

- The repeal of all laws allowing for divorce, same-sex partnerships, and gay adoption
- The adoption of anti-sodomy laws

- An international agreement defining marriage as between a man and a woman

- A legalization of homeschooling in all countries

- A complete revision of sex education "in order for them to reflect Natural Law"

- The defunding of the "LGBTQ+ lobby"

- An international campaign to revise tax laws to "avoid perverse incentives (i.e., undue privileges for singles, single parents, divorced parents, etc.)"

This vision might seem unlikely to come to fruition, but the individuals involved with the project, who include wealthy and well-connected people in both the U.S. and Europe, and most importantly ADFI, have made great strides in this direction in the U.S. Additionally, the document serves as an organizing vision for an integrated transnational social conservative movement.

The most obvious piece of evidence linking ADFI and Agenda Europe is the sheer number of times ADFI personnel have been present at Agenda Europe retreats and meetings. Internal documents show that both Sophia Kuby and ADFI Executive Director Paul Coleman (See more page 14) were present at the second Agenda Europe retreat, held at Furstenried Castle in Munich, Germany, in 2014. Other guests included Sophia's mother and anti-gender activist, Gabriele Kuby, Grégor Puppink, director of the ECLJ, and Brian Brown,

"DESPITE ITS NAME, [FEMINISM DEPRECIATES AND HOLDS IN CONTEMPT ALL THAT IS CONSIDERED TYPICALLY FEMININE, ESPECIALLY THE ROLE MODEL OF A MARRIED WIFE AND MOTHER CARING FOR HER HUSBAND AND CHILDREN. BY CONTRAST, IT HIGHLY VALORIZES MALE ROLE MODELS, AND SEEKS TO MAKE WOMEN DRESS UP AND BEHAVE LIKE MEN. IN ACTUAL FACT, THEREFORE, FEMINISM IS ANTI-FEMINISM.]"

"RESTORING THE NATURAL ORDER: AN AGENDA FOR EUROPE," AGENDA EUROPE, 2013, PG. 14

co-founder of the National Organization for Marriage (an American organization dedicated to fighting marriage equality).

Evidence of transnational connections can be seen in some of the talks given, such as one on the Russian “Protection of Children Law”¹⁰⁴ – presented by the anti-LGBTQ World Congress of Families representative and Kremlin associate Alexy Komov – and another entitled, “The 115 forum: An American inspiration for strategic summit.” The Russian law was amended in 2013 to supposedly protect children from “Information that Promotes Negation of Traditional Family Values,”¹⁰⁵ and was criticized by the NGO Article 19 for breaching Russia’s international human rights obligations on equality and non-discrimination.¹⁰⁶ The name of the latter talk, meanwhile, emphasizes how reactionary actors are seeking to replicate strategies used in the U.S., while the long-term aims outlined in *Restoring the Natural Order* bear a marked resemblance to the extreme policies social conservatives push in the U.S.

Sophia Kuby and Puppink were again present at the 2015 retreat in Dublin, alongside Adina Portaru (ADFI’s Senior European Counsel, See More page 14) and Sharon Slater, President of Family Watch International, an anti-LGBTQ+ organization that traffics in conversion therapy pseudoscience.¹⁰⁷ Other invitees included Aleksander Stępkowski and Tymoteusz Zych, both of Ordo Iuris. The 2016 Agenda Europe meeting, held in Warsaw, was

introduced by Sophia Kuby and Jerzy Kwaśniewski of Ordo Iuris, and included a number of speeches and presentations led by OI. The amount of cross-pollination occurring at these meetings not only shows the extent of ADFI’s involvement with Agenda Europe, but also the extent of its connections with other anti-LGBTQ+ groups. Finally, an investigation by the European Parliamentary Forum on Development and Population has tracked 16 initiatives¹⁰⁸ related to Agenda Europe. Between 2013 and 2018, ADFI and its partners were directly involved in four of these campaigns, while lending significant support on another two. Hence, we can see the extent not only of ADFI’s involvement with Agenda Europe, but also the wider involvement of Agenda Europe in pushing anti-LGBTQ+ legislation across the continent.

“With Agenda Europe, ADFI was one of the main organizers and then you have this whole range of initiatives which they helped to conceive and incubate which have negatively impacted millions across Europe, whether with traditional marriage in Croatia or abortion restrictions in Poland,” Neil Datta said.

Thanks to pressure from activists and journalists, Agenda Europe has significantly reduced its public presence in recent years. Nonetheless the network and architecture that’s already been set up have not only caused harm to women and LGBTQ+ people but would also be easy to ramp up again.

European Center on Law & Justice

The European Center on Law & Justice (ECLJ) is part of a trifecta of connected organizations, together with the American Center on Law & Justice (ACLJ) and the Slavic Center on Law & Justice (SCLJ). The ACLJ was founded in 1990 by Pat Robertson as a conservative counterweight to the American Civil Liberties Union (ACLU). Like ADF, it has been heavily involved in advocating for the religious right in court, most famously drafting the 1996 Defense of Marriage Act and filing an amicus brief to keep sodomy illegal in the 2003 Supreme Court case *Lawrence v. Texas*.¹⁰⁹ ACLJ is currently headed by Jay Sekulow, an attorney who most recently defended Donald Trump during his 2020 impeachment.¹¹⁰ While the ECLJ's director is Grégor Puppnick, Sekulow acts as "Chief Counsel" for both the ECLJ and the ACLJ.¹¹¹

Despite repeatedly submitting amicus curiae briefs to the European Court of Human Rights, the ECLJ has simultaneously decried the court's supposed "biases." In a 2019 paper, the ECLJ claimed guilt by association by pointing out the links that existed between ECHR judges and progressive philanthropist George Soros' Open Society Foundation.¹¹² The paper was criticized by Mark Ellis, executive director of the International Bar Association, as being "littered with inconsistencies and peddles outlandish fallacies and fabrications."¹¹³ The ECLJ nestles comfortably into the wider conservative ecosystem, co-opting far-right boogymen like Soros to further advance their cause.¹¹⁴

The crossover in policy areas means that ADFI and ECLJ are natural bedfellows, as has been indicated by the number of times that ADFI's Sophia Kuby and ECLJ's

Grégor Puppnick have worked and spoken together at various events. This association extends to engaging in separate strategic litigation actions in hopes of furthering the same outcome. In 2019, for instance, the ECLJ filed an amicus curiae brief¹¹⁵ with the Constitutional Tribunal of Poland in support of the proposed abortion ban. The brief argued that no one has a "right" to an abortion under human rights law and that, by not protecting the rights of the unborn, states are both inhibiting the right to life and allowing a slippery slope to eugenics.

More evidence for the close ties between the ECLJ and ADFI can be seen in Eugenia Pastor's 2021 article for the *BYU Law Review*, "Christian Faith-Based Organizations as Third-Party Interveners at the

European Court of Human Rights." Pastor analyzed 44 cases brought before the Strasbourg court by Christian advocacy groups, specifically ADF, ADFI, and the ECLJ. The ECLJ had intervened the most –18 times– but, crucially, they have also intervened together, either ADFI with ECLJ, ADF with ADFI, or ADF with the ECLJ. Analyzing the online case materials, Pastor found that both ADFI and the ECLJ were repeated interveners in the European Court of Human Rights.¹¹⁶

"On sensitive ethical issues such as family life and private life, their interpretations can be described as 'reactive' litigation," Pastor notes. "They have challenged the evolutive interpretation of the 'progressive' articles of ECHR linked to personal autonomy, the right to self-determination, and the principle of the child's best interests."¹¹⁷

THE BRIEF ARGUED THAT NO ONE HAS A "RIGHT" TO AN ABORTION UNDER HUMAN RIGHTS LAW AND THAT, BY NOT PROTECTING THE RIGHTS OF THE UNBORN, STATES ARE BOTH INHIBITING THE RIGHT TO LIFE AND ALLOWING A SLIPPERY SLOPE TO EUGENICS.

Political Network for Values

Unlike Ordo Iuris and Agenda Europe, the Political Network for Values (PNfV) is focused less on passing policies and more on acting as a global organizational hub for politicians and other conservative civil society actors. This can be seen on PNfV's website, where it describes itself as a "resource for legislators and political representatives rooted in trans-Atlantic dialogue... promoting a decalogue of shared values among which is the protection of human life, marriage, family or religious freedom and conscience."¹¹⁸

While this means they have less direct policy influence than Ordo Iuris, the ECLJ or Agenda Europe, it nonetheless emphasizes how reactionary conservative movements are working together across continents to advance a common, oppressive agenda. The PNfV's board of directors further highlights these connections as it contains a number of high-profile U.S. evangelical figures, including Benjamin Bull (formerly of ADF who now works for the National Center on Sexual Exploitation), Sharon Slater, president of Family Watch International,¹¹⁹ and Brian Brown, president of the International Organization for the Family (IOF), of which the World Congress of Families is a part.

One of the most interesting people in the PNfV network is its current director, Katalin Novák. Novák is not only the President of PNfV, she's also the Hungarian Minister for Families, as well as the Vice-President of Fidesz, Orbán's political party. According to journalist Remy Bonny, who has extensively covered Hungary, Novák's previous appointment as State Secretary for Family and Youth Affairs – her role prior to becoming Minister for Families in September 2020¹²⁰ – coincided with a rise in anti-LGBTQ+ and anti-feminist issues.

"[2014-15] was the point when the [Hungarian State] started concentrating on sexuality. This coincides with the appointment of Katalin Novák as State Secretary for Family and Youth Affairs," Bonny explained in a 2021 interview with the Hungarian media outlet *Jelen*. "Novák... took a leading role in anti-LGBTQ+,"

anti-feminist and conservative topics. Novák was [also] an important person in an organization called the World Congress of Families, which was financially supported by oligarchies closest to the Kremlin.... Novák took the lead and brought it to Hungary in 2017."¹²¹

In the interview, Bonny goes on to accuse Novák of meeting with Russian intelligence officers, including Igor Beloborodov, who previously worked for the Russian Institute of Strategic Studies, which reportedly came up with a plan in 2016 to undermine the U.S. presidential election.¹²² Novák strenuously denies these connections, and it is also important to note that in a government structured so heavily around Orbán, her ability to act independently is likely somewhat limited. Nonetheless these connections raise serious questions about the PNfV; not only the fact that it is currently run by an Orbán apparatchik, but also that the director has alleged links to Russian intelligence.

The most obvious connection between ADFI and PNfV is the ADFI employees that sit on

PNfV's Council of Experts. They include Sophia Kuby, as well as ADFI's UN Counsel Elyssa Koren and ADFI Senior Legal Counsel Neydy Casillas.¹²³ Paul Coleman is also expected to attend a major PNfV networking event in Budapest in November 2021, entitled the 4th TransAtlantic Summit. Additional repeat players advertised as being present are Benjamin Bull, Brian Brown, Sharon Slater, Valerie Huber and Grégor Puppink.¹²⁴

A 2016 in-house PNfV presentation shows that ADF and ADFI's connections to PNfV are not merely ceremonial. The document highlights the TransAtlantic summits in New York City and Washington, and crucially shows Prioritized Topics (including reversing changes in the definition of marriage and restricting abortion) as well as a strategy for dividing up topics and approaching different political entities. ADF, for instance, is charged with "Defunding IPPF (International Planned Parenthood Federation)," Sophia Kuby's name appears under the EU, while Elyssa Koren's appears under UN New York.

**A "RESOURCE FOR
LEGISLATORS AND POLITICAL
REPRESENTATIVES ROOTED IN
TRANS-ATLANTIC DIALOGUE...
PROMOTING A DECALOGUE
OF SHARED VALUES AMONG
WHICH IS THE PROTECTION
OF HUMAN LIFE, MARRIAGE,
FAMILY OR RELIGIOUS FREEDOM
AND CONSCIENCE."**

Americans Funding Rights-Violating Initiatives Abroad

ADF, the parent organization to ADFI, has raised substantial financial resources in the U.S. Over the last decade the group's revenue has steadily increased. According to tax documents, in 2011, ADF had a total revenue of approximately \$35 million, rising to approximately \$44 million by 2014, approximately \$51 million by 2017, and approximately \$61 million by 2019.¹ More than 90 percent of the group's resources are contributions, many made by individuals through Donor Advised Fund [DAFs].

Of these DAFs, one of the most prominent is the National Christian Foundation (NCF), which is frequently ranked as one of the largest charities in the United States² and, according to a 2017 *Inside Philanthropy* article, "the single biggest source of money fueling the pro-life and anti-LGBTQ+ movements over the past 15 years."³ ADF took in nearly \$50 million from the NCF from 2015-2017 – representing over a third of ADF's annual contributions. It's not just the NCF sponsoring the ADF. ConservativeTransparency.org has documented repeated donations to the group from the DeVos Family Foundation,⁴ a conservative nonprofit setup by the family of Betsy DeVos, who served as Secretary of Education during the Trump Administration.

Individual donors are hard to track, but recent analyses have confirmed that American money is sponsoring anti-woman and anti-LGBTQ+ groups and efforts in Europe. In October 2020 a report from *openDemocracy*⁵

found that U.S. evangelical groups had spent at least \$280 million on campaigns abroad. Of that money, ADF is estimated to have spent approximately \$22 million abroad, the vast majority (\$15.2 million) in Europe. The American Center for Law & Justice (the parent organization of the ECLJ) has spent approximately \$17 million, again the vast majority in Europe.

Additional investigations illustrate the connections between U.S. evangelical groups (and their funders) and their European offices. According to a 2019 investigation by journalists working for the European Investigative Collaborations (EIC), ADFI was reportedly given \$8.4 million⁶ by its U.S. arm between 2012 and 2017. The ACLJ, meanwhile, reportedly sent \$7.1 million of its

own money to its European arm between 2012 and 2017.⁷

The *Tip of the Iceberg* report further highlights these financial connections. According to the report, not only has funding of right-wing Christian causes increased significantly over the last decade – from an average of \$4.7 million a year in 2008 to \$7.7 million a year in 2018 – but U.S. mega-donors on the Christian far right are an essential piggybank for this work in Europe. It notes that "[Anti-SRR activists] ...depend on benefactors further upstream, namely conservative Christian foundations and their billionaire backers," and that the DeVos family foundations, the Donors Trust, and the National Christian Foundation are all key players.⁸

IN 2020, U.S. EVANGELICAL GROUPS HAD SPENT AT LEAST \$280 MILLION ON CAMPAIGNS ABROAD. OF THAT MONEY, ADF IS ESTIMATED TO HAVE SPENT APPROXIMATELY \$22 MILLION.

1 "Alliance Defending Freedom," *Nonprofit Explorer - ProPublica*

2 "Warehousing Wealth," *The Institute for Policy Studies*, July 2018, pg. 9

3 "Big Money, Quiet Power: A Look at the National Christian Foundation," *Inside Philanthropy*, October 2016

4 "Alliance Defending Freedom," *Conservative Transparency*

5 "Revealed: \$280m 'dark money' spent by US Christian Right groups globally," *openDemocracy*, October 27, 2020

6 "Groups linked to Pro-Life cause, Catholic Church in EU allocate €2.1 to €3.1m annually to lobby EU," *Nacional*, July 9, 2019

7 "Groups linked to Pro-Life cause, Catholic Church in EU allocate €2.1 to €3.1m annually to lobby EU," *Nacional*, July 9, 2019

8 "Tip of the Iceberg," *European Parliamentary Forum for Sexual and Reproductive Rights*, June 2021, pg. 17

The Impact and Harm of ADFI's Networking and Influence

By examining ADFI's networking efforts and legal strategies, it is clear the group is aiming to advance a hardline social conservative agenda that bears striking similarities to the policies advocated for by powerful evangelical groups and individuals in the U.S. (and assisted by their financial backing). Through the connection nodes of OI and PNfV, we can see that ADFI has found useful allies in the PiS and Fidesz governments in Poland and Hungary respectively.

It's important to note that the three parts of the connection (ADFI, the group node, and the Polish/Hungarian governments) are not universally aligned on every issue. For example, ADFI is backed by evangelical Protestants, whereas Ordo Iuris is Catholic. Despite their differences, both groups benefit from the primary goals of shifting Poland to taking a repressive stance on social issues such as abortion and LGBTQ+ equality.

In the end, these alliances and activities do real tangible harm to women and LGBTQ+ people. This is not only seen in the obvious restricting of their personal freedoms (such as the right of gay couples to adopt in Hungary and the inability of women in Poland to access safe abortion) but also in emboldening street level violent elements within their respective countries.

In 2019 for instance, the city of Bialystok in Poland (located in a conservative region strongly supportive of PiS) held its first Pride Parade. Riot police had to protect the 1,000 or so marchers from thousands of counter-protesters who attacked them with rocks, bottles, and flash grenades.¹²⁵ Dozens were injured in subsequent clashes which sociologist Katarzyna Sztop-Rutkowska (who is from the region) told *The New York Times* was a result of "months of [anti-LGBTQ+] propaganda."¹²⁶ Dozens



of towns in Poland have also declared themselves "anti-LGBTQ+ Ideology Zones,"¹²⁷ while a 2020 report from Nicolaus Copernicus University estimates that the number of queer people under 25 who have attempted suicide has risen 15 percent from 2016 to 2020.¹²⁸ According to *The Guardian* the number of calls to the NGO Abortion Dream Team have increased three-fold since the restrictions

were passed, from 20 or 30 a day to 100, with many women looking for advice on how to travel out of the country for an abortion.¹²⁹ "[When these ideas were introduced] we were physically scared that someone was coming to hurt us and potentially kill us in some situations," Klementyna Suchanow said. "I thought of my daughter, and when I was her age in the 1990s women's rights were doing a lot better. It feels like someone is stripping away my daughter's rights."

A similar situation is underway in Hungary. Books depicting LGBTQ+ people in a positive light have been banned, while NGOs attempting to help young people become more educated about LGBTQ+ issues have been suppressed by Orbán's government.¹³⁰ In 2019, the speaker of the Hungarian National Assembly László Kövér (an Orbán ally) said that "Morally there is no difference" between LGBTQ+ couples wanting to adopt and

pedophiles.¹³¹ In July 2021, the European Commission announced it was taking legal action against both Hungary and Poland for failing to protect the equality and fundamental rights of LGBTQ+ people, specifically citing “the nature and impact of the so-called ‘LGBTQ+-ideology free zones’ and the Hungarian adoption law.”¹³²

ADFI is currently litigating several cases across the globe including Germany, Russia, India, Pakistan, Ireland, Slovenia, Belgium, the U.K., Chile, Colombia, and Turkey.¹³³ In Finland, they’re representing Päivi Räsänen, a doctor and member of the Finnish parliament, who is charged with three counts of incitement against a minority group. The Finnish prosecutor general declares that Räsänen’s statements “are likely to cause intolerance, contempt and hatred towards homosexuals” and “violate the equality and dignity of homosexuals so they transcend the boundaries of freedom of speech and religion.”¹³⁴

These cases exemplify how real-life harms have resulted from this transnational network of anti-woman

and anti-LGBTQ+ actors. And we cannot separate ADFI from this transnational network. The organizations and groups ADFI gives support to and networks with are directly responsible for rolling back the rights of women and LGBTQ+ people, as well as collaborating with governments (PiS and Fidesz) that have repeatedly demonstrated themselves to be comfortable with authoritarian tendencies.

ADFI’s advocacy has also lessened the desire of some governmental actors to get involved in advocating for LGBTQ+ equality or abortion rights. “Because of this type of agitation, public officials now hesitate discussing human rights on SRR (Sexual Reproductive Rights) because they know if they initiate discussions on this the whole circus comes to town,” Neil Datta explained. “If you’re an official working in a public institution and have a choice of issues to pursue – children, the environment, and Sexual Reproductive Rights – with only one will you get the circus, so you shy away and focus on other stuff.”

CONCLUSION

Thankfully, there are signs of resistance, not just against this reactionary anti-LGBTQ+ and anti-abortion network but also against the PiS and Fidesz governments more broadly. Hungarian opposition has united against Viktor Orbán’s party ahead of the 2022 parliamentary election¹³⁵ and pressing economic issues have become a driving concern of many Hungarians. In smaller Polish towns, an anti-LGBTQ+ stance has put funding from the EU at risk, causing some local communities to reverse course.¹³⁶

The connections ADFI has contributed to have also come under increasing scrutiny. The retrograde views of Agenda Europe have made it an object of attention for media and activists, forcing it, at least for now, to retreat from more obvious lobbying attempts. Similarly, the rapid growth of Ordo Iuris has alarmed many in Poland including – according to Rafal Pankowski – its allies in PiS. Finally, the defeat of the Trump administration has deprived far-right groups in Europe of a powerful allied network in the U.S., and one that can disguise the aims of domestic groups like ADF and the ACLJ.

These are positive developments, but groups like ADF will weather moves away from their agenda, as they have

considerable resources and are committed to the long game. Even if they are not immediately successful legislatively, the networks that ADFI has helped to establish and grow must be monitored because they will patiently wait for a change in circumstances that will favor their agenda. What’s more, the fact that ADFI was able to rise so quickly in prominence in barely a decade and already significantly affect and influence policy emphasizes their ability to effectively utilize the power and resources at their disposal.

“However you might feel they’re crazy, take them seriously. What’s happening in Poland is an example of what can happen everywhere, it’s not about Polish people. It’s about a certain political mechanism and if they’re used well, they can do it everywhere,” Klementyna Suchanow said. “Don’t be naïve. You may feel safe because your women’s rights and LGBTQ+ rights are fine because you live here or there but Poland can be anywhere. It’s not a Polish specific problem. It’s a human problem.”

APPENDIX

ADFI Uses Policy Agendas and Amici Briefs to Limit Reproductive Rights and Equal Rights for LGBTQ+ People

As part of its efforts to roll back rights and freedoms across the world, AFDI intervenes in cases and provides amicus briefs in judicial procedures at the national and supranational levels. The group also lobbies governmental bodies for rights-restricting legislation and policies, often related to limiting reproductive rights and equal rights for LGBTQ+ people. AFDI's success in these efforts varies by region and jurisdiction and sometimes fails. But as documented in this report, AFDI plays a long game, even when short-term outcomes are not in its favor.

Argentina – In 2018, AFDI's Senior Counsel, Neydy Casillas, provided expert witness testimony to the Argentinian parliament lobbying against the proposed legalization of abortion. The legalization of abortion was passed in 2020.

Chile – In 2011, two AFDI attorneys filed an amicus brief in *Karen Atala Riffo v. Chile*, the first LGBTQ case taken up by the Inter-American Court of Human Rights (IACHR). The plaintiff, Karen Atala, had full custody of her daughters, but in 2004, a Chilean court ordered her to relinquish custody to her husband, ruling that her lesbian relationship put her children's development at risk. Atala lodged a complaint of discrimination with IACHR. AFDI filed a brief with the IACHR in which it argued that sexual orientation should not be a category of non-discrimination. The brief also claimed that Atala was “using her daughters” and placing her own interests above those of her children, and that she inflicted “emotional and social damage” on her children by living with a female partner. It also cited the debunked claim that it is possible to alter sexual orientation, writing that “empirical evidence” shows that sexual orientation can change for a “significant number of individuals.”¹³⁷ After

a years-long legal battle, in 2012, the court ordered the Chilean government to pay Atala restitution.¹³⁸

Costa Rica – In 2017, AFDI moved to intervene at the Organization of American States (OAS) in a case to prevent Costa Rican attempts to broaden LGBTQ+ rights. AFDI argued against legalizing same-sex marriage in the OAS's 35 independent states and allowing transgender people to amend their identification documents. In January 2018, the Inter-American Court of Human Rights (IACHR) decided, “that countries in the region should legalize same-sex unions,”¹³⁹ stating that same-sex married couples should have equal rights as different-sex marriages. The IACHR also affirmed that transgender individuals should have the right to change their names and gender on documents. Costa Rica and Panama said they would adopt the changes.¹⁴⁰

Croatia – *Balkan Insight* has reported that AFDI works closely with a Romanian group, Coalition for the Family, that has significant links to Croatian anti-abortion activist Zeljka Markic and the organization In the Name of the Family.¹⁴¹ Markic (who regularly features in Agenda Europe and PNfV documents and meetings) helped

organize a 2013 referendum in Croatia that sought to limit the definition of marriage to being strictly a union between a man and a woman. The referendum succeeded in banning same-sex marriage.¹⁴² The following year, Croatia passed a Life Partnership Act that afforded same-sex couples most of the same rights as marriage.¹⁴³

Italy – ADFI has repeatedly intervened in defense of Italian policies that discriminate against the LGBTQ+ community by denying civil unions and same-sex marriage. In 2017, the group issued a statement saying “rogue mayors” have no right to grant civil unions to LGBTQ+ couples of their own accord.¹⁴⁴

Norway – In 2018, ADFI won a case in Norway affirming the right of a physician to refuse to implant an IUD into a teenage girl because of the doctor’s Christian beliefs.¹⁴⁵

Romania – ADFI has worked since 2015 to ban civil partnerships for same-sex couples by altering Romania’s constitution. In 2016, it filed a brief with the Romanian Constitutional Court pushing for a referendum to change the constitution to “protect” marriage.¹⁴⁶ ADFI then began a campaign in favor of the change, organizing a conference to push for a referendum in April 2017. ADFI collaborated closely and provided legal assistance¹⁴⁷ in Romania to local groups that were part of the Coalition for the Family (Coalitia pentru Familie), which had ties to racist organizations.¹⁴⁸ Also in a case in front of the Court of Justice of the European Union in 2018, *Coman and Others v Inspectoratul General pentru Imigrări and Ministerul Afacerilor Interne*, ADFI tweeted its opposition to the court’s decision that decided that the residency rights of same-sex spouses married in one

EU country must be recognized in all EU countries, even if the country doesn’t recognize marriage for same-sex couples.¹⁴⁹

Slovakia – In 2017, ADFI filed a brief with the Slovak Constitutional Court in support of allowing a referendum calling for defining marriage as a union of one man and one woman; requiring adoptive parents be married; prohibiting registered partnerships for LGBTQ+ couples; and permitting parents to opt their children out of sex education classes taught at public schools. The brief read, “The people of Slovakia should have the freedom to preserve marriage and family if they so choose...This referendum will allow Slovaks to affirm current Slovak law and important social values, which is perfectly acceptable under the Slovak Constitution.”¹⁵⁰ The referendum ultimately failed, but there is no legal recognition of same-sex marriage in Slovakia.

United Kingdom – According to a 2021 *openDemocracy* report, proposals put forth by the British government purportedly to strengthen free speech at universities cited ADFI information as a key source.¹⁵¹ The plans include appointing a “free speech champion” to the board of the Office for Students, which regulates universities, and new legislation that would give individuals the right to sue universities and student unions for infringements. ADFI’s UK office has also publicly opposed protest-free zones around abortion clinics, supported allowing medical staff to independently object to providing legal abortion services, and has been linked to a supposedly ‘grassroots’ campaign opposing to assisted dying.

ADFI at the European Court of Human Rights¹⁵²

The Alliance Defending Freedom International frequently files briefs on cases decided by the European Court of Human Rights (ECHR). The President of the ECHR can grant the right to outside parties to provide briefs to the court and, in exceptional cases, allow such parties to participate in a hearing.¹⁵³ The cases ADFI has chosen to participate in generally involve arguments rejecting the expansion of rights to transgender people

and to same same-sex couples seeking marriage equality. ADFI has also intervened in cases related to home schooling and parental rights.

Most of the examples below are related to violations of the European Convention on Human Rights’ Article 8, which pertains to the right to respect for private and family life; Article 10, which promises freedom of expression; or Article 14, which promises freedom from discrimination.

This is not an exhaustive list of ADFI participation in ECHR cases, but it is illustrative of the group's interests.

Case of X and Others v. Austria: Decided in 2013, the ECHR found that Austria had unequal rules for adoption for same-sex and different-sex couples, as second-parent adoption was legally impossible for a same-sex couple. This was found to be in violation of Articles 14 and 8. The ADFI and the European Center for Law and Justice (ECLJ) weighed in on the side of Austria, which was defending its laws on this matter.¹⁵⁴

Annen v. Germany: Decided in 2015, the ECHR found that an injunction issued by a German court on the distribution of pamphlets and a website that named doctors involved in abortions, and indirectly compared abortion to the Holocaust was a violation of the right to freedom of expression under Article 10 which promises freedom of expression. The ECHR found that Germany's domestic courts had failed to distinguish the impact of publication on the internet from the impact of a pamphlet, and that the applicant had correctly stated that abortion was technically unlawful under German law (German law is complex on this issue, and abortions can be had under strict circumstances, but it is generally described as illegal). The application had been made by an anti-abortion campaigner who had handed out leaflets outside an abortion clinic and named doctors who worked there on a website. ADFI submitted a brief supporting the anti-abortion activist, arguing that abortion was an issue of great public interest and concern, and that debate on abortion was often characterized by strong language on both sides. ECLJ also submitted a brief, arguing that the comparison to the Holocaust was customarily made in the abortion debate and that the applicant had simply pointed out the difference between legality and justice.¹⁵⁵

A.P. Garçon & Nicot v. France: Decided in 2017, the ECHR found that France's requirement of sterilization of transgender citizens seeking recognition of their gender identity violated the law. ADFI filed a supporting brief for France, noting that "equal dignity does not mean that every sexual orientation warrants equal respect."¹⁵⁶ The decision found no violation of Article 8 for two applicants and violation of Article 8 for one applicant.¹⁵⁷ Overall, the "Court ruled that the condition of compulsory sterilizing surgery or treatment for legal gender recognition violated Article 8 of the Convention."

Nagy v. Hungary: Decided in 2017, the ECHR was examining a case regarding internal church discipline. In 2009, a Hungarian minister filed an application with the

ECHR contesting his removal from a pastoral post after church disciplinary proceedings. Upholding the principle of church autonomy, the Hungarian Supreme Court refused to accept jurisdiction, referring to the supremacy of ecclesiastical law in such church proceedings. When the case went to the ECHR, ADFI filed an expert brief with the court, citing previous case law, that upholds religious freedom as one of the cornerstones of a democratic society and "one of the elements that make up the identity of believers and their conception of life." The ECHR ruled that the Hungarian state courts were entitled to refuse adjudication of the case, strengthening the right of churches to operate freely without state intervention. The court's position was later affirmed in 2017 by the ECHR's Grand Chamber, which represents the full court.¹⁵⁸

Wetjen v. Germany: Decided in 2018, this case related to actions taken towards children of members of the Twelve Tribes Church, a religious community that was allegedly using various forms of corporal punishment in the upbringing of children. The domestic court received video footage documenting the corporal punishment, although none of the applicants in the ECHR case were depicted. A preliminary investigation was initiated in which witnesses confirmed corporal punishment was used in the upbringing of children in the community. Subsequently, the German court made an interlocutory order withdrawing the applicants' parental rights, transferring those rights to a youth office. The children were taken into state care on the basis that there was a reasonable likelihood that they would be subjected to further physical punishment. The court of appeal affirmed that it had been necessary to take the children out of the community and that there had been no other less infringing measure that could ensure the children would not be harmed. In the ECHR proceedings, ADFI supported the parents who complained their rights were being violated. The same judgment applied to a related case, where ADFI also weighed in on the parents' behalf, *Tlapak v. Germany*, and involving the same subject matter.¹⁵⁹ The ECHR found in favor of Germany, ruling that all states should ban corporal punishment and that, "the domestic courts had struck a balance between the interests of the applicant children and those of the applicant parents which aimed at protecting the best interests of the children and did not fall outside the margin of appreciation granted to the domestic authorities."¹⁶⁰

Case of Orlandi and Others v. Italy: Decided in 2018, the ECHR found in favor of same-sex couples who married abroad and were denied the right to register their

marriages legally in Italy on their return to the country. As the case was being litigated, Italy passed a civil union law, which was found to satisfy the court's requirement that same-sex couples have access to the same benefits as marriage. Italy was ordered to allow the registration of the couples as civil unions. Both ADFI and ECLJ supported the Italian government position. The lack of ability to register a same-sex marriage was found to be a violation of Article 8.¹⁶¹

Wunderlich v. Germany: Decided in 2019, both ADFI and ECLJ supported parents whose children were removed from them when they refused to send them to school. The case addressed home schooling in Germany, specifically "whether a State could legitimately remove children from their parents when they refused to send them to school." The court found no violation of either Article 8 or 14. The court upheld "the States' capability to prohibit home-schooling and considers that the removal of children when parents refuse to comply with that prohibition is compatible with the European Convention of Human Rights."¹⁶²

X. v. The Former Yugoslav Republic of Macedonia: Decided in 2019, the ECHR held that a transgender individual had the right to alter their sex assignment on government documents and that the state of Macedonia had no system allowing for the alteration. The court demanded that Macedonia fix its procedures to allow

"the full legal recognition of a person's gender reassignment in all areas of life, in particular by making possible the change of name and gender in official documents in a quick, transparent and accessible way; member states should also ensure, where appropriate, the corresponding recognition and changes by non-state actors with respect to key documents, such as educational or work certificates."¹⁶³ No violation of Article 8 was found. ADFI intervened in favor of the government's position.

Y.T. v. Bulgaria: Decided in 2020, this case involved a transgender man who, "was refused authorization by the Bulgarian courts to have the indication of sex in the civil-status registers amended, and thus to obtain legal recognition of his identity as a male." The ECHR ruled that the Bulgarian authorities' refusal to grant legal recognition to the applicant's gender reassignment, without providing relevant and sufficient reasons, and without explaining why it had been possible to allow gender reassignment in other cases, had constituted an unjustified interference with the applicant's right to respect for his private life. The applicant was also awarded monetary damages.¹⁶⁴ The ADFI weighed in in support of Bulgaria.

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