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Written statement* submitted by Coordination des Associations et des Particuliers pour la Liberté de Conscience, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[29 May 2023]

* Issued as received, in the language of submission only.



Human Rights Abuses Against Members of the Buenos Aires Yoga School

The Buenos Aires Yoga School (BAYS) was established in 1983 by Dr. Juan Percowicz to teach Raja Yoga, Western and Eastern philosophy, and their practical applications to improve personal well-being and daily life¹.

By the early 1990, it had achieved considerable success. When on June 5, 1992, Percowicz presented the school's philosophy in a lecture at the Sheraton Buenos Aires Hotel & Towers, the event had been declared of "national interest" and had received the official congratulations of the Ministry of Culture and Education, the City of Buenos Aires, and several other institutions. The school's musicians were gaining national and international recognition. Another student, Carlos Barragán, and his all-BAYS team were on their way to be acknowledged as the world champions of stage magic. Others had gained awards in the artistic, business, and medical fields.

As it often happens, success came together with envy, accusations by "anti-cultists" who do not tolerate unconventional thinking, and slander by a few parents dissatisfied with the fact that their sons or daughters had joined the BAYS. Unlike in other groups, where attacks come from a community of disgruntled "apostates," in the case of BAYS there was only one former member who attacked the school: one Pablo Salum, who had been with it as a young man and went on to become a "career anti-cultist," denouncing as "cults" the Mormons, the Jehovah's Witnesses, the Freemasons, the Seventh-day Adventists, and even the Catholic Discalced Carmelite nuns.

Based on the accusations of hostile relatives, later joined by Pablo Salum, in 1994 a prosecution was started against the BAYS, accused of operating a prostitution ring to finance itself. After a long investigation, in 2000 all BAYS defendants were found innocent of all charges. The judge commented that Salum's testimony was contradictory and reflected conflicts within his family more than the reality of the BAYS.

BAYS went on with its courses of philosophy and lived a quiet life until a special prosecutorial office called PROTEX (Office of the Procurator for Combating the Trafficking and Exploitation of Persons), some of whose leaders had started befriending Salum and listening to his anti-cult tirades, decided that it was in its best interest to expand its activities by considering the recruitment of members of religious groups stigmatized by their opponents as "cults" as a form of human trafficking.

In some cases, PROTEX was unsuccessful. For example, in the case of the Argentinian branch of the Australian Christian movement Jesus Christians, called "Cómo vivir por fe", a raid instigated by Pablo Salum resulted in a decision of November 28, 2022, where all defendants were found innocent. The court castigated Salum for having "coached" and manipulated the main witness.

In the case of BAYS, since Salum kept accusing female members of the school (including his own sister) of working as prostitutes to finance the organization, the PROTEX believed it had a perfect case of trafficking, putting together "cults" and prostitution. Ignoring the fact that most of Salum's accusations referred to old facts already judged in 2000, resulting in a double jeopardy, and that by 2022 most of the women he accused of being prostitutes were in their late forties, fifties, or sixties, PROTEX organized on August 12, 2022 a raid at a Buenos Aires building hosting a cafeteria where the BAYS lessons were offered and 25 private apartments of several students.

It was a militarized raid against BAYS students who were mostly middle-aged and elderly ladies. Fully armed SWAT team police broke the door and entered the coffee shop. A retired military man who was there recognized the weapons for what they were: loaded, with safety removed, and ready to shot. In a few seconds, all hell broke loose. The police went up to all the apartments and started breaking all the doors, pursued in vain by their owners who offered the keys to the officers so that they could enter without destroying the entryways. Once inside, the police searched everywhere, gutting furniture and throwing all the content of the cabinets on the floors. When the agents left, with the media ready to take pictures of them outside the building, almost all owners complained that money and jewels had been stolen.

Similar scenes took place around Buenos Aires during all the night, in other private apartments of BAYS students, totaling 51 raids. In one of those apartments, a man was badly beaten by the police for no reason (it came out later they had mistaken him for somebody else). All in all, twenty persons were arrested (three of them at Buenos Aires airport before boarding a plane to the United States of America) and warrants for arrest were issued against another eight, four of whom were abroad.

The BAYS prisoners were submitted to a very harsh jail regime. Ten shared the same cell. Some of them were homosexuals, and reported that they were insulted and intimidated by dangerous gang men who occupied a nearby cell.

Meanwhile, PROTEX and the judiciary interviewed the alleged “victims” who, according to Salum, had been persuaded by the BAYS to work as prostitutes. The youngest was a 36-year-old real estate agent, and their median age was 47. They included a 66-year-old social psychologist and a 62-year-old visual art teacher. They all emphatically denied being victims, having ever been prostitutes, or having been trafficked or manipulated by the BAYS. Salum and PROTEX answered by invoking the pseudo-scientific and discredited theory of brainwashing. The alleged “victims” had been brainwashed, they claimed, and as a consequence did not realize they were victims.

As they found no evidence of money coming from prostitution, they considered that the income of all the members came from such activity and that all the students’ businesses (a real estate agency, medical offices, an accounting firm, a law firm, a philosophical coaching company, etc.) were just a facade, ignoring the immense amount of accounting, banking and tax evidence (most of it collected in the raids) that proved that all their activities were true and legal. In this way they added “money laundering” to the charges without having analyzed even a single piece of evidence, thus affecting more students with criminal charges.

Given that Protex dictates courses and makes interventions in courts trying to install the idea of brainwashing and ignoring the advances of the last thirty years on the subject, it should not be surprising that the judge tries to support the position of these officials. Thus, to justify them he has accepted such eccentricities as the following:

1. To consider that Dale Carnegie's famous work “How to Win Friends and Influence People” is a brainwashing manual;
2. To maintain that BAYS held the alleged victims captive in apartments owned by them, and in which all of them continue to live peacefully at present;
3. Assert that a rest therapy administered by outside health professionals was used to “brainwash” the victims,” although among its most frequent patients were the BAYS managers themselves.

On November 4, 2022, the Court of Appeal freed all defendants from jail. They went home, although they suffer from post-traumatic stress and can hardly sleep at night. Even students who were not arrested are still traumatized by the terror of the raids. Their businesses have either been closed by the authorities or cannot function because of the negative media publicity. They are almost all jobless.

While we understand that the judiciary is independent and courts of law will eventually rule on the BAYS case, Coordination des Associations et des Particuliers pour la Liberté de Conscience notes the abusive acts of PROTEX that violated in many ways the human rights of the BAYS members, and cooperated in orchestrating a media slander campaign that made it impossible for them to continue with their normal activities and jobs. The cooperation by PROTEX with a questionable character such as Pablo Salum also raises serious doubts about its anti-cult and anti-BAYS biases. Coordination des Associations et des Particuliers pour la Liberté de Conscience asks the Argentinian government to investigate the abusive actions of PROTEX and to fully protect the human rights and freedom of religion or belief of all BAYS members, both those who are defendants in the case and those who are falsely depicted as “victims.”

¹ Information on BAYS and its case are taken by the only scholarly study of the group published in a peer-reviewed journal: Massimo Introvigne, “The Great Cult Scare in Argentina and the Buenos Aires Yoga School,” *The Journal of CESNUR*, 7.3, 2023, 3–32; parts of this study are reproduced here with permission.