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Social hostility towards Jehovah's Witnesses and Soka Gakkai

HRWF (29.12.2009) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - Incidents targeting minority religious groups multiply in France although they are usually under- or unreported by the media and French human rights watchdogs. The last two cases identified by Human Rights Without Frontiers concern Jehovah's Witnesses and Soka Gakkai.

Tags on the meeting place of Jehovah's Witnesses in Pont-St-Vincent

According to the Républicain Lorrain of 26 December 2009, a discreet meeting place used by Jehovah's Witnesses in Pont-Saint-Vincent (Meurthe-et-Moselle) was damaged in the night of 23-24 December. Eighteen big tags of insults were painted on a wall of the building, the shutters and a door. The operation had been carefully premeditated as the incident was organized during the night at the back of the building to avoid any witness. The police are investigating. It is the first time that this place is targeted by malicious perpetrators.

On 18 December 2009, Human Rights Without Frontiers reported about 60 cases of violence against meeting worship places of Jehovah's Witnesses in France in 2008.

Soka Gakkai involved in an unwanted controversy

On 18 December 2009, the mayor of Trets (Provence), Jean-Claude Feraud (UMP) decided to organize the annual Christmas dinner for his staff (160 persons) on the site of the Soka Gakkai. Very few places can accommodate such a big group and the mayor wanted to bring some change as a dozen of such events had already taken place in the same restaurant "Le Moulin de l'Arc".

He soon had to face heavy criticisms from: Mr Pachou president of the anticult group Gempipi; Mrs Di Lena, communist councillor in Trets; several regional newspapers (such as La Provence and La Marseillaise). The reason of this hostility is that the Soka Gakkai was mentioned on the list of dangerous cults by the French enquiry parliamentary commission more than ten years ago. However the mayor explained that there had never been any criminal proceedings against that Japanese group and they had developed good relations with the local community.

Jean-Claude Feraud had granted them a building permit in 1975 on a land of 40 hectares.

Fenech, MIVILUDES missionary in Polynesia

HRWF (23.12.2009)/ Website: <http://www.hrwf.net> - Email: info@hrwf.net - According to Georges Fenech, head of MIVILUDES, 20% of the so-called sectarian deviations are to be found among the overseas population of France which represents 4% of the total population of the country: 6000 Polynesians are said to be victims of cults.

At mid-December, Fenech visited the French overseas territories of Polynesia during four days to explain the objective of his mission and warn the local authorities against the so-called infiltration activities of cults in the education and health sectors. He said to the media that the sectarian phenomenon is a reality in Polynesia. He stressed that about 20 "suspicious groups" were active in Polynesia and he mentioned the Church of Thabor Mount as a problematic movement.

In order to thwart the deficit he said to have noticed in French Polynesia concerning the observation and the analysis of the sectarian phenomenon, he proposed to the authorities to create a "vigilance structure" which could meet two or three times a year. In 2010, MIVILUDES would be in a position to send its technical advisers to train the local authorities, he said: How to identify a sectarian deviation? How to put in place alert signals? How to fight against such deviations?

The elected who were present addressed the issue of the cultural difference of the Polynesians, the traditional medicine and its limits and also the local diversity of beliefs.

2010 will tell us whether the head of MIVILUDES will successfully proselytize the Polynesians.

For more about this missionary trip, see

<http://ia-ora-te-fenua.over-blog.com/article-17-12-09-rencontre-avec-g-fenech-president-de-miviludes-41432788.html>

<http://www.tahitipresse.pf/2009/12/derives-sectaires-georges-fenech-constate-une-carence-institutionnelle-et-associative/>

<http://www.tahitipresse.pf/2009/12/6-000-polynesiens-touchees-par-les-sectes/>

Tensions grow for Muslims as French debate national identity

By Edward Cody

Washington Post (19.12.2009) -

When Muslim worshippers showed up at the Bilal Mosque early Sunday morning, they found two pig's ears and a poster of the French flag stapled to the door; a pig's snout dangled from the doorknob. "White power" and "Sieg heil" were spray-painted on one side, they recalled, and "France for the French" on the other.

The desecration of the main mosque in Castres, a tranquil provincial town 50 miles east of Toulouse, was an ugly exception in generally easygoing relations between the native French population and a pocket of about 10,000 Muslims, mostly Algerian immigrants and their children, who in recent years have made Castres their home, according to Muslim as well as native French residents. Mayor Pascal Bugis was quick to condemn the outrage, visiting the scene to express dismay, and police vowed a swift arrest of those responsible.

But for Abdelmalek Bouregba, head of the Castres Islamic Association, which administers the mosque, the vandalism was a troubling sign of the times. Signals are flashing everywhere that France is increasingly uneasy with its more than 5 million Muslims, he said, and the atmosphere has soured particularly since President Nicolas Sarkozy's government last month began what it calls "a great debate on national identity."

In parallel with the government-organized debate, he noted, a parliamentary committee is holding hearings to determine whether legislation is necessary to forbid Muslim women from wearing full veils in public. Its chairman, André Gerin, said at a session Wednesday that such veils are "barbaric." Interior Minister Brice Hortefeux, a confidant of Sarkozy's, urged a ban in public buildings, such as town halls and hospitals, saying that "there is no place in France for burqas."

Some legislators from Sarkozy's coalition, the Union for a Patriotic Movement, have proposed a law to forbid foreign flags during immigrant weddings in city halls. And a small-town mayor from the Sarkozy coalition, André Valentin, warned during a government-sponsored national identity debate last week that "we are going to be gobbled up" unless something is done to halt the influx of immigrants, who he said "are paid to do nothing."

"All this encourages this kind of thing," Bouregba said at his mosque. "This gives ideas to extremists. Otherwise, they might have anti-Muslim ideas, but they would never act on them. . . . In my view, the national identity debate has stoked tensions."

The government-endorsed French Council for the Muslim Religion issued a similar warning the day after the desecration here was discovered. "The exploitation of these debates by some people presents a real danger of stigmatization against France's Muslims," it said. Outside the Muslim world, SOS Racism, a nongovernmental advocacy group, deplored what it called the "liberation of racist expressions, a liberation that the national identity debate permits and organizes."

The Socialist Party, France's main opposition group, called on Sarkozy to close the debate before it does further damage. Even within the governing coalition, some parliamentary figures not closely tied to Sarkozy also suggested it is becoming a Pandora's box.

A recent poll taken for the *Nouvel Observateur* magazine showed that 55 percent of those queried think the debate is at best unnecessary. Another 42 percent expressed fear that it has gone off in the wrong direction, focusing on problems caused by Muslims and immigrants rather than on what it means to be French.

The president, however, has portrayed his decision to launch the debate as a noble undertaking, a necessary expression of French people's feelings, and has shown no sign of backing down. After Swiss voters decided in a referendum Nov. 29 to ban construction of minarets, he issued a statement saying such unease was understandable, calling on Europe's Muslims to avoid ostentatious displays of their beliefs lest they jolt the continent's Christian traditions.

Eric Besson, Sarkozy's minister of immigration, integration and national identity, has been managing the debate and has also been assigned to sum up its conclusions in a major speech in two months. That, critics pointed out, will be just before March's regional elections, in which Sarkozy's coalition hopes to sweep up votes that normally would go to the ultra-right National Front, the country's main anti-immigration political movement.

Anti-Muslim vandalism has long occurred occasionally in France but the Interior Ministry did not respond to a query about how many desecrations were on record this year and whether the number has risen.

Formerly a farm building on the edge of town, the Castres mosque is surrounded by a Christian cemetery, with rows of crosses and statues of angels. It was remodeled in 1986 with Moorish tiles around the entrance and glass chandeliers for what became the main prayer room, which attracts about 300 worshipers for Friday prayers.

Before that, Muslims here had gathered to pray on Fridays in a church hall made available by a Roman Catholic priest.

The town's Christian origins are clear -- Christmas carols from town hall loudspeakers float over the main square -- but Muslims here have not encountered widespread hostility, Bouregba said. Only twice before in the mosque's 23 years of operation had vandals spray-painted slogans on the outside wall, he recalled, and once a pig's head was fixed to the gate.

Encouraged by their growing numbers, Castres Muslims this year began raising funds to build a new mosque. Bouregba, who works for city hall in a youth center and signs his e-mails "French citizen," said plans call for a considerably larger facility to include classrooms, a conference hall and perhaps a tea room "to embellish the situation of our religion in the community."

Although negotiations are under way with the proposed site's owner, there has been no sign of organized opposition. At a neighborhood meeting last week, however, homeowners questioned whether it was a good idea to build a mosque so close to a nearby public school, according to the weekly newspaper Ici Castres.

"It is a logical question," Bouregba said, declining to qualify it as a sign of hostility.

Lawmaker plans bill to ban all-encompassing veil

By Sylvie Corbet

AP (22.12.2009) - A French parliamentarian said Tuesday he would file legislation to bar Muslim women from wearing veils that hide their faces in public.

President Nicolas Sarkozy has said that burqa-like veils are "not welcome" in France, and a parliamentary panel has been gathering information on the subject to release in a nonbinding report expected next month.

Lawmaker Jean-Francois Copé, who heads the president's UMP party in the National Assembly, the lower chamber, suggested Tuesday that he would submit his bill before the panel issues its report. He said he wants the veil banned not just from public buildings but also in the streets of France.

"We want a ban in public areas," Copé said.

Only a tiny minority of Muslim women in France wear the extreme covering - not required by Islam. Authorities worry such dress may be a gateway to extremism, and say it amounts to an insult to women while also going against the deeply secular nature of France.

However, the speaker of the lower chamber, Bernard Accoyer, said he felt his UMP party colleague's plan risks "appearing premature" before the parliamentary panel issues its report.

"On such a societal question that (concerns) the fundamental principles of our Republic, the search for a large consensus is a priority," Accoyer said.

Muslim leaders and secular experts have told the panel that a full ban could stigmatize all Muslims and would pose enforcement problems.

Copé said after a meeting of Sarkozy's Union for a Popular Movement that he planned to file two distinct texts in January, one of which would ensconce the ban in a larger bill forbidding people from covering their faces on security grounds.

The other text would be a resolution regarding respect for women's rights. A resolution approved by lawmakers does not carry the weight of law, but solemnly affirms a principle.

Copé suggested a fine could be levied against anyone breaking the ban. However, he also suggested a period of mediation lasting several months "with the women in question and their husbands ... to explain" and discuss the issue.

Such a mediation period was put in place after France banned Muslim headscarves from classrooms in 2004 after a marathon parliamentary debate. Other "ostentatious" religious symbols were included in the ban but it targeted headscarves.

Raid on an ecumenical monastery by MIVILUDES head Georges Fenech

HRWF (17.12.2009) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - On 13 October 2009, the ecumenical and secular monastery "Le Moulin des Vallées" (Valleys' Mill) in Ille-et-Vilaine got the unexpected and unsolicited visit of MIVILUDES accompanied by journalists. A real crackdown, as it was said by Anne-Cécile Juillet in her article published in "Aujourd'hui en France" three days later.

The residents were shocked by the fact that the head of MIVILUDES, Georges Fenech, abused his position to enter the monastery under cover of a ministerial enquiry and to bring journalists. The residents were outraged by Fenech's methods of interrogation and his systematic suspicions about the alleged sectarian character of their community. They also think that the crackdown was part of a broader strategy staged by Georges Fenech as the following sequence of events shows:

13 October: Crackdown of Mr Fenech and his team at the Ecumenical Monastery "Moulin des Vallées" after a failed visit at another supposedly sectarian group.

15 October: Debate at the National Assembly about the infiltration of cults in the medical sector with Catherine Picard, president of the anti-sect movement UNADFI (She is also a member of MIVILUDES Orientation Council and a member of the French Socialist Party).

Visit of a photographer hired by « Aujourd'hui en France » to take pictures of the Ecumenical Monastery

Fax sent to the director of the newspaper « Aujourd'hui en France » to ask for a copy of the article before publication, this was refused.

16 October: Publication of the article in « Aujourd'hui en France ». The monastery was assimilated to a cult and compared to Scientology. It was also suggested that the suicide

of a person was due to his affiliation to the monastery although this had been denied by the police enquiry.

2-3-5 November: The residents of the monastery sent registered letters to the director general of the TV channel France 2 as they had heard that a TV programme « Prise Directe », planned under the title « Disparitions inquiétantes » (Concerns about Disappearances), was to show a film shot by Céline Crespy and her cameraman during the crackdown.

The project of France 2 to lump together life in sects and unexplained disappearances of children in the same program was finally dropped.

For more detailed information, see article in French at:

http://www.sectes-infos.net/Moulin_des_Vallees.htm

Attacks and harassment against Jehovah's Witnesses in France, 2008

Dep't	Place of Worship	Type of damage	Date of the damage
36	Valencay	Material damage to the building	03/01/08
75	Paris Secretan	Material damage to the building	13/01/08
29	Carhaix	Material damage to the building	20/01/08
62	Calais Est	Material damage to the building	23/01/08
59	Lille Haubourdin	Discriminatory graffiti	26/01/08
41	Blois Ouest	Material damage to the building	04/02/08
67	Strasbourg Meinau	Material damage to the building	04/02/08
64	Mourenx	Material damage to the building	06/02/08
64	St Jean de Luz	Material damage to the building	09/02/08
93	Epinay Ouest	Discriminatory graffiti	09/02/08
27	Pont Audemer	Material damage to the building	10/02/08
41	Vendome	Material damage to the building	10/02/08
33	Libourne St-Denis	Material damage to the building	12/02/08
30	Villeneuve les Avignon	Material damage to the building	13/02/08
14	Caen Sud Est	Material damage to the building	14/02/08
75	Paris Alesia	Discriminatory graffiti	16/02/08
54	Neuves Maisons	Discriminatory graffiti	24/02/08
19	Brive Sud	Material damage to the building	01/03/08
14	Dives Sur Mer	Material damage to the building	07/03/08
76	Oissel	Material damage to the building	23/03/08
01	Gex	Threat to damage building	30/03/08
30	Villeneuve les Avignon	Discriminatory graffiti	12/04/08
38	Vizille	Discriminatory graffiti	14/04/08
74	St Julien	Material damage to the building	19/04/08
77	Fontainebleau	Material damage to the building	26/04/08
89	St Florentin	Material damage to the building	26/04/08
89	St Florentin	Material damage to the building	28/04/08
69	Lyon Etats-Unis	Material damage to the building	14/05/08
54	Vandoeuvre les Nancy	Discriminatory graffiti	16/05/08
30	Ales Nord	Arson attempt (molotov cocktails)	17/05/08
34	Montpellier mas D'astre	Material damage to the building	17/05/08
20	Ghisonaccia	Discriminatory graffiti	18/05/08
26	Nyons	Discriminatory graffiti	23/05/08
14	Herouville St Clair	Material damage to the building	24/05/08

06	Nice Sud	Shots fired at building	27/05/08
08	Fumay	Swastika painted on the building	07/06/08
31	St Gaudens	Material damage to the building	21/06/08
44	Nantes La Beaujoire	Material damage to the building	25/06/08
64	Pau Centre	Discriminatory graffiti	11/07/08
35	Rennes Ouest	Discriminatory graffiti	14/07/08
42	Roanne Nord	Discriminatory graffiti (Swastikas)	14/08/08
20	Corte	Material damage to the building	28/08/08
54	Joudreville	Discriminatory graffiti (Swastikas)	10/09/08
74	Chamonix	Material damage to the building	11/09/08
62	Berck Sur Mer	Discriminatory graffiti	12/09/08
14	Bougy	Discriminatory graffiti	05/10/08
45	Gien	Damage to 25 cars of the faithful	14/10/08
29	Portsall	Material damage to the building	16/10/08
56	Ploermel	Arson attempt (Molotov cocktails)	17/10/08
76	Elbeuf Ouest	Material damage to the building	24/10/08
13	Aix en Provence Sud	Material damage to the building	25/10/08
44	Nantes Pont Rousseau	Material damage to the building	30/10/08
25	Maiche	Material damage to the building	01/11/08
01	Bourg en Bresse Est	Discriminatory graffiti	08/11/08
67	Strasbourg Nord	Material damage to the building	11/11/08
69	St Genis Laval	Discriminatory graffiti	16/11/08
57	Montigny Les Metz	Damage to cars of the faithful	11/12/08
81	Albi Nord	Discriminatory graffiti (Death to JW and swastikas)	22/12/08
91	Draveil	Material damage to the building	22/12/08
38	St Marcellin	Material damage to the building	23/12/08

The inadequate and irresponsible fight against sectarian abuse

***OSCE/ ODIHR Human Dimension Implementation Meeting –
Warsaw, 29 September 2009 - Working Session 2***

Intervention of the Centre of Information and Consultation on New Spiritualities B. P. 7 • 82270 Montpezat de Quercy

CICNS(1) – Our association (Centre of Information and Consultation on New Spiritualities), which is independent of any religion and any political party, represents any citizens acting in a peaceful way, so that the principles of an open 'laicity' be respected, as well as basic freedoms of thought, conscience and religion in accordance with the European Convention on Human Rights.

For five years, CICNS has analyzed the debate on the « cults » issue in France(2). The sustained condemnation of spiritual research, repeatedly presented to the public through derogatory expressions such as 'sect' or 'cult', is perpetrated by some individuals and groups who are heading a crusade to entrench prejudice against freedom of spirituality as a whole. Criminal acts committed by a few individuals, along with a few tragic events around the world are used to justify an ongoing campaign of discrimination in France. CICNS members do not deny that when criminal acts are committed, they should be judged and punished according to law, when evidence provides the required proof. However such criminal acts should be treated for what they are, independent of the spiritual belief or associations of the perpetrators. One function of the CICNS is to keep in its archives, examples and testimonies of allegations of criminal acts, some without any credible evidence, which have fuelled campaigns of disinformation on the nature of

spiritual research and led to discrimination, injustice and human tragedy. This justifies the existence of the CICNS.

An inadequate and irresponsible stand - The use of such allegations to denigrate legitimate spiritual movements and research has no place in a society that claims to be a democracy. Asma Jahangir, special rapporteur on freedom of religion or belief at UN, mentioned after visiting France in September 2005, "a climate of general suspicion and intolerance"(3). This climate is the consequence of a thirty-year policy led today by MIVILUDES(4) (the French inter-ministerial mission to monitor and combat sectarian abuse under the supervision of the Prime Minister) and a fraction of members of Parliament therefore propose a critical review, as specified below(5). While it is true that the Ministry of the Interior has adopted a much more balanced approach(6) and, through its influence, does succeed in moderating MIVILUDES policy, the overall tone is dictated by the inter-ministerial mission. An intimidating arsenal has been put in place in terms of communication in the media, documentation, organization and legal provisions(7). Despite discourse offering emphasis on secular values and the respect of freedom of conscience(8), the French public authorities' actions against sectarian abuse are inadequate and irresponsible.

An inadequate and irresponsible stand against sectarian abuse

- 1- A purposely ambiguous stance - The commitment of French authorities in 2002, to switch from combating cults to combating sectarian abuse, in particular with the creation of MIVILUDES, has not been upheld, mainly because some anti-cult proponents didn't mean to: "We (...) study cults for some time now, most of us, here, in order to preserve individual and collective liberties"(9); and because the groups in which sectarian abuse is supposed to occur are systematically labelled as 'cults' thus generating a great deal of confusion in the media (making use, without hindsight, of the fear generated around 'cults'), among the public and even among members of the French parliament or government representatives(10). Using synonyms of the word 'cult', such as 'cultic group', 'group with cultic characteristics', 'group with sectarian abuse' towards movements which have been consistently called 'cults' for years, is but another hypocrisy.
- 2- Deleterious terminology - The term 'cult' ('sect') has acquired a pronounced pejorative meaning in France. It is synonymous with 'criminal group'. It is an insulting expression which aggregates in the public view, the crimes and offences that make the headlines (paedophilia, fraud, collective suicides and so on). Is it acceptable to prompt healthy public debate on spiritual minorities when they are designated by terms that instantly discredit them? We think not. It is worth noting that the anti-cult terminology has spread to all segments of society in France, especially in the political arena(11), thus increasing its disparaging effect.
- 3- Rumours and unfounded data - The anti-cult discourse in general or issued by MIVILUDES, mainly focuses around fears which have been generated around so-called 'cults' over three decades. This fear is fuelled using data that does not rely on solid research methodology - or for that matter, is not based on peer reviewed scientific results (sociologists of religion have been put aside(12) by MIVILUDES or have left the structure(13) or refused collaboration(14) considering they couldn't work in satisfactory conditions). Among the ludicrous data broadcast regularly, we draw your attention to statements including "500 000 persons are caught in a sectarian environment"(15), "this endemic evil", that "80 000 children (...) are directly threatened by sectarian abuse"(16), and the notion that France would now harbour 500 cults(17) (keeping in mind the pejorative connotation of the word), that a third of psychotherapists "come from sectarian backgrounds or are conmen"(18). The media indulgently relay these figures with little or no

critical thinking and the general public, caught in an artificially created state of anxiety, doesn't seek proof, rather, seeks to be reassured.

- 4- Accusations of mental manipulation - The very notions of 'mental manipulation' and equivalent expressions such as 'mental control', 'mental destabilization', 'psychological subjection', are systematically mentioned(19) as characteristics of so-called 'cultic groups'. These concepts do not find consensus among the scientific community(20) and should therefore remain in the domain of scientific research. That is why the vote of About-Picard law(21) in France, a bill unwisely penalizing a crime of 'psychological subjection' and targeting specifically so-called 'cults' despite its final formulation, is a matter of great concern; The invocation of complex concepts caricatured in the extreme in the communication performed by MIVILUDES(22), anti-cult associations or the media is misinformation.
- 5- Irrelevant criteria for classification of sectarian abuse - Together with the 'mental manipulation' concept, the other criteria used to determine sectarian abuse(23) could in fact be applied to almost any group found in humanity. Use of these criteria is an attempt to impede the enforcement of common-law with so-called 'cults'(24).
- 6- The spirit of 'laicity' disregarded - Referring to legal means available with regard to sectarian abuse, the 2007 MIVILUDES annual report(25) states: "It is absolutely essential to refer to the doctrine of the movement and to integrate it in the enquiry because it contains in a systematic way, the ideology that urges to or leads to the violation of law". As part of the 1905 law of separation between Church and State, the latter and its services do not recognize any cult and should therefore not evaluate beliefs. The evaluation of a movement's doctrine can only be envisaged if performed by independent and qualified experts, for example, by sociologists of religion - among other experts. But by keeping scholars at bay, MIVILUDES denied a 'knowledge acquisition' approach. It is therefore legitimate to ask how and by whom beliefs are evaluated in France, to determine their alleged dangerous aspects(26) (to suggest, as is more and more the case today, that many so-called 'cult's have nothing to do with spirituality is a way to judge what is of a spiritual nature and what is not(27).
- 7- A non contradictory approach without methodology - The testimony of 'victims' plays a major role(28) in the policy adopted to combat sectarian abuse and cults in France. Although it is quite natural to take these testimonies into account, they shouldn't be the only source of evaluation of spiritual minorities (as is the case today), all the more so as several administrations, testifying during the parliamentary enquiry commission of 2006 (29) on the theme 'Stolen childhood', presented very low figures on problems linked to sectarian abuse. Such disputes should therefore include the testimony of all parties to the debate (which is not the case today). In addition, it would have been necessary to apply a suitable methodology(30): Individually identify victims to assess their true number and thus verify whether a large scale public action was relevant; categorize these victims into 'true victims' and 'non-credible victims'(31); in the case of true victims, qualify the crimes they were subjected to; evaluate crimes caused by individuals or those that could be attributed to a movement's doctrine; set up statistics to compare delinquency in the midst of spiritual minorities and the rest of society to verify whether these movements constitute identifiable pockets of delinquency (an assertion implied by anti-cult proponents, which we consider unfounded). These basic tasks would have required the cooperation of independent experts with acknowledged credentials, in several fields (sociology, theology, psychiatry, psychology, law, etc.), publishing referenced and peer reviewed results. The fact is, this basic methodological work, which would have

arrived at a consensus amongst a cross-section of scientific disciplines, has not been done to date.

8- Stepping unwisely outside the field of penal law – Unlike the position held by the Ministry of the Interior (particularly at the Central office on cults) which focuses on the prosecution of actual penal infractions(32) perpetrated amidst spiritual minorities(33) (the normal way to evaluate public order crimes in a state ruled by law), MIVILUDES, supported by a fraction of members of parliament, aims at instating a form of extreme precaution principle(34) which leads to the pre-designation of groups suspected of sectarian abuse. This reasoning is probably explained by the small number of convictions(35) pronounced against so called 'cults'(36). Stepping outside the field of penal law is in itself a problem. Nonetheless, in a context where it was appropriate, a great deal of care would be essential to ensure it does not lead to intolerance and judgement towards alternative choices of life(37), while pretending that freedom of conscience is respected and family and individual values reassured, as is currently the case in France.

9- Perpetuation of discrimination - If the transition from 'combat against cults' to 'combat against sectarian abuse' had been effective, one objective for MIVILUDES would have been to ensure that discrimination towards spiritual minorities ended(38). It would have been necessary to assess the damage caused by the previous policy aimed at cults (1996, 1999, 2007 parliamentary reports, the impact of MILS, the predecessor of MIVILUDES) with qualitative and quantitative analysis; it would have been necessary to confirm from the groups arbitrarily qualified as 'dangerous cults' that the people involved no longer suffered in their professional, social or private life from having made alternative spiritual choices. In fact, the opposite has taken place(39).

10- MIVILUDES repository for cultic groups – MIVILUDES announced the release of its new repository(40). Initially meant to be widely published, it will not be so, as a result of the Ministry of the Interior intervention towards the Prime Minister(41). If stopping a planned publication is commendable, the repository still exists and will be open according to MIVILUDES, "on site and on request", "to law's administration, associations, spirituals movements themselves, public authorities, ministries and local elected representatives, who often question us when they have to rent a public hall for such and such conference or to grant somebody an agreement for nursery care assistance. Also individuals can already consult us although we do not actually release any documentation"(42). Considering the prevailing French climate around so called 'cults', this repository, indexing more than 500 movements and organizations, is equivalent to a list of proscription, as was (and still is) the parliamentary list of cults of 1996, which was severely criticized. Though without legal value, this latter list has been regularly used by authorities(43) and is systematically referenced in the media, without being contestable in courts of law. Will the repository be contestable in courts of law? MIVILUDES asserts that it will take into account contradictory data(44) - yet no contradictory approach has been used to establish such data. Furthermore, in an era of Internet access, it may be asked how long the repository will remain with limited access.

Conclusion

- New dialogue – Our critical analysis of the fight against sectarian abuse led in France, highlights too many unacceptable aspects to allow us to point out any positive side. MIVILUDES chooses to work with contributors mainly in the anti-cult camp(45) - contributors who often distinguish themselves with violent talk(46) and the mission has not created or sustained acceptable dialogue to understand an important social issue. Today's spiritual minorities participate in shaping tomorrow's spirituality. To refuse this

background tide by ostracizing it, is a way to turn French society against a part of its very self. It is necessary to establish new dialogue, open, serene, respectful, healthily contradictory, grounded in a knowledge-acquisition approach and open curiosity towards new spiritualities, and under the rule of law. Until now, the media has been a key player in an unhealthy, deteriorating debate; yet they could become players in its reconstruction.

- An observatory of spiritual minorities in France – CICNS strongly recommends the creation in France of an independent Observatory on spiritual minorities(47). This observatory would be a balanced and reference structure (composed of personalities with diverse opinions and acknowledged credentials), similar to INFORM(48) in the UK, that could express its views and recommendations to the government, the parliament and public authorities in order to improve law bills, to preserve public liberties with respect to the diversity of spiritual and therapeutic choices in the 21st century, while enforcing public order. The Observatory would engage in a knowledge acquisition process towards spiritual minorities, through which the minorities would feel confident in coming out of the shadows they have been driven into.

- A European Observatory on spiritual minorities – A European observation structure of spiritual minorities federating recommendations and views expressed in the different European countries appears to be necessary, to harmonize the comprehension of a significant and sensitive issue in society.

FOOTNOTES

1 See the presentation of our association on our website (source).

2 Our observations are based on our own research and contributions of sociologists, lawyers, various actors in society, some of whom we have interviewed, and on testimonies of members of spiritual minorities (see our video section - source).

3 See Asma Jahangir's (special rapporteur at UN) report after her mission to France (source).

4 See MIVILUDES website (source).

5 MPs activity in the anti-cult fight has been particularly intense, as no less than three parliamentary enquiry commissions have taken place on that subject: in 1995 (that commission produced the first list of 'cults' – source), in 1999 (on the theme 'cults and money', that commission completed the first list of 'cults' – source) and in 2006 (on the theme 'Stolen childhood' - source). Some MPs want to launch a fourth parliamentary enquiry commission: "Lepoint.fr: Why do you want a new parliamentary enquiry commission on cults? MP Jacques Myard: There is today a rise in the number of con men and psychotherapists promising recovery to depressed and defenceless people. In fact they belong to cults and try to swindle these people. Therefore I have officially signed Friday my request for the creation of a parliamentary commission on the medical and paramedical aspects of sectarian abuse" (Le Point, 29 February 2008 - source).

6 See an article by Raphaël Liogier, sociologist, in Le Monde dated 3 March 2008, on the cultural difference between MIVILUDES and the Ministry of the Interior about the cult issue (source). CICNS has on its own verified this difference of approach through several meetings with the directors of the Central office on cults.

7 In 2008, around 400 pages were published to warn the public and administrations against the danger of sectarian abuse. Among the available documentation, the following can be found: MIVILUDES annual reports, the guide for territorial authorities facing sectarian abuse, the guide for the public agent facing sectarian abuse, the guide for the • Page 5 HDIM-Warsaw-Working session 2 29 September 2009 CICNS • B. P. 7 • 82270 Montpezat de Quercy • Tél.: 33 (0)6 34 11 49 58 • contact@cticns.net • www.cticns.net Declared Non Profit Association governed by the French law of July 1st 1901 in Tarn et Garonne Prefecture

enterprise facing sectarian danger, the justice facing sectarian abuse (see our commentary on the latter as it gives a status on the operational measures taken to combat sectarian abuse source).

8 Example: the introductory paragraph to the guide for territorial authorities facing sectarian abuse is entitled: "A fundamental principle, the freedom of thought, conscience and religion" (source).

9 Some examples:

- a- A press release signed among other MPs by Georges Fenech (then MP) on 27 June 2005, justifies the use of the list of cults from the parliamentary report of 1996: "A reference for the work on prevention and combat against sectarian abuse" (source).
- b-
- c- Quote from MP Jacques Myard, when auditioning Mr. Jancovici during the parliamentary enquiry commission of 2006 entitled 'Stolen childhood': "(...) Mister, you have mentioned two cults, from which one has already made the headlines in the past, (...) and the other which I didn't know, because indeed they swarm (...)" (source). As a reminder, Georges Fenech was the president of this parliamentary enquiry commission. Quote from MP Jean-Pierre Brard (member of MIVILUDES Conseil d'Orientation), when auditioning Mr. Rufo during the parliamentary enquiry commission of 2006 entitled 'Stolen childhood': " We (...) study cults for some time now, most of us here, in order to preserve individual and collective liberties (...)" (source).
- d- In a document entitled 'Justice facing sectarian abuse' (source), Georges Fenech, the author, states that the notion of 'cult' has no legal definition (page 20). Why then is there in the police force a referent group for enquiry on 'cults' collaborating with MIVILUDES (page 25)? Why does MIVILUDES work in close partnership with anti-cult associations, which according to Georges Fenech himself are structures of 'protection against cults' (page 39)? Why is Georges Fenech recommending the creation of a 'European observatory on cults' (page 47)?
- e- Interviewed on 19 December 2008 by journalist Paul Vermus (source) in a debate around integration and cults, Georges Fenech states: "If I give you the name of all the cults I have in my line of sight, I am good for a trial on the spot... Not easy to put five hundred cults and communities under surveillance, when five hundred thousand people are involved, from which there are eighty thousand children" (source).

10 Some examples :

- a- Between January and September 2009, MPs have asked 51 questions about sectarian abuse to the government. In the National Assembly database, questions are categorized by a field which takes the value 'cults' for those questions. Out of 51 questions, 44 contain the term 'cults' in the text and some of them have been systematically asked to all ministries (source).
- b- 10 February 2009 – Question to the Government from MP Robert Didier – : "Concerning cults, he wishes to know the measures envisaged to control and prevent the diffusion, the publication and the free over-the-counter sale on the French territory and French speaking internet of books published or written by people identified as belonging to or promoting cultic groups" (source).
- c- 2 June 2009 – Question to the Government from MP Michel Zumkeller –: "Mr. Michel Zumkeller asks Ms the Minister of higher education and research on the annual report on cults, published by MIVILUDES (inter-ministerial mission of vigilance against sectarian abuse). This report describes the means used by cults to settle in 'new niches'. He wishes to know the undertaken measures to oppose the control by cults of the domains she has competence on" (source).
- d- 28 July 2009 – Response from the Minister for food, agriculture and fishing to a question to the Government – the Minister states that he is "(...) producing information intended to help his staff members understanding the organization of the fight against cults and sectarian abuse in France, as well as the procedures to engage in when they are confronted to a suspicion of sectarian abuse, or even an actual sectarian abuse" (source).
- e- 23 February 2008 – Jean-Luc Melançon, French political leader – talks about MIVILUDES as the 'Inter-ministerial mission of vigilance and combat against cults' (source).
- f- 15 July 2009 – Laurent Wauquiez, State secretary –: "I can testify that (...) on my own district, some cults have taken advantage of professional training structures" (source).
- g- 15 September 2009, Michele Alliot Marie, Minister of the Interior: "I will submit in the next penal bill a measure allowing the winding-up of associations, groups or cults convicted of fraud" (source).

11 See our article on the diffusion of the anti-cult terminology in the different segments of society (source).

12 Some examples :

- a- About the annual meeting of CESNUR in Bordeaux, Jean-Michel Roulet (former president of MIVILUDES) considers that it is a way "for a few scholars to spend time quoting each other" (source: Sud-Ouest, 2 June 2007).
- b- In the TV program 'Les infiltrés' on France2, 17 December 2008, discussing the cult issue, Georges Fenech answers a proposal made by Nathalie Luca, sociologist, to use the work of scholars at MIVILUDES: "I am not as bright and brilliant as they are (...) My only work, it is not to engage in university studies, it is to

• Page 6 HDIM-Warsaw-Working session 2 29 September 2009 CICNS • B. P. 7 • 82270 Montpezat de Quercy • Tél.: 33 (0)6 34 11 49 58 • contact@cicns.net • www.cicns.net Declared Non Profit Association governed by the French law of July 1st 1901 in Tarn et Garonne Prefecture

denounce what threatens public order, what is an infraction to the law, what constitutes a danger to public health (...) and to fight everything which is contrary to the interest of individuals and society; let us each of us do our work" (source).

- c- In the 2008 MIVILUDES report, pages 51 and 52, brushing aside the possibility of a common work with scholars, the rapporteurs state: "(...) it is about recommending an objectivity and neutrality, which the intelligence community and MIVILUDES would allegedly lack, by relying on the expertise of scholars specialized on the subject of religion, when these scholars are those who duly referenced by the cultic circle of influence, continuously denigrate those exerting a vigilance and conducting the combat against sectarian abuse and put suspicion on the reliability of ex-members testimonies" (source).

13 Example of Nathalie Luca, social scientist (Le Monde 19 December 2005) (source).

14 Example of Sebastien Fath, social scientist (source).

15 In the newspaper Lyon Capitale, 7 May 2008, Georges Fenech states: "The Government is determined in its decision to combat sectarian abuse which, according to my figures, concerns about 300 000 French citizens" (source). In the TV-program 'C à dire (France 5)', 2 October 2008, he mentions "500 000 citizen concerned by the sectarian issue". In the document "Justice facing sectarian abuse", he adds: "Society could not stay insensitive to that endemic evil affecting around 500 000 of our fellow-citizens", page 10 (source).

16 In the document 'Justice facing sectarian abuse', released to the Prime Minister in spring 2008, Georges Fenech mentions 60 000 children concerned by the sectarian issue. A few month later, in the TV-program 'C à dire (France5)', 2 October 2008, he states that "80 000 children (...) are directly threatened by sectarian abuse". No explanation is given regarding the origin and the evolution of these figures. Those numbers have been cited the first time during the parliamentary enquiry commission of 2006 entitled 'Stolen childhood' (See our commentary on the auditions performed during that parliamentary enquiry commission).

17 In an interview in the TV-journal Soir3 on France3, 30 April 2008, Georges Fenech mentions 300 identified sectarian movements. In the newspaper France Soir, 1st October 2008, he talks about 200 movements. George Fenech was invited in the TV-program 'Allo Docteur - France5', 27 May 2009, presented by Marina Carrere d'Encausse: "MCdE: (...) The 2008 report has been released. First disturbing figure, in fifteen years you note that the number of sectarian movements in France has increased fourfold. Rising from 200 to close to 600. How can this incredible rise be explained? GF: I don't think these figures are in the report. MCdE: I have been given this number. GF: Yes...it is a reality...". Interviewed in the newspaper Liberation, 3 August 2009, Georges Fenech speaks now of "500 movements and structures" (source).

18 Georges Fenech, interviewed on the radio Europe 1: "There is probably one third of psychotherapists who belong to the sectarian circles or are con men".

19 Quote from MIVILUDES 2008 report (source), page 168: "(...) the sectarian environments are often tempted, we see it, to couple their control activities on the people with various fraudulent activities destined to make their profit even more lucrative (...)". See also an interview of Georges Fenech in the newspaper Liberation, 3 August 2009: "L: In which case can we talk of sectarian abuse? GF: When there is mental control or when the life of a person is threatened" (source).

20 See for example the scientific collective work: 'Misunderstanding cults - Searching for objectivity in a controversial field', edited by Benjamin Zablocki and Thomas Robbins. See also CICNS file on the subject of mental manipulation (source).

21 See the bill for About-Picard law voted 12 June 2001 (source).

22 See the book by Arnaud Esquerre, sociologist at EHESS, 'La manipulation mentale - Sociologie des sectes en France', edited by Fayard, 2009; he describes the use of the notion of mental manipulation by the State as one of the "means used by authorities on psyche". See also this work for a description of About-Picard law genesis, its "absence of effects" and its "unexpected effects".

23 See MIVILUDES website for a list of criteria for sectarian abuse (source).

24 See an example of analysis on the sectarian abuse criteria, CICNS website (source).

25 See MIVILUDES 2007 report (source), page 17.

26 Quote from Catherine Picard, president of UNADFI, the main anti-cult association in France, when she was auditioned during the parliamentary enquiry commission of 2006 entitled 'Stolen childhood', answering a question from MP Christian Vanneste: "For some time, for the freedom of conscience sake, we did... shall I say restrict ourselves and we said: doctrines are not our business so long they do not attempt to public order and to the laws of the Republic etc. (...) But in order to support our files and to answer the type of questions you ask, we have been driven to dive into the source of sectarian movements and look (...) " (source). Would

UNADFI, a close working partner for MIVILUDES, be giving opinions on beliefs to the mission (Catherine Picard is a member of MIVILUDES Conseil d'Orientation), when this association has no acknowledged competence on the subject?

27 In response to Emmanuelle Mignon (VSD 20 February 2008 - source), Nicolas Sarkozy former cabinet director, who declared that cults in France are a "non problem", MP Alain Gest (member of MIVILUDES Conseil • Page 7 HDIM-Warsaw-Working session 2 29 September 2009 CICNS • B. P. 7 • 82270 Montpezat de Quercy • Tél.: 33 (0)6 34 11 49 58 • contact@cicns.net • www.cicns.net Declared Non Profit Association governed by the French law of July 1st 1901 in Tarn et Garonne Prefecture d'Orientation) stated: "By invoking freedom of conscience, it is, once again, the same mistake which consists in comparing cults and religions... as do hope the most well-known sectarian movements" (source). In MIVILUDES 2008 report (source), page 53, the rapporteurs state: "The main concern, today, for the State and the associations has to do with the domains of health and training, where it is often difficult to discern any trace of spirituality".

28 This focus on 'victims' is just an aspect of a more general focus on 'victims' in France; see in particular the book by Caroline Eliacheff and Daniel Soulez-Lariviere: "The time for victims", edited by Albin Michel (source).

29 See CICNS documentary '120 minutes for spiritual freedom', part 2, giving extracts of the administrations testimonies (source).

30 Olivier Bobineau, a social scientist, has denounced MIVILUDES lack of methodology in the TV-program 'Ce soir ou jamais', France 3, 19 May 2009.

31 Many scholars propose to evaluate with caution apostates testimonies, for example: Brian Wilson - 'Apostates and new religious movements', Richardson JT - 'Apostates, Whistleblowers, Law, and Social Control', Bromley D - 'The social construction of religious apostasy'. The last two authors are referenced in the work 'Misunderstanding cults', already mentioned.

32 Other members of the Government officially hold that position as well. Thus Eric Besson, current minister for immigration, stated in response to a question to the Government: "To belong to a movement considered as a sectarian group is not in itself an infraction, nor a threat to public order. The legislator has always considered that the existing incriminations listed in the penal law were sufficient to apprehend and, if needs be, punish sectarian groups activities that are conflicting with public order" (source).

33 See, among others, an article by Stephanie Le Bars in Le Monde, 9 February 2008: "anti-cult MPs take the offensive" (source).

34 Quote from Jean-Michel Roulet, MIVILUDES former president: "If it is meant that there are sectarian abuse only when there are victims, and if there are victims only in case of law conviction and if it is meant that we face a cult only when public order is threatened, then a highway is open in front of sectarian groups", LCI 4 April 2008, (source).

Quote from Georges Fenech, the current president of MIVILUDES, appearing in the TV-program 'C dans l'air (France5)', 3 August 2009: "Sectarian abuse is not just about infractions or fraud; sectarian abuse occurs when an individual or his/her family is cut from the rest of society" (source).

35 CICNS inquiries on a subset of the parliamentary list of sects of 1996 show that many groups listed had not been convicted at all neither for penal nor administrative infractions. See also our interview of Jean-Marc Florand, lawyer (source). It is beyond comprehension, why no statistical analysis on penal and administrative convictions among spiritual minorities has been conducted by a state putting sectarian abuse in the forefront.

36 *ibid*, Arnaud Esquerre, page 184; the sociologist summarizes the position of the director of the Central Bureau on cults whom he has interviewed in 2007: "The director of the Bureau on cults calls for the defence of public liberties and declares that 'cults' are not a problem with regard to public order (...)".

37 Raphaël Liogier, sociologist, refers to the idea of "aesthetic judgment" (source). See also in the MIVILUDES guide 'The enterprise facing sectarian danger', page 50, the list of " terms or words that should immediately trigger an interrogation on the part of people in charge of economic security in enterprises" (source). We find words like 'well being', 'confidence', 'knowledge of oneself', 'fulfilment' etc.

38 CICNS had a meeting with MIVILUDES former president, Jean-Michel Roulet, on 24 October 2006 (source). Asking him if he was aware of discriminations affecting spiritual minorities due to the policy conducted in France, he replied by the negative. As an answer to our arguments, his conclusion was: "Even if there was only one victim of sectarian abuse, our line of action is justified".

39 See examples of discriminations affecting spiritual minorities on CICNS website (source). Among other examples : three women facing the accusation of being in a 'cult' during a divorce procedure (source) ; example of a spiritual community in the south of France which underwent a police force raid, its members put in police custody for interrogation, one of them indicted, on the ground of a few unverified accusations supported by an anti-cult association (source) ; example of the Tabitha religious community in the south-west of France taken as a target by the 2006 parliamentary enquiry commission "Stolen childhood" (source) ; example of a naturopath undergoing the global suspicion towards alternative therapies (source); example in the

news of three youth workers accused, by false confessions forged by police officers, of being in a 'cult' (one of the youth worker has spent more than three months in prison while the two others were put under judicial review with the interdiction of practising their profession) (source).

40 Georges Fenech made contradictory statements concerning a possible 'list of cults', finally settling for a new term that he imagined less controversial: 'repository'. In an interview granted to the newspaper Le Figaro on 18 May 2009, he states: "We are only interested in structures that give us problems. In that way, we need to work out a list of movements with sectarian abuse" (source). In the newspaper Liberation, on 3 August 2009, he states: "For now, we have indexed 500 movements or practices. It goes from the level of pseudo psychotherapists to well established organizations. It has never been intended to make a list of 'cults'" (source). • Page 8 HDIM-Warsaw-Working session 2 29 September 2009 CICNS • B. P. 7 • 82270 Montpezat de Quercy • Tél.: 33 (0)6 34 11 49 58 • contact@cicns.net • www.cicns.net Declared Non Profit Association governed by the French law of July 1st 1901 in Tarn et Garonne Prefecture

41 As soon as MIVILUDES repository project was known, the Ministry of the Interior weighed in with the Prime Minister: "Matignon did indeed received a mail signed by Michele Alliot-Marie, asking François Fillon services to straighten MIVILUDES action, after its president, end of January, did mention the idea of a new orientation for the policy followed by the mission", in the newspaper Le Parisien, 13 February 2009 (source).

42 A quote of the response given by Georges Fenech in Liberation, 3 August 2009, when asked by the newspaper: "Who will have access to the files [in the repository]?" (source).

43 See on our website an article on the non legal applicability of parliamentary reports on cults (source).

44 About the repository, Georges Fenech states, in the newspaper Le Figaro, 19 May 2009: "We will add victims' testimonies, but also testimonies from the communities' leaders in order to respect contradictory viewpoints" (source). Nevertheless, Georges Fenech respect for contradictory viewpoints has not been convincing when he presided the parliamentary enquiry commission of 2006 entitled 'Stolen childhood': those spiritual minorities who were publically accused on the parliamentary channel, did not have any recourse but to fill in a pre-established and out of context form sent to them by the commission (source). And for those groups who considered legitimate to sue their accusers, MPs passed a law giving immunity to witnesses for parliamentary commissions (understand: those which deal with cult issues) (source).

45 For example, the two main French anti-cult associations, UNADFI and CCMM, are represented by their respective president at MIVILUDES Conseil d'Orientation (Catherine Picard for UNADFI, Jacques Miquel for CCMM) (source). UNADFI is declared to be of 'public interest' ('charity') and is financed by the State at more than 90 %.

46 During the TV-program 'C dans l'air (France5)', 3 August 2009, entitled 'Cult or not cult', in which Georges Fenech was invited, Jacques Miquel, CCMM president, told about MIVILUDES repository: "A repository on movements with sectarian abuse has been announced and I heard that unfortunately it wouldn't be given to the public, I would like to point out something that puzzles me quite a lot: in this country nobody would dare pick mushrooms without a flora and believe me, and I am an amateur mycologist, movements with sectarian abuse are much more toxic than mushrooms" (source).

47 See a more detailed description of the Observatory on spiritual minorities on our website (source).

48 See INFORM website (source).

Minister says burqa-style veils impede citizenship

Elaine Ganley

AP (16.12.2009) / HRWF (17.12.2009) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - France's immigration minister said Wednesday that he wants the wearing of Muslim veils that cover the face and body to be grounds for denying citizenship and long-term residence.

Eric Besson said he planned to take "concrete measures" regarding such veils, which are worn by a small minority of women in France but have become the object of a parliamentary inquiry into whether a ban should be imposed.

Besson spoke during a hearing before the panel of lawmakers as their nearly six-month inquiry draws to a close.

Besson said he believed a formal ban on veils that cover the face and body seemed to him "unavoidable," with a ban in public services as a minimum step.

Whether such veils are banned or not, he said he intends to personally move forward to ensure that women wearing such veils and seeking French nationality or residence cards are denied.

"I want the wearing of the full veil to be systematically considered as proof of insufficient integration into French society, creating an obstacle to gaining (French) nationality," he said.

He said he would advise prefects, the highest state representative in the various French regions, that the wearing of such veils is a motive for not delivering 10-year residence cards.

Besson said he was prepared to put the measures before parliament to make them law. In November, Besson ordered a nationwide debate on the French identity, to conclude by the end of January with possible measures.

Conservative President Nicolas Sarkozy is the force behind both the national identity campaign and the targeting of full-body veils, which he has said are not "welcome." Critics claim he is playing to traditional far-right fears of immigration, particularly by Muslims.

There is concern that some immigrants and citizens, including members of its Muslim population - at some 5 million the largest in western Europe - are failing to fully integrate and even defying the nation's secular values. A law was passed in 2004 banning Muslim headscarves from classrooms.

The antisect movements and money: Why not a parliamentary inquiry commission?

By Willy Fautré, Human Rights Without Frontiers

HRWF (08.12.2009) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - At a colloquium organized by MIVILUDES (1) in Lyon on 27 November 2009, Mrs Catherine Picard, UNADFI (2) president, deplored the decrease in public funding of her antisect movement.

The income of UNADFI

Between 1996 and 2006, 95.75% of the income of UNADFI came from public funding. In 2006, it reached 97.14% (398,019 EUR) while less than 3% of its financial resources were covered by membership fees and donations (11,078 EUR).

In 2006, the ministries contributing to the survival of UNADFI were the Ministry for Youth and Sport (33,000 EUR), the Ministry of Social Affairs (125,000 EUR), the Defense Ministry (7000 EUR), the Ministry of National Education (55,800 EUR), the Ministry of Justice (110,000 EUR) and Prime Minister/ Human Rights (110,000 EUR). Moreover, FONJEP (3) contributed with 21,783 EUR and CNASEA (4) 30,436 EUR. (5)

Suspicious of conflict of interests

UNADFI is hardly supported financially by private donors (less than 3% of its budget) although it enjoys the status of association of public utility, a privilege granted to

organizations which must at least get 50% of their budget from their members. Another antisect movement getting public funding is the CCMM. The collaboration between MIVILUDES and these two major antisect organizations is not surprising when we know that the UNADFI president and the CCMM president are both members of the Orientation Council of MIVILUDES (<http://www.miviludes.gouv.fr/Le-Conseil-d-orientation-CO>). In short, the Orientation Council can advise various ministries to finance... UNADFI and CCMM, including the salaries of their presidents. Isn't there a conflict of interests?

Mr Brard, antisect parliamentarian, and money

In its issue nr 657 (November 2009), Marianne, a well-known weekly magazine in France, revealed the strange financial practices of Jean-Pierre Brard, former mayor of Montreuil (Paris) and notorious antisect activist. From the article entitled "La vérité sur le train de vie des élus" (The truth about the life style of the elected), it appears that he was using the budget of his municipality to cover the expenses of his trials. He was indeed quoted as saying « I mainly use my political mandate indemnity for paying my court expenses as Dominique Voynet has refused the municipality to cover the costs of my defense in cases brought to court by the sects. »

In the last few years, Jean-Pierre Brard, a member of the National Assembly associated with the French Communist Party, was accused several times and charged once for defamation against various religious and belief groups.

On 18 December 2002 and 10 June 2009, he was sentenced on the grounds of defamation towards Jehovah's Witnesses. In 2007, Mr. Brard, who had also been the vice-president of the study group for cults at the National Assembly, was once more sued by the Jehovah's Witnesses for calling them "absolute delinquents." Mr. Brard has even attempted to invoke parliamentary immunity to avoid being held to judicial standards of evidence and proof in reference to denigrating attacks on minority religious movements.

On 1 July 2004, Mr. Brard was condemned for libeling the Mandarom movement. On 1 July 2005, the administrative court of Cergy-Pontoise sentenced him to the payment of 750 EUR for not allowing the company Jasmeen to hold a fashion parade for Muslim women.

On 18 December 2008, he was sentenced for forbidding an elected woman to take the floor during a municipal council on laïcité because she was wearing a cross. (6)

Last but not least, Jean-Pierre Brard is a member of the Orientation Council of MIVILUDES.

Antisect movements and money: a parliamentary inquiry commission

Considering the separation of state and religions enshrined in the principle of laïcité;

Considering the principle of non-interference of the state in the freedom of conscience of individuals and in the life of religious groups;

Considering the repeated criticisms of France's policy towards a number of religious and belief communities at the UN and the OSCE in the last ten years;

Considering the suspicions of conflict of interests raised against the presidents of two antisect movements (UNADFI and CCMM) who are also members of the Orientation Council of MIVILUDES;

Considering the controversial financing of antisect movements by various ministries of the French state, including the Prime Minister's Office;

Considering the repeated sentencing of prominent members of MIVILUDES and antisect movements on the grounds of hate speech and discrimination against several religious groups and the repeated criticisms raised at the OSCE and at the UN on this issue;
Considering the doubtful nature of financial practices of Jean-Pierre Brard;

Human Rights Without Frontiers urges the National Assembly of France to create a parliamentary inquiry commission in order to determine if the use of public funds to antisect movements is compatible with the principle of laïcité and neutrality of the state in religious matters.

- (1) MIVILUDES: Mission de vigilance et de lutte contre les dérives sectaires
- (2) UNADFI : Union nationale des associations de défense de la famille et de l'individu
- (3) FONJEP : Fonds de coopération de la jeunesse et l'éducation populaire
- (4) CNASEA : Centre national pour l'aménagement des structures des exploitations agricoles
- (5) Source : Le cri du contribuable : <http://www.lecri.fr/2009/06/30/lunadfi-nest-pas-sectaire-avec-largent-public/1575>
- (6) See http://www.sapientia-portail.net/Jean-Pierre-Brard-a-nouveau-condamne_a1127.html

Anti-sect deputy JEAN PIERRE BRARD sentenced for hate speech against Jehovah' Witnesses

Le Monde (23.09.2009) - HRWF (28.09.2009) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - Jean Pierre Brard, a member of the National Assembly, was sentenced by the Paris appellate court regarding his remarks during the meeting with Jehovah's Witnesses on French TV news on channel TF1 at 20 hours on the 20 July 2006.

On 18 July 2006, in a radio interview broadcast on Europe 1, Nicolas Sarkozy, then Minister of the Interior (one year before his election to head of state) stated: "Jehovah's Witnesses are a religious association (association cultuelle) expressly recognized by the State Council and benefits of freedom of association under this title.

On the 20 July 2006 Jean-Pierre Brard immediately stated to the tv news: "Jehovah's Witnesses, I am going to give three examples why they are complete delinquents: to avoid taxes, to condemn a person to death by refusing them a blood transfusion or covering up serious crimes such as pedophilia, you can well see that we cannot only put this in the hands of public opinion but that there are laws that must be applied.

On the 11 July 2008, the 17th chamber of the correctional tribunal of Paris judged that these statements were indeed libelous, but had given the benefit of good faith to the member of parliament. In its decision the court indicated that "even though not without violence, the statement could not be regarded as exceeding the admissible limits of public opinion" according to l'AFP.

Nonetheless the Christian Federation of Jehovah's Witnesses of France appealed the verdict. The decision was overturned; Jean-Pierre Brard was sentenced to compensate the association but the amount is currently not known.

It is not the first time that Jean-Pierre Brard is sentenced on the grounds of hate speech.

Jean-Pierre Brard was accused several times and charged once for libel against Jehovah's Witnesses. In 2007, Mr. Brard, who had also been the vice-president of the study group for sects at the National Assembly, was once more sued by the Jehovah's Witnesses for calling them "absolute delinquents." Mr. Brard has even attempted to invoke parliamentary immunity to avoid being held to judicial standards of evidence and proof in reference to denigrating attacks on minority religious movements.

The fight against religious sects: the judicial police specialize

Le Monde (18.09.2009) - HRWF (28.09.2009) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - The police innovate regarding the fight against sects: six police investigators now work full time on this issue.

This special group, charged to centralize the important files concerning serious infractions on sectarian issues, has been created on the 1st of September within the Central Office for the Repression of Violence against Persons (OCRVP). A first, not considering the intelligence department, that has long possessed a section dedicated to the analysis of this phenomenon.

The police of the OCRVP, all volunteers, are working on a dozen files regarding seven sects. Two of them concern the Church of Scientology: a French woman, Martine Boublil, who states she was kidnapped in Italy in 2008, and a suicide.

Created in 2006, the OCRVP groups together police and French "gendarmes" who investigate and coordinate homicide affairs, serious violence against people, sexual aggressions and non vicious kidnappings. It possesses a specialized group focusing on minors victims of child pornography, and conducts research on anonymous cadavers.

Finally, it manages the "Kidnapping-Alert" system and the Salvac file on serial crimes. Since 2007 the office has already been called on several times to deal with sectarian issues before establishing the special group with officers from its ranks. Since 2008, by two circular letters, the former minister of the interior, Michele Alliot Marie, has called for an initiative and has asked to keep vigilance on this issue.

Until now the investigations tied to sects were essentially managed by the local services of the judicial police. The centralization of the issue will allow to group the cases together, also when the issues cross national borders, explained police superintendent Frederic Malon, chief of the OCRVP. "The idea, he adds, is also to ask for the help of psychologists and psychiatrists to better understand and take into account the phenomenon of mental influence on victims". Since many cases concerning sects also include a financial aspect, the six special investigators can also rely on the assistance of other services of the judicial police. "We will not limit ourselves to the criminal aspect", assures Mr. Malon.

Isabelle Mandraud

New French law blocks Scientology dissolution

Reuters (15.09.2009) / HRWF (16.09.2009) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - A new French law means the Church of Scientology cannot be dissolved in France even if it is convicted of fraud, it has emerged during a trial of the organisation. A prosecutor has recommended that a Paris court dissolve the church's French branch, which has been charged with fraud after complaints by former members who say they gave huge sums to the church for spiritual classes and "purification packs."

The Church of Scientology's French arm denies fraud.

Whatever the ruling, under a legislative reform passed just before the start of the trial in May, it is no longer possible to punish a fraudulent organisation with dissolution.

The legal snag was discovered by the Inter-ministerial Unit to Monitor and Fight Cults. Georges Fenech, head of the unit, demanded on Monday that the legal power to dissolve an organisation be reinstated.

"Faced with organisations of a sectarian nature, which present a real danger to public order and public health, the law must always have such a measure at its disposal," he said in a statement.

Prosecutors' unions and a lawyer representing alleged victims of the Church of Scientology, Olivier Morice, called for an inquiry into the legal change and an explanation from the Justice Ministry.

Even if the law is changed again, it cannot be applied retroactively to the Scientology trial, which was held in May and June, with the ruling expected in late October.

Jean-Luc Warsmann, a member of the ruling UMP party who introduced the bill amending the law, said in a statement that the change made the maximum penalty for fraud committed by an organisation a ban on its activities in France.

He said he believed a ban was better than dissolution, since it meant an organisation could not continue its activities under a different name.

The church said in a statement on Monday its prosecution was "scandalous" and had already seriously harmed the organisation.

Registered as a religion in the United States, with celebrity members such as actors Tom Cruise and John Travolta, Scientology enjoys no such legal protection in France.

The trial, which began on May 25, centres on complaints made in the late 1990s. Scientology's French headquarters, a bookshop and six leading French Scientology members are in the dock.

Prosecutor Maud Coujard urged the court to return a guilty verdict, dissolve the organisation in France and fine it 4 million euros (3.5 million pounds).

Scientology's lawyer, Patrick Maisonneuve, has called the prosecutor's recommendation a "death sentence" for the organisation in France.

(Reporting by Thierry Leveque and Nicolas Bertin; writing by Sophie Hardach; editing by Andrew Roche)

Some thoughts about the academic freedom of researchers on Islam and minority religious movements in France

HRWF (17.08.2009) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - The daily newspaper Libération announced in its 11 June 2009 issue that on 29 June Vincent Geisser, a political analyst at the "Institut de Recherches et d'Etudes sur le Monde Arabe et Musulman" in Aix-en-Provence would be summoned by "a joint administrative commission" of the CNRS (Centre National de Recherche Scientifique) on the grounds of "serious breach of the discretion duty to which he is bound in his capacity of official."

For Libération, this summon is related to "a declaration made about Mr Joseph Illand, a defence security official of the CNRS." This former engineer in the armament sector who took office on 1 September 2003 is in charge of the protection of the CNRS against espionage or infiltration attempts which might jeopardize the fundamental interests of the Nation.

Vincent Geisser complains about his being "under close surveillance by the CNRS defence official." According to him, one of his CEVIPOF colleagues (Centre de Recherches Politiques de Sciences-Po) has been asked questioned by the Ministry of Defence about the "risk" that his work may conceal the creation of an "Arabo-Muslim lobby" inside the CNRS.

Mrs. Esther Benbassa launched a petition in favour of Vincent Geisser and wrote to the Minister for Universities and Research. The latter states that the "object of contention is an email the distribution of which has led to the lodging of a criminal complaint on the grounds of defamation by Mr Illand." Vincent Geisser is said to have written in this email that "the defence security official is an ideologist who hunts Muslims and their 'friends' in the same way as at another time Jews and the just were hunted."

Is this case so simple? Is Vincent Geisser under scrutiny for this sole statement? The testimony of Olivier Roy, research director at the CNRS, casts some doubt about it.

"I feel it is my duty to express my personal opinion about the behaviour of the senior defence official," this researcher writes, "because it is not a personal conflict between him and Vincent Geisser but it is a systematic attack against researchers who refuse clichés on Islam. In 2007-2008, I have received an email signed by the senior defence official who reproached me with treating Islam better than Christianity. As I esteemed that this person should not have used his official position to express personal opinions about an official on whom he might have some authority and in agreement with my laboratory director, I ignored this message and I filed it as a spam. It appears now that it was a sort of provocation and I regret to have dealt with this issue with contempt."

The initiative taken by Mrs. Benbassa surprised Mr. Regis Dericquebourg, a researcher in sociology of religions. According to him, she was not the right person to take such a step. Indeed, when Regis Dericquebourg asked to supervise the theses of the "Ecole Pratique des Hautes Etudes", Mrs. Benbassa and Charuty presented Regis Dericquebourg as a Scientologist at the Council of Directors which was examining his candidacy. The accusation was defamatory and we have managed to identify the persons who had informed these two researchers. In principle, such a blow is lethal. The accusation of affiliation to the Church of Scientology is a symbolical murder in France, in Germany and in Belgium. When someone is supposed to be a Scientologist, all the doors get closed and that person starts being under scrutiny of the tax administration. Fortunately, the president of the department for religious science dealt with the issue intelligently. He postponed the decision to a further session where Regis Dericquebourg was accepted without any problem.

The petition of Mrs. Benbassa in favour of Vincent Geisser provides a good opportunity to recall that a researcher who destroys clichés about Islam can be supported in case he or she gets into trouble with an authority. On the other hand, when a researcher on minority religious groups does not describe them according to the clichés publicized by the antisect organizations, he or she does not manage to find any support. A good example is Maurice Duval who was sanctioned by his colleagues after the publication of his book on the Mandarom. In his university (Lille 3 - Charles de Gaulle), the fascist ideology is in the department of psychology (UFR) where several persons have constantly fuelled the rumor that Regis Dericquebourg is a Scientologist. It also appeared that those who were spreading such rumors were also stealing in the coffers of the university. One

of them died from alcoholism. It must however be said that the Ministry of the Interior is the institution that is the most open to the works of sociologists on minority religious groups.

Regis Dericquebourg

Creation of a Religion Pole at the Foreign Affairs

HRWF (07.08.2009) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - On 28 August 2008, French Minister of Foreign Affairs Bernard Kouchner announced at an ambassadors' conference that in the framework of the modernization of his department, new parameters will be taken into consideration in France's international relations, such as the pandemic, the sustainable development, the financial crisis and religions.

The Religion Pole created on 1 June is chaired by Joseph Maila. It is composed of six members: some are in charge of missions and others are specialists recruited according to their competences. The Pole also includes the Council for Religious Affairs (CAR), a section created around 1920, after the normalization of diplomatic relations between France and the Holy See, and headed by a diplomat.

"Our first mission is vigilance and anticipation. Our prospective work will include the monitoring of a wide range of issues, such as the expansion of Evangelical Protestantism, the weight of Orthodoxy in Russia, Islam and Islamism, the religious dimension of the protests in Iran, Hinduism and its impact on Indian nationalism, or the debates on laicity in Europe," said Joseph Maila to the French Catholic newspaper La Croix.

The Religion Pole will also follow the positions taken by religions about human rights, racial discrimination, bioethics, defamation of religions and freedom of religion, inter-religious and inter-cultural dialogues. It will deal with the relations between France and the Vatican as well as with the leaders of foreign religious organizations. It will represent France in the international conferences on religious issues. "In September, a conference Asia-Europe on religions should be held at Seoul and the Religion Pole will be present," said Joseph Maila. Moreover, the Pole will help diplomats to explain the position of France on multi-cultural issues, the French model of laicity, the wearing of the niqab and the burqa. The mandate of the Religion Pole will also include awareness-raising of the French diplomats about inter-racial and inter-religious conflicts so that they can mediate between the conflicting parties. A round table dedicated to the place of religions in the globalization phenomenon will be organized during the conference of ambassadors, from the 26 to 28 August.

The mandate of the Pole will be both political and diplomatic but will serve of the French republican values such as the laicity and the separation between State and Religions.

USCIRF expresses concern about European Court decision on religious garb

USCIRF (07.08.2009) - The European Court of Human Rights on July 17 rejected claims to allow Muslim girls and Sikh boys to cover their hair while attending public school in France. The U.S. Commission on International Religious Freedom (USCIRF), a bipartisan U.S. government panel that monitors religious freedom abroad, faulted the ruling for its failure to cite any evidence to support its conclusion that the head coverings constituted a genuine threat to public order.

"International standards guarantee to every individual the freedom to peacefully manifest his or her religious beliefs, in public as well as in private, which includes wearing religious clothing or head coverings," said Leonard Leo, USCIRF chair. "It is unfortunate that, in the absence of actual evidence of a legitimate threat to public order, France and the European Court of Human Rights have interpreted a general notion of secularism so radically that it has trumped religious belief. Secularism does not mandate a ban on peaceful individual religious expression, including the decision to wear religious articles that other believers or non-believers may associate with religious extremism."

The European Court of Human Rights in Strasbourg rejected six cases filed by four Muslim girls and two Sikh boys who were expelled from French schools in 2004-05 for wearing headscarves or keskis (Sikh under-turbans). The youngsters were challenging France's 2004 law that prohibits public school students from wearing conspicuous symbols of their religious affiliation. Many Muslims and Sikhs consider it a religious obligation to cover their heads.

The Court found that the French law did restrict the students' freedom of thought, conscience, and religion guaranteed under Article 9 of the European Convention on Human Rights but the restriction was permissible based on secularism and the need to protect the rights and freedoms of others and the public order. "The Court justified the restriction as necessary to reconcile the interests of various religious groups in a diverse society and ensure that everyone's beliefs are respected, yet everyone's beliefs were not respected," said Mr. Leo. "The Muslim and Sikh students believe that their religion requires them to cover their hair."

"The Court also stated that pluralism and democracy require 'a spirit of compromise necessarily entailing various concessions,' yet it rejected the students' attempts to compromise," said Mr. Leo. The Muslim girls were willing to wear hats rather than headscarves, but the Court found that hats also would constitute a conspicuous manifestation of religious affiliation. The Court also rejected the Sikh boys' argument that because a keski is smaller than the traditional Sikh turban, it should be permitted.

USCIRF previously has expressed concern about the French religious symbols law. (See USCIRF Press Release, France: Proposed bill may violate freedom of religion, February 3, 2004.)

USCIRF is an independent, bipartisan U.S. federal government commission. USCIRF Commissioners are appointed by the President and the leadership of both political parties in the Senate and the House of Representatives. USCIRF's principal responsibilities are to review the facts and circumstances of violations of religious freedom internationally and to make policy recommendations to the President, the Secretary of State and Congress.

To interview a USCIRF Commissioner, contact Tom Carter, Communications Director at tcarter@uscirf.gov, or (202) 523-3257

Burqa wear in France is 'marginal'

The Associated Press (29.07.2009) / HRWF (30.07.2009) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - Two French police reports call the use of the burqa a "marginal phenomenon," saying that fewer than 400 women in the country wear the all-covering Muslim robe, a French newspaper reported Wednesday.

The burqa is a hot-button issue in France, a secular state where wearing explicitly religious symbols in public places like schools is tightly regulated.

French lawmakers recently revived the long-standing debate about whether Muslim veils are acceptable in public by proposing a ban of the face- and body-covering burqa.

President Nicolas Sarkozy, a conservative, appeared to support the proposal, saying in June that burqas make women prisoners and that they would not be tolerated in France.

The Le Monde newspaper said the two reports by police intelligence agencies were given to the government, which is investigating the extent of burqa wear in France. One of the reports, based on surveillance, estimated some 367 women in France regularly wear the burqa, according to Le Monde. A decade ago, burqas were virtually unheard of in France, it said.

Most of those wearing burqas—mostly women under 30—do so voluntarily, one police report found.

France is home to western Europe's largest population of Muslims, estimated at 5 million out of a total population of 63 million.

A 2004 law banning the wear of Muslim head scarves at schools sparked fierce debate and some friction with the French Muslim community. The 2004 legislation also banned Jewish skullcaps and large Christian crosses in public schools.

European Court rules against the Sikh turban in French schools

By Tejinder Singh

Examiner.com (17.07.2009) / HRWF (18.07.2009) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - Sikhs feel let down once again in history, now by the European Court of Human Rights (ECHR), the apex European judicial body supposed to be the guarantor of human rights and human dignity.

The Court in its judgement confirmed what French President Nicolas Sarkozy had told me (Tejinder Singh) last September at the concluding press conference of the European Union/India Summit in Marseille, France.

Anger of Sarkozy, silence of Singh

Standing next to Indian Prime Minister Manmohan Singh, a Sikh wearing a light blue turban, Sarkozy answered this reporter's (Tejinder Singh) question about the wearing of turbans by Sikhs in France.

Regarding the required Sikh head covering, an integral part of their religious identity, Sarkozy, replied curtly, "Sir, we respect Sikhs. We respect their customs, their traditions. They are most welcome to France."

Visibly irritated, Sarkozy continued in French, "But sir, we have rules, rules concerning the neutrality of civil servants, rules concerning secularism, and these rules don't apply only to Sikhs, they apply to Muslims or others. They apply to all on the territory of the French Republic."

The practice by Sikhs of allowing one's hair to grow naturally is a symbol of respect, the most important of the five outward symbols required of all Sikhs, and the turban is worn to cover the uncut hair. Sarkozy explained that the banning of turbans is not

discrimination, that, "These rules apply to everybody, to everybody with no exception. There is no discrimination whatsoever."

Making it clear to the Sikh community in France that they have no option other than to conform to the rules, Sarkozy made the paradoxical statement, "We respect their traditions and their customs and we are convinced that they too respect the laws, traditions and customs of the French Republic."

During this whole episode, Indian Premier Singh stayed silent on the subject even though I had put the question to both the leaders.

Discrimination begins early in France

In 2004, three Sikh boys, Jasvir Singh, Bikramjit Singh and Ranjit Singh, were expelled from French schools for wearing turbans. These students were the first victims of the ban instituted which prohibits Sikh students from covering their hair at school, a decision that prompted world-wide protest from the Sikh community.

The European court ECHR dismissed last month the first legal challenge, since France passed a law in 2004 banning religious signs in schools, filed by UNITED SIKHS on behalf of Jasvir Singh.

The decision, against which there is no leave to appeal, and which was communicated to UNITED SIKHS lawyers yesterday, strengthened the resolve of the Sikh community globally to rise to the challenge and defy odds to regain their right, commented UNITED SIKHS in a statement.

The Court, without requiring France to respond to Jasvir Singh's legal arguments, followed the decision it made last November in the Islamic headscarf physical education cases (which pre-dated the 2004 law), by ruling that the ban on turbans is a proportionate response to the aims of protection of the rights and freedoms of others and the protection of public order.

UNITED SIKHS filed, last December, another legal challenge before the United Nations Human Rights Committee on behalf of Bikramjit Singh, who was expelled from the school with Jasvir Singh when they refused to remove their turban in school. France has filed a response to Bikramjit's claim and UNITED SIKHS lawyers are preparing a reply, the organization stated.

Human rights violations

Jasvir Singh was 14 years old when he, along with two other Sikh students, was expelled from Michel High School in Bobigny, France for wearing a keski. The keski is a small, discreet piece of cloth, which acts as an under-turban, covering the unshorn hair that is considered sacred in the Sikh religion. It is frequently worn by young Sikhs as a prelude, or as an alternative, to wearing a larger turban.

In the appeal filed to the ECHR, UNITED SIKHS lawyers had argued that the 2004 law interfered with Jasvir's human rights in a way that was disproportionate to the aim of the protection of the rights and freedoms of others. The lawyers added, that there was no pressing social need which dictated that members of the very small Sikh minority in France should not be able to wear a discreet head-covering.

Moreover, a Sikh's uncut hair is a much more conspicuous sign of adherence to the Sikh religion than the keski which covers it. Accordingly, requiring a Sikh pupil to remove his keski, revealing his uncut hair tied in a tress knot, makes his religious affiliation more conspicuous rather than less.

The principal of the high school had asked the Jasvir to stop wearing the keski to school, but he declined to do so because it represents a fundamental aspect of his religion, beliefs, and identity. Jasvir was initially removed from the classroom and made to sit in a separate study area in order to pursue his education. He was placed in the school canteen, where he undertook self-study and was provided with educational materials by a teaching assistant if he requested them. No teacher taught him during the period of three weeks that he spent in the canteen. This separation continued for three weeks before he was excluded from school altogether.

Legal reactions

Commenting on the decision, Mejjindarpal Kaur, UNITED SIKHS Director for International Civil and Human Rights Advocacy stated, "Today is the day, 264 years ago, when a Sikh martyr, Bhai Taru Singh, was scalped alive by the oppressive rulers of the day because he refused to give up his faith that required him to wear his hair unshorn. Today our lawyers learnt that the European Court of Human Rights has dismissed Jasvir Singh's right to wear his religiously mandated turban to school, denying him a right to practice his faith."

"Yet we have faith that we will win the battle to win the hearts and minds of the French government," she added.

Jasvir Singh's London Lawyer, Stephen Grosz of Bindmans LLP stated, "Sikhs are striving for a society in which all faiths coexist in harmony, where the expression of religion and culture is a celebration of diversity. By contrast, the Court's decision allows states to suppress expressions of religious diversity, apparently as a means of promoting peace. It is a depressingly negative view of the state's role in promoting religious tolerance."

Commenting on Bikramjit Singh's case before the UN Human Rights Committee, he added, "The UN Human Rights Committee, which is also considering this issue, has called on France to justify its ban on the wearing of religious signs."

Worldwide Sikhs comment

Singh Sahib Gurbachan Singh Ji, Jathedar Sri Akal Takhat Sahib, head of the 400 year old temporal seat of 25 million Sikhs globally said: "This decision has hit the Sikh community in a much bigger way than France has gained from it. Sikhs have always defended the rights of others by making the ultimate sacrifice. Now the time has come for us to turn to all religious leaders to work together to put an end to this attack on religious freedom. The leaders of all the five Takhat are meeting at the Akal Takhat on 20th July when we will take a decision on the way forward."

Avtar Singh President, Shromani Gurdwara Parbandhak Committee (SGPC), the largest elected body of Sikhs commented: "The solution now is at the political level. We have left no stone unturned to achieve a result through the courts and diplomatically. There is no choice for Sikhs except to turn to the Indian Prime Minister to do the right thing."

Paramjit Singh, President, Delhi Sikh Gurdwara Management Committee (DSGMC) in a statement said, "We will fight the decision politically through the Indian Government. If the French government can honor the turban wearing Indian PM during their national day parade recently, we must surely be able to convince them that the Court's decision cannot stand."

Gurdial Singh, a French Sikh community leader and father of Jasvir Singh, bitterly disappointed with the decision, said: "The judges didn't listen to the voice of their souls or humanity when making this political decision. They will regret one day that they have

made a grave mistake by hurting humanity and snatching away from a peace loving community their right to practice their faith. On our part, the battle continues."

Kuldip Singh, UNITED SIKHS president resolved to continue saying: "The Sikh community will have to respond with all its strength. You don't have to be a numerical majority to bring change through social politics. Guru Nanak was in the minority when he preached love for humanity to the majority communities of his day," he added, dismissing any doubts that France will take Sikhs seriously.

Jassi Singh Khangura, MLA, elected representative of the Punjab state assembly added: "I am very disappointed with the European court's decision, coming in the 21st Century, on behalf of a developed country. The Punjab assembly has passed a resolution in favor of fighting for the turban and we will carry on fighting. There are strong economic ties between India and France and we will lobby through them. It is time to move the Sikh youth globally who will have to move French youths, the future decision makers in France."

US efforts to embrace Sikhs

Calling for help of the West including the US and Canada, Kashmir Singh, a French Sikh community leader said, "The judges have shown themselves to be partial by not requiring France to reply to our case. The French government knows that the turban is part of the Sikh identity. We should work with politicians in the USA, Canada and the UK to bring a change of heart in France. In the in the end, we will change the law."

Dr. Pritpal Singh, Coordinator, American Gurudwara Prabandhak Committee said: "We condemn the judgment. We call upon all human rights organizations to stand by us. As Americans, we will seek a meeting with the Secretary of State to seek her help to make our case to the French government that we are peace loving people whose identity is under attack."

Earlier, discriminatory incidents involving Sikhs increased dramatically in the US as a consequence of the September 11, 2001 terrorist attacks in the United States. There were numerous cases of discriminatory attacks on Sikhs as they were misunderstood as allies of Osama bin Laden due to their appearance.

While the US is making the effort to remove misunderstanding and give Sikhs their legitimate place in society, it seems that in some member states of the European Union, comparable progress and acceptance has flowed in reverse.

US lawmaker Honda Spoke

US Congressman Mike Honda (Democrat-California), who represents Silicon Valley and who is involved in this issue in his capacity as Chairman of the Congressional Asian Pacific American Caucus, told this correspondent last year, "I don't believe in sacrificing freedom in order to protect freedom. Turbans are part of the religious identity of Sikhs and we must strive to respect their freedom of religious expression. A balance can be struck between national security and religious liberties, but that balance can only be reached by consulting all the parties involved, in this case the Sikh community."

"It would be ironic that many Sikhs, who fled their homeland seeking religious freedom, would find that America curtailed their religious freedoms when they arrived upon our shores," Honda had added.

European lawmaker Gill

Asked to comment, Neena Gill, a member of the European Parliament had said last year, "I am astounded by the level of discrimination that is in fact growing ... it is not confined to France ... it is in Belgium, in Germany and it really smacks against all these initiatives that the European Commission is constantly launching."

However, solutions aimed at nurturing "unity in diversity," the European Union's frequently appearing slogan, are already working in the United Kingdom, one of the member states of the European Union, and across the Atlantic in the United States.

Highlighting the integration and diversity that prevails across the English Channel, Gill, who was born in Punjab, India, said, "If you look at the United Kingdom, you can wear a turban not only in mainstream jobs but also in the police, the army, the air force or the navy. There is no restriction. In fact, the army has special days when they try and recruit people from the Sikh community and the Dastar (turban) is not a problem for them, so I really think we do need to raise awareness, especially from the European Commission in these particular years of Equality and Intercultural Dialogue. We have to target the resources at these issues to ensure that there is greater awareness across the EU in accepting people of different appearances."

The root cause of the discrimination and a pragmatic solution to root it out was aptly summed up by Jennifer Handshew, a seasoned public relations professional in New York who had told this journalist, "I feel that ignorance and fear are the primary factors that fuel this discrimination and believe that education and awareness will help people better understand what the turban means to the Sikhs."

What Handshew and others suggest provide a succinct analysis and a solution, but for now, the door to a respectable life in France for Sikhs has been slammed shut by the ECHR while French President Sarkozy had set the ball rolling last year in the presence of Indian Premier Manmohan Singh, himself a member of the Sikh community.

Sarkozy says burqas are 'not welcome' in France

AP (22.06.2009) / HRWF (24.06.2009) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - President Nicolas Sarkozy lashed out Monday at the practice of wearing the Muslim burqa, insisting the full-body religious gown is a sign of the "debasement" of women and that it won't be welcome in France.

The French leader expressed support for a recent call by dozens of legislators to create a parliamentary commission to study a small but growing trend of wearing the full-body garment in France.

In the first presidential address in 136 years to a joint session of France's two houses of parliament, Sarkozy laid out his support for a ban even before the panel has been approved — braving critics who fear the issue is a marginal one and could stigmatize Muslims in France.

"In our country, we cannot accept that women be prisoners behind a screen, cut off from all social life, deprived of all identity," Sarkozy said to extended applause in a speech at the Chateau of Versailles southwest of Paris.

"The burqa is not a religious sign, it's a sign of subservience, a sign of debasement — I want to say it solemnly," he said. "It will not be welcome on the territory of the French Republic."

In France, the terms "burqa" and "niqab" often are used interchangeably. The former refers to a full-body covering worn largely in Afghanistan with only a mesh screen over the eyes, whereas the latter is a full-body veil, often in black, with slits for the eyes.

Later Monday, Sarkozy was expected to host a state dinner with Sheik Hamad Bin Jassem Al Thani of Qatar. Many women in the Persian Gulf state wear Islamic head coverings in public — whether while shopping or driving cars.

Fierce debate over headscarf ban

France enacted a law in 2004 banning the Islamic headscarf and other conspicuous religious symbols from public schools, sparking fierce debate at home and abroad. France has Western Europe's largest Muslim population, an estimated 5 million people.

A government spokesman said Friday that it would seek to set up a parliamentary commission that could propose legislation aimed at barring Muslim women from wearing the head-to-toe gowns outside the home.

The issue is highly divisive even within the government. France's junior minister for human rights, Rama Yade, said she was open to a ban if it is aimed at protecting women forced to wear the burqa.

But Immigration Minister Eric Besson said a ban would only "create tensions."
A leading French Muslim group warned against studying the burqa.

French move to consider ban on wearing the burqa in public

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"If we see, very clearly, that wearing the burqa is contrary to republican principles, the government, the Parliament will draw all the necessary conclusions," he told France 2 television.

Asked if that meant a law prohibiting the garment, he replied, "Why not."

Junior Secretary for Urban Affairs Fadela Amara was more direct. "I am in favour of prohibition" of the burqa," she told France Info radio, describing it as "the visible and physical expression of fundamentalists."

And Socialist parliamentarian Christian Bataille, one of the signatories to the resolution, declared, "We have to put a stop to this phenomenon, which reflects the growth of Moslem fundamentalism."

According to its wording, the resolution's authors believe that the wearing of the burqa represents "an attack on the dignity of women," because when a woman wears it "her very existence is repudiated."

The resolution further declares: "The sight of these imprisoned women is intolerable for us when they come from Iran, Afghanistan, Saudi Arabia or certain other Arab countries. It is totally unacceptable on the soil of the French Republic."

The parliamentarians also affirm that "this degrading clothing" represents both a wife's "submission to her spouse, to the men of the family" and "a negation of her citizenship."

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A law that bans the wearing of religious clothing in public is going to be far more controversial.

In answering Obama on June 6, Sarkozy said that women could wear the headscarf in public "provided that's a decision she made freely and had not been forced on her by her family or entourage."

But such a constraint is always difficult to prove, especially if the women maintain that they wear the clothing of their own free will.

A 22-year-old woman named Sonia, who began wearing the burqa in January, told the daily *Le Parisien*, "Before, I didn't even wear a headscarf. I made my A-levels and I worked a bit. And then I truly encountered religion... I can not imagine dressing otherwise. It is my choice alone."

Although no data are available on the number of women living in France who wear the garment, politicians are reacting now because the custom appears to be spreading, particularly among young women like Sonia, who live in poor suburban ghetto neighbourhoods.

But the movement against the wearing of the burqa has been slowly gathering force in France.

In June 2008, the Council of State - the country's highest administrative court - refused to grant French citizenship to a Moroccan woman wearing a burqa, because it went against "the values of a democratic society and the principle of equality of the sexes."

In October of last year, France's anti-discrimination authority HALDE upheld the exclusion of a woman wearing the burqa from a French-language course required for naturalization.

The justification for this decision was that it was necessary for "the instructor to observe the faces of the pupils in order to see their expressions while forming the words."

In September, a law-maker from the ruling UMP party, Jacques Myard, tabled a bill outlawing the burqa. No action has yet been taken on it.

This may also be the fate of the resolution, because it is one thing to legislate what pupils may wear in public schools and quite another matter to ordain what an adult can wear in the streets.

"Everyone is free in the streets," Immigration Minister Eric Besso cautioned. "To interfere with this balance seems risky to me."

Can the country ban a church?

By Robert Marquand

The Christian Science Monitor (19.06.2009) / HRWF (24.06.2009) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - France mingles a strong private Roman Catholicism with an ardent public secularism, and its acceptance of smaller faiths and sects swings back and forth. But in the past decade, there's been a singleminded focus on the Church of Scientology and its estimated 45,000 members here.

Now, in closing arguments before a criminal court in Paris, two French prosecutors this week called for dissolution of the church itself, the first such instance in France.

The case, which brings suits filed years ago by two former adherents charging the church with fraud, swindling, and mental harm, treads into legal waters rarely navigated in a nation that, since 1905, has kept religion a strictly private matter.

The Church of Scientology and its legal team argue vociferously that French authorities are using Scientology as a "scapegoat," as one defense lawyer said, for an overall campaign in France against freedom of religion and a crackdown on sects.

How far the court will go toward banning Scientology, the US-based church known for its Hollywood celebrities and unorthodox recruiting tactics, won't be known until an Oct. 27 ruling.

Roger Gonnet, a former Scientology official who testified against the church, told the Monitor that "French courts don't rule about religion in law, but no association [church] should be allowed to get away with illicit activity and fraud, or cover it up with private settlements.

"This is a church built on lies, and France is taking it seriously," he adds. "France doesn't take 11 days in court with two prosecutors on such a case if it isn't significant."

Eric Roux, acting president of a Paris Scientology branch, wrote in an e-mail that the trial prosecutors, "who receive orders directly from the Justice ministry ... showed nothing new in any charge. Instead, the religion of Scientology was attacked in a very general way, like an Inquisition for 45,000 of us. Still, we believe that after 50 years of Scientology in France, the French Constitution will protect us."

Setting a precedent with a ban

But French analysts are divided over the scope of precedent a ban of the church would set. Those who say it will matter very little point to a narrow prosecutorial focus on the behavior of two Paris Scientology centers, and say change of the 1905 laws on religion is a nonstarter.

But human rights lawyers like Valerie Billamboz in Strasbourg say a recent push by an intergovernmental French body to list 173 unorthodox sects in France means that a ban "would set a real precedent for those groups, and allow a larger witch-hunt."

"There is not much jurisprudence in France on church-state matters, but now there will be," she argues.

Attacking religious freedom?

Indeed, some legal experts note that state prosecutors, by escalating far past a mere settling of grievances for two plaintiffs, and pushing for an outright ban of the church, appear to be attacking religious freedom in exactly the manner Scientologists claim.

Critics of the church, however, argue that Scientology, founded by L. Ron Hubbard, author of "Dianetics," uses the demarcation of "church" – with the rights implied – to hide unscrupulous behavior.

In Europe, Scientology is mainly known for its recent problems in Germany.

Berlin authorities in 2006 tried to ban the sect; the effort was quietly abandoned last fall. During that period, Germany squashed efforts to ban leading Scientologist Tom Cruise from filming, in Germany, the recent film "Valkyrie," in which the actor played Col. Claus von Stauffenberg, leader of a failed assassination attempt on Hitler.

French 'black list' of sects

Six US lawmakers on the House Judiciary Committee last month sent a letter to Pierre Vimont, the French ambassador to Washington, expressing concern about a new "black list" of 173 sects in France, stemming from what is known as the MIVILUDES report, emerging out of the prime minister's office.

"Not only would ... a new 'black list' represent a major step backward for religious freedom in France, it would contravene fundamental human rights," the letter stated.

French media opinion during the trial, which began May 28, has been generally unsympathetic to Scientology.

Christophe Barbier, deputy editor of l'Express, backed the "eradication of Scientology from French soil," saying it would be a "symbol for the world ... by protecting the public from crooks and charlatans...."

Patrick Maisonneuve, lead attorney for the church, however, said a church ban would symbolize a narrow and intolerant side of France.

Scientology is recognized in Portugal, Sweden, Spain, and elsewhere, he said. Will French authorities "burn Ron Hubbard's books in the courtyard of the Sainte Chapelle while the international community stares in bewilderment?"

[Editor's note: Scientology bears no relationship to the Christian Science church, which publishes this newspaper.]

French move to ban the wearing of the burqa

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UNADFI, undercover agent of the State?

Agora Vox (17.06.2009) / HRWF (18.06.2009) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - The initials of the 1901 Act association UNADFI stand for "Union Nationale des Associations de Défense de la Famille et de l'Individu" in the face sects.

As the sects it combats, Unadfi has its critics. But public opinion seems to ignore what the watchdog committee on association's subsidies has just revealed: UNADFI's financing.

Indeed, while public utility associations must be supported mainly by their members, (Unadfi is supposed to have been one since 1996), we discover that for more than a decade it has been financed 96% with public money coming from various ministries. Millions of Euros paid by the tax payers against some thousands in donations from members and supporters.

This leads to questioning the use of this association by the ministries that support it. Indeed, the French constitution forbids the interference of the executive in religious matters. Moreover the separation of powers divides the executive (and legislative) powers from the judicial arena, and does not allow them to be a civil party in cases concerning sects or sensitive judicial and political issues.

But Unadfi as a "public utility association" has the right to sue and act jointly with the prosecutor, pursuant to the "About-Picard Act" (bearing both the names of Senator About and Unadfi's current Chairwoman Mrs Picard). Unadfi did not miss this opportunity (Trial of Scientology, cases against "deviant" doctors etc.). As "public utility associations" are supposed to be financed by their members, we understand that normally they don't act on behalf of the State and can keep some neutrality without putting the neutrality of the authorities at stake. It is otherwise for Unadfi. Financed at 97% by the State, it is the armed arm which allows certain executive officials to come to court undercover.

When Catherine Picard was at the bar in the Scientology case, she let a phrase slip out before the magistrates: "Actually, we depend from the Ministry of Social Affairs". A sentence that sent shudders through high places, and which could disturb a plan that had worked smoothly until then. Indeed, since 1996, the Ministry of Social Affairs (joint authority with the Ministries of Health and Labor) has given Unadfi 1,224,000 EUR in subsidies. Since 2004 the Prime Minister has given 110, 000 EUR in subsidies every year to this association. They would be subsidies given under the influence of the Miviludes, the Interministerial mission under the Prime Minister pursuing the same goals as Unadfi but unable to bring legal action acting jointly with the prosecutor.

Another detail: since a few years, Unadfi has been asked to train magistrates on how to sentence sects. This is an interference of the State in the Judicial Power, that is supposed to be independent.

Practices which, in case of generalization, and if spread to other areas, would truly endanger the separation of powers in our constitution.

Refusal of renting public halls to Jehovah's Witnesses

By Regis Dericquebourg, *Human Rights Without Frontiers*

HRWF (25.05.2009) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - Jehovah's Witnesses who meet for worshipping and carrying out activities related to their beliefs (training of proclaimers or Bible studies) constitute a congregation. In principle, they practice their religion in a kingdom hall which does not necessarily belong to them. It may be a hall that has been rented or arranged for this purpose. They can share a worship place with other congregations which may belong to one of them. A representative of French Jehovah's Witnesses told us that a meeting hall in the Ile-de-France is used by six congregations. Therefore, the map of the kingdom halls does not reflect the number of congregations.

Places of worship of Jehovah's Witnesses in France

By 1 January 2003, there were 1495 congregations of Jehovah's Witnesses in mainland France but the Bethel of Louviers (headquarters) has provided us a list of 918 halls. The construction date is known for 772 of them. Some further investigation revealed that a number of halls whose construction date is unknown were buildings rented and transformed into worship places.

A hall is not built immediately after the creation of a congregation. The decision to build a hall indicates that the congregation has achieved a level of strength that allows it to

envisage a future. Sometimes, a worship place is built and then sold when the congregation cannot last. To build a kingdom hall, the local association of Jehovah's Witnesses or an association created to this end launches a loan without any interest and with a schedule of repayment of the faithful or of the *Association for the construction of worship places*^{i[i]}. It can also address to a bank. The *Association culturelle des Témoins de Jehovah de France* (Association of Jehovah's Witnesses in France) is not the owner of the worship place.

The French movement of Jehovah's Witnesses has accelerated the building of kingdom halls in the last few years as this table shows:

Period	Number of buildings	% of number of halls	Recruitment
1937-1960	9	1,16%	?
1961-1970	27	3,49%	11600
1971-1980	92	11,91%	31700
1981-2000	410	53,10%	56900
1991-2000	226	29,27%	0
2001-2003	8	1,03%	-17586
	772	99,96%	

Renting difficulties

We tested the correlation between the number of new members and the number of halls. As the period was limited (2001-2003), we had to normalize the item "number of halls."^{ii[iii]} We find a positive correlation (.72, significant at 0.5). There might therefore be a connection between the increase of Jehovah's Witnesses and the construction of the number of worship buildings. A priori, this seems logical. However, we can also make the assumption that the debate around cults has accelerated the construction of halls in so far as local congregations found it more difficult to rent halls from owners who were made suspicious by media which further spread warnings towards minority religious groups. We cannot verify this hypothesis as we do not know the number of refusals of building rentals experienced by the Witnesses but it is corroborated by the construction of assembly halls (where regional meetings are held) as in Creil where 1800 people can be accommodated^{iii[iiii]}. It had become more and more difficult to rent big municipal or private halls and this situation urged the Witnesses to acquire such spaces^{iv[iv]}.

However, Jehovah's Witnesses go on renting exhibition halls as the one in Douai for district assemblies. They sometimes rent municipal halls. The mayors often try to oppose to it because if they do not do it, the opposition parties use it as a battle horse in the race to power.

A recent example: "A municipal hall rented to Jehovah's Witnesses. Controversy: The municipal office had to admit the principle. On this issue, the team of "Atout Villefranche" does not endorse the municipal position and wants to express its dissenting voice."

The press commented: "Mayor Serge Roques caught in the pincers of a new controversy. On 28 January last, the municipal office which had gathered in permanent commission could not find any other solution than to rent a municipal hall - the "Salle de la Madeleine" - to Jehovah's Witnesses so that they could accommodate 130 people for their 9 April assembly. This angered the elected opposition members, especially those of the list "Atout Villefranche" led by Eric Cantournet. In a succinct and nuanced press release, their leader set the cat among the pigeons. While not ignoring the juridical

difficulties inherent to this sort of request, Eric Cantournet and the elected members of the group "Atout Villefranche" declared they did not endorse this decision of the municipality.

In fact, it has become difficult not to rent halls to Jehovah's Witnesses. The use of the black list of dangerous cults has no juridical value. They cannot be accused of disturbing public order as their meetings are peaceful. Religious discrimination can then be argued.

The Witnesses who do not own a big kingdom hall can be in a situation that compels them to rent a hall to celebrate Easter which in their religion falls at a fixed date, 14 Nizan. They call it the Memorial. In 2003, 112,308 members of the movement and 207,305 people participated in the Memorial. In some cities, the mayor or one of his representatives goes to the meeting to greet the participants before their religious service. A number of elected councilors consider that Jehovah's Witnesses are believers who do not pose any problem and who pay their taxes. Moreover, they participate in elections if they want as any citizen who wants to vote or to abstain. They can also support those who respect the free exercise of their religion.

When I asked the Bethel in Paris to give me some data about denials of renting or lending public halls for their meetings, they told me there were several dozen cases and some were dealt with on the phone. The period of time was however not specified. Other cases were brought to their attention by mail but the Bethel could not provide further statistical details.

Concrete cases

Here are however a few concrete cases:

- Rental denial by the municipality of Blanc-Mesnil dated 27 January for a meeting to be held on 9 April 2009. The deputy mayor in charge of external relations, children and association life, Mrs Langlois, motivated the refusal as follows: "In these conditions, the city of Blanc-Mesnil, as the National Assembly has analyzed it, will not recognize^{v[v]} this organization as an *association culturelle*." To justify this refusal, she refers to the reports of three parliamentary enquiries (12 December 2006, 1999 and 1995).
- The mayor of Les Abrets (Isère), Mr Jean-Paul Gau, refused in the following terms: "The municipality does not make halls available to organizations considered cultish by the ad hoc parliamentary reports."^{vi[v]}
- Refusal by the city of Nevers in the following terms: "I inform you that lending a hall to *associations culturelles* listed as cults by the 1996 French parliamentary report nr 2468."
- Refusal by the municipality of Kremlin-Bicêtre on the grounds of *laïcité*.
- Rental of a hall in Vernon criticized by Free Thinkers (letter of Mr. Denis Pelletier, President of the Association of Free Thinkers of the Euro-Group Aristide Briand) and Mrs. Picard, from the anticult group UNADFI and "socialist." Mrs. Picard justifies her position by alleging that Jehovah's Witnesses must refrain from performing civic obligations, such as voting^{vii[vii]} and have a case of payment of back taxes^{viii[viii]} (undated letter addressed to Mayor Philippe Nguyen Thanh, Vernon). This remained without any effect because the mayor considered that no law forbids this sort of renting.

Conclusion

In its newsletter dated 21 April 2009, HRWF wrote in an article entitled « Financing of Islam : When public powers circumvent the sacred principle of *laïcité* »: "(...) the mayor of

the mayor of Epinay-sur-Seine inaugurated a centre with a capacity 1400 seats which had been financed with public money (2 million EUR). From a purely legal point of view, it is now being 'put at the disposal of an association' which uses it as a house of prayer. In reality, the polyvalent hall functions as a mosque. In Paris XVIII, the municipality plans to invest 22 million EUR for two buildings. One of them will comprise two halls which will be used as prayer rooms for 1000 people each. Officially, it will be a cultural institute on Islam. Once the construction is finished in 2013, the mayor will sell them for 6 million EUR. and the new owners will be free to use it as a place of worship. In 2007, the extreme right movement won a case in court against the municipality of Montreuil which had concluded a rental lease for a symbolic EURO with an association which used it as a mosque. The case is now pending at the Council of State."

There is a paradox here. Some municipalities, which are sometimes very hostile to minority religious groups, finance mosques under cover of financing cultural centers about Islam but refuse to rent public halls to religious minority groups with a Christian origin. As far as I know, free thinkers have not raised their voices to denounce the financing of mosques as a breach of the *laïcité* principle as they understand it, that is to say a combative *laïcité*. It is noteworthy as well that mayors deny Jehovah's Witnesses the use of public halls for their religious gatherings on the grounds of a list of so-called "dangerous sects" that former PM Raffarin has forbidden to use because it lacks any legal value. The members of the National Assembly should then have adopted a law to criminalize the use of this list, which constitutes an incitement to intolerance and discrimination.

Human Rights: An OSCE delegation visits MIVILUDES

AFP (18.05.2009) / HRWF (19.05.2009) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - Three experts in religion and members of the Office of Human Rights of OSCE did a visit at Miviludes, said on Monday to AFP its president Georges Fenech, according to a data mentioned in the paper Liberation.

These three experts, a French, an Italian and an American, came last week « following critics of some NGO accusing France to attempt to Human Rights regarding fight against sectarian drifts », added the president of Miviludes, who added that the visit went well.

M. Fenech estimated « normal » that these experts doing an investigation after having received complaints. He said that he went to Varsovie in October for the congress of the Human Rights bureau of OSCE where he explained the policy of France regarding sectarian drifts. « it was already agreed that we will keep in touch ».

« These complaints for attempt to Human Rights come from sectarian lobbying » that want to discredit Miviludes, said M. Fenech, reminding that Miviludes denounced these practices of lobbying in its yearly report last year, and once again that year. (the yearly report 2008 will be given on Monday night to the Prime Minister).

He refused to consider that visit of experts as an attempt of intimidation just before the opening of the trial of seven members of the Church of Scientology for « swindling in organized band », on 25 of may at the 12th Chamber of the Criminal Court of Paris.

In other hand, the Church of Scientology considers that Miviludes participates to a « media harassment » launched against it before the trial.

Closed trial in Halimi killing rankles French Jews

By Devorah Lauter

JTA (04.05.2009) / HRWF (05.05.2009) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - For the Jewish community here, the decision to bar journalists from the trial of gang members accused of kidnapping and torturing a 23-year-old French Jew to death has struck a raw nerve. The Paris court's April 29 ruling adds insult to injury, French Jews say, by further suppressing what many believe was the motive for the murder of Ilan Halimi: anti-Semitism.

"It was the law of silence that killed Ilan Halimi," said Francis Szpiner, a lawyer for the Halimi family. "And it has imposed itself again."

Halimi was abducted in late January 2006, and was held and tortured for more than three weeks before his broken body, burned and stabbed, was dumped near railway tracks in a suburb south of Paris. He was found on Feb. 13, 2006 and died on the way to the hospital.

The killing prompted a mass demonstration of solidarity with the Halimis, mostly from the Jewish community, and against anti-Semitism several days later in Paris.

Many, including the victim's mother, criticized the police for their refusal to investigate the possibility that the kidnapping was anti-Semitic in nature. Had they done so, the critics reason, the police would have had a much greater chance at profiling the suspects and rescuing Halimi before his death.

Halimi's family and Jewish institutions said they had hoped for an open trial to help raise France's awareness of the problem of anti-Semitism -- a problem they say is too often overlooked here.

Two of the 27 suspects in the case were under age at the time of Halimi's death; French law does not require open trials for juveniles.

A closed trial "will take the tone of a family drama, whereas we needed a trial about prejudices capable of killing and about 21st century anti-Semitism," Raphael Haddad, head of the French Jewish Student Union, told the French daily Le Monde.

"Denying the reasons for his torture killed him a second time," Halimi's mother, Ruth, wrote in her book, "24 Days," about her son's case.

She says in the book that police and much of the French public showed "obstinate refusal" to see the crime as a racist, anti-Semitic act.

"My fellow French citizens have a problem acknowledging the reality of anti-Semitism" due to "a climate of confusion," said Adrien Barrot, author of "If This Is a Jew: Reflections on the Death of Ilan Halimi."

Others disagree. Police have said the suspects, members of a gang calling itself the Barbarians, targeted Halimi because he was Jewish and they believed Jews would be worth a large ransom. The judges in the case must determine whether Halimi was targeted because his tormentors were anti-Semitic.

Though French news sources such as the daily Liberation referred to a "trial of an anti-Semitic crime" in this week's coverage of the subject, public opinion heard in various media discussion forums often demonstrated uncertainty over whether suspects acted out of religious hatred.

"He was attacked because his abductors believed that as a Jew, he was rich. It's idiotic, but different from anti-Semitic hate," someone named Phillippe H. wrote on the daily le Monde news Web site.

The trial will determine whether the gang's leader, Youssouf Fofana, is guilty of premeditated murder, torture and abduction based on the victim's religion or ethnicity. The other suspects face a variety of charges.

Author Alexandre Lévy, who wrote a book, "The Barbarian Gang: Chronicle of a Police Fiasco," about police and media mishandling of the case, says the French public still doesn't quite know how to handle the case of Halimi's murder.

"The French Republic doesn't know how to formulate words around what happened," Levy said.

Clarifying, he said, "Politically it's very delicate in France to be the first to talk about anti-Semitism. It's like the nuclear button."

France declares war on sect influence in the United Nations

By Michael Cosgrove

DigitalJournal (20.05.2009) / HRWF (21.05.2009) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - A French Government report on sect deviance has denounced what it calls excessive sect activity in international institutions. Scientology and other groups are in its sights, and these groups are putting up fierce resistance.

France has a government agency called the Miviludes, unique in Western countries, whose job it is to track and counter those religious and other groups it considers as being sects. Miviludes is an acronym of the French phrase 'Mission interministérielle de vigilance et de lutte contre les dérives sectaires, i.e. 'Interministerial Mission for Monitoring and Combating Cultic Deviancy.' A sect is defined here as being any religious organisation which can be characterised as employing any of the following methods;

Mental destabilisation, exorbitant financial demands, a rupture with members' original environment, power in the hands of one person, the invasion of a person's physical integrity, the recruitment of children, antisocial preaching and troubling public order, activities which lead it to be tried in a court of law, using parallel economic structures, attempts to infiltrate the workplace, schools, and public powers.

There are around fifty religions or groups which are being tracked, the most commonly known of which are; Jehovah's Witnesses, Scientology, Mormons, The Universal Church, Raelians and The Unification Church (Moon.)

Criticism of the Miviludes is fierce, and, since the organisation began extending its activities to organisations outside of France, it has also been attacked by foreign government agencies such as the United States Commission on International Religious Freedom, which has in the past been highly sceptical about the motives of the Miviludes.

Yesterday saw the release of their 199-page Annual Report, of which ten pages are consecrated to a stinging criticism of the activity of sects and their supporters in the UN and the OSCE (Organization for Security and Co-operation in Europe.) The OSCE is the biggest security-oriented intergovernmental organisation on the planet. Its job is to

surveille and uphold principles such as fair elections, press freedom and human rights. It is an ad-hoc UN Agency.

The report notably singles out NGO's (Non-governmental organizations) which it says are attempting to legitimise sect activities under cover of the principles of religious freedom. They are said to be acting in concert to limit the influence of the Miviludes within the UN, using tactics such as official complaints and smear tactics.

OSCE/UN services said to be particularly infiltrated are the Office of Democratic Institutions and that of Human Rights. Other major institutions said to be affected are the European Council and the US State Department and its Report on Religious Freedoms in the World.

NGO's said to be active in trying to destabilise the Mivilude's work include Human Rights Without Frontiers, the Institute on Religion and Public Policy, the Beckett Fund for Religious Liberty and the Information and Advice Centre for New Spirtualities.

These and other organisations are said to be acting as front organisations for various religions, who do not have UN accredited presence. Most notable amongst them is the Church of Scientology, which has launched several attacks on the Mivilitudes, notably by using the US State Department's clout at the UN. The Scientology Internet site logo looks very much like the UN logo and the Church presents itself as being 'Associated with the UN Department of Public Information.'

One week ago the Paris offices of the Miviludes were visited by OSCE officials demanding to audit the report before release and check it for what it called any possible human and religious rights abuse. The staff present refused that any documents be taken away. This move was applauded by the Church of Scientology which had appealed to the UN and OSCE in order that they surveille the activities of the Miviludes.

The fact that France is a fiercely secular country provides a partial explanation for the existence of an organisation as unique and with as much influence as the Miviludes. It has been involved in long-running battles with various religious organisations, or sects as they call them. Now that this battle has moved onto the international stage, the stakes have gone up and both sides are sharpening their knives.

Trial forces France to confront its anti-Semitism demons

27 people, mostly children of immigrants, charged in torture-killing of young Jew

SUSAN SACHS

The Globe and Mail (30.04.2009) / HRWF (05.05.2009) – Website: <http://www.hrwf.net> – Email: info@hrwf.net - When a young Jew named Ilan Halimi was found dying on a railway siding three years ago, duct tape over his eyes and his body burned and slashed, the French police were reluctant at first to call it a hate crime.

Within a week, their caution gave way to a different and uglier conclusion, one that sent shock waves through a country that has wrestled with the demons of anti-Semitism for years.

The victim was targeted, investigators said, because he was Jewish.

The case went to trial yesterday, with 27 people charged with participating in the abduction, torture and killing of Mr. Halimi, a 23-year-old mobile-phone salesman who was held for 24 days.

The lead defendant, Youssouf Fofana, is said to have admitted that he set out to kidnap a Jew and hold him for ransom "because Jews have money."

The case has been called a symptom of growing anti-Semitism in the bleak suburban ghettos where the defendants, most of them the children of black and Muslim immigrants, live.

Mr. Halimi's mother, Ruth, has been among the most outspoken, calling on the French to draw a lesson from her son's slaying.

"Today it is anti-Semitism," she warned in a television interview this week, in which she insisted on having her face camouflaged. "Tomorrow it's absolute racism towards others." While the case has drawn intense interest, however, the trial will be held behind closed doors at the request of two of the defendants, who were minors at the time of the crime. Only the first part of the opening session, before the selection of the jury, was open to the media.

The decision to bar the public from hearing the testimony was protested by the Halimi family. "It's the law of silence that killed Ilan," said Francis Szpiner, the lawyer representing the family. "It would be unbearable if the court also imposed silence."

Still, some early drama came from Mr. Fofana, who has called himself the leader of "the gang of barbarians."

As he entered the courtroom, he shouted in Arabic, "God is great." Asked by the judge to identify himself, he smirked from behind a bullet-proof glass panel and gave the date of and the place of Mr. Halimi's death.

Mr. Fofana has admitted that he ordered and directed the kidnapping, and police said he repeatedly called Mr. Halimi's family - as often as 40 times a day - with ransom demands and anti-Semitic diatribes.

He also sent video images of the young man, wrapped in tape and with a gun to his head, to the family.

But he has denied that he delivered the fatal stab wound to Mr. Halimi, who was drenched in acid and had cigarette burns and stab wounds all over his body when he was found. He died in an ambulance on the way to the hospital.

Most of the gang members were arrested a few days later, Mr. Fofana after two weeks in Ivory Coast, where he had continued to bombard the Halimi family with insulting phone calls. Over the past year, according to lawyers in the case, he has also sent dozens of letters filled with anti-Semitic comments to various court officials.

Mr. Fofana has not been linked to any political or religious movement, and does not appear to represent or illustrate a larger trend, according to Michel Wieviorka, a sociologist who has written extensively about anti-Semitism in France.

But the trial, even conducted out of public view, promises to have at least some political undertones.

Mr. Fofana is represented by two of France's most provocative and talkative lawyers. One was on Saddam Hussein's defence team. The other is Isabelle Coutant-Peyre, best known

for her jailhouse romance with convicted terrorist Ilich Ramirez Sanchez, also known as Carlos the Jackal.

It is society in France, Ms. Coutant-Peyre suggested, that should be on trial.

"There is a lot of racism," she said on the courthouse steps, "and I think Youssouf Fofana and his co-defendants are the scapegoats for these problems."

Financing of Islam: When public powers circumvent the sacred principle of laïcité

HRWF (21.04.2009) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - Early April, the mayor of Epinay-sur-Seine inaugurated a centre with a capacity 1400 seats which had been financed with public money (2 million EUR). From a purely legal point of view, it is now being "put at the disposal of an association" which uses it as a house of prayer. In reality, the polyvalent hall functions as a mosque.

In Paris XVIII, the municipality plans to invests 22 million EUR for two buildings. One of them will comprise two halls which will be used as prayer rooms for 1000 people each. Officially, it will be a cultural institute on Islam. Once the construction is finished in 2013, the mayor will sell them for 6 million EUR. and the new owners will be free to use it as a place of worship.

In 2007, the extreme right movement won a case in court against the municipality of Montreuil which had concluded a rental lease for a symbolic EURO with an association which used it as a mosque. The case is now pending at the Council of State.

Too Muslim to be a police officer?

HRWF (21.04.2009) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - Early April, the Council of State annulled the results of an internal exam held in 2007 for police officers after a policeman from the Yvelines lodged a complaint on the grounds of racial discrimination.

On 27 September 2007, a police sergeant of Moroccan origin who had been in the police for 8 years took an exam to become a police officer. After a set of written tests in which about 500 candidates took part, he was selected along with 50 others to take an oral exam before a jury of seven persons.

After he failed to pass the oral test, the policeman filed a complaint because he had allegedly been interrogated on his practice of Islam and his Maghrebian origin. The French newspaper got the controversial questions from the Council of State: "What is your opinion about the corruption of Moroccan policemen? Is your wife from Maghreb? Do you follow the ramadan? Does your wife wear the veil? Don't you find bizarre that France has a government with Muslim ministers and a half-Hungarian president?..."

The candidate got a bad mark that did not allow him to take a second chance exam. As all his other marks and his superiors' evaluations were good, he seized the HALDE (Haute Autorité de Lutte contre les Discriminations et pour l'Egalité). This institution ruled on 7 July 2008 that there had been a breach of the principle of neutrality and discrimination.

Although it is always difficult in such cases to give irrefutable evidence of discrimination, the Ministry of the Interior never denied that the aforementioned questions had been

asked. The jury said that there was no racist intention in their questions but an explanation was never provided for the bad mark of 4/20. The Council of State considered that the litigious questions were inappropriate to appreciate the skills of the candidate, annulled the results of the candidate and asked for a financial compensation of 3000 EUR to cover the costs of the proceedings.

Children victims of cultish misbehavior and of the 'anti-veil legislation'

HRWF (20.04.2009) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - On 13 April 2009, a married couple living in Banyuls-sur-Mer was arrested and jailed in Perpignan for depriving their eight children from healthcare and food. The father (50) of Moroccan origin and his wife (49) of Slavic origin converted to Islam in 2000 were starving their children "to purify them". Three of the children who were suffering from serious malnutrition were hospitalized.

The case was discovered when people saw a 1,65 m tall skinny teenager (he was only weighing 32 kilos) looking for food in garbage cans. His head was also bleeding from blows he had received from his parents.

The three younger girls of the family aged 7, 8 and 9 years were attending school while the three older girls were involved in a distance learning program as they had been expelled from school for refusing to remove their veil. Two of them only weighed 22 kg.

An investigation had first been opened in 2004 but was closed one year later for lack of evidence.

The behavior of a member of a religious movement cannot be used to incriminate the whole movement but one can wonder if MIVILUDES which has strangely remained silent about this case would have adopted the same attitude if a similar situation had occurred in the family of a Jehovah's Witness. This case also highlights the "collateral damages" of the "anti-veil legislation" as it leaves girls living in a fundamentalist environment without any means of defense.

Anti-cult website manager sentenced on grounds of defamation

HRWF (16.03.2009) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - On 5 March 2009, the 17th correctional chamber of Paris sentenced Mr. Cossu, webmaster of the website "Prevensectes" to a symbolic fine of 1 EUR on the grounds of defamation towards an organization teaching the esoteric philosophy of Gurdjieff. (Ref.: Tribunal de Grande Instance de Paris, 17e Chambre, Affaire No 0713423011).

Mr. Cossu had been prosecuted by the Ltd Liability Company "L'Ermitage" alias "Libre Université du Samadeva édition L.U.S" after he had reproduced on www.prevensectes.com an article from the quarterly newspaper Bulle, published by the anticult movement Unadfi. The article was saying that several techniques used by L'Ermitage "could lead to psychological disorder or be used by a trainer or a network of trainers to subjugate people outside the well-being center."

Mr. Cossu resigned from Prevensectes.

It is not the first time that website managers or bloggers have been sentenced on the grounds of defamation towards faith or belief communities in France. On 17 April 2008, the Mandarom won its lawsuit in a similar case before the same 17th correctional chamber of Paris. (Ref.: Tribunal de Grande Instance de Paris, 17e Chambre, Affaire No 0515023051).

Footnote: A copy of both judgements can be obtained from HRWF

Tensions around a proposal for a new "black list"

Le Parisien (13.02.2009) / HRWF (14.02.2009) – Website: <http://www.hrwf.net> – Email: info@hrwf.net - An arm-wrestling has been engaged between Georges Fenech, president of Miviludes (Inter-ministerial Mission of Vigilance and Fight against Cultish Misbehaviors), and the Ministry of the Interior in charge of religious affairs.

Prime Minister François Fillon under whose authority Miviludes had been placed, will have to mediate between both parties. Last week, his office received a letter signed by Michèle Alliot-Marie (1) asking the services of François Fillon to "regulate" the action of Miviludes after in January last his president had expressed the idea to propose a new orientation in the policy of his agency.

In fact, Georges Fenech intends to go beyond the new orientation. He mainly wants to issue a new list on the pattern of the one that the parliamentary commission on cults had established in 1995 and that had put France in the dock in international fora for violating freedom of conscience. "Rather than a list, specifies Georges Fenech contacted yesterday evening on his coming back from a visit to the Beatitudes community in Haute-Garonne, I am envisaging to put in place a system of reference of the movements and practices showing cultish misbehaviors."

Through this semantic ambiguity, he avoids the term "list" which evokes a contested conception of the fight against "cultish misbehaviors".

"I think such a system of reference is useful for associations, for public powers and for local collectivities. According to me, we miss such a tool," continues the president of Miviludes who feels supported by a statement made on the TV channel France 2 by François Fillon himself exactly a year ago in the heat of an argument on the cult issue.

"The Prime Minister had specified that in the framework of the fight against cultish misbehavior, the role of Miviludes was to update the data concerning the deviant movements."

At the Ministry of the Interior, the exhumation the principle itself of the "black list" is a source of irritation. The policy of Michèle Alliot-Marie in this field is in conformity with the 2005 circular letter released by Jean-Pierre Raffarin (2) which was rejecting lists of movements likely to have cultish misbehaviors and was following another line of thought: to qualify in legal terms facts that could be viewed as criminal offences. In her letter addressed to François Fillon, the Minister of the Interior expresses her "surprise" about the policy change of Miviludes, "without any previous inter-ministerial dialogue" and severely points at the move: infringement of freedom of conscience, weakening of France on the European and international scene, repeated condemnations of its intransigence on religious freedom issues by the annual report of the US Department of State but also by the OSCE (Organization for Security and Cooperation in Europe). "The list is a source of irritation," says a well-informed observer. The argument is back in the public debate. (3)

Anne-Cécile Juillet
Translation by Human Rights Without Frontiers
HRWF footnote

- (1) Minister of the Interior
 - (2) Then Prime Minister
 - (3) This article shows that the criticisms voiced at the annual meeting of the OSCE/ODIHR in Warsaw by the human rights organizations and communities of faith or belief harassed by Miviludes and so-called cult-watchers have not remained unheard and unnoticed.
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Miviludes' head Georges Fenech liable to a suspended six-month prison term

HRWF (14.02.2009) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - On Wednesday 11 February, the Procurator of the Republic demanded a suspended six-month prison term for Georges Fenech, a former magistrate and now president of Miviludes, for his alleged role in the Angolagate.

The procurator stated that Mr Fenech "had a duty of vigilance" on the origin of the funds transferred to the magistrates' association he was heading.

In 2001, Georges Fenech was indicted for accepting a check of 100,000 Francs (15,000 EUR) from the company Brenco whose director, Pierre Falcone, was involved in illegal sales of weapons to Angola. He was then the president of APM (Association Professionnelle des Magistrats).

In 2004, the Socialists elected at the Court of Justice of the French Republic had asked for his withdrawal from the jurisdiction of which he was the deputy chairman.

In 2008, Georges Fenech, now a member of the National Assembly (Sarkozy's party), was declared ineligible for one year for violating the articles of the election code dealing with the direct expenses of the election campaign of the candidates. He then asked for his re-appointment in the magistracy and he was affected to the central administration of the Ministry of Justice. In June, PM François Fillon commissioned him "to assess the judicial provisions meant to fight with more efficiency against sectarian deviations." This was the prelude to his appointment at the head of MIVILUDES.

Sources: Le Parisien, 13 February 2009 - Le Monde, 24 September (Mis en cause dans l'affaire Falcone)

Vandalism and anti-Semitic inscriptions on the walls of a Jehovah's Witnesses' place of worship

Source: Ariègenews (26.01.2009) / HRWF (14.02.2009) - Website: <http://www.hrwf.net> - Email: info@hrwf.net - In the night of 25-26 January, unidentified people painted pro-nazi and anti-Semitic inscriptions on the wall of the worship place of Jehovah's Witnesses in Lavelanet. Moreover, they vandalized the vehicle of one of the faithful that was parked outside.

Jehovah's Witnesses settled in Lavelanet in the 1970s. In the last forty years, they have held religious services without ever disturbing the neighborhood or getting into trouble with the municipality.

A complaint was lodged against unknown people.

See pictures at

http://www.ariegenews.com/news/news_7460_lavelanet-vandalisme-et-inscriptions-antisemites-sur-les-murs-d-un-lieu-de-culte.html

For more information in France, go to

http://www.hrwf.net/index.php?option=com_content&view=article&id=105&Itemid=126

ⁱ[i] The same sort of assistance exists in God's Assemblies in France or the Interior Mission (in the North) grants loans for the construction or the enlargement of worship places.

ⁱⁱ[ii] I want to thank Sebastien Faure, Professor of statistics for his advice and his remarks about the processing of the data.

ⁱⁱⁱ[iii] Three times per year, the congregations of a constituency meet all together.

^{iv}[iv]^{iv}[iv] This is valid for the district assemblies. For example, the Witnesses were denied the rental of stadiums where they used to meet in the past as this was the case in Lens.

^v[v] From a legal point of view, a municipality does not have the power to grant or to deny the status of *association culturelle* to a movement.

^{vi}[vi] Parliamentary enquiry reports have no juridical value. Former Prime Minister Jean-Pierre Raffarin asked not to refer any more to the cult list annexed to one of the reports.

^{vii}[vii] An internal note (1998) says that French Jehovah's Witnesses can go to the polling stations.

^{viii}[viii] The case is pending at the European Court in Strasbourg.