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## **French bishops acknowledge and decry 'spiritual abuse' in some ecclesial communities**

Catholic Culture (15.11.2013) - The president of the French bishops' conference has issued a public response to calls for recognition of the "human damage" caused by ecclesial movements that were guilty of abusive practices.

The statement by Bishop Georges Pontier on behalf of the French hierarchy addressed charges of "spiritual abuse" as well as sexual abuse. Critics of the several new ecclesiastical communities had complained of the "destruction of personalities" by cult-like practices. The complaints had centered on groups such as the Legion of Christ, the Beatitudes community, and the Community of St. John—all of which had seen formal charges of misconduct lodged against their founders.

In his statement Bishop Pontier warned against the dangers of generalization, but acknowledged difficulties with some groups, involving the manipulation of individual consciences. He said that the French bishops oppose such practices, remarking: "The Gospel of Christ, which we seek to serve, is a school of spiritual freedom."

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## **Jehovah's Witnesses can now benefit from volunteer prison chaplains**

HRWF (28.10.2013) - On Wednesday 16<sup>th</sup> October 2013, the French Supreme Court upheld the request of Jehovah's Witnesses to be given access to prisons through a system of volunteer chaplains. The Ministry of Justice had earlier refused approval of Jehovah's Witness chaplains on the grounds that there was not enough of their number in prison to justify their presence.

However, the Court reminded the Government that Article 10 of the Declaration of the Rights of Man and of the Citizen, Article 1 of the Constitution and Section 26 of the Prisons Act of 24 November 2009 all "guarantee freedom of thought, conscience and

religion of persons detained in prison" and that such persons are free to "exercise the worship of their choice."

In accordance with this provision, prison officials must "accept a sufficient number of chaplains," subject only to a proper and orderly security screening to determine the suitability of each candidate.

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## **Prison for crusader against Jehovah's Witnesses in Corsica**

Corse Matin (11.10.2013) – In former times, one might try to burn heretics at the stake. William Trucco opted instead for a "symbolic act" somewhat less flammable: an improvised explosive device which caused minor damage to the front door of the Jehovah's Witness centre in Ajaccio. After admitting his part in the 31st July attack, Trucco was sentenced to 18 months of prison and a total fine of 1800 euros.

The court order was issued after his arrest by police in Biguglia, where he presently resides. The amateur terrorist was traced to some purchases he had made to construct the device and then caught on CCTV. The motive for his actions? "Jehovah's Witnesses are profiteers who manipulate weak minds and people in a position of vulnerability," he said. Trucco said that his grandmother was being "abused" at the time of the attack.

Two representatives of the local Jehovah's Witness community sat quietly in the courtroom. They were concerned for the unwanted publicity that the incident has provoked. They do not want to be regarded as a dangerous sect. However, the defending attorney insisted that Trucco had "just wanted to make noise." He has since claimed responsibility for what he now considers a foolish action.

For the report (in French) with video, see video at:

<http://www.corsematin.com/article/derniere-minute/video-prison-ferme-pour-une-croisade-contre-les-temoins-de-jehovah.1170146.html>

**Translation French-English by Human Rights Without Frontiers**

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## **French scientologists angered by fraud verdict**

The Local (16.10.2013) - The Cour de Cassation in Paris, France's highest appeals court, on Wednesday rejected an appeal by the Church of Scientology against several convictions for "organized fraud".

The Church had argued in a September 4th hearing that the verdicts constituted a violation of their religious liberty, but the court on Wednesday rejected that claim.

In 2009, convictions and fines of €400,000 and €200,000 (\$812,000 in total) were handed down to the Church's Celebrity Centre and a Scientology bookshop in the French capital.

Scientology leader in Paris, Alain Rosenburg and the Celebrity Centre's former president Sabine Jacquart were also found guilty of taking financial advantage of elderly members of the Church and sentenced to two-year suspended prison sentences as well as being handed €30,000 fines for organized fraud.

### ***'We're being judged for our beliefs'***

French scientologist minister Eric Roux on Wednesday told The Local the ruling was an example of France's "religious persecution" of the Church.

"France is really the most backwards country in Europe in terms of religious tolerance," he said. "We're being judged for our beliefs, not our behaviour. How can the Cours de Cassation decide that our beliefs are untrue or fraudulent, but not say the same thing about Protestants or Catholics?"

The charges resulted from accusations by Parisians that they had been pressured into handing over large sums of money to buy materials in the book shop and Celebrity Centre.

The Church's unsuccessful appeal to the Cour de Cassation came a year after it failed to convince a lower court of appeal to overturn the original verdicts and sentences.

### ***An 'evil cult' in France, a religion in Spain***

The Celebrity Centre had earlier rejected the charges as "totally false and inequitable", according to French daily Direct Matin, complaining the trial had "numerous irregularities and in which the fundamental rights of scientologists were violated".

Speaking during the hearing in September, lawyer Louis Boré denied that the Church had ever asked for money from its followers, but Roux told The Local on Wednesday that "anyone whose money we gave back dropped their complaint against us."

"That's how I know this is about our religious beliefs and not about a criminal case. Why else would the French government get involved and apply so much pressure in the case?"

The Church will now take the case to the European Court of Human Rights, Roux added. Article 9 of the European Convention on Human Rights provides a right to freedom of thought, conscience and religion.

The scientologist minister called for Europe-wide uniformity of laws regarding religious freedoms. "How can we be considered an evil cult in France, but a religion in Spain?"

### ***Suicide after a negative personality test***

This isn't the first time the Church of Scientology has been touched by scandal in France.

In 1996, Jean-Jacques Mazier, leader of the Lyon branch of the Church, was sentenced to 18 months in jail for fraud and involuntary homicide after Church member Patrice Vic committed suicide after going into debt to pay for Scientology auditing sessions.

In 2008 Kaja Bordevich Ballo, a Norwegian student living in Nice, killed herself after receiving the results of a negative Scientology personality test. However, prosecutors failed to find a direct link between the test and the woman's suicide.

While the Church is considered as a religion in the US where it was founded in 1954 by science-fiction author Ron Hubbard, it is classed as a "sect" in France, following a parliamentary report in 1995.

In France alone the Church of Scientology counts some 45,000 followers, and 10 million worldwide.

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## **French Scientologists lose appeal of fraud conviction**

***France's highest appeals court on Wednesday upheld a 2009 fraud conviction against the Church of Scientology's Celebrity Centre and its bookstore in Paris***

France 24 (16.10.2013) - France's highest appeals court on Wednesday upheld a fraud conviction against the Church of Scientology, which was appealing a [2009 ruling](#) against five church members as well as its [Celebrity Centre](#) and a Scientology bookstore in Paris.

The French branch of the Church of Scientology was found guilty of organised fraud in 2009, a ruling that was upheld in a February [2012 appeal](#).

Five plaintiffs in the case accused the church of persuading them to spend tens of thousands of euros on personality tests as well as bogus vitamin cures, sauna sessions and "purification packs".

The court levied fines totalling €600,000 on the Celebrity Centre and the Scientology bookstore in Paris. Four French Scientology officials received suspended prison sentences while the church's leader in France, Alain Rosenberg, received a €30,000 fine as well as a two-year suspended sentence.

The appeal claimed that the religious liberties of the defendants were being infringed, but the prosecution argued that the case did not hinge on questions of religion and was a simple case of fraud.

The church had indicated that if its appeal was rejected it would seek recourse at the European Court of Human Rights in Strasbourg.

### ***A 'cult' in France***

Although it is considered a religion in the United States, Sweden and Spain, a 1995 French parliamentary report called it a "dangerous cult".

French courts convicted Scientology members of fraud in 1997 and 1999, while the church was fined for violating privacy laws in 2002.

Founded by science fiction writer L. Ron Hubbard, the Los Angeles-based church bases its beliefs on a close study of his book "Dianetics: The Modern Science of Mental Health". The organisation claims a global reach with 10 million members in 165 nations – including 45,000 in France – and high-profile celebrity devotees like John Travolta and Tom Cruise.

The church has fought numerous lawsuits around the world since its establishment in 1954, both to fend off accusations of fraud or manipulation and to seek legal recognition as a religion.

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## **French journalist is prosecuted under 19th century press law for questioning Islam during a radio debate**

- **Ivan Rioufol was summoned to court under France's strict press laws**
- **Objected to Collective Against Islamophobia In France poster campaign**
- **Says law has been used to 'penalise criticism and intimidate journalists'**

Daily Mail (09.10.2013) - A French journalist is facing a criminal trial under the country's strict press laws for remarks made during a radio debate about the influence of Islam.

Ivan Rioufol, 61, believes the way he is being treated is an example of how writers are criminalised when the state is able to control the media.

He was summoned to court under strict press laws which date back to the 19th Century following a complaint from a pressure group called the Collective Against Islamophobia in France (CCIF).

'In seeking to undermine liberty of expression, a sacred principle of our civilisation, the Collective against Islamophobia in France (CCIF) takes the risk of appearing like a menace to democracy,' said Mr Rioufol.

'This is essentially what I hope to be able to explain in court, because I will have to appear in a few months before the 17th Criminal Court in Paris.'

Mr Rioufol, who has written for Le Figaro newspaper for almost 28 years, made some allegedly defamatory remarks on November 15th 2012 during an RTL radio programme called 'We Reshape the World.'

Mr Rioufol particularly objected to a CCIF poster campaign which showed pictures of predominantly bearded and veiled Muslims under the slogan 'We are the Nation'.

The journalist said that this was against the spirit of France's inclusive, secular republic - something which CCIF objected to.

Mr Rioufol said that France's 1881 Press Law was being used to 'penalise criticism, intimidate journalists, censor the media' and even 'to reintroduce the offence of blasphemy'.

The 1881 law was nominally meant to guarantee the 'freedom of the press' but in fact criminalised a range of journalistic behaviour.

So called 'press offenses' ranged from insulting the President of France, to defaming private citizens through comment.

Mr Rioufol said about the case's first hearing: 'The judge reminded me that he himself had no opportunity to verify the existence of the alleged offense, the procedure - Press Law 1881 - leading automatically to court, where the case will be considered on its merits.'

Mr Rioufol said the law was 'easily manipulated' by those who wanted to persecute journalists.

A spokesman for CCIF said it had a duty to challenge 'Islamophobia' and the press laws were a logical way of challenging journalism it objected to.

'Mr Rioufol will in court seek to prove that his words were true - one of the defences against defamation.'

Read more: <http://www.dailymail.co.uk/news/article-2451401/Ivan-Rioufol-prosecuted-19th-century-press-law-questioning-Islam-radio-debate.html#ixzz2hsS7yjh0>

More in French: <http://blog.lefigaro.fr/cgi-bin/mt/mt-ftsearch.fcgi?search=ccif&IncludeBlogs=9&limit=20>

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## **What is the outcome of the About- Picard law on the prevention and suppression of sects?**

### ***Law of the 12<sup>th</sup> June 2001 - Fraudulent abuse of the state of ignorance or weakness - Review***

HRWF (07.10.2013) - In June 2011, after ten years that the Law of 12<sup>th</sup> June 2001 has been in force - designed to strengthen the prevention and repression of sectarian movements affecting the human rights and fundamental freedoms (1) - Georges Fenech announced in the annual report published in Miviludes that a complete assessment of the law would be forthcoming the following year (2). The 2011 report was finally submitted two years later to the Prime Minister, simply reproducing the proceedings of a conference held in camera the 26<sup>th</sup> October 2011 in the National Assembly (3).

The first half of the report is composed of lengthy expressions of thanks and self-congratulatory comments issuing from the members of the Palais Bourbon study group on sects and from other anti-sect activists, including lively criticism of those who have expressed fears about this repressive legislation.

It is only during the intervention of Mrs Maryvonne Caillibotte (Director of Criminal Affairs and Pardons) and only at that time that we finally have real results with some figures: "Regarding the statistical evidence, in 2010, we know a hundred criminal proceedings in connection with sectarian activities which have been identified as such. [ ... ] In terms of convictions of the main perpetrator of fraudulent abuse of weakness, since 2004, 35 convictions have been established. However, only a few were committed in the context of sectarian activities." (4)

#### ***This specific data implies the following two observations:***

First of all, the few cases (probably less than one per year) that have led to a conviction for "fraudulent abuse of the state of weakness" over the past year reveal how the "sectarian infraction" is insignificant in comparison to the real problems of French society. However, the proceedings initiated are not lacking, considering the conditioning in various media that has been promoted by anti-sect organizations. If nothing else, in 2010, one hundred criminal proceedings were initiated. And the representative of the Ministry does not hide the fact of having exerted "pressure" on the court to get the desired result ... (5)

Secondly, the law includes in its title the main target, that is to say, "cults," without giving a legal definition. This law has been essentially used outside of the sectarian context. On the one hand, parliamentary proceedings have been wrongly focused on this non-issue. On the other hand, it confirms the fears that a law of this kind can easily be sidetracked from its original intent.

The rest of the evaluation proposed by Miviludes is only a reminder of the whole legislative arsenal which has been voted in over time, not to mention the more concrete question of what it actually accomplished.

In a legal analysis of these legislative efforts, Professor Patrice Rolland reached at that time the following conclusion:

"In general, the law of 12 June 2001 is a mediocre law that reflects in a passive manner the perplexities of French public opinion with regard to what it calls sects. Failure to understand the purpose and meaning of these transformations of religious sentiment may in fact undermine a fundamental freedom or perhaps, because of this risk, remain undeliverable. This is probably the best that one could wish for." (6)

In the end, the results have been relatively positive: this law has not reached the goal of some draconian political figures involved in the fight against what they see as threatening sects.

(1) [Loi n° 2001-504 du 12 juin 2001 tendant à renforcer la prévention et la répression des mouvements sectaires portant atteinte aux droits de l'homme et aux libertés](#), *Journal officiel*, n°135, 13 juin 2001, p. 9337.

(2) *Rapport au Premier ministre 2010*, Miviludes, La Documentation française, 2011, p. 7.

(3) [Rapport au Premier ministre 2011-2012](#), Miviludes, La Documentation française, 2013, pp. 39-88.

(4) *Ibid.*, p. 61.

(5) *Ibid.*, p. 59.

(6) Patrice Rolland, « [La loi du 12 juin 2001 contre les mouvements sectaires portant atteinte aux Droits de l'Homme. Anatomie d'un débat législatif](#) », *Archives de sciences sociales des religions*, 121 | 2003, 149-166.

**Source :** <http://www.droit-tj.fr/spip.php?article344> **(Translation French-English by Human Rights Without Frontiers)**

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## **The New Heretics of France (\*)**

***Book reviewed by Régis Dericquebourg, University Charles De Gaulle. GSRL. CNRS.***

HRWF (07.10.2013) - An interesting book on cult controversies in France has been published by Susan Palmer. The background is that from 1960–1970, there has been an expansion of religious minority groups in the West while church attendance in great religions as the Catholic Church and classic Protestant churches were plummeting. The emergence and the expansion of what we have called "new religious movements" was not something new. There have been many other religious outbursts as in the nineteenth Century in the United States or well before, in Mediaeval Europe.

The problem was that the appearance and success of new religious movements—Neo-Pentecostal Christians, new esoteric movements, new Hindu spiritualities like Hare

Krishna, Japanese (Sokka Gakkai), UFO religions (Raelians), neo-pagan groups (Wicca)—created concerns in many Western countries. In fact, on one hand, the majority of parents would not accept their offspring converting into new religions, on the other hand the great established confessions would see in them an undue competition, and lastly, atheist circles like rationalist freemasons were scandalised to see a revival of beliefs that they considered irrational and contrary to progress in a world dominated by reason.

Susan Palmer presents and analyses France's response to this problem. Why? Because France is one of the democratic countries which has fought minority religious groups with the greatest determination. In several countries, the fight against cults was led by associations of parents of the NRMs' converts.

These associations were sometimes created with the support of rationalists or Catholics. The French case is particular since in 1983, the radical socialist French government rendered the fight against minority religious groups official by financing private anti-cult associations and then by creating a cult-fighting government agency in charge of the coordination of all ministries (Justice, Police, Intelligence services) to this end. The following administrations whether right- or left-wing, maintained this anti-cult agency.

In her book, exhaustive and easy to read, Susan Palmer describes France's response against minority religious groups that had settled in its soil. She also indicates that France in accordance with the spirit of the French Revolution and wishing to bring the light of reason to the world wanted to be the leader in "cult" persecution, particularly by counselling the Chinese government.

Many French authors have described aspects of the fight against minority religious groups and Susan Palmer quotes them. Few French scholars have solicited English or American publishers to reveal the repression of religious nonconformity in their country. This phenomenon has remained unseen throughout the world. Thanks to Susan Palmer's book, published by the Oxford University Press, and to its publication in the English language, this phenomenon can be brought to the knowledge of the entire world. It should be remembered that James Beckford had published *Cult Controversies* (London, Tavistock Publications, 1985) but the author dealt with the subject on a global plane. The French case was mentioned, which is good already, but it was a case among others. Susan Palmer's book has the merit of being entirely dedicated to France.

The author describes in details all the trouble several religious movements underwent: Raelians, Mandarom, Scientology, and Jehovah Witnesses. She also describes defamation launched by anti-cult associations and legal cases. Susan Palmer also reveals the underground actors of this new inquisition: the Catholics eager to preserve their monopoly on the goods of salvation and the freemasons of the rationalist and atheist Grand Orient de France order. The mixed involvement of the Masonic group *Droit Humain*—to which belongs a socialist female member of the current MIVILUDES (French anti-cult agency)—should also be mentioned.

Susan Palmer also analyses the fight against minority religious groups. She sets forth possible causes of the fight against these "new heretics" as they have been explained by French scholars: fear of American infiltration and fear of a hold on free thinking. She shows that the "brainwashing" notion is continuously quoted in France by opponents of minority religious groups, but also by French psychologists, psychoanalysts and psychiatrists, while it is considered as unscientific by the American Psychological Association.

Doubtlessly because she was focused on groups which had trouble with the authorities due to their beliefs, the author omits to mention that the French fight against minority religious groups does not apply to radical Islamic sects which are present in France and have made attacks. Oddly enough, entities as the MIVILUDES or ant cultist associations

seem to ignore them. They never warn youth against their proselytizing in big city slums. They focus on the assumed danger of Pentecostals or Jehovah Witnesses with much less attention to more serious issues such as the radicalization of Islam and French Muslims.

This useful and interesting book is meant for anybody concerned by intolerance on religious freedom and human rights. Of course it is also intended for students and scholars of sociology studying religious minorities, who will find an extra illustration of the already old conflict between "sects" and society that Max Weber and later Bryan Wilson, outstanding figures of sociology, had mentioned.

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**(\* The New Heretics of France: Minority Religions, La République, and the Government- Sponsored "War on Sects,"** by Susan Palmer. Oxford University Press, 2011. 304 pp., b&w illustration, £45.00/\$74.00. ISBN-13: 9780199735211.

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## **Raël wins in court Paris**

HRWF (06.10.2013) - On the 7<sup>th</sup> of June, the Tribunal de Grande Instance of Paris ruled in favour of Raël, leader of the International Raëlian Movement, in a case involving charges of defamation and insults.

The offenses were issued on 8<sup>th</sup> July 2010 on the forum <http://www.ufologie-paranormal.org> by a user under the pseudonym "ufo95," who had posted two comments intended to undermine the dignity and honour of the spiritual leader Raël , referring to him as "mentally ill," a "liar" and a "paedophile."

The complaint against X with a civil action before the "Tribunal de Grande Instance" of Paris was defended by Murielle -Isabelle Cahen, a lawyer of the Bar in Paris. Closing arguments were heard on the 19<sup>th</sup> of April 2013 and judgment was delivered on the 7<sup>th</sup> of June.

The author of these insults and defamation was sentenced to pay a fine of 800 euros as well as damages in cash to Raël.

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## **Social hostility in Armenia, France, Moldova and Ukraine**

***HRWF recommends to the OSCE Participating States***  
***- to combat any form of social hostility and any act of violence against any religious or belief community, not just Christians, Muslims or Jews;***  
***- to organize human rights seminars with a wide range of religious institutions in order to promote inter-religious tolerance and peaceful co-existence.***

HRWF (24.09.2013) - An increasing number of non-state actors – religious, non religious and anti-religious – perpetrate acts of vandalism against places of worship and buildings,

including arson, belonging not only to so-called historical religions but also against so-called new religious movements. Members of these religious minorities have also been victims of verbal insults and physical aggressions committed by people who were influenced by the hate speech and defamatory statements made by institutions or high-ranking personalities of some mainstream religions, anti-sect organizations as well as some state and private media outlets. This is the case in many Participating States of the OSCE. Some examples:

### **Armenia**

On 9 September, the Armenian Apostolic Church Archimandrite Komitas Hovnanyan claimed at a press conference that there are more than 215 cults functioning in Armenia which are political organizations. He claimed that the "cults" receive annual funding of half a billion dollars and have the aim to destroy the State of Armenia. He addressed the government proposing them to develop a plan that will protect national interests, without which it will be impossible to unite the nation for the fight against destructive cults. This hate speech received a large mass media coverage and did not remain without consequences.

Two days later, on 11 September, a young man intruded the Evangelical Church of Yerevan with a knife in his hand with the intention to kill the pastor, Rev./Dr Levon Bardakjian.

On 13 September 13 at around 08:45, a Syrian-Armenian, Judy Mussah who is the secretary of Levon Bardakjian the Pastor of Evangelical Church of Yerevan, was attacked at Ulnetsi Street in Qanaqer-Zeytun district by three unknown aggressors asking twice if she was the pastor's employee.

They forced her to sit with them in their car by pulling her hair and arms. Fortunately, she could hit one of those men with her handbag and managed to run away.

### **France**

Since the beginning of the year, acts and threats against Muslims have increased in France by 35% compared to the same period in 2012.

In February, the mosque in Ozair-la-Ferrière was vandalised with racist slogans and swastikas. French Interior Minister Manuel Valls said that his government would never tolerate speech or actions directed against Muslims in France. However, the Minister kept silent after a firebomb attack was directed against a Jehovah's Witness meeting hall on the evening of 31<sup>st</sup> July in the city of Ajaccio in Southern Corsica. Residents heard three separate explosions and summoned fire fighters, who quickly extinguished the blaze.

France is the country of the European Union where Jehovah's Witnesses are most targeted by verbal insults, physical aggressions and acts of vandalism, including arsons, against their places of worship.

### **Moldova**

In 2011, UN Special Rapporteur of FORB made a fact-finding mission in Moldova and noted in the conclusions of his report: "Important sectors of society see Orthodox Christianity, in particular the Moldovan Orthodox Church, as constituting the backbone of national identity. Extremist groups go as far as to explicitly demand, often in an aggressive manner, that followers of other denominations – such as Protestants, Jews and especially Muslims – be marginalized. Although these extremist groups seem to account only for a small minority, they apparently are not met with much criticism from within the Church, thus leading to the perception that they somehow speak on behalf of the country's Orthodox believers in general."

35. (...) The Special Rapporteur "received credible reports about manifestations of intolerance against members of minorities and even some incidents of intimidation or vandalism, especially in rural areas. Such incidents have also been reported in the Transnistrian region of the Republic of Moldova.

37. Reportedly, even the burial of deceased members of religious minorities in rural areas is occasionally met with the resistance of certain Orthodox groups who want the local cemetery (owned by the municipality) to remain free of graves of other denominations, such as Baptists, Methodists or Pentecostals. As a result of such aggressive opposition, in some cases, funerals had to be postponed and the bereaved faced difficulties in burying their loved ones in a dignified way, which is obviously an appalling situation. In addition, according to information received from different interlocutors, incidents of vandalism against Protestant houses of worship have occasionally occurred, such as the breaking of windows or the tearing down of walls during construction. The Special Rapporteur could not find any examples of the Orthodox Church clearly condemning such acts of violence or hostility sometimes perpetrated in the name of Orthodox Christianity.

38. The best documented case of public manifestation of religious intolerance against a religious minority was the removal and the demolition of the Jewish Chanukah Menorah displayed in a public place in Chisinau, in December 2009.<sup>10</sup> A mob of around 100 people led by an Orthodox priest removed the Menorah and subsequently dumped it upside-down on a nearby monument to Stefan cel Mare, a medieval Moldovan prince and saint in the Moldovan Orthodox tradition. While political authorities and the media expressed outrage at this public manifestation of religious intolerance, no condemnation, let alone apology, was publicly made by the Moldovan Orthodox Church to the Jewish community. This was a missed opportunity to emphasize that central public places belong to everyone on a non-discriminatory basis. The priest was eventually sentenced to paying a small fine.

### **Ukraine**

Between 2010 and 2013, places of worship of Jehovah's Witnesses were increasingly victims of vandalism and arson.

In 2010 there were 5 reported incidents of vandalism and arson, 15 in 2011, 50 in 2012 and already 23 in the first five months of 2013. All these cases are detailed in their submission which was uploaded on the UN website:

[http://www2.ohchr.org/English/bodies/hrc/docs/NGOs/EAJCWitnesses\\_Ukraine\\_HRC108.pdf](http://www2.ohchr.org/English/bodies/hrc/docs/NGOs/EAJCWitnesses_Ukraine_HRC108.pdf)

Numerous pictures of the damages illustrate their report.

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## **Reception centres in France open for victims of sectarian groups**

La Croix (10.09.2013) - The French Catholic Conference of Bishops has announced the opening of a nationwide service to welcome those who consider themselves victimised by sectarian religious groups. The project is under the direction of Bishop Philippe Guéneley of Langres. "We receive numerous requests from people who claim to have been

victimised [by new religious movements],” he says. “My work will be one of listening and discernment.”

In his new role, Bishop Guéneley will be assisted by an inter-diocesan team that will work together case by case. Evaluating the “psycho-spiritual” dimensions of each situation will be an important function of the group. “Every complaint is not necessarily legitimate and there will be a work of discernment to do,” acknowledged Guéneley.

Sister Chantal Sorlin of the Diocese of Dijon also assists Guéneley in this effort. She leads a listening mission for those who believe that they have been emotionally harmed by such groups. Her task is to welcome them and to keep the bishops informed of her work. “Many people are searching for meaning and spirituality,” said Sorlin.

To read this article in its entirety (in French), go to:

<http://www.la-croix.com/Religion/Actualite/L-Eglise-de-France-cree-un-service-national-d-accueil-des-victimes-de-derives-sectaires-2013-09-10-1011992>

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## **Christians flee village after pastor accused of blasphemy**

### ***Pastor pleads innocence, but dozens flee for fear of repercussions***

World Watch Monitor (13.09.2013) - Dozens of Christian families have fled from their homes in a village near Lahore after a pastor was accused of blasphemy against the Prophet Muhammad.

In a discussion with a Muslim man on August 24, Pastor Sattar Masih, 37, was accused of saying that Muhammad was a brutal man who killed innocent people.

Masih denies the accusations, saying he said nothing derogatory about Islam or the Prophet.

The pastor was beckoned before Islamic clerics to plead his case. “The clerics will decide if he blasphemed against our Prophet and in case he refused to appear before the clerics then we will kill him,” said his accuser, 18-year-old Ali Hassan.

Fearing he would not be given a fair trial, Masih fled to Lahore with 21-year-old Christian Wasim Raza, who had introduced Hassan to the pastor, after a group of Muslims had undertaken a house-to-house search for them.

Masih told World Watch Monitor that one cleric had asked him if he had said Muhammad was a cruel man. “I clearly refuted the claim and told him that I had only defended that the Bible is still in its original form,” he said.

On September 2, more than 250 Muslims gathered to discuss the case against Masih. Seven Christians from the families of Masih and Raza defended him, saying that no insulting language about Islam or its prophet had been used.

The next day, teachers from the village school asked Christian students about the religious teachings Masih had been giving them. More than 100 of them were sent home, which raised alarms among their families, causing many of them to flee from the village.

A local police spokesman said police had intervened and that there was no danger of an attack against Christians. However, Christians are still reluctant to return, particularly Masih and Raza, who fear that they will be killed.

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There is a history of violence in Pakistan against those accused of blasphemy. In 2012, a Hindu teenager was brutally killed and burned. Last year, a Muslim man was taken out of the police station where he had been questioned and burned to death.

In July 2010, two Christian brothers, Sajid Emmanuel and Rashid Emmanuel, were shot dead at the courthouse where they had been declared innocent.

Pakistan is No. 14 on the 2013 World Watch List, an annual ranking of the 50 countries where life as a Christian is most difficult. It is published by Open Doors International, a ministry to Christians living under pressure for their faith. Pakistan's "Christians are caught between Islamic militant organisations, an Islamising culture and a weak government with a military complicit in fuelling Islamic militants," according to the list.

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## **French schools to display Secular Charter with rules on religion**

RFI (09.09.2013) - A new "Charter of Secularism" is to be posted in state schools to remind pupils, parents and teachers that although in France everyone is free to practise any religion or none, within the country's state-run schools, there are strict limits to religious expression.

Education minister Vincent Peillon unveiled the new charter on a visit to a school near Paris on Monday.

The charter outlines in 15 points the main principles of the 1905 law in France which enshrined the formal separation of state and religion.

Polls show that most people in France still cherish this longstanding law on secularity, which was originally introduced to curtail the influence of the Catholic Church.

However it is coming under increasing pressure in schools, with some pupils refusing to study reproduction, evolution theory, or the holocaust – giving motives connected to their religions.

The new charter declares clearly that pupils cannot opt out of such lessons or contest the school's right to teach them.

The charter also reiterates that no teacher or pupil may wear conspicuous clothes or religious symbols. Teachers and pupils must therefore remove any Jewish kippas, Muslim headscarves, Sikh turbans etc. at the school gates, in line with a 2004 law.

Elsewhere the text underlines equality between the genders.

Socialist education minister Vincent Peillon sent a covering letter to French school heads asking that the Charter be displayed in a prominent place on school premises.

However, Dalil Boubakeur, the president of the French Council of Muslims today spoke out against the charter.

"90 per cent of muslims will feel targeted by this charter although in 99 per cent of cases they pose no problem with regard to secularism in schools," he said.

"Why include a reminder of the 2004 law on conspicuous religious symbols at school? There is also this reminder of equality between the sexes... you know what I mean...M. Peillon swore to me that there was absolutely no question of pointing the finger at the muslim community but hell is paved with good intentions."

Many have expressed satisfaction with the charter, and teachers and parents groups say they hope it will prove useful.

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## **French Muslims fear surge in attacks by far-right militants**

Reuters (12.08.2013) - Muslim leaders in the French city of Lyon said on Monday they feared a surge in attacks on mosques in the style of one averted last week in which a soldier was arrested on suspicion of planning a shooting during an Islamic feast holiday.

Anti-Muslim incidents have risen steadily in recent years in France, home to Europe's largest Islamic minority, according to the Committee against Islamophobia in France (CCIF), which blames anti-Muslim rhetoric by far-right politicians.

A far-right activist said such violence had been provoked by government efforts to suppress "nationalist movements" that provided a legitimate outlet for discontent.

Kamel Kabtane, rector of the Grand Mosque of Lyon, called on local Muslims to gather for a show of solidarity at the suburban Minguettes Mosque, which police said the soldier arrested on Saturday planned to shoot at on the Muslim Eid al-Fitr holiday.

The 23-year-old, from an air force base near Lyon, was placed under formal investigation on Monday, accused of "possessing category 4 ammunitions in relation to a terrorist undertaking". Described by the interior ministry as holding extreme right-wing views, he was also accused of lobbing a Molotov cocktail at a mosque near Bordeaux last year.

"There is a clear will today to hurt the Muslim community," Kabtane said, adding that two minor acts had been carried out against mosques in southeastern France over the weekend.

"These are no longer isolated acts. It feels like there is a whole organization being put in place," he said.

### ***Rising anti-Muslim violence***

French media say such incidents have increased by 50 percent in the first half of 2013. The presence of far-right militants at anti-gay marriage protests highlighted half a dozen shadowy extremist groups the government has since shut down.

Alexandre Gabriac, the young founder of a now banned far-right group called the Revolutionary Youths, blamed the rise in anti-Muslim attacks on the clampdown and said the government should take some responsibility.

"Dissolving nationalist movements drives people to carry out isolated, reckless acts," he said. "Our groups enabled the anger that is rising to be channeled and transformed into a political foundation. These isolated acts will be more and more frequent."

Staunchly secular France has long struggled to assimilate a Muslim population made up largely of descendants of immigrants from ex-colonies, that has grown to around 5 million people and itself feels shut out of mainstream society and the job market.

The previous conservative government banned full-face veils in public and far-right politicians have complained about Muslim prayers spilling out onto streets from overcrowded mosques.

The clampdown on far-right groups was sparked by the death of a left-wing student in a brawl in Paris.

Kamel Arioua, head of an association that manages the Minguettes mosque, said the soldier's alleged plan to shoot at it on the holiday marking the end of the Ramadan fasting period could have set off a riot, even if there were no casualties.

The soldier, in police custody on Monday, is also accused of "defacing a place of worship in relation to a terrorist undertaking" for the Bordeaux attack, a legal source said.

In France, placing a person under formal investigation means there is serious or consistent evidence pointing to their likely implication in a crime, and moves them a step closer to a trial.

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## **Kidnapping and confinement for the purpose of forceful religious de-conversion in France and in Japan: a brief comparative study**

HRWF (05.08.2013) - In late August 2011, Marie Truong, a 24-year old woman, was kidnapped in Auriol (France) and taken to Corsica Island by her parents because they wanted to "rescue" her from a so-called "cult" and to prevent her from getting married with one of its members. The mother, Danielle Truong, received a two-year suspended prison sentence along with an order for a mental health evaluation. Her husband Jacques and son Joseph, both absent during the trial while remaining in Polynesia, got a one-year suspended sentence. The decisions came with a ban on all contact with the victim.

### ***The facts***

Marie Truong's then boyfriend (who became her husband in 2012), José Abba, and his parents were devotees of Father Antoine (1846-1912), the founder of a new religious movement in Belgium in the 19<sup>th</sup> century[i] which mainly expanded in France in the 20<sup>th</sup> century.

In late August 2011, the father and his son waited for Marie in a street of Auriol, grabbed her by her arm and then drove her away shackled in a car. The young woman was obliged to swallow tranquillisers. Direction Nice then Bastia, where the family took the ferry with the girl in a wheelchair. Once on the island, the Truongs went to Cargèse, a Corsican city. On the other side of the Mediterranean, her boyfriend reported her disappearance and it's finally at Ajaccio that Marie was able to free herself from the influence of her parents and to go to the police to lodge a complaint.

## ***France-Japan: Some elements of comparison and UN norms***

Several freedoms and rights guaranteed by UN instruments were violated in French and Japanese cases of abduction, confinement for the purpose of forceful religious de-conversion. However, the treatment of such cases was very different in France and in Japan.

### ***Freedom of religion or belief for all***

Freedom of religion or belief is guaranteed by Article 18 of the ICCPR to all citizens whatever their beliefs or lack of it. In its General Comment n°22, the UN Human Rights Committee says:

2. Article 18 protects theistic, non-theistic and atheistic beliefs, as well as the right not to profess any religion or belief. The terms "belief" and "religion" are to be broadly construed. Article 18 is not limited in its application to traditional religions or to religions and beliefs with institutional characteristics or practices analogous to those of traditional religions. The Committee therefore views with concern any tendency to discriminate against any religion or belief for any reason, including the fact that they are newly established, or represent religious minorities that may be the subject of hostility on the part of a predominant religious community.

In the French case, the law enforcement forces and the judiciary have taken the necessary steps to protect the right of Marie Truong to adhere to a new religious movement and have initiated criminal proceedings against her abducting parents. The sentencing of the perpetrators by the French court is sending a strong and deterrent signal to other possible candidates to abduction or so-called "rescue operations" for the purpose of religious de-conversion.

In Japan, the law enforcement forces have systematically failed to protect the rights of members of the Unification Church or Jehovah's Witnesses because of their prejudice towards these new religious movements, have sympathized with the parents' concerns and in some cases have even been instrumental in the abduction. Prosecutors have refused to prosecute the perpetrators and courts have failed to give appropriate dissuading sentences. Hence, this illegal practice has been lasting for decades.

### ***Freedom of movement***

In the case of Marie Truong, France has protected her freedom of movement guaranteed by Article 12 of the ICCPR.

In Japan, the authorities have not ensured the freedom of movement of all the over age women who were abducted in various circumstances by their parents and relatives and confined at an address unknown until they would recant their faith. These facts remained unpunished.

In its General Comment n°27, the UN Human Rights Committee stated:

6. The State party must ensure that the rights guaranteed in article 12 are protected not only from public but also from private interference. In the case of women, this obligation to protect is particularly pertinent. For example, it is incompatible with article 12, paragraph 1, that the right of a woman to move freely and to choose her residence be made subject, by law or practice, to the decision of another person, including a relative.

In its General Comment n°28 about Article 9 (Right to Liberty and Security of the Person), the UN Human Rights Committee also stated:

16. With regard to article 9, State parties should provide information on any legal provision or any practice which restricts women's right to freedom of movement, for example the exercise of marital powers over the wife or of parental powers over adult daughters.

### **Right to marriage**

In France, the judicial authorities recognized the right of Marie Truong to live with the man of her choice whatever his beliefs and denied her parents any form of legitimacy to interfere in her choice and separate her from her beloved.

In Japan, many abductions took place when adult children belonging to the Unification Church were about to get engaged or married to another member of the Church. In some cases, they tried or managed to extort from them the annulment of their marriages. Toru Goto was abducted after getting engaged with a Unification Church female follower and confined for over 12 years. These violations of the right to marriage remained unpunished.

In General Comment n°19, the UN Human Rights Committee found:

5. The right to found a family implies, in principle, the possibility to procreate and live together.

### **Declaring the disappearance of the kidnapped person**

In the French case, the informant was not married to the missing person but was then her boy-friend she was living with, and the police duly registered and validated his declaration.

In Japan, the police have systematically disregarded requests for investigation coming from fiancés who belonged to the same new religious movement. In one case known to *Human Rights Without Frontiers*, the declaration of disappearance of Emiko Motoki made by Tushik Kim, her South Korean husband, was ignored by the law enforcement forces despite his insistence. When Tushik Kim involved the Korean embassy in Tokyo in the issue, the police rushed to the place of confinement and released the victim of abduction. More recently, Ms. M.M. disappeared on March 28, 2013. Apparently she had been confined by her parents who opposed her faith in the Unification Church. Her fiancé, Mr. S.O. asked the police to search for and rescue her. However, the police just contacted her parents and rejected Mr. S.O.' request to find her whereabouts without confirming M.M.'s will. On April 13, *Human Rights Without Frontiers* sent a letter to urge the police to act on the case of M.M. as a matter of priority. It requested the police to take all appropriate measures to establish M.M.'s whereabouts and take all steps within its power to ensure that no pressure is put on her to renounce her faith. However, the police did not respond to this request.

### **Judicial proceedings**

In France, the victim of abduction could rely on a fully fledged trial to have her rights respected. The presiding judge Marie-Josèphe Muracciole recalled that the Antoinist movement was not sectarian according to French standards. Furthermore, the procurator Julie Colin, who did not believe the "repenting show" performed by the kidnapping mother, asked for two years in prison against her (therefore 18 months suspended): "Today the masks must fall: they put shackles on Marie, they drugged her and brought

her by force in a delirious state of mind: this is very serious." Working up a case where the mother wanted to "control everything", the attorney recalled that the young woman only wanted to be independent of her family. "This family is like a sect, it is not an act of love," she concluded with panache and asked for 18 months with 10 suspended against the father and the son.

In Japan, all known complaints filed jointly against abducting parents and deprogrammers involved in the forced change of religious affiliation have been declared ineligible for criminal proceedings by prosecutors. *Human Rights Without Frontiers* knows 24 cases for which there were criminal complaints between 1980 and 2008<sup>[ii]</sup>.

### ***The European Court of Human Rights***

The European Court of Human Rights, which enforces the European Convention on Human Rights and Fundamental Freedoms that 47 countries have signed and ratified and which contains strikingly similar freedom of religion or conscience provisions to the ICCPR, has ruled that the State cannot participate or endorse such abductions for forced de-conversions by private actors.

In its decision *Riera Blume and Others v. Spain* of 14 October 1999, the European Court found a violation of the European Convention by the Spanish State even though the abduction and "deprogramming" had been performed by the parents and an anti-sect association, *Pro Juventud*.

Furthermore, the European Court has also ruled that the right to religious freedom has to be protected no matter the hostility expressed by relatives towards one's religious choice<sup>[iii]</sup>.

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<sup>[i]</sup>Antoinism is a healing Christian-oriented religious movement founded in 1910 by Louis-Joseph Antoine (1846-1912) in Belgium. With a total of 64 temples, over forty reading rooms across the world and thousands of members, it remains the only religion established in Belgium whose notoriety and success went outside the country. Mainly active in France, the religious movement is characterized by a decentralized structure, simple rites, discretion and tolerance towards other faiths.

Raised a Catholic, Antoine worked as a coal miner in his youth and then as a steelworker. Deeply influenced by Allan Kardec's writings, he organized a spiritualist group in the 1890s. In 1893, the death of his son marked the definitive loss of his faith in Catholicism. In 1896, he explained his Spiritist views in a book, then discovered the gifts of healing. Quickly known as a healer, he gathered many followers, mainly among workers disappointed by Catholicism or medicine. In 1906, he broke with Spiritism and started a religion, then published three books outlining his doctrine and consecrated the first Antoinist temple. After his death in 1912, his wife ensured the continuity of the religion, promoting a centralized worship around the person of her husband and providing additional rules in the organization. When she died in 1940, some differences happened between the French and the Belgian temples.

<sup>[ii]</sup>For full details about the cases in Japan, see *Human Rights Without Frontiers* Report "Japan: Abduction and Deprivation of Freedom for the Purpose of Religious De-Conversion" (See website address below).

<sup>[iii]</sup> In its landmark decision of 10 June 2010 *Jehovah's Witnesses of Moscow v. Russia*, the European Court reasserted the right to conduct one's life in a manner of one's own choosing and in particular the right of self-dedication to religious matters.

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## **Street prayer, ramadan, and the burqa: Secularism à la Française**

SSRC Forums (05.08.2013) - France may have gone on holidays for the summer but public disquiet about laws banning street prayer by Muslims, and the full-face covering veil known as the niqab or burqa, has not abated.

On the eve of the traditional July vacation departure, far-right National Front leader Marine Le Pen received a burst of publicity as the European Union parliament voted to strip her legal immunity.

The decision paves the way for a long-awaited prosecution in France of the extremist politician, who is also a Member of the European Parliament, on charges of racial hatred.

In 2010 Le Pen notoriously compared Muslims praying in French streets—outlawed since 2011 under laws brought in by former president Nicolas Sarkozy—to the Nazi occupation.

“For those who like to talk about World War Two, to talk about occupation, we could talk about, for once, the occupation of our territory,” she said. “There are no armoured vehicles, no soldiers, but it is an occupation all the same, and it weighs on people.” Earlier in 2010, Le Pen had stated, “Very clearly, like in 1940, some think that they can behave in France in 2010 like an occupying army in a conquered country.”

Undaunted by the threat of prosecution and the possibility that she could face a year in prison and a Euro 45,000 fine, Le Pen has reiterated her controversial views about Muslims praying in French streets. Devotees say they have prayed in public either because of lack of room in mosques or because they are required to pray at specific times of the day and don't always have a private space or prayer room.

The National Front leader claimed she was being pursued for the “crime of opinion.”

Her crime was “to have dare say what all French people think, that street prayers—which as I have pointed out to them continue to be practiced on French territory—are an occupation. I will go before the court head held high and explain to them that it is necessary that there are people in our country who tell the truth to the French.”

While Le Pen has gone out of her way to fan the flames of social conflict, a young couple, both converts to Islam, attracted worldwide attention this month when riots broke out in a Paris suburb after the woman was asked to remove her face veil for a police identity check.

Trappes, a hardscrabble neighborhood populated mainly by immigrants and their children and grandchildren, many of them Muslim, exploded on a Ramadan evening following the the routine control. It is claimed the husband of the veiled woman attacked police and even tried to strangle one officer. He was taken into police custody and will face court in September. A few hours after the identity check incident, following prayers signalling the end of the daily Ramadan fast, hundreds of boys in their teens and early twenties gathered in front of the polices station and fought with officers, while burning bins, bus shelters, and public areas in Trappes. An adolescent boy lost the use of an eye when police used tear gas and “flash ball” stun guns to subdue the violence that continued for several nights.

Since the violence the French press has been filled with reports and commentaries questioning whether the riots could rightfully be linked to religion or whether they should be considered as a reaction to long-term social exclusion of youth in poor immigrant

suburbs where their unemployment rate is above 26 percent. Socialist Interior Minister Manuel Valls has insisted the Sarkozy-era ban on the full face-covering veil will remain because it is "a law in the interests of women and against those values having nothing to do with our traditions and values. It must be enforced everywhere."

Although there have been a minority of voices on the left critiquing his hard line, Valls has been supported across the political spectrum including by feminists and ecologists, as well as on the center-right (which calls for an even tougher enforcement of laws and says Valls has been too soft in reaction to the riots). Corinne Lepage, the former French Environment Minister wrote that the Trappes affair "should leave no republican indifferent. It is the symbol of a violent rejection on the part of a very small section of our Muslims co-citizens, who have opted for Salafism or Wahabism, against everything that makes up our common culture." Therefore, Lepage argued, the law on the burqa was "essential and could not be negotiable. The conception of the woman that it throws up is incompatible with our conception and those of our co-citizens, who consider that their freedom is breached by this manifestation of submission, and they must know that they are in violation of public order."

I wrote an opinion piece for The Financial Review commending the Socialist government's commitment to maintaining laws against women or anyone wearing face-concealing clothing in the public space. France has a strong secular tradition. Indeed *laïcité* or secularism is the fourth value of the republic after Liberty, Equality, and Fraternity. There is no conflict between legally backing freedom of religious expression, and in the interests of common French republican values including those of equality and secularism banning what is commonly known as the burqa or niqab on the streets. Street prayer laws if applied equally to religious of all faith backgrounds can be justified in terms of the historic French commitment to a neutral, secular public space. But Muslims need places to pray, including more mosques and prayer rooms. The political mainstream needs to take more care not to make French Muslims in particular feel like they are being targeted for simply practicing their religion.

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## **The full veil: a challenging law to enforce**

Le Monde (02.08.2013) - More than two years after the law forbidding the wearing of a full veil in public places came into force, the issue is not fully resolved. On July 19, the identity check of woman wearing a full veil at Trappes (Yvelines) went badly and set off several nights of violence. One month later, clashes between the police and some of the inhabitants of Argenteuil (Val d'Oise) occurred after a similar identity check went awry. While in the majority of cases, these routine checks take place without difficulty, these incidents relating to the enforcement of the law known as "on the burqa", are nonetheless regular and they relaunch the debate surrounding the applicatoin of a law that is considered by some of the Muslims in France to be stigmatizing.

According to the Minister of the Interior, since the promulgation of the "law forbidding the concealing of the face in public places" on April 11, 2011, 902 persons have been checked and 830 have received a fine of as much as 150 euros. The others received a warning. It is difficult to receive precise numbers, but information from the ministry of the interior estimate that in 2009, approximately 2,000 women wore the niqab or the burqa in France. The former, the niqab, is typically worn in the Persian Gulf. It covers the body, hair, and the face, but not the eyes, while the latter, the burqa, originates in Afghanistan and covers the eyes by means of a cloth mesh screen, as well as all else covered by the niqab. The women that wear this type of clothing represent a small minority of the 4 million Muslims who live in France, a fact that questions the legitimacy of a law which affects only a handful of persons.

M'hammed Henniche, secretary general of the Union of Muslim Associations of Seine-Saint-Denis (UAM93), agrees, maintaining: "From the beginning, we have stated that this law was badly prepared and that it was highly unrealistic because it was directed at such a small group of people." According to him, the law aimed at forbidding the wearing of the full veil in public places is a type of discrimination against the majority of Muslims.

Hicham Benaïssa, researcher at the Groupe sociétés, religions, laïcités du CNRS [Group of associations, religions, and secular societies of the National Center of Scientific Research] refuses to make generalizations but admits the law could be badly received: "80% of the Muslim population in France derives from the Maghreb and thus do not feel concerned by the symbolic references of the burqa. For most of the Muslims in France, the burqa is not something to which they are acculturated. But it could be felt as a supplementary mistrust regarding Islam." Benaïssa added, "to put some marginal issue like the burqa at the forefront of the current discussion on Islam risks ignoring the silent majority who are secularizing."

Conversely, Philippe d'Iribarne, author of the work *L'islam devant la démocratie* (2013) [Islam Before Democracy] and director of research at CNRS, estimates that, even if this law only concerns a minority of Muslims, its purpose is not to stigmatize the majority but to avoid allowing fringe groups "from controlling the Muslim population." For him, women who wear the Islamic full veil belong to a movement whose objective is to impose its own vision of Islam on others. This law, which he judges to be legitimate, aims at inhibiting this movement from succeeding.

## **TWO OPPOSING VISIONS**

At this level, there are two visions which oppose each other. Should France create laws which emphasize differences among French citizens, or, in contrast, should it insist on the integration of the majority of Muslims in France?

The 2011 law is not the first to have precipitated a debate. The Islamic veil regularly finds itself on the political agenda, as in 2004 when the law restricting the wearing of religious symbols in public schools came into force. This year, François Hollande took a position on the issue in declaring his support of a law forbidding the wearing of the Islamic veil in certain private businesses, in reaction to the affair of the Baby Loup daycare center, in which an employee was reproached by her employer for refusing to remove her veil. The Court of Cassation finally cancelled the dismissal of Fatima Afif. According to the highest French court of law, the dismissal of Ms. Afif "from a private daycare center," constitutes a "discrimination on the basis of her religious convictions."

Hicham Benaïssa, who notes that more and more laws are aimed specifically at the Muslim community, believes that "the political and media treatment of Islam in these last few years creates, paradoxically, conditions favorable for one group of Muslims to differentiate themselves, in order to be seen as different, while the global movement is toward greater assimilation."

However, Christophe Crépin, communication official for UNSA-Police, notes that these laws do not make any specific references to Islam. He suggests, therefore, that the issue of the 2011 law neither a question of the veil nor of religion. For Mr. Crépin, the argument of stigmatization is therefore not valid.

However, in practice, Muslims are indeed the people most affected.

Pierre-Henri Brandet, spokesperson for the minister of the interior noted, "In the vast majority of cases, it is the Islamic veil which is the cause of the identity checks. In addition, the parliamentary commission of 2009, directed by deputy André Gérin (PCF), was charged with creating a law forbidding the wearing of the full veil, not a law that

forbid concealing one's face in public places. Furthermore, despite the absence of religious references, the statute is commonly called the law on the veil or the law on the burqa.

### **A LAW WHICH IS DIFFICULT TO ENFORCE**

If the precise terms of the 2011 law invite confusion, its enforcement is equally complicated. Confirming this dilemma, Christophe Crépin explains, "As was predicted, the enforcement of the law is a little difficult." He remembers having expressed "important doubts," when his union was consulted by the legislator before the Parliament voted for it. Frédérique Lagache, assistant secretary general of the Alliance Police Nationale [the National Police Alliance] openly admits: "I do not hide the fact that sometimes certain colleagues avoid enforcing the law."

Besides the fact that some identity checks turn out badly, the law is complex to implement, because it is typically the same women who get checked over and over again. Certain women, like Hind Ahmas from Aubervilliers or Kenza Drider of Avignon, are known for being subjected to regular checks, in spite of the fact that these controls have had no effect on their behavior.

Since April 2011, neither the Muslim associations nor the ministry of the interior have reported a decline in the number of women who wear the full veil. According to l'Observatoire de la laïcité [The Observatory of Secularism ], the 705 checks that occurred between April 2011 and April 2013 were carried out on just 423 women.

For Mr. Henniche, from the UAM93, the law on the veil does have a positive aspect. In addition to the interdiction against wearing the veil in public places, the law also specifies that a man who forces a woman to wear a veil can be sentenced to prison and fined 30,000 euros. He points out, "This can only encourage punishment for those who force women to wear the veil.

Unfortunately, there have been no investigations of this nature to this point, at least to my knowledge—a fact that weakens the argument for those who defend the law."

The women who wear the full veil in France generally do it of their own free will, according to Mr. Henniche, and are typically converts. This is notably the case for the woman whose husband was questioned in Trappes, the weekend of July 20.

### **A GREATER PROBLEM**

If M'hammed Henniche admits that the question of the law of 2011 is "always in the news," he nonetheless asserts that the management of the veil is not the principal problem for the Muslim associations. He strongly suggests that "the majority of us say 'let's get on with other issues'" citing the debate over halal meat, the height of minarets, the right for foreigners to vote in municipal elections, and prayer in the streets. In the end, the question of the veil only encourages an examination of the totality of greater issues which includes these problems.

According to Hicham Benaissa of the Group of associations, religions, and secular societies of the National Center of Scientific Research, "the issue in question is the visibility of Islam." He wonders if "it is possible to make a religion acceptable that is not linked to the national story?" He adds, "The thing that would be favorably received by a part of the Muslim community, is a discussion which would lead to a condemnation of all islamophobic acts, which would indicate that Islam is an integrated part of society."

For Mr. Henniche, by introducing new laws, the successive governments only succeed in "changing the rules of the game" all the while pointing their fingers at the Muslims. He suggests, "Islam is respected as long as it is invisible. This is not tolerance. Tolerance is to accept the different expressions of others."

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## **French Interior Minister Manuel Valls: "The Republic will always protect Muslims in France"**

AFP and Libération (01.08.2013) - On August 1<sup>st</sup>, French Interior Minister Manuel Valls said that his government would never tolerate speech or actions directed against Muslims in France. This he affirmed in a mosque in Ozoir-la-Ferrière on the occasion of ending Ramadan. The mosque had been vandalised last February with racist slogans and swastikas.

Since the beginning of the year, acts and threats against Muslims have increased in France by 35% compared to the same period in 2012. Valls also used the occasion to denounce those who would use such acts as a motivation for revenge or radicalisation. "The Republic will always oppose those who would make France a land of conquest, who would in the name of a misguided belief impose other laws than the law for all."

Valls referenced the law that prohibits the wearing of the full veil in public places, saying that any opposition to this law would challenge the country's institutions. Even still, Muslims are free to practice their religion in France, he concluded, and they should do so proudly.

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## **Kingdom Hall of Jehovah's Witnesses attacked in Ajaccio, Corsica: Manuel Valls keeps silence**

Corse Matin (02.08.2013) - An apparent firebomb attack was directed against a Jehovah's Witness meeting hall on the evening of 31<sup>st</sup> July in the city of Ajaccio in Southern Corsica, France. Residents heard three separate explosions and summoned fire fighters, who quickly extinguished the blaze. No one was injured and only the front entrance was damaged.

Police officials remarked that the attack against the Jehovah's Witnesses was "a first in Corsica," where the group has been present and well-received for many years. An investigation is still on-going to uncover the motivations for the strike.

Strangely enough, French Interior Minister Manuel Valls kept silent about this incident.

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## **Paris riots: France defends veil ban and conduct of police during violent protests**

Reuters (22.07.2013) - Interior Minister Manuel Valls defended on Monday France's ban on wearing full-face veils in public places after a police check on a veiled Muslim woman sparked riots in a Paris suburb at the weekend.

The 2010 law was brought in by conservative former president Nicolas Sarkozy and targets burqa and niqab garments that conceal the face rather than the headscarf that is more common among French Muslim women.

A police check on a couple in the southwest suburb of Trappes sparked an angry confrontation that led overnight on Friday to a police station being surrounded by several hundred people, some hurling rocks. Another building was torched in several hours of street violence that led to six arrests.

"Police did their job perfectly," Valls told RTL radio.

"The law banning full-face veils is a law in the interests of women and against those values having nothing to do with our traditions and values. It must be enforced everywhere," he said.

The suburb was mostly calm on Monday, although police who were pelted with firecrackers from rooftops overnight on Sunday made a further two arrests. The incident happened during the holy Muslim month of Ramadan.

France counts Europe's largest Muslim population, estimated at around five million. Yet according to interior ministry figures only between 400 and 2,000 women wear the veil and only a handful have been ordered to pay a fine for wearing it.

Critics say the law is patchily enforced as police seek to avoid confrontations in poor neighbourhoods with high Muslim populations.

The rioting at the weekend was the first time the ban had led to an outbreak of violence. While Sarkozy singled out the suburbs as an area of special concern, Hollande has so far said they must be treated like any other part of France.

Valls said that while authorities would be tough in dealing with radical Islam it was not targeting ordinary Muslims.

"I'm not confusing people who follow Ramadan with the people who wear the veil," he said.

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## **Paris riots sparked by police identity check on veiled Muslim woman**

The Guardian (21.07.2013) - Two nights of rioting in the Paris suburb of Trappes have left dozens of cars destroyed, at least 10 arrests and a 14-year-old injured, after police carried out an identity check on a Muslim woman in a full-face veil.

On Friday night, about 250 people hurling stones and paving slabs clashed with police firing teargas, while 400 others gathered to protest across the high-rise suburb west of Paris, torching cars, bins and bus-shelters.

On Saturday, a further 20 cars were burned and four people arrested after 50 people were involved in a standoff with police as the violence spread to towns in the surrounding area.

The Versailles state prosecutor said the trouble started on Thursday after police stopped and carried out an identity check on a woman in a niqab, or full-face veil.

The prosecutor said the woman's husband had assaulted one of the officers and tried to strangle him so was immediately taken into custody at the police station. Muslim full-face

veils have been banned from all public places in France after a controversial law introduced by President Sarkozy in 2011. The Collective Against Islamophobia in France released a statement complaining of "heavy-handedness" and "provocation" by the police during the identity check.

The day after the arrest, 30 people gathered outside the police station demanding the man be released. When the police refused, others joined them and projectiles were thrown. Riot police were called in as backup and police fired teargas. The local prefect's office said the police station was under siege for over an hour.

"[The police] didn't want to listen and it got out of control," one local man, who gave his name as Sofiane, told iTele. "Trappes is a big family. When you attack us we're going to respond."

A police inquiry has been opened into how a 14-year-old suffered an eye injury from a projectile during the violence, which witnesses said could have been from a police flash-ball gun.

Trappes, a poor suburban town outside Paris with a large immigrant population, is well-known for producing some of France's biggest comedy stars, including the comedian Jamel Debbouze, and the actor Omar Sy as well as the footballer Nicolas Anelka.

The right was quick to accuse the Socialist government of not being tough enough on law and order, while the left accused rightwing politicians of trying to exploit events to stigmatise people in the poor suburbs.

In 2005, France declared a state of emergency after the worst urban rioting for 40 years was sparked by the death of two boys who had been running from police in a suburb north-east of Paris. Since then, tension between police and young residents have remained high on suburban estates.

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## **Kidnapping and confinement in 2011: "My family is like a sect"**

Corse Matin (29.06.2013) - In September 2011, Marie Truong was kidnapped in Auriol and taken to Corsica. Her family said that they were trying to remove her from the influence of her boyfriend who belonged to a cult. The court established the facts.

Somewhere between *Everything About my Mother* and *Woman on the verge of a Nervous Breakdown* (two well-known Spanish films), the court has played out the Truongs' colourful drama, a "surprising" family, once overprotective but now "shattered," to use the word of the presiding judge. A family also marked by the confinement and kidnapping of their daughter Marie "to remove her from the influence of a sect," according to the defence attorney. That's not exactly how it happened...

The mother, Danielle Truong, received a two-year suspended prison sentence along with an order for a mental health evaluation. Her husband Jacques and son Joseph, both absent during the trial while remaining in Polynesia, got a one-year suspended sentence. The decisions came with a ban on all contact with the victim.

**"Devotion to Father Antoine is not a sect!"**

This from the bench as the plaintiff Marie Truong found her mother collapsed at the bar, pushing across the desk a package of tissues. The tissues were spread over a big heart with an affectionate message written by Marie while still a teenager. "If I was mistaken, I apologise, I did not understand why my daughter isolated herself, I was afraid for her health, I had no malicious intent, I swear to you before God, I wanted to save my child," said the mother between sobs and the tremors of Danielle Truong's Parkinson's disease. What was the danger? Her boyfriend (who became her husband a year ago), José Abba and his parents, devotees of Father Antoine.

"This association is not at all sectarian and is not listed as such by the government," recalled the presiding judge Marie-Josèphe Muracciole, who does not believe the repentance of this mother classified as "psycho-rigid" by experts. An "abusive mother," resumed the magistrate, before returning to the beginning.

The causes? The court detected a case with probable commercial interest. The refusal of the relationship. But in the chronology, the facts are not so easy.

In late August 2011, the father and his son waited for Marie in the street in Auriol, grabbed her by the arm and then drove her shackled in a car. The girl was obliged to swallow tranquillisers. Direction Nice then Bastia, where the family took the ferry with the girl in a wheelchair. Once on the island, the Truongs go to Cargèse. On the other side of the Mediterranean, her boyfriend reports her disappearance and it's finally at Ajaccio that Marie is able to free herself from the influence of her parents and to go to the police. Danielle Truong, who is convinced that she has saved her daughter, cannot hear this story without dissolving into tears. It is however in the middle of the trial that her own daughter cries out: "It's my family that is like a sect." At the bar, the young woman, with a serious expression partially hidden behind her brown fringe and feather earrings, does not blame her excessively but she wants to overcome her fears and "understand" finally, even if she has burned the bridges with her mother. Her counsel Jean Boudot wants to reason with her. He denies altogether the sincerity of the mother and father. The kidnapping? Sign of manipulation and authoritarianism. "With a true repentance I could have seen some of the story," he concedes.

The Court that had been long hesitant in this case did not spare its demands.

The Procurator Julie Colin, who did not believe the "theatre" performed by the defendant, asked for two years in prison against her (therefore 18 months suspended): "Today the masks must fall: they put shackles on Marie, they drugged her and brought her by force in a delirious state of mind: this is very serious." Working up a case where the mother wanted to "control everything", the attorney recalled that the young woman only wanted to be independent of her family. "This family is like a sect, it is not an act of love," she concluded with panache and asked for 18 months with 10 suspended against the father and the son.

Struggling against the emotions of his client, her lawyer, Luc-Philippe Febraro, tried to paint a picture of a conflict between the "classics and moderns" to justify the behaviour of his client who was on the edge of a nervous breakdown. Rejecting the scenario painted by the accusation, the counsel downplayed the manipulation and instead appealed to good faith. "You cannot demonise the indicted and make an angel of the victim," he concluded. The court opted for a judicial purgatory.

Source: [www.corsematin.com](http://www.corsematin.com), 29<sup>th</sup> June 2013

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**Anti-Muslim acts rising in France, anti-Islamophobia group says**

Reuters (03.07.2013) - Anti-Muslim attacks and insults have risen steadily in France in recent years as some politicians and media increasingly present Islam as a problem for French society, a Muslim rights group said on Wednesday.

Hostility rises when Islam is in the news, for example last year when an Islamist killed seven people or when a politician accused Muslim children of stealing classmates' snacks, the Committee against Islamophobia in France (CCIF) said.

The CCIF welcomed a European Parliament decision on Tuesday to lift the legal immunity of far-right leader Marine Le Pen so she can be tried on racism charges for comparing Muslims praying in the streets here to the wartime Nazi occupation of France.

The group said in its annual report that anti-Muslim acts rose to 469 last year, after 298 in 2011 and 188 in 2010. The rise reflected trends cited by other recent reports that also noted increasing levels of anti-Semitism and racism in France.

CCIF President Samy Debah said Le Pen and other politicians were making anti-Muslim rhetoric commonplace. France's estimated five million Muslims form the largest Islamic minority in Europe but are poorly represented in politics and business.

"There is a link between the political discourse and the rise of these violent acts and discrimination against the Muslim community," Debah told a news conference.

The CCIF report said anti-Muslim acts were increasingly aimed against people, especially women, rather than institutions such as mosques, cemeteries and shops. Attacks against mosques had almost doubled to 40 in 2012 compared with 2011, it said.

#### "VECTOR OF ISLAMOPHOBIA"

The report called France's civil service "one of the principal vectors of Islamophobia" because it said bureaucrats often over-interpreted official secularist policies to wrongly refuse to serve Muslim women wearing headscarves.

By law, civil servants and girls in state schools are barred from wearing headscarves, but adults using a public service are not. The report said some officials, though, refused to conduct a civil wedding or issue documents if the woman concerned covered her hair.

Debah said the CCIF hoped an investigating magistrate would now order Le Pen to stand trial for the comments about Muslims praying in the streets, which happens when small mosques overflow with worshippers, especially on Islamic feast days.

This briefly closes some streets in large cities, which prompted Le Pen to describe it as an occupation in 2010. She used her immunity as a European Parliament deputy to avoid answering a summons to meet an investigating magistrate.

"I stand by my words and I'll defend them in court," she told BFM television after the parliament voted to lift her immunity at the request of the snubbed magistrate.

Her far-right National Front party ranks almost equal in polls with the main opposition UMP party, whose leader Jean-Francois Cope raised a storm last year by saying Muslim children stole chocolate pastries from non-Muslim classmates to keep them from eating at school during Ramadan.

The National Front has also gained ground as high unemployment and an embarrassing scandal sap support for the governing Socialists.

Le Pen's argument that she is being harassed by political opponents has proved popular with her supporters. If found guilty of inciting racial hatred, she would face a maximum penalty of one year in jail and 45,000 euros in fines.

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## **France attempts to export its policy of minority religious discrimination through the Council of Europe**

HRWF (24.06.2013) - A report on the "Protection of Minors Against Sectarian Influence" is in preparation at the Committee on Legal Affairs and Human Rights of the Parliamentary Assembly of the Council of Europe, monitored by French Member of Parliament Mr. Rudy Salles.

As stated by Mr. Salles, the purpose of this report is to convince other European countries to adhere to the French model to "fight" against so called "sects" or "sectarian movements".

For the preparation of the report, a Questionnaire has been sent out to the Member States of the Council of Europe. The Questionnaire is designed to convince other European countries of their failure to fight against new religious movements. The first three questions are revealing:

- a) Does your country have an official list (drawn up by the public authorities) of religions, "new religious movements" and/or sects**
- b) Can "new religious movements" and religious movements which may be suspected of engaging in sect-like activities receive state financial assistance?**
- c) What are the criteria for registering "new religious movements"?**

This type of classification and listing has been strongly criticized by human rights institutions throughout the years due to the violation of the fundamental right to freedom of religion or belief it implies for religious minorities so derogatorily labeled.

In 1996, in his Annual Report, the UN Special Rapporteur on Freedom of Religion or Belief, Mr. Abdelfattah Amor, noted the inadequacy of labeling certain belief groups as "sects":

"The term "sect" seems to have a pejorative connotation. A sect is considered to be different from a religion, and thus not entitled to the same protection. This kind of approach is indicative of a propensity to lump things together, to discriminate and to exclude, which is hard to justify and harder still to excuse, so injurious is it to religious freedom."

In her report following her official visit to France on 18-29 September 2005, Asma Jahangir, the UN Special Rapporteur on Freedom of Religion or Belief, noted as regards "new religious movements or communities of belief":

108. However, she is of the opinion that the policy and measures that have been adopted by the French authorities have provoked situations where the right to freedom of religion or belief of members of these groups has been unduly limited. Moreover, the public condemnation of some of these groups, as well as the

stigmatization of their members, has led to certain forms of discrimination, in particular vis-à-vis their children.

And she made the following recommendations:

112. The Special Rapporteur urges the Government to ensure that its mechanisms for dealing with these religious groups or communities of belief deliver a message based on tolerance, freedom of religion or belief and on the principle that no one can be judged for his actions other than through the appropriate judicial channels.

113. Moreover, she recommends that the Government monitor more closely preventive actions and campaigns that are conducted throughout the country by private initiatives or Government-sponsored organizations, in particular within the school system in order to avoid children of members of these groups being negatively affected.

Far from complying with these recommendations, the French authorities continue to finance anti-sect activists and are now trying to export their policy of systematic discrimination against the followers of new religious movements and their children to other European countries. The Questionnaire includes such questions as:

**a) Are there any organisations active in combating abuses by sects, and in particular protecting minors and/or helping them to leave sects?**

**b) If so, do they receive financial assistance from the state?**

It goes on with questions regarding minors and education:

**a) Can religious movements establish private schools? If so, are there any schools established by "new religious movements" or sects?**

**b) Do they receive financial assistance from the state?**

Following a fact-finding visit to Stockholm in connection with the preparation of his report on protection of minors against sectarian influence, Mr. Rudy Salles has ascertained in December 2012 that Sweden is too lax, that its national education system, particularly the arrangements for funding private schools, together with the system for registering associations, embody defects that might be used by sects.

The terminology used in the Questionnaire leaves no doubt on what groups are targeted. New religious movements are specifically named as the groups against which discriminatory measures should be adopted.

This policy contravenes international human rights standards. In its General Comment n° 22, the UN Human Rights Committee formulated clear principles in this regard:

2. Article 18 protects theistic, non-theistic and atheistic beliefs, as well as the right not to profess any religion or belief. The terms "belief" and "religion" are to be broadly construed. Article 18 is not limited in its application to traditional religions or to religions and beliefs with institutional characteristics or practices analogous to those of traditional religions. The Committee therefore views with concern any tendency to discriminate against any religion or belief for any reason, including the fact that they are newly established, or represent religious minorities that may be the subject of hostility on the part of a predominant religious community.

In furtherance of its discriminatory policy, the French Ministry of National Education has adopted on 22 March 2012 a Circular addressed to education authorities of primary and high schools entitled "Prevention and Fight against Sectarian Risks". Any child in a situation of "sectarian risk" has to be reported to the authorities. The Circular provides the following explanation of what constitutes a "sectarian risk":

"A situation of sectarian risk, for a child, is therefore the one in which some views and practices are imposed on him with the exception of any other views or practice. This situation is likely to harm his intellectual development, his social integration and finally his attainment of autonomy. The risk concerns not only the content of the knowledge passed on, the possibility of access to the values and pluralism of democratic societies, but also the possibility for the child to develop and exert a critical mind, an independent judgment."

In the French authorities' view, the "sectarian risk" is clearly constituted by the beliefs of followers of new or minority religious movements, which they consider as harmful. This reasoning violates the believers' right to raise their children according to their own beliefs protected by the European Convention on Human Rights and the International Covenant on Civil and Political Rights. It also is discriminatory in that it does not target historic religions, and religious education such as Catechism.

The French policy and initiative at European level constitute an outright violation of international human rights norms and have no place in a human rights institution such as the Council of Europe.

## **ANNEX**

### **Questionnaire for the European Centre for Parliamentary Research & Documentation (ECPRD)/ Committee on Legal Affairs and Human Rights**

In connection with his report on "**The protection of minors against sectarian influence**", the rapporteur (Mr Rudy Salles, France, EPP/CD) wishes to look into certain issues relating to the scale of the phenomenon of sects in Europe and current legislation protecting minors against the dangers of sects.

He would therefore like to obtain further information on the following questions:

#### **Religious movements and sects**

- a) Does your country have an official list (drawn up by the public authorities) of religions, "new religious movements" and/or sects?
- b) Can "new religious movements" and religious movements which may be suspected of engaging in sect-like activities receive state financial assistance?
- c) What are the criteria for registering "new religious movements"?
- d) What is the legal status of religious movements which may be suspected of engaging in sect-like activities (religious denominations or ordinary non-profit organisations)?

e) Is there a public body specialising in preventing and combating abuses by sects and protecting minors against them, or a body responsible for collecting data on the phenomenon of sects?

### **Legislation against abuses by sects**

a) Does your country have legislation which:

- deals with and/or defines "sects" and "abuses by sects"?
- concerns specifically the illegal activities of sects, and particularly those targeting minors?

b) Does your country recognise the offence of "fraudulent abuse of weakness" of persons in a state of psychological or physical subjection? If not, on what legal basis are abuses by sects punished?

c) Does your country's legislation permit the dissolution of legal entities which engage in activities designed to exploit persons in a state of psychological or physical subjection?

d) In criminal cases concerning abuses by sects, can non-profit organisations join the proceedings as civil parties claiming damages?

f) Is there a register of cases of abuses by sects involving minors?

### **Parliamentary initiatives to combat abuses by sects**

a) Is there, or has there been, a parliamentary committee of enquiry or a study group on the activities of sects, and in particular on minors who have been the victims of abuses by sects? If so, what are the results of its work (reports, recommendations, findings etc.)?

b) Are there currently initiatives in Parliament to increase protection for minors against the influence of sects?

### **Education and sects**

a) Can religious movements establish private schools? If so, are there any schools established by "new religious movements" or sects?

b) Do they receive financial assistance from the state?

c) What is the legal framework governing these confessional schools? Do they provide religious education?

d) What is the extent of state supervision in these confessional schools?

e) Have there been cases in which authorisation to establish a school has not been granted to a "new religious movement" or has been withdrawn?

## **Other measures to combat abuses by sects targeting minors**

- a) What educational or awareness-raising measures (circulars, publications, seminars etc.) are taken by the public authorities to address the problem of abuses by sects affecting minors (sexual abuse, psychological abuse, ill-treatment etc.)?
  - b) Are there any organisations active in combating abuses by sects, and in particular protecting minors and/or helping them to leave sects?
  - c) If so, do they receive financial assistance from the state?
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## **French firms see rising religious demands at work**

Reuters (28.05.2013) - Close to half the staff managers at companies in French urban areas have seen problems arising from religious demands by employees and expect them to increase in future, according to a new study issued on Tuesday.

Listing faith-related problems, the new study said some men refused to take orders from a woman boss or shake hands with women and some refused to handle alcohol or pork products.

Other problems include employees wanting to pray or wear religious garb at work. Some employees try to impose their religious standards on colleagues, such as preventing non-observant Muslims from eating at work during Ramadan.

Smaller towns and rural areas had far fewer problems, the study said. Fewer than five percent of human resources managers in the western region of Brittany reported any difficulties.

The survey, conducted by university researchers in Rennes and the international recruitment agency Randstad, was released as French lawmakers prepare new legislation extending strict public service bans on religious garb at work to some private firms.

President Francois Hollande has also launched an official campaign to ensure the legal separation of church and state is fully respected in France.

"These initial results show the issue of religion at work exists and is not a marginal question," concluded the study, which said 43 percent of staff managers saw faith-related work problems and 41 percent expected to encounter more in future.

### **Headscarf Debate**

Sociologists say most religious demands at work come from the large Muslim minority, with some also from orthodox Jews and evangelical Christians. These groups mostly live in or around big cities rather than the traditionally Catholic rural areas.

Many demands concern Muslim women's headscarves, a sensitive issue in France where full-face veils are banned in public and women public servants and girls in state schools are not allowed to cover their hair.

A decision by France's top appeals court in March to reinstate a Muslim woman fired by a private creche for wearing a headscarf revived a debate about religion at work and prompted calls for tighter laws on "laicite," or official secularism.

Several large companies including France Telecom, IBM France, Electricite de France and retailer Casino have drawn up internal guidelines on religion at work in recent years.

France's official secularism bars teachers, postal workers and other civil servants from wearing items such as Muslim headscarves, Jewish skullcaps or Christian crosses at work.

Many French believe this also applies to the private sector, but companies are free to set their own internal rules. Some firms adapt to employees' requests when possible, while others apply strict bans on anything religious at work.

While politicians from both left and right have been calling for clearer guidelines, the study showed only 12 percent of human resources managers and no more than two percent of middle managers thought stricter laws would solve most problems.

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## **Mosques in France are again subject to profane acts**

Morocco World News (19.05.2013) - The French Council of the Muslim Faith (CFCM) condemns in the "utmost firmness the racist acts" which targeted, for the fourth time since 2012, the mosque of Limoges in the center of France Saturday, May 18, 2013.

Around 4: 40 am, the manager of the mosque found the front doors of the mosque of Limoges profaned with a red liquid resembling blood.

The central police station of Limoges told AFP that, "on-site, the staff found that the doors of the building were stained with a red liquid that clearly resembles blood. Samples were made and analyzes are underway that will confirm this hypothesis, and also whether the nature of the blood is animal or human."

The CFCM is "deeply shocked" by the multiplication of these xenophobic acts, which target places of worship and meditation, and expressed its full support for managers and faithful of the mosques.

"Since the beginning of 2013, more than ten mosques have been desecrated with swastikas and extremists slogans," wrote the CFCM on its official website.

In a communiqué published in their official website, the CFCM calls on all Muslims in France to stay calm against these despicable provocations and to have faith in the values that inspire the vast majority of the Muslim citizens.

A report of "l'Observatoire de l'Islamophobie" found a new increase in anti-Muslim acts in France early in 2013, a growing phenomenon that causes concern of the French Council of the Muslim Faith (CFCM).

"At least 50 anti-Muslim acts have been registered by the police and gendarmerie for the first quarter of 2013, up from 40 during the same period in 2012, an increase of 25%," the document says.

Even though France does not have official statistics on the accurate number of Muslims living in its territory, as the law prohibits any statistics on religious criteria, Islam is considered the second largest religion after Christianity.

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## **France struggles to fight radical Islam in its jails**

***In France, the path to radical Islam often begins with a minor offence that throws a young man into an overcrowded, violent jail and produces a hardened convert ready for jihad***

(Reuters) - With the country on heightened security alert since January when French troops began fighting al Qaeda-linked Islamists in Mali, authorities are increasingly worried about home-grown militants emerging from France's own jails.

But despite government efforts to tackle the problem, conditions behind bars are still turning young Muslims into easy prey for jihadist recruiters, according to guards, prison directors, ex-inmates, chaplains and crime experts interviewed over the last few months by Reuters.

"I have parents who come to me and say: 'My son went in a dealer and came out a fundamentalist'," said Hassen Chalghoumi, imam of the mosque in Drancy, a gritty suburb north of Paris.

Malian Islamists have warned France it is a target for attacks, most recently in a video that came to light on Tuesday. This has added to concern in a country which, according to the Europol police agency, arrested 91 people in 2012 on suspicion of what it categorized as religiously-inspired terrorism.

These numbers are by far the highest for any European Union country, although tiny when compared with France's estimated 5 to 6 million Muslims, the overwhelming majority of whom are peaceful, law-abiding citizens.

France, which has Europe's biggest Muslim population, is not alone. International studies show that prison radicalization is a problem in countries ranging from Britain and the United States to [Afghanistan](#). However, France stands out because over half its inmates are estimated to be Muslim, many from communities blighted by poverty and unemployment.

The two ethnic Chechen brothers suspected of last month's Boston bombings, while not former convicts, further underline the threat posed by "lone wolf" militants - young men from immigrant communities acting alone or in small groups who are lured into violent Islam.

One such was Mohamed Merah, who killed four Jews and three soldiers last year in and around the southern city of Toulouse. This marked the worst attack on French soil since 1995 bombings on the France's underground train network by Algeria's Armed Islamic Group (GIA) that killed eight and wounded scores.

Merah, 23, spent time in jail for violent theft. Another suspected French Islamist was radicalized behind bars before being shot by police in October.

In March an Islamist suspect was arrested on accusations of plotting an imminent bomb attack on French soil. He had spent five months in jail last year for drugs and theft offences.

"We're faced with an external enemy in Mali, but also an enemy from within who is the product of radicalization," said Interior Minister Manuel Valls, who acknowledged that Merah's killing spree had revealed a serious lapse in intelligence.

"They start as minor delinquents, move into selling drugs, sometimes do prison time and convert to radical Islam and hate towards the West," he told local media in February.

### ***"A good school"***

Noisy, dirty and smelling of garbage, Villepinte is the most crowded jail in the Paris region, called the "jungle" by guards. France's prisons watchdog, after a 2009 visit, described its inmates as "young, undisciplined and totally uncontrollable".

Brawls occur weekly and staff, many of them trainees, live in fear of attack. In January an optometrist was knifed in the eye with a pair of scissors. Absenteeism is sky-high among guards, who say they are overwhelmed by the daily challenge of keeping order.

"Islamic radicalization is a real curse in most of our prisons," Villepinte guard Blaise Gangbazo told Reuters. "But in tough jails like ours it comes about even more easily. It's a good school."

France's prison population has grown by a third in the past decade, partly due to policies under conservative governments of handing down heavy sentences on repeat petty offenders.

No official data exist but sociologist Farhad Khosrokhavar says about half the 67,674 prison population is Muslim, rising to 70 percent in some urban areas. This disproportionate ratio of young, disadvantaged Muslims is added to a toxic mix of overcrowding, overtaxed guards and a lack of mainstream Muslim chaplains to discourage radicalization.

Vulnerable young men typically arrive in jail, isolated from family and friends at a time of personal crisis, and become susceptible to recruitment by radicals. One such case was Karim Mokhtari, who at 18 was jailed for over six years for a botched robbery in which a man was shot.

While in jail in the northern city of Amiens, he met a soft-spoken older inmate who consoled him, invited him to pray and encouraged him to read the Koran in Arabic. "When you arrive in prison you feel completely abandoned. You get there and you need to find some strength," said Mokhtari.

"You're seeking hope and when someone holds out a hand, you take it," he said. However, in a subsequent encounter the new friend urged him to "kill the infidels wherever you find them".

"The idea was to go get myself trained and become a violent Jihadist," said Mokhtari, adding that the recruiters work on inmates' hostility to the prison system and to a country where they often have been unable to find work.

Nearly two decades ago Mokhtari resisted such pressure. Today, aged 35, he works with youth to keep them out of prison and has co-written a book, "Redemption", about his experiences.

Prison workers say the vast majority of Muslim inmates are not radicalized. Yet leaked U.S. diplomatic cables from 2005 cite a warning by French officials that the prisons and poor suburban neighborhoods were top recruitment areas for radical Islamists, and refer to a report by French intelligence services describing radicalized prisoners as "time bombs".

Chaotic jails bear the brunt of overcrowding due to constant arrivals of uncharged suspects, and in cells or the yard, petty hoodlums quickly cross paths with serious criminals.

"It's the little guys who bother us the most, because on the inside they meet the big guys. Then the consequences are bad," said Gangbazo, the Villepinte guard. "At our level, the guards are powerless against that."

## ***Under the radar***

Justice Minister Christiane Taubira warned foreign journalists in March against overestimating the threat of prison radicalization, but added it was "certainly worrying".

Asked how authorities were tackling the problem, she cited measures to transfer inmates found to be proselytising to other jails, aiming to disrupt any recruitment efforts to radicalism.

This policy helps to control those prisoners already identified as radical Islamists, but not all recruiters have been convicted under France's anti-terrorism laws. The task is tougher with inmates serving terms for unrelated offences who have turned to radical Islam unnoticed by the authorities.

Untrained staff tend to confuse devout Muslims with potential radicals, said sociologist Khosrokhavar, author of a 2004 study commissioned by the Justice Ministry that was the first to highlight the level of Muslims in French jails.

"The whole attitude to radicalization is outdated," he said. "Those who become radicals are precisely those who do not show it. It happens without any kind of external signs like growing one's beard."

Another hurdle is that France's internal prison intelligence unit, known as EMS-3, has no judicial power, complicating moves to share information with the DCRI domestic security service.

"We send up a lot of pieces of information when we spot them except there's not enough information coming down to us from the DCRI," said Jimmy Delliste, director of the Saint-Etienne jail just outside Lyon. "That's a real problem."

To make matters worse, the prisons' EMS-3 is controlled by the justice ministry while the interior ministry directs the DCRI, both with distinct cultures, hierarchies and goals.

## ***Real or fake radical?***

One way to thwart radical Islam in prison is through prison chaplains able to counter such messages with moderate teachings, security experts agree. But here too, France is falling short.

Despite a prison population dominated by Muslims, France has about 160 Muslim chaplains versus 700 Christian ones. Some estimate more than 80 percent of Muslim inmates never see a chaplain, increasing the risk of falling prey to radicals.

That contrasts with Britain, where about 200 Muslim chaplains address a Muslim prison population estimated at only a third of France's.

Abdelhak Eddouk, who was chaplain at the Fleury-Merogis jail outside Paris for nine years before he resigned recently, estimated at least 480 Muslim chaplains are needed, together with a clearer set of guidelines to help them in their task.

Government plans, by contrast, are to add just 30 this year and next - a figure Eddouk said was grossly insufficient to allow the chaplains time to get to know the real radicals and those parroting violent ideas as a form of protest.

"Either the guy is a real radical, or he's a fake radical," Eddouk said. "How am I supposed to know? After talking with him for 15 minutes, I can't."

(Editing by Mark John and David Stamp)

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## **Deprived of his son because of his religious practices**

***A 45-year old father, Richard Dray, has been fighting for three weeks to be able to make contact with his 12-year old son. According to Mr. Dray, an inhabitant of Toulouse, "social services and the legal system have separated us because of my religious practices."***

La Dépêche (15.04.2013) - Richard Dray, a 45-year old Orthodox Jew who is an amateur rock musician and an aficionado of vintage motorcycles is no longer authorized to come near his 12-year old son. According to him, social services and the legal system have separated him and his son because of his religious aspirations. In despair, he does not know who to turn to obtain the right to reestablish ties to his son who has been tossed back and forth between different homes and foster families.

### ***Your problems began after a divorce?***

After the separation from my wife, I felt a need to turn to religion. I had custody of my son, every other weekend. Following a behavior problem, he was put under the care of psychologists at Blagnac. I called their practices into question because I wanted to place him in a private institution. That action led to the loss of my parental rights. The judge felt that I was harmful to my son's education. He told me: "If you want to live like that, go live in Jerusalem." I nevertheless retained visitation rights.

### ***That did not work out, why?***

They hid him with a host family on Launaguet Road. I succeeded in finding him. During a recorded telephone conversation, when he told me he was sad because he had not seen me, I said to him: "Don't worry, everything that happens to us on earth is a test sent by God for us to overcome..." These were the words of a father to his son, meant to reassure him. I was bluntly forbidden to contact him. I was accused of using fundamentalist and dangerous language. Child Support Social Services retort that I must not speak of God in 2013, to a 12-year old child, that it was contrary to their educational principles. For three weeks, I have had no news of my son. This decision is purely arbitrary. At the home, he ran away and began to smoke...is that an education?

### ***What are you currently expecting to do?***

I don't know what else to do in order to get them to listen to me. I only want to speak to my son, to tell him that his father is there for him. I feel that my religion has been used unfairly against me. But I am not a fundamentalist. I live my religion peacefully. What is it that I must do? Should I perch myself up high in a crane?

### ***"No Comment"***

The General Council is aware of this case. Recently contacted, the Council announced that this case "is being monitored" by Child Social Services "within the framework of the mandate of the magistrate." But because of the rules of confidentiality, "we have no comment."

Reported by Frederick Abela

<http://www.ladepeche.fr/article/2013/04/15/1605978-prive-de-son-fils-a-cause-de-sa-pratique-religieuse.html>

***Translation French-English by Human Rights Without Borders Int'l***

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## **French veil ban: Government wants to broaden restrictions on wearing headscarf**

AP (01.04.2013) - Because of her choice to wear a headscarf, Samia Kaddour, a Muslim, has all but abandoned trying to land a government job in France. Soon, some private sector jobs could be off limits, too.

French President Francois Hollande says he wants a new law that could extend restrictions on the wearing of prominent religious symbols in state jobs into the private sector. His new tack comes after a top French court ruled in March that a day care operator that gets some state funding unfairly fired a woman in a headscarf, sparking a political backlash.

As Christians celebrated Easter on Sunday, Kaddour attended the four-day Annual Meeting of Muslims of France in Le Bourget, north of Paris. The convention, which last year drew some 160,000 faithful and was expected to grow this year, is billed as the largest annual gathering of its kind in Europe. It is in its 30th year and ended Monday.

French law bars state employees from wearing prominent religious symbols such as Muslim headscarves, Jewish skullcaps or large Christian crosses in public schools, welfare offices or other government facilities. Two years ago, France banned Muslim veils that cover faces, such as the niqab, which has a slit for the eyes, or the mesh-screen burqa, from being worn anywhere in public.

Meeting leaders say France has made progress in accepting Muslims and noted that, unlike 30 years ago, women wearing headscarves today rarely draw suspicion, scowls or curiosity. Still, many Muslims – and even some Roman Catholics and Jews – fear France's insistence on secular values first enshrined in the French Revolution more than two centuries ago is unfairly crimping their ability to express their religious beliefs freely.

They also worry that Hollande's Socialist government, like a conservative one before it, wants to score political points.

"Islam has become a political instrument," said Kaddour, 26, who is a community activist from the English Channel port city of Le Havre and one of 10 children of Algerian-born parents who moved to France for plentiful jobs during its economic boom times decades ago. "Islam is always brandished whenever there is internal political discord."

Most mainstream politicians insist Islam is not being targeted. But a backlash erupted after the Court of Cassation ruled in March that Baby Loup, a private-sector day care operator that gets some state funding, unfairly fired a woman who wore a headscarf to work. The far-right railed at the decision, and even Interior Minister Manuel Valls expressed regret over it.

Wading into the debate in a prime-time TV interview on Thursday, Hollande suggested new limits are needed on Muslim headscarves, saying that "when there is contact with children, in what we call public service of early childhood ... there should be a certain similarity to what exists in (public) school."

"I think the law should get involved," he added.

Many Muslims fear an encroaching Islamophobia, while proponents of such measures insist they counter extremism and act as a rampart to protect France's identity against inequality. Polls show that most French people support at least some restrictions on religious symbols.

France, with an estimated 5 million-6 million Muslims whose families mostly have origins in former French colonies in north Africa, is at the forefront of addressing the challenges that many European countries are facing about how to integrate their sizeable ethnic and religious minorities on a continent where white Christians have dominated the political landscape for centuries.

Bristling against stereotypes in many corners of the West that Muslims are closet radicals or even terrorists, leaders of the convention in Le Bourget preached peace and justice. And after prayers and praise of Islam's Prophet Muhammad, convention leaders led a song in Arabic in a vast meeting hall with thousands in the audience – and some up on the dais waved French flags.

In another convention hall, vendors offered items such as headscarves, sweet pastries or T-shirts emblazoned with the saying 'Don't Panic, I'm Muslim,' while mothers pushing strollers and others wandered through the crowd. Several other stalls took up political issues such as support for Palestinians or war-weary Syrians. Nearby, men kneeled in rhythmic unison for afternoon prayers.

Kaddour said many Muslims regret that their faith is in the political crosscurrents again in France. But she said she's not discouraged enough yet to want to leave.

"Many others feel that way too: We are French and we have our place to claim and our future to establish in France," she said. "I'm not a foreigner. I'm French. I want to live in France, I love this country. Even if it has trouble liking us, we are going to do what's necessary to live serenely in France."

Kaddour says she plans to go back to school to get a higher degree, but has all but given up hopes for a state job. And in France, that matters: the European Union says more than half of France's gross domestic product comes from government spending – potentially curbing the work options for headscarf-wearing Muslims such as Kaddour if the ban is broadened.

"A state job, unfortunately..." she said, her voice trailing off. "When I go into job interviews, I wear my headscarf. No results." She admits that she doesn't always know why – it could just be her skill set isn't sufficient – but suspects her religion plays a role, too.

Kaddour says her future career seems increasingly limited to independent, private practice work. She currently works for a small community group devoted to improving understanding of Islam, called Le Havre de Savoir, or The Haven of Knowledge.

At a time of double-digit unemployment rates in France, a nation of 65 million, such restrictions to job access hit headscarf-wearing women especially hard: Muslim men in France don't usually wear visible religious garb.

Ahmed Jaballah, the head of the Union of Islamic Organizations of France, a major Muslim group that helped organize the conference, said the "rather morose ambiance" over France's sluggish economic growth recently hasn't helped Muslims' aspirations, suggesting that a search for scapegoats is politically appealing. He said he's concerned about the government's plans.

"Unfortunately, Muslims have the impression today that secularism is being shaped based on Muslim practices, and that's worrisome," he said in an interview. "Everybody always talks about secularism, how it's not just about Muslims. But in fact, Muslims are targeted. Nobody is fooled."

"Muslims wonder: Can we trust secularism?" he said. "Remember the French slogan: 'Liberte, Egalite, Fraternite.' Today, we want this fraternity to be real."

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## **Scientology v. France Télévisions**

HRWF (05.04.2013) - The France Télévisions Company must pay the Church of Scientology Celebrity Centre 6,000 euros for costs and damages and compensation for having undermined the group's presumption of innocence.

On May 27, 2010, the France Télévisions Company broadcast a documentary on France 2 entitled "Scientology, the Truth Concerning a Lie." It bought the rights to this program from the Nova Prod Company. It presented the documentary on its website [www.francetelevisions.fr](http://www.francetelevisions.fr) in these terms:

"Founded in 1950 in the United States by Ron Hubbard and renamed 'Church' in 1954, Scientology—whether considered a 'mental technology', a church, or a cult—has succeeded in the last 50 years at imposing itself on the world. What is this "empire" which former adherents accuse of various totalitarian deviations but which nonetheless continues to seduce new members to join? What are its objectives, its practices, and its ideology? To decrypt Scientology's philosophies, former and current disciples testify and show how one can be trapped both soul and body, sometimes as a family, children included, in a system that totally alienates one from normal society. This investigative documentary illuminates the real risks which Scientology poses to our world and to our era when 'the church' has for the first time in France just recently been convicted for conspiracy to commit fraud."

Considering that the Church of Scientology Celebrity Centre lodged an appeal after the Criminal Court of Paris on October 27, 2009 had ruled against it and therefore that the broadcast of the documentary did not respect the presumption of innocence, the Celebrity Centre filed a complaint against the France Télévisions Company suing for redress of damages for its prejudicial actions.

On January 29, 2013, the Court of Appeal of Caen concluded:

"To publically present the Church of Scientology as having been guilty, without mentioning the existence of an appeal which preserved the presumption of innocence, is to attack it. Certainly, the television station was not ignorant of the existence of this appeal since it had talked about it on the news broadcast of France 2 the same day as the rendering of the criminal judgment.

And the on air broadcast of May 27, 2010 was not the same as the simple report (contained in the news) of the deposition of a judgment passed down on October 27, 2009.

In fact, contrary to what France Télévisions indicated, the church had not just been convicted: that had taken place seven months before.

In the absence of any indication of the appeal, the average person reading the internet would be led to believe that the guilt of the Church of Scientology was certain.

It is important to note that the France Télévisions Company was perfectly aware that it had, in broadcasting this incomplete presentation, committed a violation of the rights of the Church of Scientology Celebrity Centre."

The court judged that France Télévisions undermined the presumption of innocence, which the Church of Scientology Celebrity Centre was entitled to, when it published on its website between May 24 and 27, 2010, an introductory notice of a documentary entitled "Scientology, the Truth Concerning a Lie" in these terms, "this investigative documentary illuminates the real risks which Scientology poses to our world and to our era when 'the church' has for the first time in France just recently been convicted for conspiracy to commit fraud."

The court ruled that the France Télévisions Company must pay the Church of Scientology Celebrity Centre 6,000 Euros for costs and damages and compensation. It dismissed the Church of Scientology Celebrity Centre's other demands.

France Télévisions announced it will not appeal.

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## **Private nursery baby-loup: dismissal overturned**

### ***The Supreme Court ruled in favour of an employee dismissed for wearing a Muslim headscarf.***

Europe 1 (19.03.2013) – A dramatic reversal in the so-called Baby-Loup Affair. Last Tuesday the Supreme Court overturned the 2008 firing of an employee of a private nursery – called Baby-Loup, located in Yvelines – for refusing her employer's directive to remove her Muslim headscarf.

The principle of laïcité not retained. The case dates back to 2008, when an employee of the private nursery Baby-Loup, near Paris, had been sanctioned by her employer for refusing to remove her headscarf. "Being a private nursery," the high court held that the dismissal of the employee was "discrimination on grounds of religious belief" and should be "declared invalid."

The Supreme Court held inter alia that the principle of laïcité could not be invoked to deny private sector employees, who are not engaged in a public service facility, "protections that are guaranteed to them through provisions of labour law."

A third trial foreseen. "The judgement of the Court of Appeal of Versailles concerning the grounds for the dismissal is heretofore broken," said the Supreme Court in a statement. The case will be retried in the Court of Appeal of Paris. Until now, justice had been in favour of the nursery. The nursery's ex-employee, located in a sensitive area of Chanteloup-les-Vignes, has therefore been dismissed twice by the courts.

Twice dismissed. The same employee had been fired on 19th December 2008 for "gross misconduct," a decision that was upheld by a lower court in December 2010. At a September 2011 appeal hearing, the General Prosecutor had also ruled in favour of the nursery, asserting not only the "principle of laïcité but also the vulnerability of the children."

"An extremely disappointing decision." Only the High Authority against Discrimination and for Equality, also engaged by the employee, had at first supported the earlier decision of March 2010 – this before retracting its decision in October of that same year. At that time, the organisation's then-president, Jeannette Bougrab, had ruled out the possibility that the offending nursery choose the "philosophical option of laïcité."

At the announcement of the Supreme Court's decision, Jeannette Bougrab did not hide her disappointment. "This is an extremely disappointing decision, difficult, because Baby-Loup was a struggle for laïcité. In handing down this decision, the Supreme Court has permitted the levee to break, the levee of laïcité," she lamented.

"A challenge to laïcité." At the time the case had stirred up a national debate, mobilizing advocates of strict laïcité, from Manuel Valls, at the time Socialist deputy of the Essonne, to philosopher Elisabeth Badinter, the nursery's patroness. Upon hearing the Supreme Court's decision, Manuel Valls, now France's Minister of the Interior, declared to the National Assembly that overturning the earlier decision concerning the veiled nursery worker was a regrettable "challenge to laïcité."

"Just coming from my office, I want to tell you how much I regret the decision of the Supreme Court today on the nursery Baby-Loup on this challenge to laïcité," said Valls at a session for questions to the government.

**Translation French-English by Human Rights Without Frontiers**

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## **Jehovah's Witnesses: the Council of State authorizes access to accusatory documents**

Metro France (05.03.2013) - The Jehovah's Witnesses have obtained from the Council of State the power to access certain accusatory documents from the Interministerial Mission for Monitoring and Combatting Cultic Deviances (MIVILUDES).

The Jehovah's Witnesses have once again succeeded in their legal battles. RTL reported Tuesday that on February 22, the Council of State overruled the decision of the Administrative Court of Paris which prevented them from accessing documents which suspected it of wrongdoing.

The decision will allow the Jehovah's Witnesses to examine the information which the Interministerial Mission for Monitoring and Combatting Cultic Deviances (Miviludes) has collected on the Witnesses. The president of the French Federation of Jehovah's Witnesses, Guy Canonici in an interview with Metro reacted positively, "The ruling gives us full satisfaction. This decision is consistent with the rule of law."

### ***Protection of Sources***

The Jehovah's Witnesses began legal proceedings in this direction several years ago. Guy Canonici explained why: "To have access to these documents allows us to show that these famous documents, alluded to as evidence of misconduct, are, in fact, nothing but frivolous accusations." The group's requests for access had been regularly rejected by various agencies before the Council of State made its decision fifteen days ago. However, now the council has decided that the whole matter should be retried by the administrative court. "And we are confident of success in view of the decision by the Council of State," affirmed Guy Canonici.

For the critics of the movement, the main concern is the protection of witnesses and other sources—often relatives of victims of the sect—who agreed to talk to Miviludes. "I want to assure those people, who continue to alert us to situations involving deviant cults, that their anonymity will be protected," emphasized Serge Blisko speaking to Metro. He is not overly concerned with the ruling by the Council of State, adding, "What this means primarily is that we will have an increased workload sorting out documents where source names appear."

### ***New Victory***

But, the decision nonetheless marks a new victory for the Jehovah's Witnesses against government authorities. In June 2011, the organization obtained a judgment against the

French government by the European Court of Human Rights (ECtHR), based on article 9 of the European Convention on Freedom of Religion. The court decided that the government had collected unjustified tax revenues from the Jehovah's Witnesses, because gifts to religious associations and congregations are tax exempt. In 2012, the ECtHR ruled, in this same case, that France must reimburse the Jehovah's Witnesses 4.6 million euros for those unjustified revenues.

**Translation French-English by *Human Rights Without Frontiers***

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## **Bumpy start for Islam classes**

Deutsche Well (05.03.2013) - Since the start of the school year, Islamic religious instruction has been offered at selected schools. However, very few children are receiving the classes due to a serious shortage of teachers.

Huseyin Cetin teaches Islamic religious instruction in Marxloh, a heavily Muslim section of Duisburg in the Ruhr Valley industrial region of Germany. North Rhine-Westphalia (NRW), where Duisburg is located, is the first state in Germany to offer Islamic religious instruction. But the introduction of the classes has been bumpy. There are 100,000 Muslim elementary school children in NRW, but there are only enough teachers to instruct 2,000 pupils.

The problem was expected. It will take some time to provide blanket coverage across the state, admits Sylvia Löhrmann, the NRW education minister. "But what is the alternative? We could not have trained the teachers before knowing whether we were going to have the classes in the first place," she said, adding that there first had to be the legal foundation, which meant introducing the classes incrementally.

### ***Pupils' knowledge varies***

What's more, courses to train Islam teachers at German universities have only just begun. The first graduates from the University of Münster won't be ready until the spring of 2017.

Huseyin Cetin teaches second graders in Marxloh, as one of 40 qualified Islam religious instruction teachers in NRW. He studied theology and earned an education degree from Uludag University in Turkey. He has been working as an Islam teacher in a variety of pilot projects since 1999.

Prior knowledge of Islam varies widely among the school children, says Cetin, depending on how often they attend classes at their local mosque. How much they already know also depends on what country they, or their parents, come from. "Our job is to harmonize these different levels of knowledge and to correct the wrong information they have," he told DW, adding that the instruction fulfilled an important function in this regard.

### ***Career changers welcome***

To finesse the shortage of teachers, the NRW education ministry is offering special courses where young educators can earn a certificate to teach Islamic religious instruction. "On the one hand, career changers - that is, Muslims who were enrolled in Islamic studies programs - are being trained to teach religion classes; but, more

importantly, the other group is Muslim teachers who have been teaching something else," says Mouhanad Khorchide, from the University of Münster.

One of the bigger problems, however, is the lack of appropriate teaching materials, says one career changer, Aziz Fooladvand, who teaches in Bonn. "There is a book for the five and sixth grades, but there is simply no material for higher levels. I select the topics for all the grades myself, but that takes a lot of time and effort," he said. For the upper grades there is also no harmonized syllabus as yet, he added.

Fooladvand said he tried to be critical of traditional views, which often leads to heated discussions. But such debates, he said, do not take place in the family, or at the mosque, because the religious practice there is not methodical or didactic. Viewpoints are just simply accepted, he said.

### ***Important sign of recognition***

Despite the modest number of pupils participating at the moment, Khorchide is upbeat about the prospects. He said there was a brisk interest in religious education among the students and, in Muslim circles, the Islamic courses have been widely accepted. "This is seen as a sign of recognition for Islam and Muslims as equal citizens in this country," he said.

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## **Three new religious movements win their case against France at the European Court**

Registry of the European Court (01.02.2013) - The European Court of Human Rights has today notified in writing the following three Chamber judgments, none of which is final: The Religious Association of the Pyramid Temple/Association Cultuelle Du Temple Pyramide v. France (application no. 50471/07) The Association of the Knights of the Golden Lotus/Association Des Chevaliers Du Lotus D'Or v. France (no. 50615/07) The Evangelical Missionary Church and Salaûn/Eglise Evangelique Missionnaire et Salaûn v. France (no. 25502/07).

In these three cases the applicants relied, in particular, on Article 9 (right to freedom of thought, conscience and religion), alleging that the fact that they had been required to pay tax on hand-to-hand gifts infringed their right to manifest and exercise their freedom of religion.

The Religious Association of the Pyramid Temple is a not-for-profit association which was set up on 3 April 1991 and dissolved on 10 August 1995 and the aim of which was the construction of a place of worship in Castellane (France). The Association of the Knights of the Golden Lotus is a not-for-profit association set up in 1971 and dissolved on 16 September 1995. It was dedicated to the practice of a new religion known as Aumism. Following tax assessment procedures, sums of more than 2.5 million euros and 37,000 euros respectively were recovered from the associations in question, after the tax authorities' inspection revealed gifts entered in their accounts. When the associations refused to declare the gifts, the authorities automatically imposed a tax rate of 60% in accordance with Article 757 of the General Tax Code, which states that hand-to-hand gifts are subject to gift tax. The associations were also ordered to pay an 80% surcharge.

The applicants in the last case are the association the Evangelical Missionary Church and its president, Éric Salaûn. Following an audit of its accounts and the imposition of tax on the hand-to-hand gifts which this brought to light, the administrative authorities

considered that the association could not be classified as a "religious" association for the purposes of claiming the corresponding tax exemptions. The association was therefore obliged to pay more than 280,000 euros (automatic taxation at the 60% rate) to the Treasury.

### **Violation of Article 9 (in all three cases)**

**Just satisfaction:** EUR 3,599,551 to The Religious Association of the Pyramid Temple; EUR 36,886 to The Association of the Knights of the Golden Lotus and EUR 387,722 to The Evangelical Missionary Church and Salaûn (pecuniary damage), and EUR 49,568 The Religious Association of the Pyramid Temple, EUR 10,000 to The Association of the Knights of the Golden Lotus and EUR 55,000 to The Evangelical Missionary Church and Salaûn (costs and expenses).

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## **European rights court orders France to pay four million euros to sects**

Radio France Internationale (01.02.2013) - The European court ordered the French exchequer to pay 3,636,437 euros to two groups set up by the Aumism cult, founded by Gilbert Bourdin in 1969 and based at the "holy city" of Mandarom in the French Alps.

The two groups collected money for the construction of temples at Mandarom, which was already host to a 22-metre statue of Buddha Maitreya, and a 21-metre statue of "Cosmic Christ" wielding a sword and shield.

A 33-metre statue of Bourdin was built in 1990 but pulled down in 2000 after its construction was deemed to have been illegal.

The court also ordered the payment of 387,722 euros to the Evangelical Missionary Church of Eric Salaûn.

The two sects contested taxation of donations given by their members in collections – to the tune of 2,537,000 euros and 280,000 euros respectively – claiming that, as religions, donations should be tax-exempt.

Their case followed the European court's ruling against a 45-million-euro tax bill for the Jehovah's Witnesses, who argued that the French state was trying to suppress their activities by fiscal means.

Bourdin, also known as His Holiness Lord Hamsah Manarah, was accused of rape by a former member of his cult but died in 1998 before the case came to court.

Anti-sect campaigner and former Socialist MP Catherine Picard slammed the court's decision.

"These groups know that, whatever they do, whatever sectarian excesses they get up to, the European court will back them up," she said on Thursday.

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## **Sects: Paris found guilty by the ECHR**

AFP (31.01.2013) - The European Court of Human Rights (ECHR) ruled Thursday in favour of three sects – including the Mandarom de Castellane – bringing a judgement against France for violation of freedom of thought, conscience and religion.

The decision in Strasbourg invalidated tax procedures brought against the sects, ordering France to pay 3 599 551 euros to the religious association Temple Pyramide, a sect known by the name Mandarom, for “property damage”, 387 722 euros to the Evangelical Missionary Church and Eric Salaûn and 36 886 euros to the Chevaliers du Lotus d’or (Knights of the Golden Lotus).

Following tax assessment procedures, the first two groups (both officially dissolved in 1995) were able to recover more than 2.5 million euros and 37 000 euros respectively plus the application of a 60% tax on hand-to-hand gifts that had appeared in their accounts. The third claim was for 280 000 euros on similar grounds.

In all three cases, first brought to the European Court in 2007, the plaintiff associations invoked in particular Article 9 of the European Convention on Human Rights, which guarantees that “everyone has the right to freedom of thought, conscience and religion.” The associations alleged that the taxation of gifts to which they had been subjected infringed upon their right to demonstrate and exercise their freedom of religion.

The parties have three months to request a judicial review by the High Court of Grande Instance for the ECHR.

See the full judgments (in French):

The Association of the Knights of the Golden Lotus

[http://hudoc.echr.coe.int/sites/fra-press/pages/search.aspx#{\"itemid\":\[\"001-116118\"\]}](http://hudoc.echr.coe.int/sites/fra-press/pages/search.aspx#{\)

The Religious Association of the Pyramid Temple

[http://hudoc.echr.coe.int/sites/fra-press/pages/search.aspx#{\"itemid\":\[\"001-116117\"\]}](http://hudoc.echr.coe.int/sites/fra-press/pages/search.aspx#{\)

The Evangelical Missionary Church and Salaûn

[http://hudoc.echr.coe.int/sites/fra-press/pages/search.aspx#{\"itemid\":\[\"001-116116\"\]}](http://hudoc.echr.coe.int/sites/fra-press/pages/search.aspx#{\)

**Translation French/English by Human Rights Without Frontiers International**

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## **The Muslim religion is the object of a deep mistrust**

Le Monde (24.01.2013) - Rarely has mistrust of Islam been so clearly expressed by the French people. In a recent poll by Ipsos, 74% of individuals questioned said they view Islam as an “intolerant” religion that is incompatible with the values of French society. Even more shocking, 8 out of every 10 French people believe that the Muslim religion seeks to “impose its manner of operating on others.” Finally, more than half those interviewed think that Muslims are “mostly” (10%) or “in part” (44%) “fundamentalists,” without knowing what this description includes.

These figures admittedly vary according to the age and the political membership of those polled, but, the fact that this poll shows these negative views of Islam are widely held by individuals in every category shows how deeply rooted these opinions are in the collective imagination. Furthermore, 61% of those on the political left and 66% of those under the age of 35 consider Islam to be incompatible with democratic values.

In opinion poll after opinion poll, the results show the Islam's image has deteriorated over the last ten years. The reasons for this massive rejection are both external and internal, consisting partly of fantasies but also based on real concerns. The increased visibility of Muslims in society over the years and the emergence of new demands go hand in hand with alarmist discussions on the supposed "Islamization" of Europe and a political exploitation of these questions.

Beyond the demands judged by the public powers to be legitimate—construction of mosques, addressing Islamic needs in the army, prisons, and hospitals, as well as the condemnation of anti-Muslim acts—other demands, such as the wearing of headscarves, the demand for halal food, and the insistence on religious practices at work, are judged by a part of the public to be both exorbitant and a threat to secularism. Thus, 72% of those polled oppose adapting school meals to religious beliefs.

### **"Confusion"**

The geopolitical situation and events such as the Merah affair also feed the concern about the drift toward terrorism by groups claiming to be Muslim. Up to now, Muslim authorities have been content to request merely that the "confusion between moderate Islam and Islamism" be cleared up, pleading recently that the term "Islamism" be eliminated from public discussions.

However, Abdennour Bidar, a philosopher and an expert in Islam and secularism, concludes that, "Beyond a context of vague anxiety or a deep intransigent intolerance, these numbers constitute a warning to Muslims; they must critically examine Islam. The numbers are also the result of orthodox multiculturalism, which has allowed the extreme right to control these subjects. Still, the left and the moderate right can find an equilibrium between a refusal to categorize all Muslims and the fact that Islam should be held accountable in relation to democratic traditions."

**Translation French-English by *Human Rights Without Frontiers***

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## **74% of the French people judge Islam to be intolerant: "Muslims must hear this warning"**

Le Monde (24.01.2013) - The philosopher Abdennour Bidar, an expert in Islam and secularism, reacted to the poll conducted by Ipsos for Le Monde, the Center of Political Research of Science Po (Cevipof) and the Jean-Jaures Foundation on new divisions in French society; the opinion poll delivered definitive findings on French perceptions of Islam. 74% of individuals interviewed believe that Islam is an "intolerant" religion and it is not compatible with the values of French society. Even more shocking, 8 out of every 10 people interviewed believe that the Muslim religion seeks to "impose its mode of operation on others." Finally, more than half of those polled think that Muslims are "mostly" (10%) or "in part" (44%) "fundamentalists," without knowing what this description means.

These figures admittedly vary according to the age and the political membership of those polled, but, the fact that this poll shows these negative views of Islam are widely held by individuals from every category shows how deeply rooted these opinions are in the collective imagination. Furthermore, 65% of people on the political left and 68% of those under the age of 35 share the idea that Islam is not a tolerant religion, while 61% of the former, and 66% of the latter think that Islam is not compatible with the values of French society.

In addition, it appears that this negative view is distinctly reserved for Islam because, in spite of what certain Catholic or Jewish adherents believe, their respective religions maintain a respectable image in the public opinion. 72% of those polled think that the Catholic religion is tolerant, while 66% share that opinion concerning Judaism.

### ***What do you think of the opinion poll results?***

We must ask ourselves how seriously to take these results after removing contextual factors as well as irrational elements: the economic crisis which arouses a vague anxiety among people who are looking for a new scapegoat to blame, a deep intolerance or ordinary, resolute racism, a need to have a "great evil" to fight against in our imaginations, the overreaction by the clergy, a populist appeal.

Once we have acknowledged all of these elements, I nonetheless see behind these responses an objective uneasiness that should not be ignored. It is a warning to Islam; the idea that Islam has a problem within itself and would do well to renew itself. It is urgent that Muslims critically examine their religion and their message. Let them ask themselves: "How is it that, taking all things under consideration, people react so negatively against our religion?"

Automatic defensive reactions against these wide-spread fears are completely inappropriate and ineffectual. If, in the light of these new poll numbers, Muslims once again speak of unfair characterization and prejudice and do not take the opportunity to clarify the differences between a certain extreme minority and moderate Islam, it will once again be a question of denial and refusal to accept responsibility.

### ***On which issues could Muslims work to change?***

The principal problems that Islam has within itself are its unwillingness to debate its texts and the role of women. One senses that this type of reflection has been indefinitely postponed. But this incapacity to reassess is dangerous and costly for Islam. Muslim leaders should encourage a critical examination of Islamic thought.

Take for example the veil: the doctrine of "it's my choice" seems to me a little light in critical questioning on the part of Muslims. Even if in a certain measure I accept it, because it can maybe be a way of expressing one's individuality, a sign of identity (a draw which appeals to more than just Muslims), against social atomization or against a Republic which no longer knows how to promote its fundamental values, still, the veil is a heavy liability for a woman. And I am convinced that if women were leading truly honest examinations on the issue, they would realize that the veil is a problem in relation to their own tradition, in relation to other people, and in relation to the possibility of making contacts.

### ***Does this mistrust of Islam have other sources?***

In the results of the opinion poll there is also a responsibility for the media, politicians and intellectuals: we have ceded to the extreme right, which is full of bad intentions, the monopoly on "courage" on these questions. We should have had more courage, especially against orthodox multiculturalism, which says that we should not lump fundamentalist Islam, in the minority, with moderate Islam. But, today, when people rub shoulders with Muslims who think only in terms of their demands, which they feel are non-negotiable, those people wonder where "moderate Islam" is; these behaviors are certainly not the prerogative of Islam, but Muslims make these demands in massive numbers.

Both the democratic left and right can be completely balanced between the refusal to stigmatize Muslims and the ability to demand accountability from Islam in relation to its tradition, the democratic tradition, and impose on Islam a number of limitations.

Furthermore, in view of the geopolitical situation, Muslims live in a sort of globalized submission. Nevertheless, we cannot completely disconnect AQIM [*al-Qaeda in the Islamic Maghreb*] of Islam. AQIM is a disease of Islam. Islamic leaders should never stop dissociating themselves from these groups. And, contrary to what Mr. Moussaoui [*President of the French Council of the Muslim Faith who requested that the term "Islamist" no longer be used in public discourse to refer to the "terrorists" who claim throughout the world to belong to Islam*], it is grotesque and false to want to completely disconnect the demands of those people from the Muslim religion.

***Some Muslim leaders believe that the current period is certainly critical for Islam in Western societies, but that relations will eventually normalize. Others believe the rise of Islamophobia points to the contrary. What do you think?***

The worst is not inevitable. We can hope that we are in a bad period that will pass; we are in a watershed moment, society on the path to multiculturalism, marked by disenchanted religions and ideologies. As far as Islamophobia is concerned, there are imaginary causes and there are objective causes. We could realistically consider the possibility that our society is a bit archaic and needs enemies, a "great other." Islam is exploited to this end. But if this religion is exploited, it is because it is exploitable; in persisting to portray itself as a religion of extremes, it leaves itself open to be the best candidate for the role of the "great evil."

At the same time, it is one thing to say to people that they must leave their religion, their rituals, the sacred, but as long as the Western world, where ethical relativism reigns, has no sense of direction, people are not going to leave their core values in order to find themselves in the same relativist confusion as the rest of the world. Given its own spiritual crisis, the West offers a poor alternative.

***Aren't Muslims themselves, those who show a willingness to openness, also producing proposals for greater cooperation?***

Yes, it's true. These proposals are real. Almost unwittingly, Islam is much more amenable to the modern world than it believes it is. So we see in the Islamic world Muslims who have the typical aspirations found in the modern world. They are civically responsible, have a concern for themselves, brotherhood beyond differences, ecumenicalism, living together. But this modernity is too rarely sought for.

**Translation French-English by *Human Rights Without Frontiers***

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