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October 28, 2011

Prime Minister François Fillon
Hôtel de Matignon
57, rue de Varenne
75700 Paris

Dear Mr. Prime Minister,

We write as Members of Congress and the Co-chairs of the House International Religious Freedom Caucus to express our deep concern over rising government restrictions on religion in France. According to an August 2011 report produced by the Pew Forum on Religion & Public Life, "Rising Restrictions on Religion," France was one of only 14 countries in the world, and one of only two countries in Europe, that had a substantial increase in government restrictions on religion from mid-2006 to mid-2009.

In particular, we are concerned about the French government's program against sectarian drifts and its efforts to export this "model" to other countries.

First, we recall that a 1995 parliamentary commission published a "black list" of 173 sects, and that this list was officially rejected by then-Prime Minister Jean-Pierre Raffarin in a 2005 circular letter. But we have seen evidence that this "black list" is still being used to routinely discriminate against listed religious communities, and against individual members of these communities. For instance, we have seen letters from local governments and banks, denying these communities the ability to open bank accounts, and denying them the ability to rent public rooms for meetings.

Second, we recall that the Interministerial Mission in the Fight against Sects/Cults (MILS) was disbanded after its President resigned in 2002, and after the French government rightfully acknowledged that MILS had been criticized for certain actions abroad (exporting its model) that were perceived as contrary to religious freedom. The Interministerial Mission for Vigilance and to Combat Sectarian Aberrations (MIVILUDES) replaced MILS, and was initially praised for taking a more moderate and balanced approach. But in 2005, the policy of MIVILUDES was reoriented, and in 2008, Mr. Georges Fenech was appointed as its president.

Mr. Fenech's comments, coupled with reports of the actions MIVILUDES is taking under his leadership, raise serious concerns regarding protection for an individual's right to freedom of religion in France. On August 3, 2009, for example, *Libération* reported that Mr. Fenech claimed that France is the only country in the world to have established an interministerial mission, and that there are two opposites: the United States advocates freedom while France is at the forefront in the fight against sects. In the same interview, Mr. Fenech acknowledged that MIVILUDES maintains an unpublished "system of reference" of more than 500 groups and movements, and we are concerned that MIVILUDES is acting as a judge of investigation, systematically evaluating and judging the doctrines and values of targeted movements – including religions that are recognized worldwide – and publishing reports and generating media stories

that publicly stigmatize them. Further, MIVILUDES makes this system of reference available to government officials and to professionals in many fields, and organizes education and training programs for magistrates, law enforcement and social workers. MIVILUDES presents these officials with information on specific religious communities without giving targeted groups a chance to explain themselves, correct inaccuracies and refute accusations. We understand a new curriculum on “sectarian movements” has also begun at a Paris university for medical doctors and psychologists, and that apostates of various minority religious groups testify as part of the studies.

Third, we recall that the 2001 About-Picard law established “techniques capable of altering one’s judgment” and “psychological subjection” as criminal activities, making targeted groups and movements subject to prosecution and dissolution. But on April 26, 2001, 50 members of the Parliamentary Assembly of the Council of Europe signed Declaration 321, expressing their concern about the proposed law. And on November 18, 2002, the Parliamentary Assembly of the Council of Europe adopted Resolution 1309 on the About-Picard law, calling on the French government to “reconsider the law.” But the law was never reconsidered, and it gives standing to anti-sect associations to initiate criminal actions and testify against targeted groups. Further, the French government provides a majority of the funding to a network of these associations, including the European Federation of Centers of Research and Information on Sectarianism (FECRIS). We are concerned that, with public funds, these associations are attacking and defaming communities and individuals for their beliefs and practices, often in coordination with MIVILUDES.

Fourth, we understand a new circular letter has been enacted by the Ministry of Justice that gives directions to prosecutors and judges of the French Appeals Courts to consider certain religious practices, such as fasting, as means of “psychological subjection.” Further, the circular gives directives to magistrates to work “in partnership” with anti-sect associations that are opposed to a targeted movement in a trial. We are concerned that there is no chance for justice for these movements, and this appears to be a direct intervention of the executive to influence and guide the decisions of magistrates in criminal cases.

Finally, we understand that MIVILUDES is currently doing exactly what MILS was criticized and disbanded for – taking certain actions abroad (exporting its model) that were perceived as contrary to religious freedom. The roots of these exporting actions go back to 2006, when the report of the Commission of Enquiry Regarding the Influence of Sects on Minors recommended strengthening MIVILUDES activities at the international level. And the recent quarterly updates of MIVILUDES describe how its leaders are actively promoting better coordination at the European level, including a European study program, a European program for sectarian drifts and replication of the About-Picard law. Further, MIVILUDES delegations have traveled and/or met with leaders of several countries, including foreign embassies, members of parliaments, and anti-sect associations.

Such actions appear to evidence a clear bias against a large number of religious communities and their adherents and impose arbitrary restrictions on an individual’s human rights. Further, designating specific beliefs and communities as sects and restricting the freedom of conscience is inconsistent with French principles, the Constitution and international standards on religious freedom.


As an ally of the United States, committed to our common concern for fundamental human rights, we sincerely urge the Government of France to review the policies of MIVILUDES, and to disband this interministerial mission – just as it disbanded MILS in 2002 – and withdraw public funding from anti-sect associations if they are found to be taking actions that are contrary to French principles, the French Constitution, and France’s international obligations.

Thank you for taking the time to consider these concerns and we genuinely look forward to speaking with you at your convenience about this matter in more detail.

Most sincerely,



Trent Franks



Heath Shuler

CC:

The Honorable François Delattre, The Ambassador of France

The Honorable Charles H. Rivkin, Ambassador Extraordinary and Plenipotentiary, U.S. Embassy Paris, France

The Honorable Mark A. Taplin, Charge D'Affairs, U.S. Embassy Paris, France

The Honorable Thomas O. Melia, Deputy Assistant Secretary Bureau of Democracy, Human Rights, and Labor, U.S. State Department

The Honorable Suzan Johnson Cook, Ambassador at Large for International Religious Freedom, U.S. State Department