

November 1, 2011

The Honorable Hillary Rodham Clinton  
Secretary of State  
U.S. Department of State  
2201 C Street NW  
Washington, DC 20520

Dear Madam Secretary,

We write as an informal group of organizations and individuals who are scholars, religious leaders, human rights advocates and practitioners to express our deep concern about rising government restrictions on religion in France. In particular, we are increasingly concerned about the French government's program against "sectarian drifts," which represses religious minorities, and its efforts to export this "anti-sect" model of repression to all of Europe and beyond.

We urge you to press French authorities on this, for it is time for the international community to pressure the French government to dismantle this program, disband the government's Inter-ministerial Mission for Vigilance and Combating Sectarian Drifts (MIVILUDES), and end to all efforts to export this repressive model.

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.

A key part of the increasingly restrictive French model is the program against "sectarian drifts," starting with MIVILUDES. This inter-ministerial mission, which is responsible to the Prime Minister, was created to observe "sectarian movements" and to coordinate "preventative and repressive actions by the authorities against such practices." Mr. Georges Fenech brags that France is the only country in the world to have established an "anti-sect" inter-ministerial mission, but its very existence is a violation of French principles and contravenes the Constitution and the international human rights instruments France has signed. Further, in a 2009 media interview, Mr. Fenech claimed that the United States and France are at opposite positions, saying the U.S. advocates freedom while France is at the forefront in the fight against sectarianism.

To start and further develop this "anti-sect" program, the government has established multiple parliamentary commissions to study various aspects of the "sect" phenomenon and to issue reports with recommended "anti-sect" policies. The 1995 parliamentary commission's report contained a "black list" that identified 173 groups as "sects." This published list has contributed to an ongoing atmosphere of intolerance and bias against minority religions ever since. To this day, listed communities and their individual members are routinely discriminated against by governments and society. Their requests to rent public rooms for meetings or conferences are turned down. Their bank accounts are closed, and when they search for a new bank, their applications are denied, or they are charged higher-than-usual fees. They are fired from their jobs. They are evicted from buildings. They are denied a PhD, even after completing all of the required work.

In addition to this public list, MIVILUDES now maintains an unpublished "system of reference" of more than 600 groups and movements that contains inaccurate and misleading information on each one. With this system, MIVILUDES, without employing religious scholars, systematically judges and

attacks the doctrines and values of targeted movements – including religions that are recognized in the U.S. and other countries around the world – and publishes reports and generates media stories that publicly stigmatize them as “sectarian.” MIVILUDES is expanding its target list to include traditional religions, such as Catholic communities.

MIVILUDES makes this system of reference available to, and facilitates the “education” and “training” of ministries, local governments, officials and professionals, including judges, prosecutors, educators, association leaders, etc., on the “risks,” “dangers” and “abuses” of these movements, and on how to handle them. In fact, MIVILUDES organizes “education” and “training” in the school for new magistrates or for the continued education of magistrates. Biased information on specific religious communities such as Jehovah’s Witnesses and others is provided to the magistrates during these training sessions, without giving the targeted groups a chance to refute the accusations. During recent years, the “trainings” have been extended to police officers and social workers, and now a brand new curriculum has started on “sectarian movements” at the University in Paris for medical doctors and psychologists. Apostates of various minority religious groups testify as part of the study of cases.

MIVILUDES also acts as a judge of investigation. But judicial demand is needed before a targeted movement can be investigated. Which means a prosecutor or judge must request an investigation. This explains the utility of the system of reference, and of all the education and training of public servants – the magistrates that are educated and trained produce the judicial demand that results in investigations of movements with the assistance of specialized police officers that are also educated and trained, etc.

To ensure targeted movements are subject to criminal prosecution and dissolution, the About-Picard law established “techniques capable of altering one’s judgment” and “psychological subjection” as criminal activities. And this law gives standing to anti-sect associations to initiate criminal actions and testify against these movements on behalf of alleged victims. The French government directly funds a network of these associations, including the European Federation of Centers of Research and Information on Sectarianism (FECRIS), which is now officially registered as a non-governmental organization (NGO) with the United Nations and the Council of Europe. Since they are mainly funded by the French government, they are not really NGOs at all, but “government-organized non-governmental organizations.” With public funds, these associations attack and defame individuals and communities for their beliefs and practices, both religious and non-religious, often in coordination with MIVILUDES.

Most recently, under the influence of MIVILUDES, a new circular was enacted by the Ministry of Justice which gives directions to the prosecutors and judges of lower courts and the French Appeals Courts to consider religious practices such as purification and fasting as means of “psychological subjection.” Moreover, the circular gives directives to magistrates to work “in partnership” with anti-sect associations that are opposed to a targeted movement in a trial, which destroys any chance for justice in cases involving these movements. This is a direct intervention of the executive on the magistrates to influence their decisions in criminal cases.

There is no chance for justice for targeted movements in France. And to make matters worse, the French government has been working to export this “anti-sect” model. Official guidance in this direction can be found in the late 2006 report of another parliamentary commission. The report of the Commission of Enquiry Regarding the Influence of Sects on Minors recommended strengthening MIVILUDES activities at the international level. Specifically, the report recommended working through the Council of Europe to create a European observatory of religious groups dedicated to facilitating intellectual exchanges among member countries to share experience and insight on how these groups are treated by member state governments.

Further, the most recent quarterly information letters of MIVILUDES describe how they are actively promoting better coordination at the European level, including a European study program, a European program for “sectarian drifts” and replication of the French “About-Picard” law. In the last three years, MIVILUDES delegations have been traveling all over Europe and beyond, meeting with members of parliaments of countries such as Belgium and Poland; with leaders of anti-sect groups such as the Belgian Center of Information and Advice on Harmful Sectarian Organizations (CIAOSN), and the Centre for Information on Sects and Cults in Croatia (CISK); with leaders of human rights bodies such as the Legal Affairs and Human Rights Commission at the Council of Europe, and the European Union Agency for Fundamental Rights (FRA); with the president of the French delegation at the Parliamentary Assembly of the Council of Europe; with members of the permanent French delegation at the European Commission; and with embassies in France such as the Kazakhstan Embassy.

These activities are having an impact. For instance, Belgium is on the verge of passing its own version of the French “About-Picard” law. André Frédéric, the Federal Deputy in the Belgian Chamber of Representatives who has been meeting with MIVILUDES and participating in the same anti-sect conferences, is the sponsor of the repressive provisions that reference “sectarian drifts” as the target of the legislation, allow “anti-sect” associations to appear as private civil parties in court proceedings against these targeted religions and movements, and criminalize the manifestation of the beliefs and practices of targeted religions and movements.

For all of these reasons, we urge you to press the French Prime Minister on this matter. According to French principles, the government should dismantle this program against “sectarian drifts,” which is repressing religious minorities, and disband MIVILUDES, withdraw all public funding from the French government-sponsored anti-sect associations, and put an end to all efforts to export the “anti-sect” model.

There is precedent for such actions. As the State Department has reported, the predecessor to MIVILUDES was the “Inter-ministerial Mission in the Fight against Sects/Cults,” or MILS. On June 17, 2002, after widespread criticism of its activities, the President of MILS resigned. And in November 2002, the French government acknowledged that MILS had been criticized for certain actions abroad (exporting its model) that could have been perceived as contrary to religious freedom.

MILS was disbanded and MIVILUDES was formed to take a more moderate and balanced approach. But ever since Mr. Jean Langlais was replaced by Mr. Jean-Michel Roulet as its leader in 2005, the policy of MIVILUDES has been reoriented. According to State Department reports, Mr. Roulet said, “MIVILUDES shall do its job again,” and, “There are real and good reasons not to give up the fight against sectarian abuses on the fallacious grounds that this represents an attack on the freedom of religion.” Mr. Fenech was appointed by Prime Minister Fillon in 2008, and MIVILUDES is becoming more repressive each year.

The time has come for the U.S. government to press French authorities to put an end to these activities.

Respectfully,

ORGANIZATIONS

CHURCH OF SCIENTOLOGY

HUMAN FRIENDS ORGANIZATION INTERNATIONAL

INSTITUTE ON RELIGION AND PUBLIC POLICY

INTERNATIONAL COALITION FOR RELIGIOUS FREEDOM

INTERNATIONAL RELIGIOUS LIBERTY ASSOCIATION

JUBILEE CAMPAIGN

LAW AND LIBERTY TRUST

UNION OF COUNCILS FOR JEWS IN THE FORMER SOVIET UNION

UNITED METHODIST CHURCH, GENERAL BOARD OF CHURCH AND SOCIETY

UNITED SIKHS

Individuals

C. Naseer Ahmad  
AZI Consulting Inc.

Ratan Barua  
General Secretary  
South Asian Rights Watch

Professor Lina Beydoun  
Sociology Department  
Adelphi University

The Rev. Dr. Pedro Bravo-Guzman  
Member of the Board of Directors  
Queens Federation of Churches

Rev. Raimundo C. Barreto Jr., Ph.D.  
Director, Freedom and Justice  
Baptist World Alliance

Dr. Joel C. Hunter, Senior Pastor  
Northland – A Church Distributed  
Orlando, Florida

M. Zuhdi Jasser, M.D  
President  
American Islamic Forum for Democracy

Professor Hank Kalpowitz  
Kean University Human Rights Institute

Dr. Richard Land  
President  
Southern Baptist Ethics & Religious Liberty Commission

Dr. Katrin Michael  
Writer

Greg Mitchell  
President  
The Mitchell Firm

Professor Emeritus Bertil Persson  
National Chancellor, International Association of Educators for World Peace  
& University for Peace (UNESCO)

Senge H. Sering  
President  
Institute for Gilgit Baltistan Studies

Michael Stoddard Ph.D.  
Visiting Fellow, Greyfriars Hall, Oxford University  
Visiting Fellow, The Oxford Institute on International Law & Justice  
Lecturer, San Diego State University

CC:

Michael H. Posner, Assistant Secretary of State for Democracy, Human Rights, and Labor  
Thomas O. Melia, Deputy Assistant Secretary of State for Democracy, Human Rights, and Labor  
Dr. Suzan Johnson Cook, Ambassador at Large for International Religious Freedom  
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 François Delattre, The Ambassador of France