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Woman is thrown out of Paris opera after cast refused to perform unless she removed Muslim veil

Daily Mail (20.10.2014) <http://www.dailymail.co.uk/news/article-2799981/woman-thrown-paris-opera-cast-refused-perform-unless-removed-muslim-veil.html?ito=social-facebook> - France's Socialist government today pledged to toughen up its anti face-covering law after a veiled Muslim woman was ejected from a major Paris opera house.

In an incident which has divided opinion in the city's liberal arts community, cast members performing La Traviata 'objected strongly' to the presence of a woman in the audience wearing a niqab-type veil.

'A singer spotted her in the front row during the second act,' said Jean-Philippe Thiellay, director of the Bastille Opera, which was opened by Socialist president Francois Mitterand in 1989.

'Some performers said they didn't want to sing,' said Mr Thiellay, who confirmed that she was kicked out.

There has been a ban on Muslims covering their face in public in France since the introduction of a law in 2011.

Women living on housing estates on the outskirts of major cities like Paris are regularly criminalised with a fine, but this is the first incident of someone being ejected from an artistic venue.

So far unnamed, she is believed to be a well-off woman from a Gulf State, and was attending the performance with a friend.

Referring to a security guard, Mr Thiellay said: 'He told her that in France there is a ban of this nature, asked her to either uncover her face or leave the auditorium.

'The man asked the woman to get up, they left. It was unpleasant getting her to leave.

'But there was a misunderstanding of the law and the lady either had to respect it or leave,'

But other opera lovers in a city historically renowned for its tolerance were less impressed.

'What possible harm could a woman sitting quietly in the audience with face covered do to anyone?' said Guy Laurent, a regular at the Bastille Opera.

'The woman would clearly have felt utterly humiliated by what happened – French culture should be more tolerant.

'It is not the job of theatres to enforce petty laws.'

The incident happened on October 3, but it is only now that it is becoming a national polemic.

Technically the woman now faces a fine of just over £180, although there is not thought to have been any police involvement.

The woman and her friend were not refunded any of their ticket price.

A spokesman for France's Ministry of Culture today said it was 'producing a new set of rules' to make sure the so-called 'burka ban' was better enforced in theatres, museums and other public institutions.

France, which is home to some five million Muslims, was the first European country to ban the full-face Islamic veil in public places.

Belgium followed suit soon afterwards, but there is no veil ban at all in Britain, despite calls by a minority of right wing MPs for one.

HRWF: Social hostility towards a number of minority religious groups

OSCE Human Dimension Implementation Meeting - Working Session 14: Freedom of thought, conscience, religion or belief

HRWF (06.10.2014) – Human Rights Without Frontiers Int'l recommends to the government of France:

- 1) To revise its policies stigmatizing and ostracizing so-called sects and their members
- 2) To stop financing organizations fueling social hostility towards religious or belief groups
- 3) To respect the jurisprudence and the fundamental principles of neutrality and impartiality governing the relations between the state and any religious or belief community as advocated by the jurisprudence of the European Court
- 4) To examine the good practices of the Geneva-based Centre d'Information sur les Croyances in Switzerland which is financed by three French-speaking and one Italian-speaking cantons.

Social hostility towards a number of minority religious denominations in France is a source of concern for experts in freedom of religion or belief.

A sociologist of religions in Canada, Prof. Susan Palmer, has published a 250-page book (*) based on research trips in France that was supported by two standard grants from the Social Sciences and Humanities Research Council, a federal granting agency of Canada. She visited 14 religious groups that appeared on the list of 173 sects and also 'immigrant religions'.

- She interviewed spiritual leaders, lawyers and anti-cult activists
- She visited rural communes, ecological farms and meditation centers
- She attended lectures and court proceedings
- She collected new religious movement literature, anti-cult bulletins and media reports
- She tried repeatedly to arrange meetings with MIVILUDES (Mission Interministérielle de Vigilance et de Lutte contre les Dérives Sectaires) and UNADFI (Union Nationale pour la Défense de la Famille et de l'Individu) who never responded to her phone calls

Over the course of her research, the Canadian researcher observed the many ways in which these groups were ostracized and subjected to social control. The groups were raided by police and military squadrons, their offices searched, the leaders arrested, and the groups were banned from participating in community festivals and from renting conference rooms. Many of their members, French citizens, lost their jobs or were denied promotions once their affiliation with a so-called sect was unmasked.

Some of the people Prof. Susan Palmer interviewed were in the midst of divorce and custody disputes, and due to their sect affiliation had already lost access to their children or had their visiting rights curtailed. Many members complained of sudden tax audits and of *mediabolization* (demonization in the media).

Some of the groups investigated by the Canadian scholar have successfully lodged complaints against France at the European Court but their image was irremediably damaged by various French state institutions and actors, state-sponsored anti-sect organizations and the negative media coverage during the domestic judicial proceedings.

While it is legitimate for a state to protect its citizens and to warn them against various dangers, stigmatizing some belief systems on the basis of unreliable and biased information gravely contributes to various forms of discrimination and social hostility such as verbal insults, physical assaults, attacks of places of worship and community buildings, and so on.

A good practice that should inspire France is certainly the policy of the *Centre d'Information sur les Croyances* (CIC) in Switzerland which is financed by three French-speaking and one Italian-speaking cantons.

The CIC, a public institution, is led by a Council the members of which are independent, highly competent in various domains and do not represent public authorities, political parties, mainline religions or belief systems.

The CIC respects the principle of neutrality as advocated by the jurisprudence of the European Court of Human Rights. It collects data about religious movements and treats them in a scientific non-biased way. It publishes reports on religious movements without drawing any conclusion, judgment of value, assessment, advice or recommendation, without warning against a specific religious group but leaves it to the reader or the applicant for information to make his/her own opinion according to his/her needs.

The public authorities of the four cantons have decided not to demonize newly established religious or belief groups. They have chosen to disregard the ostracization, confrontation and repression approach of the "sect/cult issue". The CIC privileges the problem resolution approach through objective information, dialogue between conflicting parties and education. This approach is in line with the philosophy of living together in a context of religious diversity and tolerance.

(*) 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.

French imams to use pulpit against Islamic State

AP (09.09.2014) - French Muslim leaders called Tuesday for the nation's imams to use their pulpits against the Islamic State group and offer a message of support for Christians in the Middle East.

Christians and other minorities there are fleeing the militant organization by the thousands as they face a choice between converting or death.

On Tuesday, moderate Muslim leaders called on French mosques nationwide to offer prayers on Friday for endangered Christians.

"It is a message also for their torturers, those who carry out crimes against humanity," said Patrick Karam, president of the national committee of support for Mideast Christians. "These are not jihadis. These are barbarians, and those who go there to fight are their accomplices in crimes against humanity."

French young people make up the largest group of Europeans heading to fight with militants in Syria and Iraq. Western fighters for the Islamic State group are a top security concern in the U.S. and within Europe's open borders.

Dalil Boubakeur, rector of Paris' principal mosque, said it was crucial to support Christians against barbarity: "We are all, no matter our religion, Christians of the Middle East."

French court lifts mayor's ban on Muslim hijab at beach

France 24 (13.07.2014) - A French court on Saturday suspended municipal by-laws banning religious symbols from a public beach in the Paris suburb of Wissous, under which two mothers wearing Muslim headscarves had been refused access.

The Versailles Administrative Court ruled on Saturday that the municipality could not stop beach-goers from wearing religious signs, pending a final ruling on the merits of the case.

Emergency legal action by the French government and the Collective Against Islamophobia in France (CCIF) targeted by-laws enacted in June to police the temporary beach installed in Wissous for the summer.

Wissous Mayor Richard Trinquier, of the right-wing UMP party, had been at the beach the previous Saturday and had made the decision to turn the women away. Wissous is about 30 kilometres south of Paris and is a popular summer leisure spot.

Trinquier told the hearing the beach rule protected France's commitment to secularism. He said it was in no way an obstacle to the practice of religion, but that there had been an increasing presence of religious symbols in public, which were "an obstacle to living together".

The applicants argued that the by-law forbidding religious symbols on the beach established by the mayor amounted to "religious discrimination" that "violates the principles of the Republic".

The rule "violates a fundamental freedom, the freedom of religious belief", argued the lawyer for the CCIF, Sefen Guezzuez. He said it showed a misunderstanding of the law.

In 2011, the French government banned the covering of one's face in public. The law was aimed at the Muslim burqa, which covers a woman's face leaving only her eyes visible. But the women involved in the beach incident were wearing hijabs, which cover the hair and ears but leave the face bare.

The beach ban was inspired by 2004 legislation in France that made it illegal to wear or display conspicuous religious garments or symbols – such as crucifixes, Islamic headscarves or Jewish yarmulkes – in state schools. According to Trinquier, that principle can apply to Wissous's beach, which is "an establishment that receives the public" and not "a public place".

He told media earlier in the week, "If women remove their veils, they are welcome."

Abdelkrim Benkouhi, president of the local Islamic association Al Madina, said, "The children were shocked and did not understand why they could not play on the inflatables like every other child."

Lawyer Guezzuez told the hearing the mayor was confusing secularism with the eradication of all religious expression. "The law is absolutely not applicable in that way," he said.

"In the past, veiled women went to Wissous beach without the least problem.... I do not see how life is improved by excluding one part of the population," he said.

The French want to make society safe for religion by banning so-called cults

PRI (12.07.2014) - "Her new friends just showed up and they packed her things into a van," Delporte remembers. "She said to us, 'OK, well, I'm out of here. Good luck to you both.' I was crying like a baby. I said, 'Blandine, think for a moment, this isn't you. You don't behave like this.'"

"'Whatever,' she said. 'Goodbye.' 'Where you going?' I asked. But she wouldn't say."

This followed months of erratic behavior in which Delporte's bright, inquisitive daughter dropped out of school, often locking herself in her room to pray for hours on end.

Blandine, then 20, went to Paris. She began a new life going door-to-door, preaching the word of her new faith. Charline says she didn't hear from her daughter for years until a postcard came in the mail announcing her wedding. Charline went. When she saw her daughter in her wedding dress, she broke down.

"I was devastated," she says. "I couldn't stay for the whole wedding. My husband had to take me out because I was so upset. On one side of the aisle was our family; on the other, 150 Jehovah's Witnesses."

That's right: Jehovah's Witnesses. In the US, it's a perfectly legal denomination. But in France, it's considered a cult.

France is perhaps Europe's most secular country. For more than a century, separation of church and state has been enshrined in federal law. To defend this principle, the French government is willing to endure controversies like protests over its ban on religious wear in school: no Christian crucifixes and no Muslim veils.

But in one corner of spiritual life, the French state does more than maintain the secular dress code: it actively investigates and prosecutes groups it considers a threat to the state as cults. That includes Jehovah's Witnesses, Scientologists and many forms of Pentacostal Protestantism that are also perfectly acceptable in the US. Some 300 groups are listed by the French state as displaying "cult-like tendencies," such as manipulating people who are mentally weak, separating members from their biological families or demanding too much money, just to name a few.

For help, Charline turned to a tiny, two-room office in the northern city of Lille. It's a place where people struggling with cults can come for help.

Charline arrived 25 years ago and never left. Today, she runs this government-funded help center, called ADFI. It's one of around 50 such offices across France.

Charline says she receives about five new visitors a week. On a recent morning, she saw a "recovering Jehovah's Witness," a woman whose sister ran off with a group of crystal-healers and a man bilked of his money by a network of phony shrinks.

All of these people were walk-ins, but this ADFI office doesn't just wait around for people to find them. Delporte says she also runs an informal network of spies.

"We have here some young, well-balanced guys whom we can call upon. We call them our 007s," she explains. "We sent them out to listen in at suspicious talks. They'll even

pay the entrance fee. It's perfectly normal. The idea is just to see what the group in question is up to so that we can help people."

Spend any time with Charline and one thing becomes clear: she believes she's on a mission. But the groups she's after, the ones on the government cult list, have a different view. They complain that these taxpayer-funded centers constitute an unfair attack on freedom of expression.

Eric Roux, the president of the Union of the Churches of Scientology in France, is a thin man in a sharp suit. He works out of Scientology's headquarters in downtown Paris, a modern, all-white building with a reading room and a lobby filled with books by Scientology's founder, L. Ron Hubbard.

Roux says the state's definition of cult behavior is so fuzzy that it's nearly impossible for religious groups to defend against accusations of wrong-doing.

"If you start to say people are being manipulated because they believe in something which is not true, then you will have a problem with every religion," Roux argues. "Your belief is yours. Even if I convince you to be a Scientologist, for example, that is your right. It doesn't mean that you have been mentally manipulated."

Roux says the government's blacklist of cult-like groups is arbitrary and often contains groups respected in other countries. A couple of decades ago, he says, the Baptists were on it.

"If you were on this list, you were to be prosecuted and targeted," he says, meaning that groups become the subjects of endless investigation and harassment. Roux calls it hysteria with the force of law, and it's been going on since 1995.

That was the year members of a group called the Order of the Solar Temple staged collective suicides in Canada, Switzerland and France. It shocked the French. The National Assembly soon drew up its first list of suspicious groups and passed a law to go after them specifically.

"Until the law was passed, if someone was raped, there was a normal procedure. The benefit of the law is that if the rape is carried out by means of mental manipulation, then there is an extra punishment," says Catherine Picard, a former deputy in the National Assembly who co-sponsored the legislation. The law allows for longer jail times or steeper fines.

The same goes for financial manipulation, like tricking a wealthy old lady into signing over her fortune. Picard says the law actually protects freedom of religious expression by keeping people free from charlatans.

"The state oversees spiritual groups by auditing them, but we don't control doctrine," she explains. "The state lets anyone choose to join any religion or not join. You're free to believe in aliens or in churches that aren't really churches."

One of those not-really-churches, the French government believes, is based inside an elaborate mountaintop temple in France's southwest. It's named Mandarom Village and is the birthplace of one of France's oldest and most controversial spiritual groups: The Aumists.

"The name is Mondarom, that means mountain of Om," says Christine Mori, an Aumist nun. "[W]e are for unity of all religions. We are called Aumisme, because it is derived

from Om, a sound that many people repeat: Buddhism; and for Christians, it is amen; for Muslims, ameen."

Mori says the government's claim that people can worship as they please is false. She says authorities have been harrasing them since the Aumists' founding guru was accused of rape 20 years ago. Whatever he may have done, Mori says, using the law to go after an entire movement is unfair.

"It is not the group, it is the person," she argues. "If someone does something wrong, it is not a fact of religions."

The Mandarom guru, who claimed he was the son of God, is long gone — he died before his case went to trial. But his voice lives on, echoing from speakers off the 50-foot statues of Krishna, the Buddha, Christ and other deities that rise from the remote mountaintop.

The police have raided the temple many times over the years, even blowing up one of the statues. But Mori says she feels optimistic that the French state will finally recognize Mandarom as a legitimate religion — because Europe already has.

Last year, the European Court for Human Rights ordered France to pay back millions of euros in taxes levied on donations to the Aumists. The ruling, in effect, recognized them as a tax-exempt religious institution.

"We have won, and now they have to consider that we are a religion," Mori says. "But, you know, sometimes the authorities decide something, but after the people? To change the mentality, it takes time. So we have to change the mentality now. But we have time."

The French government is infuriated by the ruling, and it says the fight is not finished: neither against the Aumists nor other cults. It currently has 400 cases before the courts under the anti-cult law.

Charline Delporte says the state should continue to go after criminal groups. But she also hopes for more support for her work on the front lines, helping the desperate people who walk through her door every day trying to leave cults.

"I have no more family, they tell me. Or, 'my kids won't talk to me. I did terrifying things. How can I regain my dignity?'" she says. "It's the person in front of me that matters."

This piece was first broadcast as part of the public radio program Interfaith Voices and its series "God and Government."

European court of human rights' uphold French burka ban setting 'dangerous precedent'

The decision by the court 'undermines' European values of 'pluralism, respect for diversity and the freedom of religion', argues Mark Barwick.

By Mark Barwick

The Parliament Magazine (11.07.2014) /

<https://www.theparliamentmagazine.eu/articles/news/european-court-human-rights-uphold-french-burka-ban-setting-dangerous-precedent> - Pinchas Goldschmidt must have raised some eyebrows recently when he attacked a decision of the European Court of Human Rights (ECHR) to uphold France's prohibition on wearing a burka or niqab in public.

After all, it is not every day that a senior rabbi takes the side of Muslims in this way. Even still, the ruling was not just about Muslims anyway. As Rabbi Goldschmidt rightfully pointed out, the court has set a dangerous precedent that threatens religious freedom in Europe.

What is remarkable about the decision is not so much the judgement itself as the path that the ECHR took to get there. One could make the case for prohibiting full-face coverings for the sake of public safety.

This is the criminals-in-ski-masks argument. But instead, the court accepted a highly disputable line of reasoning set forth by the French government. The French claimed that the custom is degrading to women, endangers social cohesion and conflicts with the French notion of *laïcité*.

The ECHR bought this argument and in so doing has undermined European values of pluralism, respect for diversity and the freedom of religion or belief. This ban should therefore not only concern Muslims or even religious people in general, who already face growing social hostility in many European countries.

It should concern everyone who values the basic freedoms which constitute modern democratic societies.

Oddly, the court evoked 'respect for the conditions of living together' as justification for supporting the French law. Apparently, 'living together' in France does not mean the same as it does for other Europeans, who seek to live respectfully in our increasingly diverse societies.

We should recall that it is for purposes of living together that the theocratic republic of Iran ruthlessly suppresses the country's religious minorities. It is for purposes of living together that the government of China actively represses religious activities, claiming that it is a threat to national security.

And it was in part for 'causing anxiety to the community' that a judge in Indonesia sentenced a man to two-and-a-half years in prison for questioning the existence of God on Facebook. Living together in any society implies an obligation to live with differences, including minority opinions, and to manage conflicts that inevitably arise.

In a press release, Dr Aaron Rhodes, president of the Forum for religious freedom-Europe (FOREF), commented that with this ruling the ECHR has 'given priority to a vague social goal over the fundamental right to manifest one's religious beliefs and undermined the freedom of religion.'

It is doubtful that a small minority of veiled women have infringed on the right of others to 'live in a space of socialization,' as the court suggests, any more than pita bread has threatened the welfare of the baguette.

Critiquing cultural and religious practices is ultimately not within the mandate of the ECHR. More important is protecting the democratic space in which the rights and freedoms of everyone are equally respected, even in their differences. Uniformity is the aim of dictators; respect for diversity is a hallmark of democracy.

About the author

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Yes, the government has proposed a coherent plan of action against terrorism

CRIF (11.07.2014) <http://www.crif.org/en/tribune/yes-government-has-proposed-coherent-plan-action-against-terrorism/51635> - France, like other countries of the European Union, suffers from so-called "violent radical engagement," whereby its citizens have been known to join militant activists abroad. One prime example of this phenomenon is French youth departing to Syria to join that country's militant groups. This engagement of civilians in insurgent areas "in the name of the ummah" (community) is not a new occurrence, as French citizens have already taken part in the conflicts in Bosnia, Afghanistan, Chechnya, and Iraq, similarly in the name of jihad.

What has changed is the magnitude of this issue, with an increase in those affected by progressive distance from their families, schoolmates and friends. This distance has led to individuals' transitioning from "the impure to the pure", and ultimately culminating in their "great departure" to join militant activists. According to the Ministry of the Interior, some 800 French citizens and permanent residents have gone or were willing to go to Syria to join the front lines.

Another recent development in violent radical engagement has been how subjects are getting involved. Many are being influenced by "self indoctrination," fueled by conspiracy theories targeting French citizens and delegitimizing the French political discourse. An unfortunate example of such jihadist propaganda is Franco-Senegalese Omar Diaby's social media driven campaign for recruiting young radicals. While the international jihadist movement is centered around a self-sacrificial mission calling for the return of the Caliphate" , it has also been successful in creating a "centripetal movement", propelled forward by these conspiracy theories, as well as practical resources for active involvement including guides and "wikiterrorism" articles.

Given the evolution of this engagement threat in quantity and nature, France could not be confined to its existing anti-terrorism strategy. It had to take further measures to counter this phenomenon.

On April 23, 2014, French officials presented a preventative plan to combat violent radicalization and the joining of terrorist networks. The approach called for an intervention at the earliest stages possible of the engagement process, the pathway leading to violence.

The plan's first order of business is to try to nip the engagement problem at the bud by blocking "preachers of hatred." To complement this effort, groups like the French Council of the Muslim Faith released "The Citizen Convention of the French Muslim", an important text providing a non-violent paradigm, while others advocated similar alternative messaging against violent radical engagement.

A key feature of the plan is to provide a platform for alerting and reporting potential jihad candidates, either via the internet or hotline. Reports would be reviewed and analyzed by evaluation groups, whose responsibility it would be to determine the degree of potential danger, under the chairmanship of a designated prefect. The evaluation groups might propose appropriate alternative social programs for individuals and, if necessary,

request that they be prosecuted. In extreme cases, the groups may request that the court implement a new measure: the legal prohibition of an individual to leave the country. A bill allowing for this ban will be submitted to the Parliament, stating that any citizen who leaves the territory in violation of the ban may be subject to an international arrest warrant.

The bill will also make "self-radicalization" a new offense and grounds for arrest. The "radicalization" involved may relate to the teachings of any terrorist organization, whatever its ideological motivations. Furthermore, the offense of "the glorification of terrorist acts and incitement" implemented in 2012 will be reinforced by special investigative techniques. Their findings will be compiled into a list of sites that will be presented to an independent judge to determine whether they in fact glorify terrorism and should be blocked.

The anti-terrorist plan is part of a new cooperative approach to addressing the problem of violent radical engagement. Based on European and international consultation with experts, the plan shall, at the national level, be enforced by the collaborative action of various government departments, social and religious agencies, and the general public. In a country that is characterized by a "culture of mistrust", particularly vis-à-vis issues of religion, this approach represents a significant cultural shift. Promoting trust and the respect of religious belief is a cornerstone of the plan. For example, the plan could respect the desire of religious principles like zakat, or charitable giving, and does not designate it as a clash of values with non-Muslims but an opportunity for all to participate in the creation of value for France as a whole. Religious principles can even be the catalyst for social entrepreneurship or humanitarian actions that benefit all.

While the proposed plan will hopefully mitigate the issue of violent radical engagement, the quest for justice on an international level must ultimately rely on a strong state policy. In the case of Syria, France's position has at times suffered from a lack of public diplomacy. That is no longer the case. The message, repeatedly and firmly expressed by Gerard Araud, the Permanent Representative of France to the UN, is now loud and clear: those responsible for massacres in Syria shall be brought to justice by the International Criminal Court, whether these massacres are at the hands of the Assad regime, local militant groups or foreign-national terrorists.

CRIF (Conseil Représentatif des Institutions Juives de France)

France is not an anti-Semitic nation

By Laurent Fabius and Bernard Cazeneuve (*)

New York Times (10.07.2014) <http://www.nytimes.com/2014/07/10/opinion/france-is-not-an-anti-semitic-nation.html? r=0> - Few democratic societies are as rich in populations of diverse origins as France's. This is one of the many traits France shares with the United States. Both are countries of immigrants where citizenship is universal and does not depend on one's ethnic or religious origins.

In that mix of populations, a rich Jewish culture has always been a key component of France's fabric. During the French Revolution, France was the first European country to grant Jews full citizenship. The Jewish community in France, at half a million, is the world's third largest, after those in Israel and the United States. And it is thriving, with a lively social and communal life and many citizens of Jewish background contributing to French arts, science and politics. Two Jewish prime ministers - Léon Blum, in the 1930s,

and Pierre Mendès France, in the 1950s - served at times when a Jewish head of government was nearly unthinkable elsewhere in Europe and in the United States.

Diversity is a point of pride for France, but it comes with challenges, especially in times of hardship. The crisis that hit Europe in 2008 was accompanied by a rise of extreme-right populism and tensions among populations of different origins, including communities originating from North Africa and sub-Saharan Africa. As a result, we have witnessed an increase in racism and anti-Semitism in most of Europe.

In spite of this deterioration, the number of anti-Semitic acts in France (1) - including violence against persons, as well as bombings, arson and destruction of property - was 105 last year, half of the 200 recorded in 2004. The number of anti-Semitic threats, including hate speech, graffiti and the like, has similarly fallen (2), to 318 last year, from 770 in 2004, according to France's National Consultative Commission on Human Rights.

As French ministers of foreign affairs and of the interior, we are coming forward to make three simple statements.

First, anti-Semitism is our common enemy. It is an existential threat to all of us, because it is in complete contradiction of our shared values - values we celebrated on the beaches of Normandy on June 6, when we marked the 70th anniversary of D-Day. And based on its history, France feels a special responsibility in fighting this scourge both at home and abroad.

Second, France is not an anti-Semitic country. Yes, there are lingering prejudices against Jews - and isolated incidents of hatred. But anti-Semitism is limited to a small (but still too large) fraction of the population. According to the most recent Pew Global Attitudes survey, released in May, fewer than 10 percent (3) of the population of Britain, France and Germany hold a negative view of Jews. Another Pew Research Center survey, in 2006 (4), found France the highest of 15 countries in the level of respect among people of different faiths. France was the only country in that survey in which a majority of Muslims, 71 percent, had a positive opinion of Jews.

Third, the French government has demonstrated its absolute determination to fight anti-Semitism by every conceivable means. As President François Hollande put it in simple terms recently: "The French government will tolerate nothing" when it comes to hatred. (5)

The No. 1 priority is to ensure the physical security of the Jewish community through the protection of schools and places of worship. We are using the full extent of French laws that prohibit all forms of anti-Semitic expression and Holocaust denial. In January, French courts upheld the decision by the government to ban a series of performances by a so-called comic, Dieudonné M'bala M'bala, with clear anti-Semitic undertones.

We are also opening new fronts in cyberspace. Last year, we negotiated an agreement with Twitter to remove illegal content and anti-Semitic hashtags.

Another key priority is education, to continue the long-term decrease in anti-Semitic prejudices. The teaching of Holocaust history, in particular, is compulsory in primary, middle and high schools.

On the international front, France is leading efforts to fight terrorism and fanaticism. In Africa, our forces crushed Al Qaeda in northern Mali. In the Middle East, we have joined forces with the United States on current conflicts, such as the one in Syria, that have attract jihadists who might return home and perpetrate anti-Semitic crimes.

In that multi-front campaign against anti-Semitism, the key is working with all possible partners, in particular the Representative Council of French Jewish Institutions, an umbrella organization (6). As its president, Roger Cukierman, also a vice president of the World Jewish Congress, recently underscored in New York City, the French government is firmly standing by the country's Jews. Our partnerships with anti-racist groups and American Jewish organizations are also growing stronger every year.

The fight against anti-Semitism is our common moral duty, and we will only succeed together.

(*) Laurent Fabius is the French minister of foreign affairs and international development. Bernard Cazeneuve is the French minister of the interior.

HRWF Footnotes

1. <http://www.ladocumentationfrancaise.fr/rapports-publics/144000199-la-lutte-contre-le-racisme-l-antisemitisme-et-la-xenophobie-annee-2013>
2. La lutte contre le racisme et la xénophobie (2004) : See the report at <http://www.ladocumentationfrancaise.fr/var/storage/rapports-publics/054000193/0000.pdf>
3. A Fragile Rebound for EU Image on the Eve of European Parliament elections/ EU Favorability Rises but Majorities Say their Voice is not Heard in Brussels. See http://www.pewglobal.org/files/2014/05/2014-05-12_Pew-Global-Attitudes-European-Union.pdf
4. Europe's Muslims More Moderate/ The Great Divide: How Westerners and Muslims View Each Other. See <http://www.pewglobal.org/files/pdf/253.pdf>
5. See http://www.worldjewishcongress.org/en/news/14519/hollande_freedom_of_speech_doesn_t_mean_freedom_to_hate_others
6. See <http://www.crif.org/en>

Anti-terrorist law: the problem of potential jihadists in numbers

AFP (09.07.2014) – Nearly 800 youth leave for Syria, 50 cases appear before the prosecutor for terrorist activities, more than 160 calls already since April to a hotline set up by the Ministry of the Interior... the problem of potential jihadists in numbers:

Eight Hundred Youth

That's the figure given by the Interior Minister Bernard Cazeneuve. This includes young people who have already left the theatre of operations in Syria (about 300), that in transit (just over 300) and those whom intelligence services categorise as having the certainty to go at some future date.

Among these youth, there are more than one hundred women and a 'significant' number of minors, according to a ministerial source who did not wish to disclose the exact number. The proportion of women and children has been increasing for a number of weeks, a phenomenon that concerns anti-terrorist services.

At least thirty French or living in France have died in Syria. According to a source close to the case, nearly 2 000 Europeans are currently fighting in Syria.

Fifty-Eight Judicial Proceedings Open

According to one judicial source, 58 legal proceedings were opened on 1st July in connection with departures for Syria, 26 preliminary investigations were ordered by the

prosecutor for anti-terrorist activities and 32 reports were sent to judicial authorities for their opinion.

The enquiries are likely to implicate 230 people, assured one source. As part of these procedures, 99 people have been arrested with at least 70 indictments of which 50 placed in temporary detention.

One Hundred Sixty-Six Plausible Reports on the Hotline

As part of an anti-jihadist initiative, a hotline was made available in April to families and relatives of radicalized youth to inform police of their suspicions or an actual departure or imminent departure. To date, 166 'plausible' cases have been reported, according to a source from the Ministry of Interior. 'This is a new tool but is extremely effective and useful for investigators,' said the source. Including alerts by email (49) and via a dedicated internet site (19) to complement the hotline, a total of 234 reports were recorded.

Among them, 62 minors, 172 adults, 101 women and 133 men.

Nearly Three Departures Every Day

These reports revealed 45 departures for Syria 'and a significant number of departures prevented, although extremely difficult to quantify since by definition they have not left,' said the source at the Interior Ministry.

Overall, including the departures signaled via the platform, intelligence estimates, according to the source familiar with the dossier, that there is an average of nearly three departures per day.

To meet the needs of the new telephone platform, nearly 300 agents must be trained by the end of July, indicated Bernard Cazeneuve.

48 year old woman detained in France after visiting Syria

AFP (09.07.2014) - A 48 year old woman arrested last week in France was indicted and put behind bars after making three trips to Syria, where his son was fighting in a jihadist group, a judicial source said on Wednesday.

A judicial inquiry had been opened in late April on the woman, who was described as a 'totally radicalized' convert who supports the armed jihad in Syria against the regime of Bashar al-Assad.

The same judicial source claimed that between December and April she had travelled a third time to Syria, at which time she was married religiously.

Her son is suspected to fight in Syria in the ranks of the Islamic State (former Islamic State in Iraq and the Levant - ISIS). He is the subject of another terrorism investigation that has been opened in Paris.

Arrested Wednesday the 2nd of July, she was charged the latter part of last week. A special magistrate on Tuesday had ordered her remand in custody, according to the source.

According to one judicial source, 58 legal proceedings were opened on 1st July in connection with departures for Syria, 26 preliminary investigations were ordered by the prosecutor for anti-terrorist activities and 32 reports were sent to judicial authorities for their opinion. The enquiries are likely to implicate 230 people, said one source.

The French Minister of the Interior Bernard Cazeneuve presented Wednesday morning to the council of ministers a draft law aimed at strengthening the legislative arsenal to address the recurrence of departures for Syria.

Like many European countries, France is struggling with this phenomenon at a time of jihadist recruits at an unprecedented scale. Authorities fear attacks in France upon the return of these jihadists.

It is indeed easy to reach the border region between Turkey and Syria by car or bus from France, avoiding checks at airports and staying well beneath the radar of investigators.

The phenomenon of European jihadists also sheds light on a paradox: French authorities want to prevent young people from fighting in Syria against the government of Bashar al-Assad, a regime which Paris has denounced, while at the same time officially supporting the Syrian rebels.

Orthodox rabbi Pinchas Goldschmidt slams France's niqab ban

By Edward Malnick

Muslim Village (06.07.2014) / <http://muslimvillage.com/2014/07/06/55230/orthodox-rabbi-pinchas-goldschmidt-slams-frances-niqab-ban/> - Europe's most senior rabbi has issued an impassioned defence of the right of Muslim women to wear a burka in public.

Pinchas Goldschmidt, the president of the Conference of European Rabbis, said that a European Court of Human Rights ruling upholding France's ban on veils "crossed a red line" for religious freedom.

In an article for Telegraph.co.uk he said that he was "deeply suspicious" of claims that the prohibition on wearing a burka or a niqab in public was designed to promote relations between communities.

The orthodox rabbi warned that religious communities across Europe were feeling increasingly "disaffected and marginalised", suggesting that the ban should be of concern to people of all faiths.

The European court accepted the French government's argument that the veil ban was justified in the interests of social cohesion. French authorities say the veils are degrading to women and an affront to France's secular traditions.

However, Rabbi Goldschmidt, who was born in Switzerland and is chief rabbi of Moscow, suggested the ruling threatened religious freedom.

He said it represented an "unravelling" of the philosophy among western democracies that the state should intervene in religious practice only if it has an "unreasonable impact" on another person.

"The bans on the building of minarets in Switzerland in 2009 and on wearing a burka, upheld by the ECHR in the last few days, have crossed a red line," he said.

"My personal view is that to suggest that the particular appearance of a place of worship – of which there were only four across the entire country at the time of the Swiss referendum – could somehow negatively impact on a person in any meaningful way is ludicrous in the extreme."

He continued: "I am also deeply suspicious of claims that a ban on the burka is designed to promote intercommunal relations."

Politicians have insisted that banning the wearing of burkas and niqabs in public would help to tackle extremism.

But Rabbi Goldschmidt said: "Those people that think banning the burka somehow strikes a blow against extremism are woefully naïve.

"If anything they have created a distraction from the attempts to tackle terrorism and radicalisation and they have made the problem worse."

France was the first European country to pass a law banning veils that conceal the face in public. Belgium later followed.

The plaintiff in the ECHR case, who was not named, was represented by British lawyers in Strasbourg. She described herself as a 24-year-old female graduate who is a "devout Muslim".

She insisted that neither her husband nor any other member of her family put pressure on her to wear veils.

The French law, which carries a fine of €150 (£120) or lessons in French citizenship, was brought in under Nicolas Sarkozy, the conservative former president, and is backed by the current Socialist administration of François Hollande.

Source: <http://www.telegraph.co.uk/>

Face-veil ruling undermines rights

European Court upholds discriminatory ban

Human Rights Watch (03.07.2014) / <http://www.hrw.org/news/2014/07/03/france-face-veil-ruling-undermines-rights> - The European Court of Human Rights' ruling approving France's blanket ban on full-face veils undermines Muslim women's rights, Human Rights Watch said today. The ban interferes with women's rights to express their religion and beliefs freely and to personal autonomy.

"It's disappointing that the European Court has given its seal of approval to France's blanket ban on full-face veils in public," said [Izza Leghtas](#), Western Europe researcher at Human Rights Watch. "Bans like these undermine the rights of women who choose to wear the veil and do little to protect anyone compelled to do so, just as laws in other countries forcing women to dress in a particular way undermine their rights."

Since France introduced the ban in 2010, Human Rights Watch and others have [contended](#) that it breaches the rights to freedom of religion and expression of those who choose to wear the niqab or burqa and is discriminatory. Similar bans on full-face veils are in force in [Belgium](#) and in several towns in Catalonia, Spain.

Bans of this nature – whether formulated in neutral terms or explicitly targeting the Muslim veil – have a disproportionate impact on Muslim women, and thereby violate the right to not be discriminated against on the basis of religion and gender, Human Rights Watch said.

The European Court has previously upheld restrictions on religious dress affecting the wearing of the headscarf in educational institutions in Turkey and Switzerland. With this Grand Chamber ruling on the case of *S.A.S v France*, the court took a position for the first time on blanket bans on full-face veils in public. While the court rejected the French government's arguments that the ban was necessary to protect security and equality between men and women, it ruled that the ban was justified for the ill-defined aim of "living together," accepting the French government's case that a full-face veil prevents interaction between individuals.

A minority of judges, in a separate opinion, rejected the argument that the blanket ban pursued a legitimate aim and said that, in any event, the ban was far-reaching and not necessary in a democratic society. They said the decision "sacrifices concrete individual rights guaranteed by the Convention to abstract principles," referring to the European Convention on Human Rights (ECHR).

The case was brought by "S.A.S.," a Muslim French citizen, who sometimes wears a "niqab" – a veil covering the face except for the eyes. She contended that France's ban on full-face veils breached her rights to freedom of religion, expression, and private life. She also contended that the ban was discriminatory on the basis of gender, religion, and ethnic origin.

France introduced the ban amid a heated public debate about secularism, women's rights, and security, through a law adopted in October 2010. The law made it a criminal offense to wear clothing intended to cover the face in public, punishable by a fine of up to 150€ (US\$210) and/or a compulsory "citizenship course." The law also rightly criminalizes coercing someone else into covering their face, punishable by up to a year in prison and a 30,000€ (\$40,950) fine, or two years in prison and a 60,000€ fine if the person coerced is a minor. The law entered into force in April 2011.

According to the French [Observatory on Secularism](#) (Observatoire de la laïcité) – a consultative body tasked with advising the government on secularism – between April 2011, when the ban became effective, and February 2014, law enforcement officials fined 594 women for wearing full-face veils. Many of the women affected were fined more than once.

An argument often raised in favor of the ban, and which the court rejected, is that it emancipates women who are forced to cover their faces. But for women who are indeed coerced into wearing a full-face veil, the ban can have the effect of confining them to their homes and isolating them further from society by preventing them from using public transportation, entering public buildings, or even walking on the street.

As for the many women – including "S.A.S." – who choose to wear the full-face veil as an expression of their religious beliefs, they should be able to do so without breaking the law, Human Rights Watch said.

Indeed, France has a duty, under the European Convention on Human Rights and the International Covenant on Civil and Political Rights (ICCPR), to respect and protect freedom of religion, expression, and personal autonomy of all those on its territory. While the convention and the covenant allow certain restrictions of those rights, they must be necessary for a legitimate purpose such as preserving public safety or public order, and they must be proportionate. Human Rights Watch maintains that a blanket ban such as the one in force in France is disproportionate.

A core part of the right to freedom of expression is that it includes the right to express opinions that offend, shock, or disturb. As two dissenting judges said, "There is no right not to be shocked or provoked by different models of cultural or religious identity, even those that are very distant from the traditional French and European life-style."

Though the ban on wearing, in public, "clothing intended to conceal the face" may appear neutral, in reality it primarily affects Muslim women wearing the niqab or the burqa and is, as such, discriminatory. It is disturbing that the court acknowledged the specific negative effects of the ban on Muslim women, yet considered that it was justified, Human Rights Watch said.

International human rights experts have also condemned blanket bans on the niqab and

burqa. Thomas Hammarberg, the former Council of Europe commissioner for human rights, called general bans on full-face veils "an ill-advised invasion of individual privacy." The Parliamentary Assembly of the Council of Europe has also opposed such bans, warning against the adverse effects of women being confined to their homes and excluded from educational institutions and public places.

Human Rights Watch has also opposed laws and policies in other countries, such as [Saudi Arabia](#), [Iran](#), and [Afghanistan](#) under the rule of the Taliban, for forcing women to cover their hair or their face because they deny them their right to personal autonomy and their rights to freedom of expression, belief, and religion.

France should end its criminalization of women who choose to cover their faces, and protect those who are coerced to do so without excluding them from public space, Human Rights Watch said.

"Women in France and elsewhere should be free to dress as they please," Leghtas said. "This includes deciding whether to wear a full-face veil or not, whatever others may think."

European Court of Human Rights fails to protect religious freedom

Threat of full-face veil to "open, personal relationships" trumps human rights

FOREF (03.07.2014) / <http://foref.info/news/international/european-court-of-human-rights-fails-to-protect-religious-freedom/> - **FOREF Europe: By upholding a French ban on wearing full-face veils, a common Muslim practice, the European Court of Human Rights (ECHR) has failed to protect the religious freedom of Islamic women who choose the veil as an expression of their faith, according to the Forum for Religious Freedom-Europe (FOREF), an independent nongovernmental monitoring group.**

A French law banning wearing a full-face veil has been in force since 11 April 2011. According to a press release issued by the Registrar of the Court, the ECHR "emphasized that respect for the conditions of 'living together' was a legitimate aim" for the French law, given that "the State had a 'wide margin of appreciation' as regards this general policy question..."

"By giving priority to a vague social goal over the fundamental human right to manifest one's religious beliefs, the ECHR has undermined the freedom of religion with this ruling," according to Dr. Aaron Rhodes, president of FOREF.

According to the Registry statement, "the Court accepted that the barrier raised against others by a veil concealing the face in public could undermine the notion of "living together". In that connection, it indicated that it took into account the State's submission that the face played a significant role in social interaction...The Court was also able to understand the view that individuals might not wish to see, in places open to all, practices or attitudes which would fundamentally call into question the possibility of open interpersonal relationships, which, by virtue of an established consensus, *formed an indispensable element of community life within the society in question. The Court was therefore able to accept that the barrier raised against others by a veil concealing the face was perceived by the respondent State as breaching the right of others to live in a space of socialisation which made living together easier.*" (emphasis added)

“Living together, in a pluralistic society where individual rights are respected, means tolerating differences, not prohibiting them because others ‘might not wish to see them,’” Aaron Rhodes said.

“Since the Court evidently thinks promoting ‘social interaction’ and ‘easier living together’ is more important than protecting one of the most basic human rights, then we can expect further erosion of respect for other human rights if exercising them is arbitrarily deemed unsocial,” he said.

France was the first country to ban the full-faced veil, followed by Belgium; several European cities have imposed similar bans. In 2010, the ECHR ruled against Turkey, holding that religious garments were not a threat to public order.

Human Rights Without Frontiers, a Brussels-based group also focusing on freedom of religion, noted that the "Observatoire de la laïcité" in France "found that police have issued about 1000 fines since April 2011. About 600 women were concerned by this measure, some getting several fines (one woman got 33).

On 1st July, Michaël Khiri was sentenced to a suspended three-month prison term and a 1000 EUR fine by the Appellate Court of Versailles for violently opposing an identity control of his wife wearing the niqab in July 2013 in Trappes (Yvelines). This incident then provoked several nights of violence."

FOREF, based in Vienna, was founded in 2005 by former Graz University Rector and Law Dean Christian Bruenner and human rights activist Peter Zoehrer. *FOREF* has focused largely on monitoring attacks on minority religions and appealing to governments to end discriminatory practices.

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Recommended further reading:

[Understanding the EU Human Rights Court’s Big Ruling on France’s Headscarf Ban](#) (Article in UN Dispatch, by Penelope Starr)

[BBC: The Islamic veil across Europe](#) (Overview of how European countries deal with the issue of the Muslim veil)

[French Muslim women on burqa ban ruling: 'All I want is to live in peace'](#) (Article in The Guardian, by Kim Willsher)

[European Court ruling on full-face veils punishes women for expressing their beliefs](#) (Article by Amnesty International UK)

[Why France's Ban on Face Veils Is Bad News for Women](#) (Article in Mashable, by Louise Roug)

European Court upholds French full veil ban

BBC (01.07.2014) / <http://www.bbc.com/news/world-europe-28106900> - The European Court of Human Rights has upheld a ban by France on wearing the Muslim full-face veil - the niqab.

A case was brought by a 24-year-old French woman, who argued that the ban on wearing the veil in public violated her freedom of religion and expression.

French law says nobody can wear in a public space clothing intended to conceal the face. The penalty for doing so can be a 150-euro fine (£120; \$205).

The 2010 law came in under former conservative President Nicolas Sarkozy.

A breach of the ban can also mean a wearer having to undergo citizenship instruction.

France has about five million Muslims - the largest Muslim minority in Western Europe - but it is thought only about 2,000 women wear full veils.

The court ruled that the ban "was not expressly based on the religious connotation of the clothing in question but solely on the fact that it concealed the face". The Strasbourg judges' decision is final - there is no appeal against it.

A court statement said the ruling also "took into account the state's submission that the face played a significant role in social interaction".

"The Court was also able to understand the view that individuals might not wish to see, in places open to all, practices or attitudes which would fundamentally call into question the possibility of open interpersonal relationships, which, by virtue of an established consensus, formed an indispensable element of community life within the society in question."

Some face coverings, including motorbike helmets, are exempted from the French ban.

The woman, identified only by the initials SAS, took her case to the European Court in 2011. She said she was under no family pressure to wear the niqab, but chose to do so as a matter of religious freedom, as a devout Muslim.

France sets precedent

France was the first European country in modern times to ban public wearing of the full-face veil. Belgium adopted a similar ban in 2011.

In Spain, the city of Barcelona and some other towns have brought in similar bans, as have some towns in Italy.

No such general ban applies in the UK, but institutions have discretion to impose their own dress codes.

The French government argues that the ban has wide public support. The authorities see the full-face veil not only as an affront to French secular values but also as a potential security risk, as it conceals a person's identity.

In the past, the European Court has sided with French secularism - it also ruled in favour of the government's ban on headscarves in schools.

But in 2010, the judges did find against Turkey, ruling that religious garments were not in themselves a threat to public order.

HRWF footnote: According to the "Observatoire de la laïcité" in France, police have issued about 1000 fines since April 2011. About 600 women were concerned by this measure, some getting several fines (one woman got 33).

On 1st July, Michaël Khiri was sentenced to a suspended three-month prison term and a 1000 EUR fine by the Appellate Court of Versailles for violently opposing an identity control of his wife wearing the niqab in July 2013 in Trappes (Yvelines). This incident then provoked several nights of violence.

The Laïcité Observatory celebrates its first anniversary

Fait-Religieux (16.05.2014) <http://www.fait-religieux.com/l-observatoire-de-la-laicite-fete-son-premier-anniversaire> - The Laïcité Observatory published its first annual report (2013-14) on the 15th of May, asserting "not an excessive amount of problems" on the ground, despite "the surge in claims coming from certain groups," according to its president Jean-Louis Bianco. Established on 8th April 2013 by French President François Hollande, the Observatory consists of 23 members – parliamentarians, experts and government officials – and tries to present in its report an overview of the respect of laïcité¹ in the country's schools, in the public space and notably in hospitals.

"Problems with laïcité exist, but not an excessive amount, possibly not as many as one might think, and many are resolved through dialogue," explains Jean-Louis Bianco to Agence France Presse. "Nonetheless, there has been undoubtedly a surge in claims coming from certain groups, sometimes aggressively so, which can cause problems," added the former socialist minister, who called for "extreme vigilance" concerning applications that have arisen "over the last ten years or so," citing especially matters related to "food" and "time off for religious holidays."

Challenges of laïcité, racism, sexism....

The report of the Laïcité Observatory details "a small number of incidents linked to the non-compliance of the Law of 2004" prohibiting the wearing of visible religious symbols in schools. However, in one unnamed school, "there have been 25 suspensions since September 2013" for non-compliance with this prohibition, and "several schools have mentioned the need for teaching staff to remain constantly vigilant" to enforce this law. According to the report, "the link has been made in a certain number of responses between challenges to the principle of laïcité, racism, sexism and the withdrawal into one's own community."

Concerning the 2010 law banning the full veil in the public space, the report noted 1 111 controls between the beginning of the law's application and last 21st February, 1 038 for which a statement was taken. Several of these were repeat offenders, 594 women completely veiled, including 5 for whom at least 14 statements were taken and one for as many as 33. The woman from Trappes (Yvelines), whose control provoked three nights of violence in July 2013, has herself "been stopped and statements taken three times" since the incident.

¹ Laïcité is the French doctrine of secularism which emphasizes the non-involvement of government and religion in each another's affairs – HRWF.

In public hospitals and in health care facilities in general, the Observatory notes that "beyond the more spectacular and often mediatised incidents, the various sources of available information do not allow for the tracking of growing tensions." More than a year after its establishment, Jean-Louis Bianco believes that the "main worksite" of his institution is "information." "We need to make a huge educational effort in this country so that laïcité goes beyond mere adherence to principles and becomes something that is truly lived," he emphasized.

The 2013-14 report of the Laïcité Observatory, which will be submitted to the Parliament, can also be consulted at http://www.gouvernement.fr/sites/default/files/fichiers/laicite_rapport_annuel_2013-2014.pdf.

Translation French - English by HRWF

French Islamists seek to use blasphemy law to silence critics

National Secular Society (18.02.2014) - French Islamists are suing the satirical magazine *Charlie Hebdo* for blasphemy after it published a front cover carrying the slogan "The Koran is crap, it doesn't stop bullets".

Taking advantage of the existence of the crime of "blasphemy" uniquely available in the Alsace-Moselle region - it no longer exists in the rest of French common law - The League of Judicial Defence of Muslims (LDJM), led by the former lawyer Karim Achoui, has brought the case against *Charlie Hebdo* to the Criminal Court in Alsace-Moselle's capital, Strasbourg. The hearing is set for 7 April.

Alsace-Moselle was annexed by Germany in 1871 and 1940-45 and retained part of the old German code when it returned to France.

One complication is that the Alsatian blasphemy law does not recognise Islam, covering only Catholicism, three forms of Protestantism and Judaism. This test case will decide whether the law can be widened to include Islam.

In the rest of France the crime of blasphemy has not existed since the Revolution. It was removed from the French law by Articles 10 and 11 of the Declaration of Human Rights and the Citizen of 1789, before being reinstated under the Restoration and again permanently deleted by the law of 29 July 1881 on freedom of the press. From the point of view of French common law, a caricature, even one perceived as 'disrespectful', cannot be blasphemous.

But France does have racial and religious hatred laws that are intended to protect only individuals. French courts will consider cases that cause "injury, personal and direct attack against a group of people because of their religious affiliation" or incitement to racial or religious hatred in cases involving defamation of individuals. "The distinction may seem subtle, but it is fundamental, it is the citizen that the republic protects, not belief" says Hubert Lesaffre, doctor of public law, in an article published by *Liberation* newspaper.

Undeterred by the absence of a blasphemy law in the rest of France, the LDJM is also trying to prosecute *Charlie Hebdo* in a Paris court for "provocation and incitement to

hatred on the basis of religious affiliation and insult". The Tribunal of First Instance in Paris will decide whether the case can proceed.

Article 166 of the Alsace -Moselle penal code - inherited from the German legislation - relating to blasphemy states:

"He who causes a scandal by publicly blaspheming against God by disparaging or publicly insulting Christian cults or a religious community established in the territory of the Confederation and recognised as a corporation, or institutions or ceremonies of these cults or which, in a church or other place devoted to religious meetings, has committed offensive and outrageous acts, shall be punished with imprisonment of three years".

Eric Sander, Secretary General of the Institute of Alsace-Moselle, told *Le Monde* newspaper that local law states that "any religion, statutory or otherwise, can invoke Article 166 of the local penal code which is independent of system of worship".

Asked in 2006 about whether the provisions of local Alsatian law "apply to all religious beliefs or only to legally recognised religions", the Ministry of the Interior had stated that "the implementation and determination of the scope application of [Article 166], in particular as regards the extension to non- recognised religions... is at the discretion of the judge".

The last case brought under this law was in 1918.

Another hearing has also been set for the 7 April, this time in the southern town of Nîmes, in a case against former decentralisation minister Claude Goasguen. He has been accused of "offending the honour and dignity of the Muslim community", in the words of lawyer Khadija Aoudia, acting for one of France's two major Muslim associations, the CFCM.

Mr Goasguen, speaking at a gala organised by a pro-Israel group, KKL, claimed that the history of the Holocaust could no longer be taught in French schools "because people are so scared of the reaction of young Muslims who have been drugged in the mosques".

Although the event took place in Paris, it was broadcast on television and the internet, thus allowing the CFCM's Abdallah Zekri to bring the case in Nîmes where he lives.

Claiming that the "Muslim community" is "always ready to denounce anti-Semitic acts", Aoudia said that media coverage of Goasguen's remarks "feed Islamophobia and create a strong feeling of rejection".

However, at a recent "Day of Rage" demonstration in Paris –which brought together Catholic fundamentalists, far-right groups and supporters of comedian Dieudonné, some of whom are young Muslims – anti-Semitic slogans were chanted.

In yet another case, Minister of the Interior Manuel Valls is targeted. A petition has been filed with the Court of Justice of the Republic for "provocation to discrimination and hatred". The complaint is in response to remarks made by the Minister 19 August 2013 in which he said "within the next ten years, we need to demonstrate that Islam is compatible with democracy".
