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Created ten years ago to fight against discrimination of religious or belief minorities, the European Coordination for Freedom of Conscience CAP LC which I am representing here wishes to protest against the policy of MIVILUDES, the French Inter-ministerial Mission of Vigilance and Fight Against Sectarian Drifts, designed at “exporting” in various European countries its “model” of fight against minorities of belief it labels as “sectarian movements”.

At an anti-sect conference held in London on 17 April 2010, Mr. Fenech, MIVILUDES' President, declared he had been heard by the Belgian Parliament and promoted a draft bill equivalent to the French About-Picard law.

But this « About-Picard » law, named after its authors, contravenes the Council of Europe's Recommendation 1412 in which it considered that major legislation on sects was undesirable on the grounds that such legislation might well interfere with the freedom of conscience and religion guaranteed by Article 9 of the European Convention on Human Rights as well as harm traditional religions.

Indeed, during the vote of the About-Picard law in 2001 the International Helsinki Federation for Human Rights as well as the leaders of the major French traditional religions condemned this special law derogating from common law. It was adopted to repress minorities of religion or belief by criminalizing the “abuse of a state of ignorance or a situation of weakness of a person under psychological subjection”. This new penal offence with its vague and undefined terms allows prosecution of any proselytism or conversion to religious beliefs or practices considered as deviant by advocating an alleged “psychological subjection”.

The European Court of Human Rights reminded in its Jehovah's Witnesses decision of 10 June 2010 that there is no generally accepted and scientific definition of what constitutes “mind control” and that as long as the members of this religious community had made a voluntary and conscious choice of their religion and followed its doctrines of their own free will, their right to freedom of religion should be respected.

In her report following her visit to France in September 2005, the United Nations Special Rapporteur on freedom of religion or belief reminded that “following the adoption of the About-Picard Law, the Parliamentary Assembly of the Council of Europe, in its resolution 1309 (2002) (...) invite[d] the French Government to reconsider this law”.

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She expressed hopes that future actions of MIVILUDES would be in line with the right to freedom of religion or belief and avoid past mistakes.

Far from following these European or International recommendations, MIVILUDES continues its policy of export of the "French model" of discrimination by advising countries like Belgium to enact legislation similar to the About-Picard law.

CAP LC has noticed that meetings of MIVILUDES with the representatives of various European countries have resulted in restrictions of freedom of religion and conscience in these countries. This is the case with Belgium and Kazakhstan.

This contradicts the values of the French Republic of secularism which guarantee freedom of cult and conscience. We wish that France ceases to be the country where human rights have been written down and becomes the country where they are actually applied.