

RELIGIOUS FREEDOM CONCERNS IN FRANCE

STATEMENT BY THE EUROPEAN ASSOCIATION OF JEHOVAH'S CHRISTIAN WITNESSES
For the OSCE Human Dimension Implementation Meeting, Warsaw, 26 September to 7 October 2011

BACKGROUND

Since the start of the twentieth century, there have been French citizens identifying themselves as Jehovah's Witnesses. Today, over 250,000 residents in France and its overseas territories worship as Jehovah's Witnesses in more than 1,100 places of worship. Although well-known in Europe as a Christian religion, a few segments of the French government denigrate Jehovah's Witnesses and subject them to chronic discrimination.

RESTRICTIONS ON RELIGIOUS FREEDOM

1996-Present	Nationwide	Discriminatory and Punitive Taxation
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In 1995, the Parliamentary Inquiry Commission on Sects included Jehovah's Witnesses on a discriminatory list of "dangerous sects" and recommended that tax authorities use their powers to limit the activities of these religious movements by means of tax audits. Consequently, the Association Les Témoins de Jéhovah (ATJ) was audited. The tax authorities expressly recognized the honest and nonprofit nature of ATJ and could find no irregularities.

However, the tax authorities innovatively interpreted a tax law to impose a repressive, discriminatory, and unforeseeable taxation. The government of France sought to obligate the Association of Jehovah's Witnesses of France to pay 58 million Euros (over \$82,000,000 US), which far exceeds all the assets of the Association. No other major religion in France has ever been submitted to such excessive taxation.

After exhausting all domestic remedies, on February 24, 2005, Jehovah's Witnesses filed an application with the European Court of Human Rights (ECHR).

On **June 30, 2011**, the ECHR unanimously decided that the government's actions violated the religious freedom of Jehovah's Witnesses. It ruled that the contested tax resulted in cutting the Association's essential funding and thus made it unable to guarantee adherents the free exercise of their religion in practical terms. The Court also found that because the law relied upon by the tax authorities in France was imprecise and its application had not been sufficiently foreseeable, the violation of the Witnesses' religious freedom could not be justified. Settlement is pending.

2007-Present	Nationwide	Denial of Spiritual Assistance to Prisoners
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Prisoners who desire to receive visits and spiritual support from ministers of Jehovah's Witnesses are denied the visits because Jehovah's Witnesses are viewed as a sect that should not benefit from the rights granted to other religions. As a result, in France, many prisoners are refused the basic rights to benefit from faith-based help. A number of lawsuits are pending with the courts of France, as the courts have judged in favor of the prisoners but the penitentiary administration refuses to grant them their rights.

SOCIETAL ABUSES AND DISCRIMINATION

2006-Present	Nationwide	Vandalism
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There have been hundreds of vandalism attacks against houses of worship belonging to Jehovah's Witnesses: 139 incidents were recorded in 2008 and 2009, and **55** new acts of vandalism in 2010. Total acts of vandalism from January 2006 to December 2010 number 407.

RELIGIOUS FREEDOM OBJECTIVES

Jehovah's Witnesses in France suffer discrimination at the hands of both government officials and private individuals and organizations. We respectfully request the government of France to:

- (1) Stop its stigmatization policy conducted against Jehovah's Witnesses.
- (2) Allow prisoners to receive faith-based help from Jehovah's Witnesses in the same manner as they do from other religions.