



Dear Sir/Madam,

EMISCO is a gathering of scholars, community workers and NGOs from various Muslim communities in Europe to participate in, contribute to and foster a better atmosphere of cooperation for the common good of all citizens and residents in the Europe. We are strongly committed to the upholding of human rights and shared values.

It is in this context, we would like to draw your attention on the report “The protection of minors against excesses of sects”¹ that has been adopted by the Committee on Legal Affairs and Human Rights and Human Rights of the PACE on Monday March 3 in Paris, and is expected to be voted upon by the Assembly in the April plenary session.

This report, at a first glance, seems to be designed to protect children, and for us at EMISCO, the welfare of all children, including ethnic and religious minorities – their opportunities for a good education and loving up bringing is essential for the continuation of a harmonious society.

However, we would like to express our concern about the way this report is formulated, and we are not totally in agreement to its real purpose.

The Council of Europe has always been a strong body to protect human rights, yet it appears that this report as well as the draft resolution and recommendation it contains, are violating basic fundamental rights standards that the Council is supposed to uphold and promote.

First of all, the use of the word “sect”, a very pejorative word, is used in some western and eastern European countries to stigmatize minority religions or groups and create a narrative of “good” and “bad” religions. We should not divide people according to their religions. We think there are good people and there are nasty ones in all societies and religions. There is no religion, which has a patent on goodness and nobility, and on the other side, no one and no religious group should be treated differently or demonized just because its beliefs are new or different. It should not be stigmatized in any manner such as being labelled as a “sect”.

The French agency MIVILUDES has been strongly criticized since years for the climate of intolerance that it instils in the French society toward religious minorities. This should not be allowed to spread in the rest of Europe.

Nevertheless, it is MIVILUDES, and its extension FECRIS (FECRIS is an “NGO” funded entirely by the French government), that the Rapporteur Rudy Salles has chosen as his

¹ <http://website-pace.net/documents/10643/110596/ajdoc0720022014press.pdf/42ae8104-ad82-4097-b3a2-5ceb19a14769>

main sources of information for writing his report. Of course they cannot be considered as impartial spectators when dealing with the phenomenon of religious minorities.

The rapporteur did not conduct an impartial research and in fact ignores all the previous and current works on this topic that are easily available. It seems that they have been ignored on purpose, as every piece of work that have been done by real experts on human rights issues and experts on religious issues stress the fact that no distinction should be made by States between “good” and “bad” religions, “sects” and “traditional religions”, etc., as these distinctions are based on opinions and always lead to dangerous discrimination. The first people to suffer from such discrimination and stigmatization are the children themselves, when they or their parents belong to a “non-traditional” faith labelled as “sect”.

We would also like to point out that the European Union has recently issued “guidelines on the promotion and protection of freedom of religion or belief”, which recalls that freedom of Religion or Belief “*are universal and are to be respected on a non-discriminatory basis*”. These guidelines contain: “*10. In line with these provisions, the EU has recalled “freedom of thought, conscience, religion or belief, applies equally to all persons. It is a fundamental freedom that includes all religions or beliefs, including those that have not been traditionally practised in a particular country, the beliefs of persons belonging to religious minorities, as well as non-theistic and atheistic beliefs.”*”

In the past, the parliamentary assembly had adopted the views of Mr Nastase’s Report² regarding the word “sect”. The report pointed out the danger of using this word and finally recommended:

“In reality, the only means of avoiding this trap is to eschew any kind of classification of the beliefs concerned as non-religious beliefs or as religions. This brings us to the third and final possible course, which in our view is the only acceptable one. It allows us to avoid the pitfalls outlined above by adopting a more descriptive approach to the world of sects and by concentrating not on the classification of beliefs but on the acts committed in the name or under cover of these beliefs. Hence we can refer to groups of a “religious, spiritual or esoteric” nature. Thus the various facets of beliefs are accommodated in a general formula which is not negative per se.”

At least, by applying this recommendation as it had been done in 1999, the Assembly would avoid the discrimination that will otherwise stem from the Rudy Salles’ report as it is now. Nevertheless the measures that are proposed in the resolution still would be contrary to fundamental human rights policies.

These are the reasons why we are expressing our strong concern about this report and we encourage the members of the Assembly either to send that report back to Commission to be reworded in order to comply with human rights standards, or to reject the resolution, or, at the very least, to amend it so it becomes acceptable as regards to the commitments of the member states of the Council of Europe.

Kind regards

Bashy Quraishy

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Secretary General

² <http://assembly.coe.int/nw/xml/XRef/X2H-Xref-ViewHTML.asp?FileID=8683&lang=EN>