

**COMMISSION ON
SECURITY AND COOPERATION
IN EUROPE**

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January 30, 2004

The Honorable Jean-Louis Debré
President of the National Assembly
126, rue de l'Université
75355 Paris 07 SP
France

Dear Mr. Debré:

We write today to respectfully express our concern over the proposed legislation banning “obvious” religious symbols in French public schools, as the prohibition will infringe on basic freedoms of expression and religious liberty. In our view, current efforts to protect secularism (laïcité) appear to unduly infringe on other fundamental freedoms and rights. In light of France’s commitments as a founding member in the Organization for Security and Cooperation in Europe (OSCE), the proposed ban appears irreconcilable with obligations to protect religious liberty and freedom of expression, and we therefore ask that it not be passed.

We recognize that French citizens enjoy a measure of freedom that is the envy of aspiring democracies around the globe. However, President Jacques Chirac’s proposal from the findings of the Stasi Commission to ban “obvious” religious symbols like scarves, yarmulkes and “large crosses” from public schools is cause for concern. Considering the diversity of religious beliefs, it is unclear how school authorities will determine what is a religious symbol. Recent statements by Education Minister Luc Ferry about banning “religious” bandanas or beards illustrate the difficulty of regulating this arena. We urge your government to fully respect the right of individuals to practice their religion in keeping with OSCE principles – including through the wearing of outward articles of their faith – without suffering discrimination or penalty.

We have been impressed with the robust efforts taken by your government to combat anti-Semitism. Efforts by Interior Minister Nicolas Sarkozy to reach out to France’s sizable Muslim population are commendable, including the establishment the French Council of the Muslim Faith (CFCM). However, we fear that any outright ban on religious symbols like headscarfs will force some young women to withdraw from public schools, adding to their sense of separation from French society, marginalizing them further from the overall population. Similar policies as the one proposed for France have proven largely counterproductive elsewhere. Members of the Helsinki Commission have raised similar concerns in Turkey, another OSCE participating State and EU aspirant.

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Remembering France's long tradition of respect for human rights and leadership in promoting individual freedom, we respectfully urge you to work within the National Assembly to prevent passage of any legislation banning religious symbols in public schools.

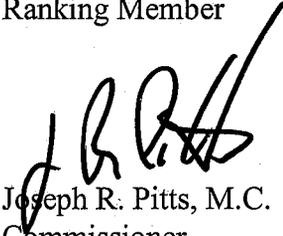
Sincerely,



Benjamin L. Cardin, M.C.
Ranking Member



Christopher H. Smith, M.C.
Chairman



Joseph R. Pitts, M.C.
Commissioner

cc: Mr. Michel Voisin
Head of the French Delegation to the OSCE Parliamentary Assembly

His Excellency Jean-David Levitte
French Ambassador to the United States