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**UNITED  
SIKHS**

*Recognize the Human Race as One*  
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*To transform underprivileged and minority communities and individuals into informed and vibrant members of society through civic, educational and personal development programs, by fostering active participation in social and economic activity.*

President Francois Hollande  
The Republic of France

Date: 23<sup>rd</sup> January 2016

Dear Mr President

The Sikh Nation, whose members live in more than 100 countries, share with you and the French people a deep sense of sorrow about the Paris terror attacks of 13<sup>th</sup> November 2015, which left 130 people dead. The Paris attacks remind the world that Nations must work together to protect the fundamental rights of all, which includes the right to life. Sikhs in France, in response to their civic and national calling, stood in solidarity with their fellow citizens, when they donated blood at the L'Avicenne hospital and served hot tea to mourners who turned up in the cold to remember the dead at Le Republique square on 22<sup>nd</sup> Nov 2015. You may read about it at <http://unitedsikhs.org/PressReleases/PRSRLS-27-11-15-01.html>

Today we write to you again, as we did on 14<sup>th</sup> Feb 2013, during your then visit to India, to reiterate the need to defend the equally important fundamental right to practise one's faith, which has been denied to people of all faiths by the French ban on religious signs and headdress in schools and on ID documents photos since 2004.

Today, as before, this letter sets out a summary of the Sikh nation's reminder to France that unless you allow Sikhs in France to wear a turban in schools and on ID documents, you would be deemed to have banned the Sikh turban in France, which will be a betrayal of France's motto - Liberté, égalité, fraternité.

UNITED SIKHS is associated with the United Nations and is registered: as a non-profit tax exempt organization pursuant to Section 501(c)(3) of the Internal Revenue Code in the USA; as a Registered Charity in England and Wales under the Charities Act 1993, Charity Number 111 2055; as a registered NGO in Australia, Belgium, Kenya and Pakistan ; as a non-profit organization in Canada; under the Societies Registration Act 1860 in Panjab; under the French Association Law 1901, and as a registered society under the Registrar of Societies in Malaysia (registered as UNITED SIKHS Malaysia Humanitarian Aid Organisation- Regn No: PPM-015-14-06042015).

We feel honoured that during your short visit to India, you have chosen to visit Chandigarh, the capital of Panjab, a State where 16 million Sikhs live. During your visit you would have noticed that Sikhs wear a turban with pride and honour. We hope you will take home the message that a Sikh and his turban is never parted. In 2013 when Sikhs faced issues with a similar ban on the turban in some Belgian schools, UNITED SIKHS had approached Mr. Pierre VAESEN, the Ambassador of H.M. the King of the Belgium. Whilst endorsing the importance of the Sikh turban he had said that he understood fully that the turban is an integral part of the personality of a Sikh. Happily, in 2014, UNITED SIKHS lawyers won the case against the errant Belgian schools before the Belgian Conseil D'etat.

But it is with sadness that we remind you that France has not realised what the Turban means to a Sikh, as your proud nation continues to deprive a French Sikh the right and pride to wear his/her turban in school and for ID photographs.

UNITED SIKHS ([www.unitedsikhs.org](http://www.unitedsikhs.org)) is a U.N. affiliated international non-profit NGO that protects civil and human rights of minorities. Our lawyers successfully defended the right of Sikhs to wear a turban when we won three cases before the UN Human Rights Committee by challenging the French law that banned the turban in schools and on ID documents.

Despite these three victories France has refused to pay heed to the UN's views that that France is obliged to provide an effective remedy to those whose rights are found to have been violated by the French law. There is, however, no mechanism for effective legal enforcement through the UN Covenant system. Hence, France continues to ignore the fundamental rights of Sikhs to wear a turban in France.

Your government has been protesting that secularity has to be defended at all costs and hence your country has taken an intransigent stand against the Sikh need to wear a turban at all times. It will be an economical truth for your government to say that the turban is not banned in France when Sikh students cannot wear it at least 10 daylight hours a day when they travel and study at public schools. It is also banned at any time on the street when a Sikh is being asked to remove his turban to prove that he is the person on his ID photo. It is banned at all times for Shingara Singh and Ranjit Singh, who in adherence to their faith, refused to remove the turban for the ID photo, resulting in them not being able to travel, earn a living or obtain health care because of the lack of an ID document.

Perhaps you may think it is impossible to reverse the turban ban because it would be a threat to secularity. But remember when a right has to be defended it has to be done with valour and honesty. Recently we saw how the people of France defended their right to dignity after men of terror tried to unsettle a nation by attacking the French people during Paris attacks of 13<sup>th</sup> November 2015.

Background information on how the turban ban could be reversed:

We say that France is able to reverse the turban ban for a photo ID because France has since adopted biometric ID documents, in compliance with EU regulations, which rely on facial features and fingerprints and do not require a bare head for the photo on the ID documents. France introduced biometric passports in Nov 2008 and biometric driver's licence in January 2013. It should be a matter of time before biometric residence ID cards will also be issued.

It is important to stress that the European Union (“EU”), of which France is a founding member, sets the minimum standards for its common border security policy. Nowhere in the minimum standards set by the EU are there any requirements that a passport photo display a bare head.<sup>1</sup> The passport needs only include a “portrait of the holder”<sup>2</sup> or a “facial image.”<sup>3</sup> As a result, no member state other than France requires that the head be uncovered for passport photographs. It is difficult to see how a person wearing a turban could be deemed sufficiently identifiable in other countries but not so in France, particularly given the closely integrated and coordinated nature of security policy and freedom of movement within the European Union.<sup>4</sup>

Equally, the nub of our argument against the turban ban in schools is that when a Sikh schoolchild removes his turban, his jooira (top knot), which denotes that he is a Sikh, is visible. Hence, the French law that purports to ban the ostensible display of religious signs in schools should not apply to the Sikhs because it does not serve its purpose as a Sikh's religious sign (unshorn hair tied as a jooira) will be ostensibly visible when the turban is removed. Further, the two main reasons put forward by the French government when it proposed the ban on religious signs in schools was that the wearing of religious headgear had caused tension in schools and some female students had been forced to wear religious headgear. The Sikh turban has neither caused any tension in schools nor has any Sikh student been forced to wear it.

We hope you enjoy your stay in India and that every time you see a turban wearing Sikh, we hope you will be reminded of your duty to answer a Sikh's prayer that France will do the right thing and reverse the turban ban.

Yours truly,



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<sup>1</sup> See Council Regulation (EC) No. 2252/2004 of 13 Dec. 2004 on standards for security features and biometrics in passports and travel documents issued by Member States; European Parliament legislative resolution on the proposal for a Council regulation on standards for security features and biometrics in EU citizens' passports, COM(2004) 0116, OJ 208 E, 25/08/2005 P. 0050-0054; Commission of the European Communities Proposal for a Council Regulation on standards for security features and biometrics in EU citizens' passports, COM(2004) 116 Final, 2004/0039 (CNS), 18/02/04.

<sup>2</sup> Council Regulation (EC) No. 2252/2004 of 13 Dec. 2004 on standards for security features and biometrics in passports and travel documents issued by Member States, para. 2.

<sup>3</sup> European Parliament legislative resolution on the proposal for a Council regulation on standards for security features and biometrics in EU citizens' passports, COM (2004) 0116, OJ 208 E, 25/08/2005 P. 0050-0054, Amendment 5.

<sup>4</sup> Moreover, the EU has also announced plans for a pan-European driving license scheme designed to improve security and fight fraud, which will require a standardization in the requirements for photos take for driving licences. It is highly unlikely that the vast majority of EU member states which have established policies of permitting religious headgear in driving license photographs would accept to adopt France's policy of prohibiting them, thus creating a problem in harmonisation unless France accepts to bring its policy in line with other EU countries.