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UNITED
SIKHS

Recognise The Human Race as One

*To transform underprivileged and minority communities
and individuals into informed and vibrant members of
society through civic, educational and personal
development programmes.*

President Francois Hollande
The Republic of France

14th February 2013

Dear Mr President

It is not very often that the people of a nation would write directly to a President of a country on matters of its identity. Today this letter sets out a summary of the Sikh nation's treatise 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.***

The Sikhs are a nation of people who reside all over the world and over the last three decades some 10,000 Sikhs have made France their home, where they serve their country through hard work, loyalty and dignity.

During your short visit to India, a country where 20 million Sikhs live, you will have the opportunity to meet Sikhs and in particular you will meet the Indian Prime Minister. You will see first-hand, that he will never remove his turban. If you become close enough to him, you may ask him why, and he will explain, with great pride, that it is a gift from our Guru. It is a gift that a French General, Jean-Francois Allard, recognised in the 18th century. General Allard wore a turban and beard when he was a general in the army of the Sikh Raj headed by Maharaja Ranjit Singh.

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

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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.

UNITED SIKHS (www.unitedsikhs.org) is a U.N. affiliated international non-profit NGO that protects civil and human rights of minorities, whose lawyers had filed three cases in 2008 against the French turban ban in schools and ID photos, before the UN Human Rights Committee (UNHRC).

You must also be aware that we won both cases before the UNHRC for Bikramjit Singh and Ranjit Singh, respectively and we are awaiting the outcome of Shingara Singh's case. If there was any doubt about the legality of France's action, the eminent jurists of the UNHRC recently pronounced unequivocally that France had violated the human rights of both Bikramjit Singh and Ranjit Singh by denying them their religious right to wear a turban.

Perhaps it may sound impossible to you to reverse the ban. But remember when truth has to be confronted it has to be done with valour and honesty. Recently we saw how the Pope resigned because he felt it would be the right thing to do, even though it was unimaginable that he would do so.

The global Sikh community says that it is a right thing to ask France to reverse the turban ban. Would France defend this righteous action?

We also 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.¹ The passport needs only include a "portrait of the holder"² or a "facial image."³ 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

¹ 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.

² 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.

³ 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.

given the closely integrated and coordinated nature of security policy and freedom of movement within the European Union.⁴

Equally, the nub of our argument against the turban ban in schools is that when a Sikh schoolchild removes his turban, his jooora (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 jooora) 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 every time you shake hands with a Sikh or see a turban wearing Sikh, you will be reminded of your duty to do the right thing.

Yours truly,



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⁴ 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.