



General Assembly

Distr.: General
10 August 2026

English only

Human Rights Council

Sixty-third session

7 September–9 October 2026

Agenda item 3

**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Joint written statement submitted by Citoyens en action pour la démocratie et le développement, Coordination des Associations et des Particuliers pour la Liberté de Conscience, non-governmental organizations in special consultative status*

The Secretary-General has received the following written statement, which is circulated in accordance with Economic and Social Council resolution 1996/31.

[10 August 2026]

* Issued as received, in the language of submission only.

Concerns Regarding the Application of Forced-Labor Law to Religious Communities in the United States

Citoyens en action pour la démocratie et le développement (CADD) Coordination des associations et des particuliers pour la liberté de conscience (CAP-LC) submits this written statement to the Human Rights Council to express concern about the manner in which forced-labor legislation is being applied in the United States, particularly in cases involving religious or spiritual communities. CAP-LC has followed these developments closely and considers that recent judicial outcomes reveal a need for legislative refinement to ensure that freedom of religion or belief is fully protected.

The Trafficking Victims Protection Act (TVPA) was enacted to address situations involving coercion, exploitation, and physical or material constraints. Its purpose was to combat forced prostitution, debt bondage, document servitude, and the exploitation of vulnerable individuals, particularly by organized crime. Over time, however, the interpretation of the statute has expanded into areas that were not originally contemplated. Prosecutors have begun to treat spiritual fears, communal expectations, and religious discipline as forms of serious harm capable of supporting forced-labor charges.

This trend became particularly visible in the federal case commonly referred to as *OneTaste* (United States v. Cherwitz). In that matter, the government relied on theories of psychological manipulation and spiritual pressure to establish serious harm. No physical restraint was alleged. Participants were acknowledged to be free to leave. The prosecution's argument rested on claims that members feared exclusion from their community and spiritual consequences. These elements were presented as sufficient to constitute forced labor.

The implications of this approach extend beyond a single case. Religious and spiritual communities across the United States have expressed concern that ordinary forms of religious teaching, communal belonging, and voluntary service may be reinterpreted as coercive. Theories of "brainwashing," long rejected by courts and by academic experts, have resurfaced in litigation and in federal training materials. CADD and CAP-LC notes that these theories have historically been used to stigmatize minority religions and to justify interventions unsupported by evidence.

The Human Rights Council has repeatedly affirmed that states must ensure that measures intended to combat exploitation do not encroach upon legitimate religious activity. International standards recognize that spiritual life often involves strong communal ties, moral obligations, and forms of discipline that believers freely accept. These elements cannot be equated with coercion unless accompanied by conduct that clearly falls within the scope of forced labor.

We respectfully submits that the current situation in the United States calls for legislative clarification. Congress is currently considering the TVPA for reauthorization. Two amendments would address the concerns raised by recent cases. First, the definition of serious harm should include a limiting principle ensuring that religious teaching, spiritual counseling, and voluntary communal practices are not treated as forced labor unless undertaken with the specific purpose of extracting labor in violation of the statute. Second, federal training materials should be subject to reliability standards that exclude methodologies rejected by courts or scientific bodies unless a particularized finding of reliability is made.

These amendments would preserve the TVPA's essential mission. They would ensure that genuine trafficking involving force, fraud, physical restraint, document servitude, and the exploitation of vulnerable individuals continues to be prosecuted vigorously. At the same time, they would prevent the statute from drifting into areas that Congress did not intend to reach and would protect religious communities from theories that treat belief as evidence of coercion.

The United States has long affirmed its commitment to freedom of religion or belief. Clarifying the scope of the TVPA would reinforce that commitment and ensure that measures designed to combat exploitation do not inadvertently undermine the rights of religious and spiritual communities. CAP-LC respectfully urges that these concerns be taken into account and that the necessary legislative steps be considered without delay.
