

Fabien Lehagre - President of the Accidental Americans Association (AAA)

Fabien Lehagre founded the Paris-based Accidental Americans Association (AAA) in April 2017 to represent "accidental Americans" and defend them against the extraterritoriality of U.S. law. He focuses his efforts on fighting Citizenship Based Taxation (CBT) and the Foreign Account Tax Compliance Act (FATCA), and has helped other countries create similar organisations. So far these include Belgium, Italy, the Netherlands and the United Kingdom.

The term "accidental Americans" refers to individuals who acquired U.S. citizenship by accident of birth, but have no ties with America. Many did not live there beyond childhood, have neither worked nor studied there, and often have no U.S. social security number. The term did not exist prior to FATCA, because most of the people concerned did not know they had U.S. citizenship and, under CBT, were considered by the IRS as U.S. taxpayers.

The AAA, which now counts nearly 1,000 members, filed an appeal with the French Council of State challenging the legality of the U.S.-France intergovernmental agreement (IGA) implementing FATCA. The Association alleged that the agreement is not applied reciprocally by the United States, and violates European law on the protection of personal data and privacy. The Council of State rejected the appeal, and refused to question the Court of Justice of the European Union on the IGA's compatibility with European law. The upshot is that the AAA has filed a complaint against France with the European Commission alleging infringement of European data protection and privacy law.

The Association has also filed lawsuits against almost all French online banks for discriminating against Franco-American dual nationals by refusing to open bank accounts for them because they are 'U.S. Persons.'

Lehagre's lobbying and the AAA's legal initiatives have been covered by news media including Bloomberg, NBC, Politico, Voice of America, Reuters, The Guardian, Daily Mail, AFP, Le Monde, Les Echos, Le Point, L'Express, Capital, Le Figaro, TF1, France 2, France 3, M6, TV5 Monde, BFM TV, France Inter, France Info, RTL, Europe 1, Radio Classique and RTBF. The broader issues of CBT and FATCA have been covered by media such as the Wall Street Journal, Financial Times, Washington Post and the BBC.

Lehagre has briefed several members of both the European Parliament and the two French houses of parliament and has testified before three French parliamentary fact-finding missions on the extraterritoriality of U.S. law, the impact of U.S. extraterritorial legislation on French dual-citizens or accidental Americans, and on the principle of universal taxation.