

## **Spokesperson for the UN High Commissioner for Human Rights:**

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### **(1) France**

We welcome last Friday's decision by France's highest administrative court, the Conseil d'Etat, to suspend the ban adopted in the seaside town of Villeneuve-Loubet on supposedly inappropriate beachwear – which had been widely interpreted as targeting the burkini and other forms of dress worn by Muslim women.

We call on the authorities in all the other French sea-side towns and resorts that have adopted similar bans to take note of the Conseil d'Etat's ruling that the ban constitutes a grave and illegal breach of fundamental freedoms. We urge all remaining local authorities which have adopted similar bans to repeal them immediately, rather than exploit the limited geographical scope of this particular decision in order to keep their highly discriminatory bans in place until the end of the current holiday season.

According to international human rights standards, limitations on manifestations of religion or belief, including choice of clothing, are only permitted in very limited circumstances, including public safety, public order, and public health or morals. In addition, under international human rights law, measures adopted in the name of public order must be appropriate, necessary, and proportionate.

We fully understand – and share -- the grief and anger generated by the terrorist attacks carried out in France in recent months, including the atrocious 14 July attack in Nice. However, these decrees do not improve the security situation but rather fuel religious intolerance and the stigmatization of Muslims in France, especially women. By stimulating polarization between communities, these clothing bans have only succeeded in increasing tensions and as a result may actually undermine the effort to fight and prevent violent extremism, which depends on cooperation and mutual respect between communities.

Clearly, individuals wearing burkinis, or any other form of clothing for that matter, cannot be blamed for the violent or hostile reactions of

others. Any public order concerns should be addressed by targeting those who incite hatred or react violently, and not by targeting women who simply want to walk on the beach or go for a swim wearing clothing they feel comfortable in.

Nor can it be claimed that such a ban on beachwear is necessary on grounds of hygiene or public health.

Dress codes such as the anti-burkini decrees disproportionately affect women and girls, undermining their autonomy by denying them the ability to make independent decisions about how to dress, and clearly discriminate against them. In addition, as has been widely noted, the manner in which the anti-burkini decrees have been implemented in some French resorts has been humiliating and degrading.

Achieving gender equality requires understanding the barriers that prevent women and girls from making free choices, and creating an environment which supports their own decision-making, including but not limited to choice of dress. Gender equality cannot be achieved by restricting individual freedoms including by policing what individual women choose to wear.

- See more at:

<http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=20430&LangID=E#sthash.og4zGes2.dpuf>