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Belgium votes to ban full-face veils

Amnesty International has condemned an overwhelming vote by the lower house of the Belgian parliament on Thursday in favour of legislation banning the wearing of full-face veils in public.

One hundred and forty one parliamentarians voted for the measure, two abstained and none opposed it.

“A complete ban on the covering of the face would violate the rights to freedom of expression and religion of those women who wear the burqa or the niqab as an expression of their identity or beliefs,” said John Dalhuisen, Amnesty International’s expert on discrimination in Europe.

“The Belgian move to ban full face veils, the first in Europe, sets a dangerous precedent. Restrictions on human rights must always be proportionate to a legitimate goal. A total ban on full face veils would not be,” said John Dalhuisen.

Amnesty International is calling on the Belgian Senate to exercise its prerogative to review the law and carefully consider it in the light of Belgium’s obligations under international human rights law. The Senate should ask for an opinion from the Belgian Council of State on the legality of the measure.

Though the law is worded in general terms so as to criminalize any covering of the face that would prevent identification, it is clear from the parliamentary debates that the law’s main aim is to prevent Muslim women from wearing full veils such as the burqa or the niqab.

Belgian politicians have argued that the law is necessary for public security and to protect women from being forced to wear full-face veils.

Under international human rights law, the only legitimate grounds for restricting the rights to freedom of expression and religion are the preservation of public security, order or morals and the protection of the rights of others.

Amnesty International believes that legitimate security concerns can be met by targeted restrictions on the complete covering of the face in well-defined high risk locations.

Individuals may also be required to reveal their faces when objectively necessary.

“In the absence of any demonstrable link between the wearing of full face veils in Belgium and genuine threats to public safety, there can be no justification for the restriction on the freedom of expression and religion that a complete ban on the wearing of face veils in public places would entail,” said John Dalhuisen.

States do have an obligation to protect women against pressure in their homes or communities to wear full face veils and should do this by intervening in individual cases through criminal or family law systems.

They must also combat gender stereotypes that result in the discrimination of women. This will require a range of social and public policy and education measures.

“Far from upholding the rights of women, such a general ban would violate the rights of those who choose to wear full face veils, while doing little to protect those who do so against their will, who risk even greater confinement as a result. The obligation to combat discrimination cannot be fulfilled by imposing a measure that is itself discriminatory,” said John Dalhuisen.