

**“WE CAN’T BREATHE ANYMORE.
EVEN SPORTS, WE CAN’T DO
THEM ANYMORE.”**

Violations of Muslim women’s and
girls’ human rights through hijab
bans in sports in France



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*Cover photo: Friendly women's basketball tournament in Noisy-le-Sec on the outskirts of Paris, France, April 2024
© Basket pour Toutes*



INTRODUCTION

In the summer of 2024, the attention of sports enthusiasts all across the world will be on the city of Paris, France, the host of the XXXIII Olympic and Paralympic Games. Held every four years, they are a celebration of sport in its many different forms, informed by the values of “[excellence, respect and friendship](#).” The Olympic Charter [states](#): “the practice of sport is a human right. Every individual must have access to the practice of sport, without discrimination of any kind in respect of internationally recognised human rights within the remit of the Olympic Movement. The Olympic spirit requires mutual understanding with a spirit of friendship, solidarity and fair play.”

On International Women’s Day, the International Olympic Committee and the Paris Games organisers proudly [announced](#) that “France is preparing to host the first Games with full numerical gender parity on the playing field.” President of the French National and Olympic Sports Committee Tony Estanguet thanked local authorities in the country who committed to renaming sports facilities after renowned women: “We thank the local authorities working with us who, through these symbolic actions - which are not only strong but also concrete - contribute to making sport more inclusive and equal.”

The French authorities made it emphatically and unashamedly clear however that their proclaimed efforts at improving gender equality and inclusivity in sports do not apply to one group of women and girls – those Muslim women and girls who wear religious head coverings. In September 2023, the Minister of Sports and Olympic and Paralympic Games Amélie Oudéa-Castéra [announced](#) while speaking to the broadcaster France 3 that “representatives of our delegations, in our French teams, will not wear the headscarf.” One of the women interviewed for this publication, volleyball player Assma, shared her thoughts on this

announcement with Amnesty International: “To me that’s hypocrisy.... This is really serious, honestly, we accept others who will come with their headscarves, their turbans, but when it’s French women, it’s impossible. This is very hard. It’s very, very hard to see that, to hear that. ... **In my feminist struggles, I want women to be able to dress how they want, how they wish. ... It’s not just a ‘Muslim issue’, it’s a human issue.**”¹

The announcement was [strongly criticised](#) by the United Nations, which stressed that “no one should impose on a woman what she needs to wear, or not wear” and that “restrictions on expressions of religions or beliefs, such as attire choices, are only acceptable under really specific circumstances ... that address legitimate concerns of public safety, public order, or public health or morals in a necessary and proportionate fashion.” It also prompted the International Olympic Committee (IOC) to [clarify](#) that athletes representing other countries will be allowed to wear clothing such as hijabs inside the athletes’ village. The IOC did not however challenge the French authorities’ discriminatory position. In fact, in response to a [letter](#) from a coalition of organisations urging it to take action, the IOC merely passed responsibility on to the French authorities, describing their prohibition on sports hijabs as outside the remit of the Olympic movement and stating that “freedom of religion is interpreted in many different ways by different states.” Further, in addition to failing to challenge France’s violation of the Olympic Charter, in June 2024 the IOC’s Executive Board recommended awarding the 2030 Winter Olympic and Paralympic Games to France – a decision set to be confirmed at a [meeting](#) of IOC members immediately before the 2024 Paris Olympics.

Even without the Minister of Sports’ prohibition in place, it is unlikely that any athletes in the Olympic host country’s women’s teams will be wearing a sports

hijab or a full-coverage swimsuit (so-called *burkini*). France’s relentless attacks on the human rights of headscarf-wearing Muslim women and girls over the past few decades, including in sports, mean that very few such sportswomen have reached this level of competition - or - that they were forced to abandon a part of their identity to reach it. In fact, while there is no national law prohibiting the wearing of religious headgear in sports in France, sports federations have been introducing such bans in their individual regulations, including in recent years. Such prohibitions, coupled with systemic barriers rooted in gender, religious and racial discrimination, affect not only competitive athletes but even those hijab-wearing Muslim women and girls trying to participate in sports for leisure, health, community with others and as part of their everyday lives. Sport can play an immensely important part in our lives and even be a part of our identity. For example, “B”, who practices different sports, told Amnesty International about what it means to her: “You feel the flow, you feel the joy, in fact it’s sport for the soul so even if we’re tired afterwards, your spirit feels a little lighter.”²

This publication attempts to shed light on the discriminatory practices described above and how they violate the human rights of Muslim women and girls in France. Amnesty International believes that when the world will be watching its athletes compete for medals and exercising their right to practice sport without discrimination, it should also cast a critical eye on the Olympics host country, which does not apply Olympic values to everyone. When the French authorities are boasting about gender parity in sports, they purposefully do not count Muslim hijab-wearing women as women. When they are committing to making the Games “[Wide Open](#)”, it is barely a meaningless slogan since day in and day out they deliberately close the door to sports to some of its populations on the basis of their identity, gender and religion.

¹ Interview by video call with Assma, 7 March 2024.

² Interview by video call with “B”, 23 April 2024.



March against Islamophobia in Paris,
France, November 2019 © Mehdi Chebil /
Hans Lucas / Reuters

“THEY SPEAK ABOUT INCLUSION BUT THEY DON’T CARE, THEY DON’T INCLUDE OUR PEOPLE.”³

THE CONTEXT OF GENDERED ISLAMOPHOBIA IN FRANCE

Muslim people in Europe have been discriminated against on racial and ethnic grounds in intersection with religious grounds. Muslims are racialised in categories encompassing perceived race, ethnicity and/or nationality, irrespective of their religious practice and actual religion. In France specifically, the French Ombudsperson has [noted](#) a “trend that the term ‘Muslims’ is used to refer, de facto, to Arab immigrants or individuals perceived as such ... the religious marker tends to exacerbate the racial marker.” It is within this context that international human rights bodies have [noted](#) the [intersectionality](#) of racial and religious discrimination experienced by Muslims. Islamophobia is a form of racism and for these reasons, Amnesty International uses the terms “anti-Muslim racism”, “Islamophobia” and “gendered Islamophobia”, as appropriate.

The wearing of headscarves by Muslim women has long been instrumentalized and negatively stereotyped to demonize Muslim women and girls and homogenize the diverse significance they may represent to those who wear them or would wish to wear them but fear to do so or are legally prevented from doing so in public. There is ample evidence from [academics](#) and non-governmental organizations that gendered Islamophobia has for years been a [reality](#) for [Muslim women](#) in [France](#). For the last twenty years, French authorities have embarked on a relentless, sustained campaign of harmful lawmaking and regulation of Muslim women’s and girls’ clothing, fuelled by prejudice against them, and anchoring gendered discrimination towards Muslim women and girls and those perceived as [Muslim](#).

In 1905, France passed a [law](#) on “the separation of Church and State”, which, while recognising everyone’s freedom to religion or belief, enshrined a strict separation between the state and the Roman Catholic church, which held

major influence in France at the time and historically. Its [Constitution](#) of 1958 defined the French Republic as “secular” (laïque). Under international human rights law, for instance the International Covenant on Civil and Political Rights, “secularism” is not a legitimate reason for imposing restrictions on the rights to freedom of expression and religion or belief, including through general bans on religious and cultural symbols. The United Nations Human Rights Committee specifically clarified in its [General Comment 22](#) that “if a set of beliefs is treated as official ideology in constitutions, statutes, proclamations of ruling parties, etc., or in actual practice, this shall not result in any impairment of the freedoms under article 18 or any other rights recognized under the Covenant nor in any discrimination against persons who do not accept the official ideology or who oppose it.” Yet, the French authorities have over the years been evoking the principle of “secularism” or laïcité as a key justification for the enactment of numerous laws and policies that disproportionately impact Muslim women and girls, typically amidst a pretext of public debate and parliamentary rhetoric portraying Muslim women and girls as existential threats to the French Republic’s principles, values and unity.

Notably, in 2004, France passed a [law](#) “governing, in application of the principle of secularism, the wearing of signs or dress expressing religious affiliation in public schools”, which, as Amnesty International has [emphasized](#), discriminates against Muslim girls, and those perceived as Muslim, on grounds of race, religion and gender in their enjoyment to their rights to freedom of expression, religion or belief and in their access to education. Marking the twenty years of the law’s passing in March 2024, the feminist, anti-racist Muslim women’s rights organisation [Lallab](#) called the moment of its enactment “a violent turning point for the rights of many Muslim women, opening the field

to a discriminatory political, media and institutional arsenal, which has continued to amplify with regard to Muslim women, especially those who wear headscarves.”

Amnesty International has observed a further troubling increase in the introduction of discriminatory laws, policies, practices and discourses by the French authorities purporting to implement aspects of the 2004 law, including in sports, such as for instance, the Minister of Sports and Olympic and Paralympic Games’ announcement that athletes representing France will not be allowed to compete if wearing a headscarf. On 31 August 2023, just before children in France were to restart school after the summer holidays, the official Bulletin of the French Ministry of Education published [guidance](#) addressed to school principals and inspectors introducing a ban on wearing abayas and qamis. The guidance also foresaw that in cases where pupils did not comply with the ban, the school personnel should enter into a dialogue with the pupils and their families. If the dialogue were to fail, disciplinary proceedings should systematically be initiated by school principals (knowing that, according to the French [Code of Education](#), disciplinary proceedings can lead to the child being expelled from school). In March 2024, a [bill](#) “aimed at ensuring respect for the principle of secularism in sport” was tabled in the French Senate. The bill proposes amendments to the French Code of Sports to ban the wearing of religious symbols in all affiliated federations and associations, as well as in swimming pools. At the time of publication in July 2024, the bill has not proceeded through the legislative process.

The negative impacts of France’s discriminatory laws and policies on a range of Muslim women’s human rights, including their access to [employment](#), both in the private and the public sectors, particularly

³ Interview by video call with “Angel” (name changed for anonymity), 8 April 2024.

for those who wear headscarves, are also [well-documented](#). In 2000, France's highest administrative court, the Conseil d'État [ruled](#) that the principle of laïcité implied strict "neutrality", understood to mean not displaying one's personal religious beliefs, for public service employees, effectively making all work in the public sector inaccessible to Muslim women wearing religious clothing for years to come. In 2016, the French government enacted the so-called [El Khomri law](#), which, among other provisions, enabled private employers to apply such "neutrality" to their staff and potential staff as well. Such measures inevitably send a signal beyond their target zones and consequently appear to have afforded a social licence to others to act in prejudicial and harmful ways towards Muslim women in other settings. In addition to the contexts ringfenced by these laws and judgments, hijab-wearing Muslim women have been reporting being prevented from accessing their rights in settings where no law prohibiting such clothing is in place, for instance [in university spaces](#) and when sitting their exams, or trying to accompany their children [on school outings](#).

Over the years, Amnesty International has [documented](#) the alarming [evolution](#) of a

[hostile environment](#) for Muslims and those perceived to be Muslim in France, including through persistent racist and discriminatory rhetoric linking Islam and terrorism, for instance in speeches by politicians, as well as the disproportionate impacts on Muslims of [counter-terrorism laws and policies](#) and repressive measures against Human Rights Defenders accused of being terrorists or supporting terrorism simply for advocating for the protection of Muslim people's human rights. An [emblematic case](#) of overreach resulting in attacks on Muslim communities' freedom of expression and association was the shuttering of the Collective Against Islamophobia in France (Collectif Contre L'Islamophobie en France, CCIF), an NGO which fought against anti-Muslim discrimination. The dissolution of an organization by decree is an extreme measure that can be justified only in very limited circumstances, such as if it poses a clear and imminent danger to national security or public order. The French authorities failed to provide any evidence of such a threat when justifying the dissolution of CCIF, raising concerns about a subsequent chilling effect for other activists and NGOs fighting against discrimination in France.

In August 2021, the government enacted a new law on "reinforcing respect for republican values", often referred to as the ["séparatisme" law](#). It introduced a new criminal offence of "separatism" carrying a prison sentence of up to five years despite not being clearly defined beyond "protecting elected officials and public servants from threats and violence." Article 12 of the law specifies that any association requesting a subsidy from the State or a local authority must sign a "republican engagement contract". From its inception, Amnesty International [warned](#) that many of the law's provisions were ill-defined, overly broad and risked discriminatory application. The law entrenches the instrumentalization of the notions of "secularism" and "the values of the French Republic" for discriminatory purposes, further legitimising the association of the concept of "Islamist separatism" with Muslim people and communities and portraying them as inherently dangerous and suspect.



People march against racism and Islamophobia in Paris, France on 21 April 2024. (©Mohamad Salaheldin Abdelg Alsayed/Anadolu via Getty Images)





Narratives and tropes linking Islam with terrorism contribute to anti-Muslim racism, including gendered Islamophobia, which can further manifest in hate crimes, especially targeting Muslim women. Muslim women are more likely to be targets and victims of hate crimes than Muslim men according to, for instance, a [2016 report](#) by the European Network Against Racism (ENAR), which also found that racist violence against Muslim women is mainly committed in public places, such as public transport, streets, markets and shops, or in the workplace, and includes insults, spitting at women who wear face veils or headscarves or pulling their clothing off. 22-year-old student “Faiza”, interviewed by Amnesty International, described having been subjected to racist verbal abuse by a person in the street and another on the underground in Paris. She told Amnesty International: “The best way to divide is to create hatred towards another population or a section of a population, it’s very simple, you take all the problems of the world and you put them on a community to say that they are the problem and that they are the ones to concentrate on. ... In fact, for me

this is what the ‘problem with the veil’ is - it’s not a problem but they purposefully rely on it because it gets people talking and it’s easy to say that all the problems of the world ... are caused by immigrants and people who wear the veil. You don’t know what to do anymore because if they put it in your head every day that it is all because of a certain population you’ll believe it. But you must also know that your actions or your political approaches have real consequences on people’s lives.”⁴



Friendly women’s basketball tournament in Noisy-le-Sec on the outskirts of Paris, France, April 2024 ©Anna Blus

⁴ Interview by video call with “Faiza” (name changed for anonymity), 16 April 2024.

MUSLIM WOMEN'S AND GIRLS' RIGHT TO PARTICIPATE IN SPORTS

Sports federations in France have introduced prohibitions on the wearing of religious clothing in competitions in several sports, including at amateur levels, for instance in [football](#), [basketball](#) and [volleyball](#). They are described in detail in the case studies presented below. It is impossible to assess the numbers of women and girls impacted by them, since French authorities do not collect statistical population data disaggregated by religion or ethnicity. In its most recent assessment of France's compliance with its obligations under the International Convention on the Elimination of Racial Discrimination (CERD), the [United Nations CERD Committee](#) stressed the importance of disaggregated data collection in detecting and effectively combating racial discrimination and recommended that France “develop effective tools, based on the principles of self-identification and anonymity, to collect data and information on the demographic composition of the population” and “use these data to formulate its policies on combating racial discrimination.”

Due to this absence of data collection, there are no reliable estimates on the number of Muslim women living in France, those wearing religious head coverings, let alone those practicing sports, being a member of a sports clubs, a coach, a referee or holding another professional or voluntary role in sports. Moreover, even if such data were available, it is unlikely that it would allow for meaningful conclusions on the numbers of women and girls impacted by hijab bans in sports in France. Such bans, especially in the context of widespread gendered Islamophobia in the country, create a “chilling effect” whereby Muslim women and girls who wear religious clothing and

who wish to play sports may not feel that they can do so freely and may feel unable to even attempt to do so. For instance, “B”, who enjoys different sports, including running and swimming, told Amnesty International: “We are always pushed aside so we don't dare, you could say. ... We don't dare because we are perhaps afraid of how other people will look at us, of being a bit underestimated, of being pushed aside.” A basketball coach interviewed by Amnesty International observed: “If I am a woman who wears a veil, I know that there and there and there I will be refused – so I won't go there in fact.”⁵ “Faiza”, who practices various sports, including weight-lifting, said: “It's something we know when we put on the veil, we know that it's not accepted everywhere.”

Moreover, the wearing of religious clothing is not a static element of a person's identity. It can be a form of expression of a person's religious, cultural or personal identity or beliefs that can change and evolve at different stages of their life. Therefore, restrictions on religious clothing, such as those in place in France, have an impact on the freedom to take decisions about their own lives, bodies and forms of expression of

every woman and girl in the country who is Muslim or may become Muslim in the future and who either wears a hijab or another form of religious headwear or may wish to do so at another point of her life.

In 2020, the [UN High Commissioner for Human Rights](#) recognised that “Globally, ... the level of participation of women and girls in sport remains lower than that of men and boys. Numerous studies point to the factors linked to the lower participation rates of women and girls in both amateur and professional sport. Those factors can be both external to sport, such as discriminatory social norms or obstacles to reconciling the burdens of care, work and sport, and internal to sport, including the lack of programmes to create a gender-sensitive and safe sporting environment or to address harassment and other forms of gender-based violence in sport, including sexual exploitation and abuse.” She stressed as well that the impact of gender-related barriers on their access to sport is greater for racialised women and girls: “the intersection between discrimination based on race and on gender lead to even greater obstacles for specific groups of women and girls, including racial and ethnic minorities.”



Friendly women's basketball tournament in Noisy-le-Sec on the outskirts of Paris, France, April 2024 © Basket pour Toutes

⁵ Interview by video call with coach (identity protected), 2 May 2024.

FRANCE, A JARRING EXCEPTION ON THE MAP OF EUROPE

Between February and May 2024, Amnesty International gathered and analysed clothing and equipment rules and regulations of the national federations of football, basketball and volleyball in 38 countries in Europe.⁶ While barriers to participation in sports motivated by gendered Islamophobia exist in different [countries](#) in the [region](#), even though they do not ban sports hijabs, according to the information gathered by Amnesty International, France is the only country in Europe with bans on religious headwear in sports, including women's football, basketball and volleyball. No other country in the region, at the level of national laws or individual sports regulations, has enshrined bans on religious headwear such as those worn by some Muslim sportswomen and girls.

The international [football](#), [basketball](#) and [volleyball](#) federations all allow for the wearing of religious headgear, such as sports hijabs, during competitions. In 2014, FIFA, the global football governing body, [ended](#) its ban on players wearing head coverings during matches. In 2017, the International Basketball Federation (FIBA) [repealed](#) a similar ban following a campaign led by hijab-wearing basketball players, for instance Bilqis Abdul-Qaadir and Indira Kaljo, and supported by human rights organizations including Athlete Ally, Equality League, Human Rights Watch, World Players Association, the Sport & Rights Alliance and others. The International Volleyball Federation (FIVB) has specific [rules](#) on the wearing of headgear in beach volleyball and said in a statement: “The FIVB volleyball and beach volleyball

uniform guidelines allow for a variety of different options which include wearing a hijab. Volleyball and beach volleyball welcomes all, and these uniform regulations ensure that our sport is culturally and religiously inclusive. Of course, regardless of a player's background, they are free to wear the various uniform types as per the guidelines.”

Federations in some countries in the region follow the international regulations with regard to rules on women athletes' clothing and equipment. Some do not specifically mention religious head coverings in their regulations, while others, for example the [Dutch Football Federation](#), the [Danish](#), [Italian](#) and [Norwegian Basketball Federations](#) or the [Dutch](#) and [Maltese Volleyball Federations](#), have specific rules that explicitly identify religious headgear as permissible headwear and elaborate on the criteria it must meet. In [Switzerland](#), while there is no ban on religious headgear in volleyball, the Volleyball Federation's Rules state that “exceptions regarding clothing may be granted for religious or cultural reasons”. Federations in some countries have been making specific efforts to increase Muslim hijab-wearing women's and girls' participation in their sports, for example, in 2021, the [Finnish Football Association](#) offered free sports hijabs to any player interested, and in the [UK](#), there have been particular efforts aimed at increasing Muslim women's participation in sports at the national, regional and local levels.



Sports event organised by Les Hijabeuses in June 2024
© Catalina Martin-Chico/Panos Pictures

⁶ Albania, Austria, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Kosovo, Latvia, Lithuania, Luxembourg, Malta, Montenegro, the Netherlands, North Macedonia, Norway, Poland, Portugal, Romania, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Turkey and the United Kingdom.

“OUR ONLY DESIRE IS TO PLAY SOCCER.”

LES HIJABEUSES

The [Hijabeuses](#) are a [collective](#) of women hijab-wearing football players campaigning against the French Football Federation's (FFF) discriminatory ban on sports hijabs in competitions and for better inclusion of Muslim women and girls in sports. The group, which came together in May 2020 with the support of the Alliance Citoyenne association, now counts 40 members.

In 2006, the FFF amended [Article 1](#) of its Articles of Association to stipulate that: “... the following are prohibited in competitions or events organized on the Federation's territory or in connection therewith: / - any speech or display of a political, ideological, religious or trade union nature, / - **any sign or dress conspicuously expressing a political, philosophical, religious or trade union affiliation**, / any act of proselytizing or propaganda manoeuvres (...)” (emphasis added).

Bouchra Chaïb, a goalkeeper, midwife and the Hijabeuses' co-President, [said](#) that the collective campaigns so that all women “whatever they believe or whatever they wear or whatever their background, can play freely without being stigmatised and without having to mentally prepare themselves to go into battle – because this is what it feels like”. In 2021, Founé

Diawara, the Hijabeuses' other co-President described how she was first told at 15 years old that she would not be able to wear a hijab during a match: “I was trapped between my passion [for football] and something that is a huge part of my identity. It's like they tried to tell me that I had to choose between the two,” she said. Hawa Doucouré, a student and a member of the Hijabeuses' steering committee, [said](#) about the ban: “They are treating us like children ... like we don't have a brain, like we can't talk or think for ourselves.”

Another Hijabeuses' member, Karthoum Dembelé said in an [interview](#): “We are all fighting for more inclusive football, which would integrate all women. We are trying to make people understand that we are female athletes. It's not because we wear the hijab that we should be excluded from the pitch. ... For the FFF, now, it's time to wake up. ... I think they look more at our faces than our talent. ... I find it sad because we are forced to choose every time, between our hijab and what we love, between our dignity and just wanting to play a sport.”

In November 2021, represented by lawyer Marion Ogier, the Hijabeuses [brought a legal case](#) against the FFF to France's

highest administrative court, the Conseil d'État. In a [decision](#) that ignored the non-binding recommendation to end this discriminatory ban made before the hearing by the Conseil d'État's own [Public Rapporteur](#), an independent magistrate appointed to explain the pertinent points of law in the particular case before the court, the Conseil d'État ruled in favour of the FFF, [deciding](#) that it did not need to change its discriminatory policy. The Court stated that sports federations, as well as players in national French teams were bound by the French “principle of public neutrality” requiring them to “refrain from any expression of their beliefs and opinions.” While this principle does not apply to players outside of the French national teams, such as the Hijabeuses, the Court admitted, the FFF's rules could limit their rights if this was “necessary, ... appropriate and proportionate”, for instance to ensure “the smooth running of matches.”

The Conseil d'État thus found that the FFF's ban on religious headgear was legitimate in order to “avoid any clash or confrontation”. This reasoning ignored the fact that potential “clashes or confrontations” the FFF may anticipate would most likely be caused by individuals



Illustration promoting a sports event organised by Les Hijabeuses in France, June 2024.
© Rafael Barbosa Silva
(@Raf230ael)



and groups motivated by anti-Muslim racism. The ruling effectively punished those who would be at the receiving end of such potential violence in the name of preventing it. Amnesty International [believes](#) that this decision is not compliant with international human rights law and standards, is harmful to Muslim women players, and it entrenches religious, racial and gender discrimination in French football.

Founé Diawara shared her reaction to the decision with Amnesty International [at the time](#):

"Today's decision is a missed opportunity to right a long-standing wrong and let us play, simply. Our fight is not political or religious but centred on our human right to participate in sports. Many women are excluded from football fields in France every weekend solely because they wear a veil."

Lawyer Marion Ogier told Amnesty International that she has found the cited security-related reasoning behind the ruling to be extremely dangerous: "It said that given that expressing one's beliefs, including one's religious beliefs, can create a risk of 'a clash or a confrontation', federations can ban the wearing of religious symbols. ... And this is very serious

because this reasoning could in fact be applied everywhere, not only on the sports field, it could be applied in the street, it could be applied on the underground, the fact that wearing a veil may lead intolerant people to cause you problems, therefore I have the right to ban it, here's a bonus for intolerance, it's a reasoning that goes the wrong way round. ... So, for me, this is an extremely serious decision."⁷

In a [letter](#) to the French authorities sent in October 2023, five UN Special Rapporteurs and the Working Group on Discrimination against Women and Girls, assessed the human rights impact of this decision as follows: "Female Muslim footballers who have chosen to wear the *hijab*, or Islamic headscarf, out of conviction, and who are also registered players at football clubs and take part in league tournaments, have been disadvantaged by this decision."

The decision of Conseil d'État is yet another example of France's institutions enforcing negative stereotypical assumptions and tropes about Muslim communities and gender roles through a decision that only panders to those who hold racist, Islamophobic opinions about what Muslim women should or should not wear.

The Hijabeuses' legal battle was not in vain, however, and resulted in greater

awareness of the discrimination faced by Muslim women and girls in sport in France on the national and international levels, as well as in powerful expressions of solidarity. Their lawyer Marion Ogier told Amnesty International: "This litigation was super important because cases against discrimination brought by Muslim women are quite rare these days. ... So there was a very important societal dimension. ... "It's also an important case because it has had a very large media coverage. Everyone knew about the issue at some point and we saw incredible things, with support in small stadiums at the other end of France, with huge flags, huge posters with the Hijabeuses, incredible things. We understood that this case in fact ... it created something. It was more than just litigation before the Conseil d'État, it was the origin of a more important movement."

The Hijabeuses and their lawyer have not given up on seeking justice and fighting for the reversal of the ban, taking their case to the European Court of Human Rights (ECtHR). "We trusted the justice system," said Hawa Doucouré. "Now, we begin to think that the justice system is benefitting those who have power. Even lawyers and politicians who weren't on our side thought we would win because we were right in the face of the law. What this decision means is that to 'protect' the people who are oppressed, you oppress them more." But, Hawa [said](#): "We're still going to fight, we're not going to let it go. We have more and more girls that join us every day. This is just the beginning." The ECtHR [accepted](#) to consider the Hijabeuses' application in March 2024.



Group portraits of football players participants at an event organised by Les Hijabeuses in June 2024 © Catalina Martin-Chico/Panos Pictures

⁷ Interview with Marion Ogier, 15 May 2024.

REPRISALS AGAINST HUMAN RIGHTS DEFENDERS AND VIOLATIONS OF THE RIGHT TO PROTEST

Prior to the Hijabeuses' legal challenge, the French authorities also infringed on the group's human rights to [freedom of expression and peaceful assembly](#). In February 2022, the group planned to protest against the FFF's ban, as well as a draft law before the Senate that would enshrine discriminatory prohibitions in national law and in all sports. Parliamentary sessions debating these proposals were stained with inflammatory rhetoric and discriminatory stereotyping that stigmatized Muslim women and [girls](#).

The Hijabeuses notified the police authorities of a protest they were planning to hold outside the Parliament where the draft law was to be debated. The evening before the protest was meant to take place, a Paris Préfecture of Police banned it, basing its justification on stigmatizing stereotypes about Muslim women and unfounded concerns that the mobilization would lead to "social disorder" and "violence." The Préfecture's [decision](#) incorrectly and in a harmfully misleading way characterized their campaign as being part of a dispute between proponents of "political Islam" and "religious patriarchy" versus those who "respect the values of the French Republic". An Administrative Tribunal determined the protest ban to be illegal and issued a fine of €1,000 to the Préfecture, however by that stage the Préfecture's unlawful ban had effectively [frustrated](#) the women's right to freedom of expression and peaceful assembly.

International human rights law and standards recognise the [right to defend human rights](#) as an autonomous and independent right that imposes an obligation on states to ensure human rights defenders can work in a safe and enabling environment without undue restrictions, violence, threats or any form of retaliation. A [Human Rights Defender](#) is **someone who, individually or in association**

with others, acts to defend and promote human rights at the local, national, regional or international levels, without resorting to or advocating hatred, discrimination or violence. Moreover, international human rights law protects everyone's right to freedom of expression and peaceful assembly, without discrimination, and enshrines states' obligations to respect, protect and facilitate these rights in the context of protests. Any restrictions imposed by the state must pursue one of the limited legitimate aims and be necessary and proportionate to achieving such aims.

The UN Human Rights Committee has [clarified](#) that the prohibition of an assembly must be a measure of last resort, and that "[t]he possibility that a peaceful assembly may provoke adverse or even violent reactions from some members of the public is not sufficient grounds to prohibit or restrict the assembly." It has also [clarified](#) that to base restrictions on the message of an assembly or on who is assembling contravenes the principle in international human rights law that restrictions must be content-neutral. The ban imposed by the Préfecture of Police on the Hijabeuses' protest was discriminatory, and not a legitimate interference. It was neither necessary nor proportionate and constituted a breach of the French authorities' obligations in

relation to the rights to freedom of expression and peaceful assembly.

The Senate bill the Hijabeuses intended to protest against ultimately failed in its attempt to introduce a discriminatory amendment to prohibit the wearing of headscarves in all sporting competitions and events organized by state-regulated sports federations and their associate organizations. However, the bans on the wearing of religious headwear introduced by the French Basketball Federation and the French Volleyball Federation since then, point towards a trend of enshrining such discrimination in French policy-making through other avenues. Undoubtedly, and as confirmed to Amnesty International in a response to our concerns raised with the French Basketball Federation,⁸ these federations have interpreted the Conseil d'État's decision as applying not only to the FFF and the purported security-related reasoning with regard to football, but rather as allowing different sports federations free reign to enact discriminatory bans on Muslim women's and girls' participation in sports. Additionally, further attempts at enshrining a sports and country-wide hijab ban have also been made at the Senate level since, where in a bill "aimed at ensuring respect for the principle of secularism in sport" was [tabled](#) in March 2024.



Founé Diawara, football player and one of the co-founders of Les Hijabeuses

⁸ Letter of 29 December 2023, on file with Amnesty International.

“IT’S A HUGE PART OF THE PASSION THAT YOU HAVE THAT’S TAKEN AWAY FROM YOU.”⁹

HIJAB BANS IN BASKETBALL

FFBB's Official Rules outline what can and cannot be worn by players at Rule 4.4.2, with an additional "Note" that specifies:

"Regarding accessories covering the head, these are considered by the Federation as 'inappropriate for the game', are therefore prohibited and the player must not be allowed to participate in the meeting in the same way (...)"

Interviewees told Amnesty International that until the introduction of Article 9.3 in December 2022, referees often allowed players who wear hijabs to participate. But some Muslim women and girl players in France faced obstacles to participation in matches if they wore religious headgear even before, for instance, where reference would be made to [Rule 4.4.2](#) of the Federation's Official Basketball Regulations, which allows for the wearing of "headbands ... with a maximum width of 10cm". For example, coach Fabrice Dufait told Amnesty International that he was contacted by the

As described for instance in the UN Special Rapporteurs' October 2023 [letter](#) to the French authorities, in June 2022, Diaba Konaté, who used to play in France's national youth basketball team and who left the country for the USA in 2018, also reported that on one occasion when she was back in France, she was informed that she would not be able to participate in a 3x3 tournament in the town of Le Poulguen because of her sports hijab as it was not in line with the FFBB's Rule 4.4.2 specifying that a headband can have a maximum width of 10cm.

In response to a letter sent by Amnesty International in December 2023, the FFBB justified the introduction of Article 9.3 to the Rules referring to the decision of the Conseil d'État in June 2023 that endorsed the prohibition of “signs or clothing ostensibly demonstrating political affiliation, philosophical, religious or trade union” by the FFF, as well as to the FFBB’s “respect for the principles of secularism which are the foundation of the Republic.”¹⁰

However, FFBB's introduction of Article 9.3 in December 2022 has entrenched discrimination against Muslim women and girl players who wear the hijab even further. It is resulting in additional negative impacts on these athletes' ability to exercise a range of their human rights, including the right to equality, private and family life, health, bodily autonomy, physical and psychological integrity, the right to practice religion and



Friendly women's basketball tournament in Noisy-le-Sec on the outskirts of Paris, France. April 2024 ©Anna Blus

⁹ Interview by video call with H  l  ne B  , 16 May 2024.

¹⁰ Letter of 29 December 2023, on file with Amnesty International.

express one's identity, to access public spaces, participation in sports and leisure activities, education and employment. FFBB's ban has resulted in referees and others in positions of power taking unacceptable and harmful steps to enforce the rules. It has put Muslim sportswomen and girls at constant risk of public humiliation and human rights abuses, acting to compel and enable referees or other people in positions of authority to demand them to remove items of their clothing to be able to play.

Hélène Bâ, a basketball player since the age of five, international law student and one of the founders of the Basket Pour Toutes collective, was first asked to remove her sports hijab and her long-sleeved top by a referee, or leave the court, in December 2022. "It was a Sunday. We were not playing at home ... I went with my teammates, I started to warm up and then, close to the end of the warmup, my coach called me. He just said my name and he said 'the referee does not want you to play with your sports hijab and with your long sleeved T-shirt'. And I asked 'why' and he said 'I don't know. He just doesn't want you to play'. So, I went to see the referee and asked him why, and he said, 'you know, sports hijabs are prohibited, they are dangerous items. You cannot play with them.' And I explained 'I'm the one wearing it, so I'm the one who knows this is not dangerous, neither for me nor for the other players. The International Federation of Basketball allows it, although the French Federation does not, the international allows it, so it's not a dangerous item. ... He wouldn't, you know, he wouldn't hear me.... so I just went back to warm up with my teammates. I was kind of upset, really disoriented, not really focused on the game anymore. And everyone around was coming to see me, asking me, 'OK, can you play? He doesn't want you to play? Why doesn't he want you to play? ... So **it was really weird, really frustrating, really humiliating.**'"

A coach based in the Parisian region witnessed a similar situation on another occasion, when a referee asked a teenage girl to remove parts of her clothing first if she wanted to participate in a match. They told Amnesty International:

"There is the assault on women, when you have a male referee come and tell a young girl, 'you! - take off your long-sleeved sweater, take off your head covering.' A man who comes to tell a girl to undress – an underage girl, it's violence, it's a form of violence."



In 2023, when the next competitive season began, Hélène continued to experience the exclusion due to the discriminatory ban now being solidified in referees' practice. "When we came back in October," she told Amnesty International, "it was a hard no, the district committee sent an e-mail to the referees, and so I went to a game, I asked the referee, which was kind of weird and again, **[it was] very humiliating to have to ask to play. I'm not supposed to ask for freedom. This is supposed to be something granted.** And they said, I'm really sorry, but you can't, and you have to stay in the ladders [stands] so you cannot stay on the bench. And that was really difficult because the first time that it happened I was not prepared for this, going to the ladders. We were not at home, so I was the only one in the ladders from my team."

Hélène also told Amnesty International that following the change in the FFBB's rules, referees stopped citing safety concerns as reasons for asking her to remove parts of her clothing. The fact that the FFBB legally entrenched the discrimination against hijab-wearing Muslim women and girls in its rules meant that they no longer needed to think of excuses for excluding them from basketball courts. "A few months later this season," she said, "the referees would tell me: 'I know it's not a dangerous item but it's prohibited under 'secularism'. It's in the rules.' And so, I'm like, I knew, I mean, we knew from the very beginning, even before Article 9.3 that it was not a question of security. But the way that the narrative changed, it was just blatant. Everyone knows why we are targeted. And we were targeted before that."

FFBB's ban on sports hijabs and the prevention of Muslim women and girls who wear them from fully and freely participating in sports, as their full selves, whether for leisure and recreation or as a career, has profound impacts on a range of their human

rights, including their right to both mental and physical health. A coach whose teams include young women and girls told Amnesty International: "Last Sunday, I had a kid who cried on a bench. ... The kid, she's been playing since she was seven, she's 17 today. ... Listen, Madame Minister, every weekend, we make fifteen, twenty, a hundred young girls who can't play cry, what do we do?" Hélène has not been able to compete since October 2023. She told Amnesty International: "I've been to games, sometimes I've decided not to go because it was too painful to go and I didn't have the energy to cheer on my teammates. ... It changes the way that I could practice because I go to practice now to have fun, but also to progress individually and it's hard to progress individually when you don't have the games, it's hard to keep motivated when you don't have the games. I'm a competitive player, I'm not going to lie, since I was five. And so **it's a huge part of the passion that you have that's taken away from you**, even physically because you know, practice is usually less intense than the games. Mentally it is also hard because **you really feel excluded. And everyone knows when you go with the team, everyone knows why you're not playing.** Especially if you go to the bench and the referee tells you to go to the ladders [stands], everyone sees you going from the bench to the ladders and for them it's just the case of 'you cannot play' but for you **it's a walk of shame.**" Despite the obstacles deliberately imposed by the French authorities to impede her from exercising her right to participate in sports over the last few years, Hélène's activism hasn't diminished. For instance, in February 2023 she directed a documentary "[Titulaires](#)", featuring the testimonies of ten hijab-wearing athletes in France.



Hélène Bâ, basketball player and one of the founders of the Basket Pour Toutes collective © OEC

REPRISALS AGAINST HUMAN RIGHTS DEFENDERS CAMPAIGNING TO OVERTURN THE BAN IN FRENCH BASKETBALL

Another Basket Pour Toutes co-founder Timothée Gauthierot, who is also a local councillor and President of the Basketball Association Noisienne (hereinafter “BBAN”) club in Noisy-le-Sec on the outskirts of Paris, started to play basketball at the age of seven and has been engaged with the club in a voluntary capacity ever since. “I grew up in the club from a young age”, he told Amnesty International. For the past ten years he has been coaching teams of players of all genders and ages as a volunteer and in this capacity, he told Amnesty International: “I have followed a generation of girls since they were ten years old. ... When I started, there was actually no senior team because it’s difficult in our department. In fact, there are much fewer girls who play sports than boys, that’s in general. ... In our department in Seine-Saint-Denis, this is even more the case, there are much fewer girls, which I think is due to sociological reasons, societal reasons. ... We also noticed that girls stop playing basketball more often. ... And so at the club, we really had this objective of having a full women’s section, from the little ones to the seniors. We engaged our best coaches so to speak and we did lots of projects with the girls to retain them, to inspire them to continue. ... We worked so hard so that there is a women’s team in all categories and they often come in groups of friends. And all it takes is for two or three players to stop playing and the whole team stops playing. And so that’s one more reason to say that in fact **we can’t let down these two or three girls who wear the veil because it can completely change the team and it can mean that there is no longer a team.** And so that’s why we mobilized.”¹¹

At the end of January 2023, Timothée started approaching basketball clubs in the Île-de-France region to seek their support to a letter to the French Basketball

Federation raising concerns about the ban and requesting it to overturn it. Some 69 clubs joined the letter by including their logo. However, the letter was never sent to the authorities – in October 2023, the President of the region Valérie Pécresse, having been made aware of the letter, spoke about it to the media, announcing that the regional authority was suspending funding to all the basketball clubs who signed it, and published a statement to this effect on the region’s [website](#). She called the clubs’ human rights concerns expressed in the letter “[Islamist attempts at destabilization](#)” and “[attacks on secularism](#)”. The association of human rights concerns and of Human Rights Defenders such as those who wrote and signed the letter with “Islamism” and “attacks on secularism” by a public official and a representative of the state is not only incorrect and misleading but also, especially in the context of the sustained anti-Muslim rhetoric in France, dangerous and harmful to Muslim people and those who stand with them.

Amnesty International spoke to another coach from the Île-de-France region who wished for their identity, location and gender to be protected due to potential retaliation from French authorities. They told Amnesty International that they removed their club’s logo from the letter in autumn 2023 as they felt under pressure to do so following the region’s President’s announcement. They felt compelled to stay silent in order not to lose funding from the region for sports facilities in their community and that they “had no choice” but to withdraw their club from the initiative.

Clubs which decided to raise their concerns about the violations of Muslim women’s and girls’ human rights in basketball were thus threatened and at risk of being

financially penalised for standing up against gender, religious and racist discrimination, in violation of their rights to freedom of association and expression.

The actions of the clubs that signed the letter are protected by the right to defend human rights under international human rights law. According to the [UN Declaration on Human Rights Defenders](#), for example, “everyone has the right, individually and in association with others, inter alia: (a) To complain about the policies and actions of individual officials and governmental bodies with regard to violations of human rights and fundamental freedoms, by petition or other appropriate means ...”. Access to funds without discrimination is an inherent part of the right to freedom of association and in order to comply with international human rights law, any restrictions or threats to restrict or remove such funds must meet requirements of legality, be necessary to achieve one or more of the limited legitimate objectives, and be proportionate.¹²

Retaliatory tactics by the French authorities aimed at silencing Human Rights Defenders are in breach of France’s human rights obligations and create a “chilling effect”, potentially preventing people from voicing their concerns at Muslim women’s human rights violations and from expressing their solidarity with them.

The French authorities’ threats and repressive actions were successful and resulted in the letter not being published or shared with the French Basketball Federation. However, the Basket Pour Toutes collective launched a [petition](#) demanding the overturning of the discriminatory ban that remains active.

¹¹ Interview by video call with Timothée Gauthierot, 29 April 2024.

¹² The right to freedom of association is protected by article 22 of the International Covenant on Civil and Political Rights (ICCPR), article 11 of the European Convention of Human Rights (ECHR) and article 12 of the EU Charter of Fundamental Rights. See also the UN Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms (Declaration on Human Rights Defenders), especially articles 5, 6, 7, 8, 9, 12, 13 and 16.

PUNISHED FOR REFUSING TO DISCRIMINATE: THE CASE OF BASKETBALL ASSOCIATION NOISÉENNE

In 2023 and 2024, the Federal Disciplinary Commission of the French Basketball Federation opened three disciplinary proceedings against the Basketball Association Noisienne (BBAN) club, some of its coaches and in one case, three hijab-wearing players, for non-compliance with Article 9.3 of the Rules, which expressly bans “the wearing of any equipment with a religious or political

connotation in competitions” and concerns both players and those who allow the progress of the competition.

The first case concerned an over 18 year’s old women’s team, where on three occasions, all players in the team refused to play matches after being told by referees that three players among them – due to wearing their sports hijabs – would not be

allowed on the court unless they removed them. Losing three matches in this way meant that the team dropped out of the competitive calendar until the end of the season by forfeit. The club’s President, Timothée Gauthierot, a coach and the three players were also summoned to a disciplinary hearing, which took place on 25 January 2024. On 9 February 2024, the Commission found that the players, the club and its President broke FFBB’s Rules and imposed suspensions from their next match on the players (players who are prevented from competing anyway as they wear hijabs) and a fine of 150 euros on the club.¹³ Timothée described the devastating impacts of the ban and the further sanctions on the players to Amnesty International: “The team is completely demoralized. We still do training sessions ... and instead of 15 there are now six players who attend.”

In the second case, the Federal Disciplinary Commission pursued the under 18 girls’ basketball team and opened proceedings against the Club, its President and a coach but not the underage players in this case. As in the first case, the team had some players who were wearing their sports hijabs and refused to play three matches in solidarity with these girls in December 2023 and January 2024. Following a hearing on 24 February 2024, the Commission issued its decision on 24 April 2024, finding that the club had acted against Article 9.3 of the Rules and imposed severe penalties on all involved: the coach was suspended from participation in sporting events for six weeks suspended to three from 27 April 2024; the club’s President was banned from exercising all functions in his role for



Timothée Gauthierot, President of the Basketball Association Noisienne club, coach and co-founder of Basket pour Toutes, April 2024
© Amnesty International

¹³ Decision of 9 February 2024, documentation on file with Amnesty International.

a period of six months suspended to three from 1 September 2024; and the club was issued with a 300 euro fine.¹⁴ BBAN appealed the decision.

In an email to the Federal Disciplinary Commission which he shared with Amnesty International, Timothée Gauthierot reminded the Commission that the players who were wearing sports hijabs did not in fact participate in the matches in question and thus there was no breach of the Rules. He also stressed the reasons for the team's refusal to participate in the matches, as a form of protest against the FFBB's discriminatory rules and an expression of solidarity with their teammates. "The decision taken by the team not to play the match is a decision that the club cannot penalise as it's a gesture of solidarity. Indeed, solidarity is one of the values of our club but also of the FFBB's Ethics Charter".¹⁵ Effectively, the FFBB's [Ethics Charter](#) refers to values such as "respect, fraternity, solidarity, loyalty, fair play, tolerance, courage, challenging oneself, and team spirit, which allow for a sporting display of quality that is attractive and accessible to as many people as possible." Timothée told Amnesty International: "Clubs that tell girls 'you wear the headscarf so you can't play' are breaking other regulations because the law in France forbids this kind of discrimination. ... You don't have the right to select players according to whether they wear the veil or not. So that's what is forbidden."

Marion Ogier, the lawyer representing the club in these disciplinary proceedings, told Amnesty International: "The coach is being asked not to summon them on Saturdays because they are Muslim and they wear headscarves in training, he is in fact being asked to discriminate against girls. And the coach, currently, is sanctioned for having summoned all the girls to training for the competition, he is sanctioned for not having discriminated against the ones who wear the headscarf. It's nonsense, isn't it?" Timothée added: "We could also send teams to Belgium because in Belgium it's allowed [to play with sport hijabs] ... but for the moment even by offering this to the girls, I don't have the impression that it would make them want to continue. It is also very sad to even have to think about solutions and I don't know, creating another system where it's not forbidden, it's absurd."

Under the [FFBB's rules](#), clubs are also charged procedural fees for disciplinary proceedings such as those described above, as well as a fee associated with filing an appeal. Timothée told Amnesty International about the impact that the expenses associated with the proceedings, between such fees, legal representation and the fines, have had on the club and its players, including young children: "We must have spent more than 2,000 euro on all this and it's huge for us because in reality, we have a small budget, our coaches are volunteers. ... For example, we decided that at the end of every year we'll do an outing to an amusement park, Parc Astérix with young people ... This costs about 1,500 euro. This year we said we're going to cancel, we're not going to do that because we can't do everything in fact. ... So there are activities that we are forced to cancel. And I explained this to the Disciplinary Commission, I explained that you sanctioning us, it has consequences on the activity of the club, on the children." On 24 June 2024, the Disciplinary Commission's Appeals Chamber confirmed the Disciplinary Commission's decision. BBAN has the possibility of appealing it to an Administrative Tribunal.

On 15 May 2024, the Disciplinary Commission also notified BBAN that it was opening a third case for further alleged breaches of Article 9.3 by the club and two child players in an under 13 girls' team. The proceedings in this case were ongoing at the time of publication.

¹⁴ Decision of 24 April 2024, documentation on file with Amnesty International.

¹⁵ Email correspondence of 18 February 2024, on file with Amnesty International.

“‘SECULARISM’ IS NOT THIS, IT’S NOT THIS AT ALL.” VOLLEYBALL - ASSMA’S STORY

Assma is a 27-year-old woman living and studying history in Lille, northern France. She started playing volleyball in 2021, joining a club in September 2023. She is now a member of two clubs, a women's only and a mixed gender one and is the only player who wears a religious head covering in both of them. Assma told Amnesty International that when she wanted to enter a competition soon after joining, one of the coaches informed her that a change was going to be made to the French Volleyball Federation's (FFVB) regulations which would make it impossible for her to compete wearing her turban. "I decided to join a club in September 2023," Assma said. "Except that when I wanted to register for a women's competition, my coach told me it wouldn't be possible. So I ask her why. And she tells me right away: 'because you're wearing something on your head' ... At that moment, I don't feel very well and straight away, I know that it is going to be a problem. But I had read the rules beforehand. All right, so I say to her, 'Listen, in the rules, neutrality only applies to referees or else people who are paid by the state but not to participants. And here she says, 'in fact, I contacted the referee, the federal referee doesn't want to', she tells me, 'but anyway, it's going to be done soon, there will be a regulation that will come out soon.' So I was really really sad because I couldn't play." Assma's coach subsequently put her on the "leisure" as opposed to "competitive" pathway in her club. "I'm used to this. But that doesn't mean that this did not touch me. I was very very anxious. I felt very disappointed and sad and tired," Assma told Amnesty International. "And indeed ... one month later, in October ... there was a big meeting of the French Volleyball Federation. And during this meeting, they decided to apply 'secularism'. And once again, 'secularism' is misconstrued. It is being manipulated. 'Secularism' is not this, it's not this at all. And in fact, they use 'secularism' to make everyone 'neutral'."

Indeed, in October 2023, during a General Assembly, the FFVB changed the text of its [Statutes](#). Their Preamble now references the Federation's signing of the "republican engagement contract", a "contract" that any association requesting a subsidy from the State or a local authority must sign according to the 2021 "[séparatisme](#)" [law](#). It also references the "secular

character of the [French] Republic". It also disingenuously refers to [Article 50](#) of the Olympic Charter, which states that "no kind of demonstration or political, religious or racial *propaganda* is permitted in any Olympic sites, venues or other areas" (emphasis added), wrongly implying that the wearing of religious clothing or symbols by players constitutes such



Volleyball player, Assma, with her team © Private

“religious propaganda”. It goes on to state that on this basis, “any wearing of signs or clothing ostensibly showing a political, philosophical, religious or trade union affiliation” amongst others, is prohibited during competitions or events organised by the Federation or within its jurisdiction.

Article 39 of the Statutes states that the prohibition on the wearing of religious headwear will be applicable from 1 September 2024, however, as evidenced by Assma’s experience, it is already being applied. Moreover, the vilification of the wearing of religious clothing by Muslim women and girls in France, the introduction of new policies that restrict it, such as the *abaya* ban in public schools, and the widespread Islamophobic rhetoric, may be resulting in coaches, referees and other sports actors assuming that such clothing is prohibited in sports anyway, including in circumstances where it is not, for instance during practice and training. “In France,” Assma told Amnesty International, “people don’t know the laws on secularism well so in fact every time there is a person who covers their hair, let’s ban them straight away, let’s ban their access to sports, their access to work, etc. Whereas we have rights.”

Assma told Amnesty International that she believed the change in the FFVB’s Statutes was inspired by the bans already introduced by the French Football and Basketball Federations, as well as the September 2023 pronouncement of the Minister of Sports that French hijab-wearing athletes would not be allowed to compete in the upcoming Olympic and Paralympic Games, which all created a “domino effect”.

While the FFVB’s Statutes reference “secularism” and do not specifically mention head coverings worn by Muslim women and girls, a [brochure](#) issued on the occasion of its General Assembly makes it unequivocally clear that the change was intended specifically to target Muslim women players. It states: “The French Volleyball Federation has received several remarks/questions regarding the presence of veiled volleyball actors during championship matches, i.e.: a referee’s decision to prohibit a young girl from participating while wearing a veil in a U18 [under 18] French Cup match and questions about the outfit of a female coach whose ‘head was covered with a scarf revealing only her face’.” In a media [interview](#), the FFVB’s President Éric Tanguy also confirmed that the aim of the Statutes’

change was to regulate the clothing choices of Muslim players: “For us the phenomenon is extremely minimal compared to what we hear about basketball,” he said. “But seeing since it exists in other sports, we moved forward with clarifying the situation, to prevent our referees from finding themselves in difficulty.”

To Assma, the policing of Muslim women’s clothing choices in France is also intrinsically linked to questions of work, economic and social power, gender inequality, classism, and racism. “When you see a racialized Muslim cleaning lady, she can wear a bonnet, that doesn’t bother anyone. You can do these jobs in train stations, in public schools, you can do the work for French people, have what society considers a thankless job. There is no problem. The higher you go up the ladder of society, the more bothersome it becomes. If, for example, I want to wear a turban and become a lawyer, that will be annoying. Very annoying. ... We are made to believe that in France there is equality between men and women, that women are respected. But when we look into the laws it’s not that at all. We are still very, very far away. And so I have the impression that to make up for it, we are trying to point the finger at Muslim women or Islam in general. And it’s very frustrating and it also affects our identity. ... We can’t breathe anymore. Even sports, we can’t do them anymore.”

Despite the profound impact that being prevented from competing and being discriminated against has had on Assma, she plans to continue to practice volleyball and fight for other Muslim women’s right to participate in sports without discrimination.

“It has been impacting me a lot. But I really want to keep fighting. I want to keep fighting because this sport, volleyball, it helped me a lot with the relationship I had with my body. ... We often say that sport is a means of emancipation, it allows us to emancipate ourselves from our social conditions, our social class, all that. And we meet people we would never have met in everyday life.”

SWIMMING FOR LEISURE. “FEMALES IN HIJABS CANNOT SWIM IN FRANCE”

There is no national-level law in France prohibiting the wearing of full-body swimsuits (so-called *burkinis*) in swimming pools or on beaches. Since 2016, there have been [several attempts](#) by coastal municipalities to enact such bans. In 2016, the Conseil D'État [overturned](#) such a [discriminatory ban](#) in the town of Villeneuve-Loubet, stating that such bans would constitute “an illegal attack on fundamental freedoms.” Regional administrative organs, such as local and municipal councils, are responsible for the drafting and implementation of public swimming pools usage rules and regulations. With regard to private swimming pools, such [responsibilities](#) lie with their private owners.

It is not known how many swimming pools in France, public or private, have regulations that address the wearing of swimwear such as burkinis, whether it is to prohibit or explicitly allow it. One example of a municipality which explicitly bans such clothing in its public pools is the capital City of Paris whose [swimming pools regulations](#) state: “Access to the pool(s) is authorised to users in appropriate swimwear, i.e. the wearing of a swimsuit and a swimming cap is compulsory. Shorts, Bermuda shorts, cycling shorts, boxer shorts, T-shirts, and wetsuits are prohibited. ... Fabrics and other materials covering the face, legs, or even the entire body of the bather are prohibited, except for diving associations that have previously obtained an exemption from the City of Paris. The bathing supervision staff is authorised to send back to the changing rooms any person whose clothing or behaviour they deem incorrect or unsuitable for swimming” (emphasis added). No explanation is provided in the Regulations for this prohibition. Municipal pools in the city of [Rennes](#), on the other hand, appear to allow for the wearing of full-body swimsuits even though they do not mention them explicitly but make it clear that users must wear clothing that is designed for the purpose of swimming and that is not worn outside of the pool.

In May 2022, the City Council of Grenoble decided to listen to its Muslim women citizens and their allies and their requests for inclusive swimming pools, expressed for

instance through a campaign for “Pools for all” (*Piscines Pour Toutes*) with the Alliance Citoyenne association. The City Council adopted a decree explicitly authorizing the wearing of full-body swimsuits in municipal swimming pools, as well as removing restrictions on other swimwear. The decision prompted angry responses from the president of the Auvergne Rhône-Alpes region, Laurent Wauquiez, who suspended regional funding from the region to the city as a result of the decision, which he described as “a total rupture with the values of the Republic”. Subsequently, an administrative tribunal [suspended](#) the authorization of full-body swimsuits on the grounds that permitting women to wear such swimsuits constituted a breach of the “séparatisme” law.

In June 2022, the Conseil d'État upheld this ruling, concluding that Grenoble's proposed authorization of use of full coverage swimsuits would “undermine equal treatment” for other users of public services. It cited the 2021 law on “republican values”, which critics had feared would lead to [human rights violations](#) and, particularly, discrimination against Muslim individuals and associations.

Lawyer Marion Ogier, who supported the Alliance Citoyenne's efforts and followed the case before the French courts, told Amnesty International that the Conseil d'État's decision has sometimes been misrepresented and taken to mean that the use of swimwear such as burkinis in swimming pools throughout France was [prohibited](#). She stressed that the Conseil d'État in fact made two findings: firstly, that authorities are allowed “to adapt a public service to allow certain religious communities to express their convictions. For example, in canteens, we have the right to serve an alternative menu that is halal or vegetarian or whatever else to allow people to exercise their religious convictions,” she told Amnesty International. Secondly, it found that in the case of Grenoble, the specific permission for the use of burkinis and not, for example, men's longer shorts, was not in line with the principle of equality. “The Conseil d'État is not saying that it is forbidden, it does not

say that a regulation that would authorize the burkini would be illegal. It is simply saying that the way in which the city of Grenoble drafted the regulation created a derogation that was not justified. So a lot of importance has been given to this decision of the Council of State where, in reality, it would be possible for the city of Grenoble to authorize the burkini by rewriting its regulations and not saying there is an exception.”

Even though the power to regulate the use of swimming pools lies with individual regional and municipal authorities, and with regard to private pools, non-state actors, it is the responsibility of the French state to ensure that the human rights of every individual within its jurisdiction are [protected](#) and not violated, including by administrative state organs and non-state actors. The French authorities are therefore [legally obliged](#) to ensure that swimming pools' regulations do not discriminate against users, for instance through banning full-body swimsuits such as burkinis, for reasons that are not necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others.



Sign with the authorised swimwear in a pool in Marseille.
© Amnesty International

Moreover, even without a national-level law proscribing the wear of full coverage swimwear in pools throughout France, the authorities and those directly responsible for regulating the use of swimming pools, as well as users themselves, may not be aware of what rules actually apply. Due to the years of demonisation of the wearing of religious clothing by Muslim women and girls, instances of women being [sanctioned](#) and [forced to remove full-body swimwear](#), and the widespread Islamophobic rhetoric in the country, they may assume that the wearing of full-body swimsuits is forbidden. Additionally, Muslim women and girls who may wish to wear such swimming clothing at the beach or at the pool may also not want to risk the humiliation and distress of being denied entry or being met with surveillance, in person and online violence, sanction or harassment by police or other officials and other possible consequences.

22-year-old student “Faiza” told Amnesty International: “Normally you can go to the beach because it’s public but the problem is that every year, if you go to the beach with a burkini, it causes controversy. In fact, you can’t, no one really forbids you, but you’re forbidden because of everything around it ... if you want, you can wear a burkini but they’re going to take your picture. They’re going to film you, they’re going to put you on social media, they’re going to start criticizing, the media, they’re going to make a big deal out of it. ... There are some areas where you can because there are a lot of Muslims and women who wear the veil, so there are some areas where you can dare but they are hidden areas, they are like small lakes or small lagoons so it’s not really the beach, otherwise it creates too much controversy. And frankly, well, it’s not actually an option. For me, I find that this is not a viable option in fact.”

Not only laws and policies but also the widespread gendered Islamophobia in France thus have an impact on the choices Muslim women and girls make and on their exercise of a range of their human rights, for example their access to public spaces, their bodily autonomy, their private and family life and their health. “Faiza” told Amnesty International that she has been unable to practice swimming at all since she started wearing a hijab. “I used to like swimming in the pool and that was when I was a teenager and I wasn’t wearing a veil,” she said. “Then when I started, I understood well, it was really impossible to go to swimming pools with my veil. Especially not the municipal ones. In fact, you just need to be a little too covered and it’s basically a no go. ... It’s forbidden. There are actually pictograms with the tiny swimsuit that you can put on and for example for men, they will say briefs but not shorts that are too long, similarly, for women, a swimsuit, one-piece or a bikini, there are some pools that don’t even want one-piece swimsuits. ... So, even more so with the burkini, like, it’s really not possible.” “Angel” also told Amnesty International that she has not been able to swim in three years, since moving to France. “Females in hijabs cannot swim in France,” she said.

To lawyer Marion Ogier, hygiene and safety justifications that are sometimes put forward to justify full-body swimwear prohibitions in swimming pools are in fact excuses for discriminatory treatment of Muslim women and girls. While, she observed, hygiene concerns may be justifiable with regard to men’s shorts, since these may be worn outside, such considerations do not apply to full-body swimsuits. She told Amnesty International: “We know that men may wear swimming shorts in the street, wear them

on public transport, wear them in the car and that there is a hygiene problem since we cannot be certain that swimming shorts are not going to be worn outside the pool, whereas the burkini, I have never seen a woman in a burkini outside a swimming pool. ... We know that a woman who wears a burkini doesn’t do so on the underground, in her car or other such places. But it is ignorance. It’s always the same thing in fact, it’s the ignorance of these people, of their habits, of the Muslim community, of Muslim women.” “Faiza” told Amnesty International: “They say that it is a question of safety. But you put your veil on every day, so you know if it’s safe or not.”

Barriers to accessing swimming pools for Muslim women have also been reported in countries such as [Germany](#) and [Belgium](#), for example. A case against the country with regard to the prohibition of body-covering swimwear in a public swimming pool in Antwerp, Belgium, is currently [pending](#) before the European Court of Human Rights. On the other hand, for example, the city of [Geneva](#) in Switzerland has explicitly allowed for burkinis to be worn in their municipal pools in 2023 and so does the national governing body for swimming in [England, UK](#).

Interviewees in France told Amnesty International about solutions they felt could be put in place to make access to swimming more inclusive for Muslim women. “Faiza” said: “In fact, there should perhaps be slots available specifically for women because I think that the question of swimming pools goes beyond the simple fact of wearing a veil or wanting to dress as you want. It’s also... there’s a certain relationship to the body, so when you go to the swimming pool, you’re not very dressed, etc.... with your body not being covered and with all the stories that we can hear everywhere about touching or assault, etc. I think that just for a level of security and for it to be a space, a ‘safe place’ for women. ... There can be mixed pools, but there should be slots for women or pools for women.” “Angel” told Amnesty International: “I would like to see all people equal, to really see all people’s inclusion, real inclusion, not the inclusion that they’re talking about. ... I’m talking about not only people with hijabs, no, include females in technology, include people with disabilities in the activities and recruit them, don’t try to avoid them, help them. Be kind. We only live once. Just be kind and accept everyone.”



Members of the Alliance Citoyenne association celebrate after the Grenoble Municipal Council voted to allow the wearing of the burkini in the city’s swimming pools, 16 May 2022. (© JEFF PACHOUD/AFP via Getty Images)

KEY INTERNATIONAL HUMAN RIGHTS LAW AND STANDARDS

The bans on religious headgear in sports in France violate Muslim women's rights under international human rights laws and standards, including the [International Covenant on Civil and Political Rights](#) and the [International Covenant on Economic, Social and Cultural Rights](#), which France has ratified. Both of these treaties prohibit "discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status" in the states' application of their obligations. In its [General Comment 20](#) on Non-Discrimination, the UN Committee on Economic Social and Cultural Rights noted that "systemic discrimination can be understood as legal rules, policies, practices or predominant cultural attitudes in either the public or private sector which create relative disadvantages for some groups, and privileges for other groups." Moreover, international law prohibits states from introducing unjustified retrogressive measures. Regressive steps with regard to economic, social and cultural rights "would require the most careful consideration and would need to be fully justified by reference to the totality of the rights provided for in the [Covenant](#) [on Economic Social and Cultural Rights]."

ARTICLE 18

1. Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.

...

3. Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others.

International Covenant on Civil and Political Rights

Under international human rights law, state neutrality and secularism are [not legitimate reasons](#) for imposing restrictions on the rights to freedom of expression and religion or belief, including through general bans on religious and cultural symbols. Any restrictions must be justified by demonstrable facts, not presumptions, speculation or prejudice.

The [UN Human Rights Committee](#) has specified that such restrictions are only permitted if they are prescribed by law, are necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others. It also stressed that states are not permitted to impose any such restrictions "for discriminatory purposes" or to apply them in a discriminatory manner. It also observed that "if a set of beliefs is treated as official ideology in constitutions, statutes, proclamations of ruling parties, etc., or in actual practice, this shall not result in any impairment of the freedoms under article 18 or any other rights recognized under the Covenant nor in any discrimination against persons who do not accept the official ideology or who oppose it."

The European Convention for the Protection of Human Rights and Fundamental Freedoms ([European Convention on Human Rights](#)) also prohibits discrimination on the ground of religion or belief in relation to the enjoyment of the rights it enshrines. The [Revised European Social Charter](#) also enshrines the principle of non-discrimination on the ground of religion or belief in the enjoyment of the rights it protects, including the right to work, the right to education and the right to protection of health. The [Charter on Fundamental Rights of the European Union](#) also prohibits any form of discrimination on the ground of religion or belief.

France is also bound by the [Convention on the Elimination of All Forms of Discrimination Against Women](#), to counter gender-based stereotypes, which obliges it to take steps to end negative gender

stereotypes relating to women and men, or to specific groups of women, and promote the values of gender equality and non-discrimination.

As a State Party to the [International Convention on the Elimination of All Forms of Racial Discrimination](#), France is obliged to, "engage in no act or practice of racial discrimination against persons, groups of persons or institutions and to ensure that all public authorities and public institutions, national and local, shall act in conformity with this obligation", "not to sponsor, defend or support racial discrimination by any persons or organizations" and "take effective measures to review governmental, national and local policies, and to amend, rescind or nullify any laws and regulations which have the effect of creating or perpetuating racial discrimination wherever it exists."

THE HUMAN RIGHTS OBLIGATIONS OF THE INTERNATIONAL OLYMPIC COMMITTEE AND INTERNATIONAL SPORTS FEDERATIONS

The International Olympic Committee and international sports federations' responsibility to respect human rights stems primarily from the [UN Guiding Principles on Business and Human Rights](#) and is independent of the responsibilities of other state or non-state actors. This responsibility exists regardless of what France as a state is doing to fulfil its own obligations to respect and protect human rights. Under the UN Guiding Principles, the IOC and international federations such as FIFA, FIBA and FIVB also have a responsibility to remediate or cooperate in the remediation of abuses they cause or to which they contribute.

ARTICLE 12

1. The States Parties to the present Covenant recognize the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.
International Covenant on Economic, Social and Cultural Rights

Far from being a necessary measure to protect public health, France's hijab bans in sports stand to undermine the right to health, through placing limitations on Muslim women's and girls' physical activity, known to be an [important factor](#) for preventing a range of health conditions. Under international human rights law, everyone has the right to the enjoyment of the highest attainable standard of physical and mental health, a right strongly connected with the ability to engage in physical exercise, individually and with others. As stressed by, for example, the UN Special Rapporteur on the right of everyone to the enjoyment of the highest attainable

standard of physical and mental health, "racism is a key social determinant of health and a driver of health inequities." In a 2022 [report](#) on racism and the right to health, the Special Rapporteur also highlighted that "racial discrimination is also institutionalized in underlying determinants of health, such as education, employment and housing."

The impacts of discriminatory bans, such as those in France, and the prevention of Muslim women and girls from fully and freely participating in sports, for leisure and recreation or as a career, include impacts on their right to health, mental and physical. They are also intrinsically linked to the other health determinants as elaborated by the Special Rapporteur and the religious, racial and gender discrimination they face in accessing education and employment in France.

With temperatures growing at an alarming rate worldwide and heatwaves now

regularly experienced throughout [Europe](#), access to bodies of water and swimming pools for the purpose of cooling down is becoming an important health-related factor. According to the [Intergovernmental Panel on Climate Change](#), human-induced climate change will result in major health impacts. The Lancet's 2024 [report](#) on Europe, "Countdown on health and climate change", found that "within countries, ethnic minoritized and Indigenous people, low-income communities, migrants and displaced people, sexual and gender minoritized people, and women experiencing pregnancy and childbirth tend to be more severely affected by climate-related health impacts." The barriers experienced by Muslim women and girls in accessing swimming pools and beaches, such as the ones described in this publication, mean that they could be disproportionately impacted by such climate change-related health consequences.

THE HUMAN RIGHT TO PARTICIPATE IN SPORT

ARTICLE 15

1. The States Parties to the present Covenant recognize the right of everyone:
(a) To take part in **cultural life**; —
International Covenant on Economic, Social and Cultural Rights

A human right to participate in sport can be derived from international human rights law and standards on a full spectrum of human rights, for example the right to take part in cultural life, the right to health, including mental health, the right to participation public life, and take decisions about one's own body and private life, all these without being discriminated against. For example, everyone has the right to rest and leisure, as set out in **Article 24** of the [Universal Declaration of Human Rights](#). Everyone also has the right to participate in cultural life, of which sport is a part, as specified by the [International Committee on Economic, Social and Cultural Rights](#). Indeed, in their October 2023 [letter](#) to the French authorities, five United Nations Special Rapporteurs and the Working Group on Discrimination against Women and Girls, stressed that France is breaching the human rights of Muslim women and girls who wear

the hijab, including "their right to participate in cultural life, which includes the right to express their cultural identity and the right to participate in sports."

In 2023, UN Special Procedures mandate holders further [specified](#) that "the practice of sport without discrimination of any kind is ... conceived as a human right under Article 27 of the Universal Declaration of Human Rights and Article 15 of the International Covenant on Economic, Social and Cultural Rights, combined with the principle of non-discrimination recognized in Article 2 of the twin International Covenants, on Civil and Political Rights and on Economic, Social and Cultural Rights."

In its [General Comment 21](#) on the Right of everyone to take part in cultural life, the United Nations Committee on Economic Social and Cultural Rights noted, for example, that "no one shall be discriminated against because he or she chooses to belong, or not to belong, to a given cultural community or group, or to practise or not to practise a particular cultural activity. Likewise, no one shall be excluded from access to cultural practices, goods and services. ... The full promotion of and respect for cultural rights

is essential for the maintenance of human dignity and positive social interaction between individuals and communities in a diverse and multicultural world."

With regard to the protection of human rights in sport without discrimination based on sexual orientation, gender identity and sex characteristics, UN Special Procedures mandate holders also [observed](#) that "sport is an expression of life, an activity that is part of individuals' and communities' ways of interacting with one another, sharing values, and creating meaning. Hence, sports and games are at the core of cultural life and cultural rights. Within a human rights framework, pursuant to which all persons have the right to live with dignity, equality, and freedom, it is a laudable objective of humanity that the benefits of sport be made available to all, without discrimination."

Further, under the [UN Convention on the Rights of the Child](#), every child, and this includes Muslim girls who wear religious head coverings, has the right "to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts."

SYSTEMIC GENDER-BASED AND RACIST VIOLENCE AGAINST MUSLIM WOMEN AND GIRLS IN FRANCE

For the athletes, coaches and their supporters interviewed by Amnesty International, a central concern was the violent nature and impact of the prohibitions on the wearing of religious headwear in sports, especially in the context of broader systemic gender-based and racist anti-Muslim violence in France. Basketball player Héléne pointed to the disproportionate prevalence and specific nature of violence that visibly Muslim women and girls face and experience: “Studies show that Muslim women who wear the hijab and who are more visible

are more likely to suffer from violence, whether it’s verbal abuse, physical abuse, than men because we are visible. Because I think you’re perceived as inferior also by this society. And so they think that they can say and do things that they wouldn’t say to others. ... **It’s gender-based violence because ... the referees are, the majority of them are men, and so it’s men asking me to take off my clothes, whether it’s covering the head, whether it’s your T-shirt, whether it’s your dress, this is violence.** ... It’s a mix of a lot of discrimination and a lot of violence.”

The sportswomen interviewed also situated this gender-based violence firmly within the context of France’s history and legacy of colonization and its continuing consequences, particularly on racialised women. Volleyball player Assma told Amnesty International: “For me, there is a legacy of colonization which is very, very, very, very important. We speak of ‘unveiling’ during the Algerian war. ... The French colonizer exercised his power over women, women had to remain discreet, invisible. And it was the colonizer who decided whether they should be visible or not. ... And today, when a woman decides to be visible or not to be visible, it’s disturbing.” Héléne Bâ said: “It’s also ... colonial violence because France has a particular history with unveiling Muslim women, from the Algerian War preparation and the domination on colonial and dominated bodies because we are seen as bodies, we are seen as bodies of colour, even though not all Muslim women are, you know, some Muslim women are white, it’s important to say this, and we’re seen as bodies of people of colour from a different faith and as foreigners.”

A coach impacted by the hijab bans spoke to Amnesty International about how their experiences attested to systemic and sustained gender-based and racist violence in France: “France is a racist country. We live in a system where there will never be any evolution, no progression because we have at the head of our country a government which is not about integration, about diversity, but about discrimination and stigma and other things. ... And to have power, if you can crush the one below you, they will not hesitate, crush people, make them disappear, humiliate them, attack their dignity.”



Friendly women’s basketball tournament in Noisy-le-Sec on the outskirts of Paris, France, April 2024 © Amnesty International

“OUR VOICE NEVER GETS THROUGH”. LACK OF CONSULTATION AND MEANINGFUL PARTICIPATION

When introducing rules on the wearing of religious headgear in sports, French sports federations and the Minister of Sport have not been consulting those directly affected by them. For example, members of Basket Pour Toutes shared with Amnesty International that they have consistently faced obstacles in regional assemblies they attended when trying to raise the human rights impacts of FFBB's harmful practices and policies. H         told Amnesty International: “I tried to speak during the district committee in the evening but they wouldn't let me talk, they said: ‘this is not a topic related to basketball.’ I was like... this is in the rules, this is in the rules, this happened to me playing basketball, so how is this not a topic related to basketball? ‘Yes, but we are just applying the rules, the rules exist, and we just apply them.’ Ok, what if it's unfair? ‘It's not for me to judge whether it's unfair or not.’ Ok, what is your job if it's not you who handles that? Who do I have to talk to? Because you're supposed to represent me and I'm in the General Assembly and you're not letting me talk.”

A basketball coach said: **“What we want is to be able to exchange and have a dialogue.** ... that they allow us to give our opinion, an opinion which would be based on arguments, and the arguments are our reality on the ground. ... Listen to the young sportspeople who will perhaps be the future athletes of tomorrow, who were born in France, who grew up in France, who would like to represent their country tomorrow in whatever competition, but we do not give them the opportunity. That's what's needed. ... The Minister, she needs to come, really, to let us speak.” Another coach Timoth     Gauthierot said: “Include all the stakeholders in the discussions. What I'm saying is, they make a decision that concerns girls who wear the veil without having consulted the girls who wear the veil. ... The decision is necessarily against these girls because it was taken without discussing with them even though it

concerns them. ... If you want to work on a subject, you have to work with the people concerned.” Sociologist Dr Ha       Tlili, who has been researching hijab prohibitions in sports in France for several years and who co-founded Basket Pour Toutes, said: **“How can you accept again and again to speak for all women while excluding a part of the population of women? How?** How can you be satisfied with that, it's not possible. So whether you like it or not, whether you are ready or not, whether you know this audience or not, you have to invite them to the table. ... We cannot deal with this subject without the main women concerned.”¹⁶

“B”, who told Amnesty International about the difficulties she has experienced in practicing swimming in France, said: “We are always left out, we are always left out. **Our voice never gets through.** Even if we sometimes try to make our voice heard. But then, we find that things get blocked at some point. ... I teach my children that difference is wealth. And whether it's difference in clothing or differences of belief or language, all of that is an asset and in fact living together is beneficial for everyone and above all respecting each other, whether in sport or elsewhere.” Asked what she would say to the French authorities, “B” told Amnesty International:

“Women who wear the veil are not monsters. We are here, we lead lives too, we have projects, we have dreams. Let us dream, let us obtain what we can because the motivation is there, the desires are there.”

Muslim women players and their supporters, like everyone else, have the right to participate in public life under several international human rights law instruments and standards that France is bound by including under the [International Covenant on Civil and Political Rights](#). The Minister of Sports and Olympic and Paralympic Games,

French sports federations and other relevant French authorities, for instance regional authorities responsible for swimming pools, should ensure consultation with and meaningful participation of Muslim women players and athletes, in particular those who wear religious headgear, in any discussions about rules, policies, and any other laws or regulatory frameworks that concern them, including Muslim women from marginalized groups and those facing discrimination on the basis of, for example, disability, race, ethnicity, socio-economic circumstances or migrant status.



Members of Basket pour Toutes outside the UN's Palais des Nations in Geneva, Switzerland    Basket pour Toutes

¹⁶ Interview by video call with Dr Ha       Tlili, 10 June 2024.

“YOU FEEL THE JOY”. THE POSITIVE ROLE OF SPORTS

The devastating harms that hijab bans in sports have on Muslim women and girls distinctly come into focus when they speak about what sport means to them and what the bans have deprived them of. For instance, “Faiza” spoke about the transformative role that sport has played in her recovery from an eating disorder: “My relationship with sport is a little delicate because I used sport a bit as therapy because I had a bit of an eating disorder. ... And when I started to get a taste for the gym, for sport and above all to get rid of this beginning of anorexia a little ... it's still been therapy because it stops me from focusing on my weight.” Sociologist, researcher and Basket Pour Toutes co-founder Dr Haïfa Tlili said: “It's the core of our life, it's central. ... It's a connection with life. ... And of course, we are not just speaking about sports, **we are not just speaking about movement or pleasure - it's all connected and that's why it's very powerful. Because we spoke about choice, pleasure, being better, active in health.** ...

Maybe for you it's important to go to swim. Maybe you feel good in the water. ... But if we took that from you, you would feel that you... lose something very important.”

Interviewees also spoke about the community that sport can often enable them to build. “B” said: “It's a shared time.” A basketball coach told Amnesty International: “On Monday evenings, I run a session for mums and there are mums of all cultures, from all walks of life, Moroccan, African, French, West Indian. The pleasure they have coming to this training session is to get together, to laugh for a while. There are some who say that even after a tiring day, they feel the need to meet the others. And when they get together and play together, there's the one with a headscarf and there's the one with mini shorts, and the one with her arms completely bare. And no one is judging ... we are just sharing a common passion and today the reality is that basketball is full of people who share the same passion, whatever their confession

may be. ... We come to play basketball, this allows us to meet, to exchange, to surpass yourself for some, for others it can even be an outlet out of the family environment, perhaps of everyday problems.”

The bans on sports hijabs in France exclude many Muslim women and girls from playing and hence prevent them from experiencing the community-building, educational, health-related and economic opportunities that sport can provide. The bans also put Muslim sportswomen and girls at risk of unacceptable and inappropriate sanctions and humiliating treatment by some referees and other officials. They not only breach international human rights obligations that France has under several treaties to which it is a party in multiple ways but also go against international sports values and the fundamental principles of Olympism. In particular, Principle 4 of the [Olympic Charter](#) states that “every individual must have access to the practice of sport, without discrimination of any kind in respect of internationally recognised human rights within the remit of the Olympic Movement. The Olympic spirit requires mutual understanding with a spirit of friendship, solidarity and fair play.” The bans also contravene French sport federations' own [codes of ethics](#) and [commitments](#) towards equality and international efforts to increase participation and gender equality in sports.

A coach in the Île-de-France region told Amnesty International about the detrimental impacts of Article 9.3, which applies to “all players and participants in the match (coaches, referees, officials)”. It also has an impact on volunteers' and parents' participation in the sport and engagement with clubs and in the community. “We know the difficulty of getting parents to supervise, parents to support, parents to get invested in a club.



Friendly women's basketball tournament in Noisy-le-Sec, on the outskirts of Paris, France, April 2024 © Anna Blus

... Who are we actually going to put in these roles? Even us, tomorrow we will no longer exist because when we need team support, often it's the mums at the scorer's table, we train the mums ... We train the mum who wants to do it so if she has been on the score sheet, she can no longer be there, if she has been in charge of the room, she can no longer be there. This is too much. This regulation, as it is imposed, in any case in the department of [redacted] and by the Federation, it will even kill the investments made in volunteering... in support, in supervision, everything."

Hélène Bâ told Amnesty International about the values that playing basketball for many years has taught her: "It taught me discipline, it taught me sacrifice, fair play, team spirit, respect, solidarity, commitment, and sometimes I think also that, you know, the FFBB built us. And the resiliency that we have and the values that we share in Basket Pour Toutes, these are the values that basketball taught us. So why would you teach us some values that you don't apply? ... They tend to forget that in their Ethics Charter, respect and care and fair play and solidarity and women's access to sport and non-discrimination are values that are here. And there are many more values that we try to respect and that they violate, values that we breach when we refuse to play for example, when we boycott the games because they say that we are infringing upon the Ethics Charter... They are the ones violating that Charter, not us." Indeed, FFBB's [Ethics Charter](#) lists "respect, equality and against all forms of discrimination" as key values. It also states that: "It is necessary to increase female practice and ensure representation of women in governing bodies, in the spirit of the universality of the discipline."

A basketball coach told Amnesty International how they have tried to increase women's participation in basketball, particularly of those from poorer neighbourhoods and how the FFBB's ban was resulting in all of this work falling apart: "That's what I think I'll say all my life, it's about values, it's... I mean me, I fought for a long time for young girls to have their place on a basketball court and their place even in society and all that. So there you have it, and it's nonsense. It's a regulation that makes no sense to the extent that what we are being asked, even in the pillars of the French Basketball Federation ... notably to work with young girls in priority neighbourhoods, integration and inclusion of the public,



diversity, access to championships and competition.... They give you that as an objective and on the other hand... **it's like a horse whose reins you pull but at the same time you whip.** They want to get out of the neighbourhood, they want to meet other people, to be integrated, like everyone else. And then all of a sudden, boom. Bear in mind that sport contributes to education, inclusion, integration, it contributes to many things. There are perhaps families, perhaps young girls who are not happy at home, who have relationship problems or things like that and who can express themselves through sport. And well, all of this, for me, is a hindrance to my values and to my mission."

Speaking about why he was standing up against the hijab ban in basketball, coach and Basket Pour Toutes member Fabrice Dufait told Amnesty International: "It's important because it's unjust. ... It's about our values. And **I refuse for anyone to be excluded from the grounds.** ... The real question is whether a person can be prevented from participating in sports."

Timothée Gauthierot told Amnesty International: "This type of discrimination, on other grounds, has already existed in

history. ... At one time in other countries, Black people were not allowed to do certain things. It was in the law, it was written, it was forbidden. This doesn't mean that since it's in the law it is right and we can't do anything. It's not right, we have to mobilize. ... We can take a lot of examples, here I took the example of Black people, but we can take the example of women, at a time, not so long ago, women were unable to vote in France. If you mention that to a woman today, she's going to say well no, it's nonsense, why would a woman not be able to vote. And it's the same thing, a woman who wears a veil can't play basketball. Why? What is the reason? There's no reason."

By discriminating against Muslim women and girls who wear or wish to wear religious head coverings in sports and effectively blocking their careers, the French authorities are compelling them to either end their dreams of pursuing a professional career in their chosen sport or seek opportunities abroad. In this way, France is also losing sporting talent. Diaba Konaté,



Sports event organised by Les Hijabeuses in June 2024
© Catalina Martin-Chico/Panos Pictures

who used to play in France's national youth team, left the country in December 2018 in order to continue her career in the USA, where she is now a college basketball star at Irvine, California. "I love basketball, my family, and my faith," she said in an [Open Letter](#) to the French Basketball Federation signed by 80+ athletes and several allies and non-governmental organisations on 8 March 2024, International Women's Day. "It would break my heart to give up any one of those, and yet that is what the current French Federation of Basketball guidelines are forcing me to do." She [told](#) a Guardian journalist: "I love my home country, but I feel like America loves me more." A coach in the Île-de-France told Amnesty International: "A young girl when she has made the selections, the screenings, when she has done all that, when she arrives with her headgear to enter the training scene, we tell her 'no, too bad.' ... It is a shame for France that all of her knowledge and all of the skills that she has learnt in France, she will give them to another country. It's a shame because we may be losing ... quality athletes."

In the context of the upcoming Olympic and Paralympic Games, discriminatory exclusion from participating in sports, being a part of their teams, either as players, coaches or other sports actors, is particularly jarring. "Faiza" told Amnesty International: "Given that the values of sport are to bring everyone together, sport is supposed to be a common basis and that especially France, it advocates for women's rights and human rights with a capital H, I don't understand how it can be. If you are of a certain faith and you decide to wear the veil, it will not disturb anyone in any way because it will be sports veils which are like balaclavas, they don't cause any trouble."

A basketball coach said, about the Minister of Sport's announcement that athletes representing France would not be allowed to wear religious head coverings: "Today we are talking about the Olympics, why are they not being allowed to participate in the Olympics? Well, there will never be a veiled player in the Olympics if we don't let them play basketball when they are little girls." "B" said: "It is sad. It's even shameful to be at this point in 2024, to block dreams just because of a piece of fabric." "Faiza" spoke about the hypocrisy of celebrating alleged advancements in the area of gender equality, including in sports, while invisibilizing Muslim women and violating their rights: "Above all ... for me it's the hypocrisy of advocating for women's rights

because I don't see how wearing the veil in France is incompatible with women's rights. We are always told about Iran and in fact, ultimately, those who prevent us from wearing the veil are just like those who force Iranian women to wear it. ... So I don't quite understand how it works, to say that you are going to deny French athletes who wear the veil just because they wear the veil from participating in a competition, this, for to me, it doesn't make sense. ... I was at conference at City Hall where one of the Deputies of the Mayor of Paris spoke about the Olympics and women and that all women, we are all together, et cetera, and that they have managed to have as many male as female athletes and me, I was listening in the room, I was saying to myself, but in fact, it's really pure hypocrisy because it means that we, as women who wear the veil, we do not count. **So we are invisible, we do not count among the women because you have excluded us from the get go, we cannot even practice the sport that we want to.** There are women who are ultra qualified in a sport, but they can't practice this sport just because of the veil."

Dr Haïfa Tlili said: "It's violent ... I don't want to talk about unconscious racism, no, it is conscious, completely conscious. They want to make this population invisible,

to their detriment. And that's when you realize that it's a political action. And that their political action is to make invisible, to not take into account, to essentialize, to reduce, to control."

Basketball player Hélène said: "I think it's going to be a shameful moment for France. ... Don't just focus on the victories that you'll probably have and try to see in the Olympics and the Olympic values, the values actually ... and try to do better next time. Try to get this opportunity to be humble and to learn and to realise that your French vision of life, of 'secularism', of religion, of discrimination, is not universal. It's a French vision that's only shared by France. It's the exception in the world and so please try to open your eyes and realise that and do better. That's all."



Diaba Konaté, French basketball player and former member of the French Youth National Team, now continuing her career in the United States © Amanda Kaye Delgado (@under.ratedmedia)



KEY RECOMMENDATIONS

TO FRENCH SPORTS FEDERATIONS, THE MINISTER OF SPORT, OLYMPIC AND PARALYMPIC GAMES AND THE FRENCH NATIONAL AND OLYMPIC SPORTS COMMITTEE:

- remove all provisions prohibiting the wearing of religious headgear and clothing from relevant laws and regulations;
- refrain from introducing rules and practices that directly or indirectly discriminate against Muslim women and girl players and athletes wearing religious headgear or other types of religious clothing and that violate their human rights;
- ensure that authorities on the regional, local and municipal levels, such as those responsible for public swimming pools, as well as non-state actors such as pool owners do not discriminate against Muslim women and girls through regulations that ban the wearing of swimming-appropriate full-body suits;
- meaningfully engage with players directly affected by such rules, laws, policies and practices, that is Muslim women and girls who wear religious head coverings or wish to do so. Meet with and listen to these rightsholders, take into account their concerns with regard to decisions impacting them and ensure their meaningful participation in any discussion about any such rules and proposals;
- ensure that independent research is conducted, in consultation with Muslim women and girls who wear religious head coverings to assess, monitor and address the human rights impacts of the bans on the wearing of religious head coverings in sports;
- ensure the gathering of detailed and disaggregated data on the experiences of Muslim women and girls who wear

religious head coverings to inform actions to eliminate discrimination against them;

- refrain from discriminating against Muslim women athletes in the practice of sports, including the upcoming Olympic and Paralympic Games, and to end harmful stereotyping discourses that entrench and legitimise Islamophobia;

TO THE INTERNATIONAL OLYMPIC COMMITTEE:

- as the “Owner of the Olympic Games”, publicly call on the French National Olympic Committee and French authorities to respect the Olympic Charter by withdrawing their prohibition on sport hijabs at the Paris 2024 Olympic and Paralympic Games and all future Olympic events;
- ensure that any agreement to host the 2030 Winter and Paralympic Games in France includes clear guarantees of non-discrimination and a withdrawal of all prohibitions on Muslim women wearing a sports hijab;
- as the “Leader of the Olympic Movement”, use your leverage to ensure that French authorities and sports federations remove all discriminatory laws and regulations violating Muslim women and girls’ right to participate in all levels of sport, and respect and listen to the voices of impacted athletes;

TO INTERNATIONAL SPORTS FEDERATIONS SUCH AS FIFA, FIBA AND FIVB:

- in line with your human rights responsibilities, commitments and statutes, take measures to ensure that French sports federations remove regulations that prevent Muslim women and girls from realising their right to participate in sport;

TO EUROPEAN STATES:

- refrain from introducing rules and practices that discriminate against Muslim women and girl players and athletes wearing religious headgear or other types of religious clothing;

TO THE EUROPEAN UNION AND THE COUNCIL OF EUROPE INSTITUTIONS:

- use all available means to effectively combat anti-Muslim racism, including gendered Islamophobia, in sports and other areas of life in the region.

METHODOLOGY

This campaign digest is based on qualitative research conducted by Amnesty International between February and June 2024. It builds on Amnesty International's previous findings and analyses concerning restrictions on the wearing of [religious dress](#) in [France](#), including in [sports](#), and their [incompatibility](#) with [international human rights law](#) and [standards](#). It also provides an analysis of the most recent restrictions and situates these policies and their development in the regional context of Europe (specifically, the European Economic Area, the Balkans, Turkey and the United Kingdom). Amnesty International analysed clothing and equipment rules and regulations in three selected team sports – football, basketball and volleyball – where available, in 38 countries in Europe, to examine whether bans on clothing such as those introduced by some French sports federations exist in any other country in the region. Where such documents were not available, Amnesty International sought this information from the relevant authorities. Amnesty International selected football, basketball and volleyball due to the hijab prohibitions in these sports in France and their negative impacts on the human rights

of Muslim women and girls coming to our attention specifically. Amnesty International conducted online interviews, in English and in French, and spoke with fifteen individuals based in France impacted by the bans: nine athletes, three coaches, one project worker, one sociologist and one lawyer. In line with informed consent given by the interviewees and as per Amnesty International's research standards, we have protected the identity of some of the people with whom we spoke by using a pseudonym or other means to anonymize identifying details, in accordance with their wishes. All representatives of the French authorities mentioned in this digest were provided with an opportunity to respond to Amnesty International's main findings prior to publication.

This digest does not claim to provide a comprehensive study of the phenomenon of gendered Islamophobia in sports in France. Rather – through four case studies – it attempts to provide a snapshot of the harmful consequences of these discriminatory bans on Muslim women and girl athletes, their team members, coaches, as well as the Human Rights Defenders who stand with them.



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