



Thomas Bach
President
International Olympic Committee

11 April 2024

Dear Mr Bach,

Subject: Ban on French athletes wearing the hijab at the 2024 Olympic Games

In advance of the Paris 2024 Olympic Games, we are writing to you to urge the IOC to publicly call on the French authorities to overturn the ban on French athletes wearing the hijab at the 2024 Paris Olympic Games. FairSquare Projects is a UK-based non-profit research and advocacy organisation. Among the issues we work on are accountability in sport.

In September 2023 French Minister of Sport Amélie Oudéa-Castéra announced in a television interview that the country's athletes will be barred from wearing the hijab at the forthcoming Paris Olympics, based on France's "regime of strict secularism", which, she said "means the prohibition of any form of proselytism, the absolute neutrality of public service." We wish to draw the IOC's attention to the fact that the hijab ban appears to have its roots in a court decision that endorses articles of the French Football Federation that clearly misrepresent the Olympic Charter, and thereby sets a dangerous precedent whereby the Olympic charter may be instrumentalised by states wishing to discriminate on the basis of religious belief.

In her comments, Oudéa-Castéra specifically cited a June 2023 decision from France's Conseil d'Etat, the country's highest administrative court, as a key part of the government's decision to ban athletes wearing the hijab from representing France at the Olympic Games. That case revolved around Article 1 of the Statutes of the French Football Federation (FFF), which was

amended in 2015 to prohibit players from wearing “symbols or clothing obviously displaying one’s political, philosophical, religious or trade union views.” In Article 1, the FFF in part justifies this prohibition with reference to Article 50 of the Olympic Charter. The IOC provision in question only prohibits “political, religious or racial *propaganda*. [italics added]”

Shortly after Minister Oudéa-Castéra’s announcement, the International Olympic Committee clarified that there would be no restrictions on cultural or religious attire, including the hijab, for athletes competing at Paris 2024. “For the Olympic Village, the IOC rules apply,” an IOC spokesperson said, explaining that this meant that “there are no restrictions on wearing the hijab or any other religious or cultural attire.”

Far from attempting to uphold ‘neutrality’, France is actively politicising its sporting bodies and its athletes and the headscarf ban appears to be part of a disturbing trend towards excluding Muslims from participation in sport in France.

- In January 2022 French Senators voted in favour of a proposal stipulating that the wearing “of conspicuous religious symbols is prohibited” in all events and competitions organised by sports federations, although this was subsequently rejected by the National Assembly. Amnesty International stated that parliamentary debates on the proposals saw “politicians resort to inflammatory rhetoric and offensive stereotyping that stigmatises Muslim women and often conditions their participation in community sports on unnecessary and disproportionate limitations on their rights to freedom of expression, thought, conscience and religion.”
- In October 2023 six UN human rights experts wrote to the French government expressing their concern that the ban violates the right of Muslim women and girls in France to “participate in sporting life” and may “fuel intolerance and discrimination against them.”
- In March 2024, the French Football Federation announced that players called up by French national teams cannot fast during the period of Ramadan. FFF president Philippe Diallo said in an interview that the new rules reflect the “principle of neutrality” that is written into the organisation's statutes and that the measures “ensure that religion does not interfere with an athlete.”

It is the stated mission and role of the IOC to “encourage and support the promotion of women in sport at all levels” and “to act against any form of discrimination affecting the Olympic Movement.” Since 1996, when the IOC lifted its ban on athletes wearing the hijab at the

Olympics, hijab-wearing athletes have won medals in fencing, weightlifting, and taekwondo, demonstrating the success of the IOC's reversal in broadening accessibility to sport.

The IOC should make it explicitly clear that the Olympic charter does not provide for a ban on athletes wearing the hijab, call publicly on the French authorities to overturn the ban on French athletes wearing hijabs, and meet any failure to do so with appropriate sanctions.

In an annex to this letter, we describe in more detail the background and context to this issue.

We look forward to hearing from you and would be happy to discuss any of the issues raised in this letter in person or by telephone or email.

Yours sincerely



Nicholas McGeehan
Director



James Lynch
Director

Annex

French Football Federation and the Olympic Charter

In 2015, the French Football Federation (FFF) amended article 1 of its statutes to prohibit players from wearing “symbols or clothing obviously displaying one’s political, philosophical, religious or trade union views” during competition. The FFF stated two reasons behind its decision. Firstly, its obligation to “defend the fundamental values of the French Republic, and secondly compliance with Article 50 of the Olympic Charter, which, the FFF says, is designed to “ensure the neutrality of sport.”¹ A member of the Executive Committee of the FFF told the media that the change was necessary because of cases where players and referees had performed prayers during football matches and players had refused to shake hands with women. He conceded that such events were “very marginal, but happened from time to time.” In March 2014, football’s world governing body FIFA had authorised the wearing of head covers for religious purposes during matches.

Headscarf ban in French basketball

In December 2022, the French Federation of Basketball (FFBB) introduced into its regulations a ban on “the wearing of any equipment with a religious or political connotation.” As with the case of football, its decision starkly contrasts with the position of the Fédération Internationale de Basketball (FIBA), the sport’s governing body, which overturned a ban on headscarves in 2017. In 2024, a coalition of athletes and rights groups, including the Sport and Rights Alliance, Baskets Pour Toutes and Athletes for Impact wrote an open letter to the FFBB and FIBA urging the ban to be overturned. “I love basketball, my family, and my faith,” said Diaba Konaté, a French Muslim basketball player currently playing at the University of California Irvine and one of the letter’s signatories. “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.”

¹ La Fédération et ses organes déconcentrés, en tant qu’organes chargés d’une mission de service public déléguée par l’Etat, défendent les valeurs fondamentales de la République française et doivent mettre en œuvre les moyens permettant d’empêcher toute discrimination ou atteinte à la dignité d’une personne, en raison notamment de son sexe, de son orientation sexuelle, de son origine ethnique, de sa condition sociale, de son apparence physique, de ses convictions ou opinions. Par ailleurs, le respect de la tenue réglementaire et la règle 50 de la Charte olympique assurent la neutralité du sport sur les lieux de pratique. A ce double titre, sont interdits, à l’occasion de compétitions ou de manifestations organisées sur le territoire de la Fédération ou en lien avec celles-ci : - tout discours ou affichage à caractère politique, idéologique, religieux ou syndical, - tout port de signe ou tenue manifestant ostensiblement une appartenance politique, philosophique, religieuse ou syndicale, - tout acte de prosélytisme ou manœuvre de propagande, - toute forme d’incivilité.

Legal challenge

Les Hijabeuses, a collective of women campaigning for an end to the exclusion of hijab-wearers from French football and a French NGO, la Ligue des droits de l'Homme (LDH), submitted a legal challenge to the FFF's headscarf ban arguing, among other things, that it violated their constitutional rights, their rights under the European Convention on Human Rights. They also argued that the FFF misrepresented the Olympic Charter in its defence of the ban. They pointed out that "Article 50 of the Olympic Charter is not interpreted by the International Olympic Committee as prohibiting female athletes from distinguishing themselves by religious clothing attributes." At a hearing on June 26, the public rapporteur to the Conseil d'Etat advised that the FFF ban be overturned. According to multiple media reports of the hearing, he said that wearing a hijab did not constitute an act of proselytism, but was part of freedom of conscience, "which implies being able to express one's convictions", both religious and political. "The principle of neutrality [of public agents vis-à-vis religions] does not have the scope that the FFF attributes to it".

The rapporteur's views are aimed at informing the decision of the judges of the Conseil d'Etat who follow the rapporteur's guidance in the vast majority of cases. However, three days after his recommendation, the court ignored his recommendations and upheld the FFF ban. As is typical with its judgments, the court did not explain its reasoning or explain why it disagreed with the arguments proposed by the plaintiffs or its own public rapporteur, it, simply affirmed that the ruling that French sports federation have regulatory power "to determine the rules for participation in competitions and events that it organises or authorises." In response to the decision Founé Diawara, co-President of the Hijabeuses collective, which brought the case against the FFF said: "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."