ERASMUS TEACHING MOBILITY LECTURE

**Dressing Neutrally v. Religious Freedom in European “Headscarf Cases”: Looking for a Rationale to Legitimize the Ban on Concealing Faces in International (Human Rights) Jurisprudence**

Anna Oriolo\*

**Abstract**

In recent years, a number of other European States have discussed or disputed this question in relation to the ban on concealing faces in some occupations and situations.Undoubtedly, the veiling of women, especially with the use of full-face veils, such as the *burqa* or *niqāb*, reflects a traditional interpretation of Islam. This is often perceived as a threat to women’s dignity, and hence incompatible with democratic standards. However, a general prohibition on wearing full-face veils would deny women who freely desire to do so the right to respect their private life and personal identity, and the freedom to manifest their religion or belief in worship, teaching, practice and observance.

For these reasons, the ECtHR, the European Union Court of Justice (CJEU), and the United Nations Human Rights Committee (UNHRC or Committee) have been called on to examine whether public or private provisions introducing a broad ban on wearing clothing that covers the face constitutes an ill-advised invasion of individual privacy or may be justified as necessary in a democratic society, particularly for security purposes or where the public or professional functions of individuals require religious neutrality or showing their faces.

In this perspective, the Lecture addresses the question of the legitimacy of European bans on concealing faces through a comparative analysis of the international (human rights) case-law that has interpreted the wearing of Islamic headscarves as an expression of cultural and religious freedoms.