



NEWS REPORT

Date:	02 December 2010
Expert:	Per Norberg
Title:	Equality Ombudsman decides on the wearing of niqabs at school
Country:	Sweden
Context	
Issue at stake:	Decision of principal importance regarding the wearing of religious clothes
Ground of discrimination:	Religion/ethnicity
Source:	Equality ombudsman case 2009/103
Field:	Education

Content

On 30 of November 2010 the Equality Ombudsman decided on an important and widely debated niqab case.¹ A 24 year old ethnic Swede who had converted to Islam and decided to wear a niqab for religious reasons was not allowed to follow an educational training program to obtain a diploma as pre-school teachers (*barnskötare*). The school claimed that a niqab makes it harder to teach since the teacher cannot read the face of the student wearing a niqab.

The Equality Ombudsman decided that a prohibition of niqabs could amount to indirect discrimination on grounds of ethnic origin or religion unless it is objectively justified. This could be the case where safety regulations for chemical experiments demand the wearing of certain specific clothing. But a general ban on niqabs is not acceptable. The Equality Ombudsman stated that the education provider must try to solve any pedagogical problem by less intrusive measures for the student concerned if it is possible.

In the present case the student and the education provider agreed on a practical solution. The student sat in the front and could remove her niqab. Male students were seated behind her so that they could not see her face. She got her exam.

¹ Case 2009/103



Since the education provider had found a practical solution to the pedagogical problem the Equality Ombudsman decided not to proceed to Court.

Internet link source and additional information:

http://www.do.se/Documents/pdf/forlikningarochdomstolsarenden/Beslut_%202009_103.pdf