

SUMMARY

# **ECJ 28 November 2023, case C-148/22 (Commune d'Ans), Religious Discrimination**

## ***OP – v – Commune d' Ans, Belgian case***

### **Summary**

Wearing of religious symbols in the workplace: a public administration may decide to prohibit all of its employees from wearing such signs. The ECJ's summary of the case can be found [here](#).

### **Questions**

Must Article 2(2)(a) and (b) of Directive 2000/78 be interpreted as meaning that an internal rule of a municipal authority prohibiting, in a general and indiscriminate manner, the members of that authority's staff from visibly wearing in the workplace any sign revealing, in particular, philosophical or religious beliefs may be justified by the desire of the said authority to establish an entirely neutral administrative environment?

Must Article 2(2)(a) and (b) of Directive 2000/78 be interpreted as permitting a public authority to organise an entirely neutral administrative environment by prohibiting all the members of its staff from visibly wearing signs which reveal, in particular, philosophical or religious beliefs, whether or not those staff members are in direct contact with the public, where that prohibition appears mostly to affect women and is therefore liable to constitute indirect discrimination on the grounds of sex?

### **Ruling**

Article 2(2)(a) of Directive 2000/78 must be interpreted as meaning that an internal rule of a municipal authority prohibiting, in a general and indiscriminate manner, the members of that authority's staff from visibly wearing in the workplace any sign revealing, in particular,

philosophical or religious beliefs may be justified by the desire of the said authority to establish, having regard to the context in which it operates, an entirely neutral administrative environment provided that that rule is appropriate, necessary and proportionate in the light of that context and taking into account the various rights and interests at stake.

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**Creator:** European Court of Justice (ECJ)

**Verdict at:** 2023-11-28

**Case number:** C-148/22