**ABSTRACT**

This thesis analyzes the policy of secular France against religious freedom under the European Convention on Human Rights (ECHR) Article 9 and its relation to the ban of the hijab, niqab and burqa in public spaces that occurred from 2004 to 2016, as well as the controversies that arise on the passing of the law. The law was initiated on December 17, 2003, President of the French Republic, Jacques Chirac, made presidential speech on French national television that support the proposed new legislation on the prohibition of the use of religious symbols prominently in the public space, which was then passed on 2004.

This study aimed to determine the factors that cause the occurrence of human rights discrimination in France against Muslims, especially women who use the hijab, niqab and burqa. This research was conducted through literature review with qualitative and analytical descriptive method.

This study discussed the emergence of human rights discrimination cases in France which is caused of two factors: internal and external factors. Internal factor of this case is an increase in Muslim population in France is very significant, whereas the external factor is French people are worrying about radical movements and Islamic fundamentalism after the events of the World Trade Center (WTC) 9/11 in the United States, as well as the emergence of the trends of Islamophobia with negative stigma toward Muslims in France.

Researcher found an incompatibility between religious freedom contained in the European Convention on Human Rights (ECHR) Article 9 and the reality happening in France. The results of this study were based on the analysis using the theoretical framework of Human Rights, constructivist theory, public policy, and institutional models.

**Key Words: Religious freedom, secularism, European Convention on Human Rights, Muslim women hijab.**