



## GUIDANCE ON RESPECTFUL SECURITY PROTOCOLS FOR RELIGIOUS HEADWEAR (SIKH TURBAN) TO BE IMPLEMENTED AT AIRPORTS WORLDWIDE

### Introduction

This guidance has been put together by The Sikh Network, a nationally recognised network of Sikh organisations, activists and professionals in the United Kingdom (UK). This briefing intends to provide relevant authorities with a reference point as to the importance of the Sikh Turban (*Dastaar*) and standard security searching protocols, which are currently implemented in the EU and the USA, so that these measures may be adopted in other jurisdictions.

These measures strike a balance between providing safety for all passengers and showing respect and dignity for the Sikh Turban (*Dastaar*) and other religious or cultural headwear.

### Background

The Sikh faith is a distinct, independent and monotheistic religion. The Sikh faith originates from the Punjab region, split between India and Pakistan and there are currently 25 million Sikhs worldwide. The Sikh faith is the fifth largest world religion after Christianity, Islam, Hinduism and Buddhism.

Sikhs are recognisable by their appearance, most notably, for wearing a Turban, which has been an integral part of the Sikh tradition since the formation of the faith. In simple terms, the Turban serves as a mark of commitment by the Sikh to his/her faith and represents self-respect, courage and spirituality. The Sikh faith is the only religion in the world which requires its followers to tie a Turban and as such, the Sikh Turban is considered an article of faith.

The Turban is a significant part of the Sikh identity and is prescribed in the Sikh Code of Conduct and Conventions, called the "*Sikh Reht Maryada*". Sikhs are expected to keep their hair unshorn. They tie their hair in a bun or top knot on top of his/her head, which is then covered by a Turban. Sikh women who chose to tie a Turban, have equal religious rights and are entitled to the same treatment as Sikh men.

The Sikh Turban can be of various styles and colour, but crucially it is not a hat. The Turban is sacred to the Sikhs and it is usually removed and replaced by a smaller Turban only in the privacy of the house and before going to sleep.

Sometimes the wearing of the Turban (a Sikh article of faith) may conflict with the interpretation of requirements and regulations for security procedures at airports. Primarily, the lack of understanding of the Sikh faith and its articles of faith can inadvertently lead to tensions between the rights of the individual and the regulations of the relevant authorities.

Many airport staff around the world identify the Sikh Turban as a normal piece of headwear rather than a religious requirement of the Sikh faith. There are many reasons why this could be the case, mainly because of lack of understanding by the relevant aviation authority and organisations who run the airport when drafting guidance and training their staff. Internationally, Sikhs are recognised as a religious and ethnic community and hence are protected by anti-discrimination and human rights legislation in respected jurisdictions. Therefore asking a Sikh man or woman to remove their Turban and/or 'targeting' a Sikh passenger, because they are wearing a Turban, is seen as religious and racial profiling which is a breach of their rights under relevant legislation.

In order to combat the unfair and illegal treatment of Turbaned Sikhs by airport security staff, the Sikh community has made considerable effort in creating awareness of the issue with relevant government departments and authorities.

Sikh advocacy organisations have successfully lobbied the United States Transportation Security Administration (TSA) over the last 10 years to implement new procedures for screening Turbaned Sikh passengers. The new procedures, designed to detect non-metallic objects, do not allow a TSA screener to touch a Sikh's Turban without cause unless the Sikh traveller gives the screener permission to do so. Importantly, Sikhs are not ordered to remove their Turbans unless the screener detects something dangerous in the Turban.

The European Union also implemented regulation (EU) No 104/2013 of 4 February 2013. This enabled and facilitated respect for the Sikh Turban by allowing alternative searching procedures (such as Explosive Trace Detection (ETD)

technology and hand held metal detectors) which removed the requirement for 'hand searches and 'patting down' and the need for Sikhs to remove their Turbans. This change in regulation was a consequence of lobbying of the

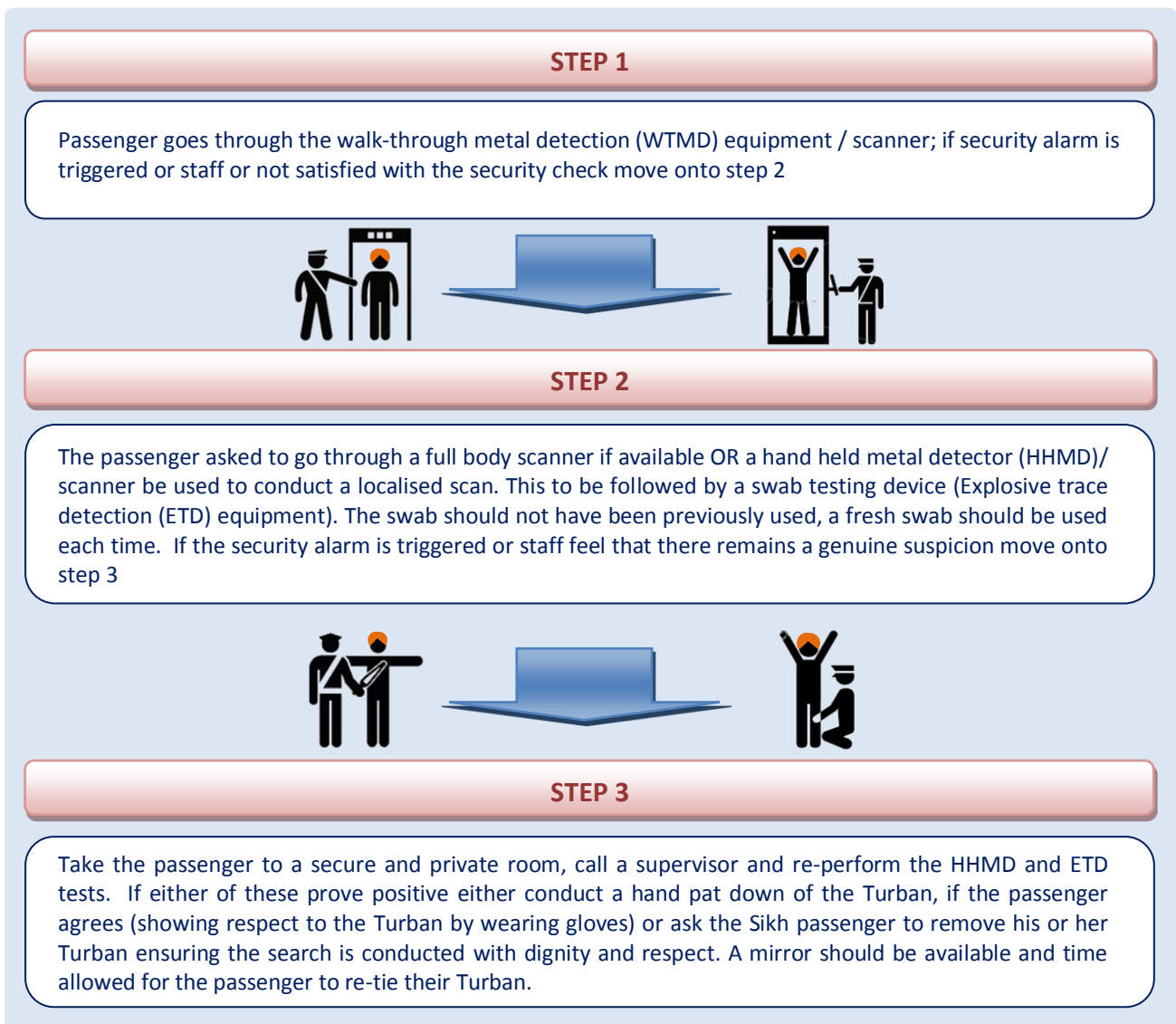
European Commissioner for Transport by Sikh organisations across Europe led by the Sikh Federation (UK). The UK Government took the lead on this and tabled the above amendment.

The EU regulation was amended based on the principles recognised by the Charter of Fundamental Rights of the European Union, notably, the human dignity, the freedom of religion, the non-discrimination, the rights of persons with disabilities, and the right to liberty and security.

### **Security screening process as used in major USA, UK and European airports**

Airport staff have a duty of care for the safety of all passengers as well as ensuring they do not infringe on their human rights and so there is a need to strike a balance between the two.

In order to respect the rights of Turbaned Sikh passengers, the following security screening process should be adopted, as currently implemented in major international airports across Europe and the USA.



Having undergone the same security screening process as other passengers, Sikh passengers should not be discriminated against by either being forced to wait until all other passengers have boarded the plane or undergo extra security checks. This discrimination would be religious/racial profiling and in breach of equalities and human rights legislation.

This guidance does not intend to create legal obligations on airport authorities but does however oblige the strictest and most earnest observance to protect the basic and fundamental religious and racial rights of **Sikhs**.