

# Ec Sex Equality Law

## Gender Equality Law in Europe - 2019

This report provides a general overview of the ways in which EU gender equality law has been implemented in the domestic laws of the 28 Member States of the European Union, as well as Iceland, Liechtenstein and Norway (the EEA countries) and four candidate countries (the Former Yugoslav Republic of Macedonia, Montenegro, Serbia and Turkey). The analysis is based on the country reports written by the gender equality law experts of the European equality law network (EELN). At the same time, this report explains the most important elements of the EU gender equality acquis. The term 'EU gender equality acquis' refers to all the relevant EU Treaty and EU Charter of Fundamental Rights provisions, legislation and the

case law of the CJEU in relation to gender equality. The development of EU gender equality law has been a step-by-step process, starting, at least for the 'oldest' EU Member States, in the early sixties. In 1957, the Treaty establishing the European Economic Community (EEC), the origin of the current EU, contained only one single provision (Article 119 EEC Treaty, nowadays Article 157 Treaty on the Functioning of the European Union 'TFEU') on gender discrimination: namely the principle of equal pay between men and women for equal work. Since then, however, many directives have been adopted which prohibit discrimination on the grounds of sex: the Directive on equal pay for men and women (75/117/EEC), the Directive on equal treatment of men and women in employment

(76/207/EEC, amended by Directive 2002/73/EC and now repealed by Recast Directive 2006/54/EC), the Directive on equal treatment of men and women in statutory schemes of social security (79/7/EEC), the Directive on equal treatment of men and women in occupational social security schemes (86/378/EEC, amended by Directive 96/97/EC and now repealed by Recast Directive 2006/54/EC), the Directive on equal treatment of men and women engaged in an activity, including agriculture, in a selfemployed capacity (86/613/EEC, repealed by Directive 2010/41/EU), the Pregnant Workers' Directive (92/85/EEC), the Parental Leave Directive (96/34/EEC, repealed by Directive 2010/18/EU), the Directive on equal treatment of men and women in the access to and the supply of goods and services (2004/113/EC) and, finally, the aforementioned so-called Recast Directive (2006/54/EC). For your convenience, the six EU gender equality law directives currently in force are

attached to this report as annexes. Since the entry into force of the Lisbon Treaty on 1 December 2009, the European Community and the EU have merged into one single legal order, the European Union. However, we continue to work with two treaties: the Treaty on European Union (TEU) that lays down the basic structures and provisions, and the TFEU, which is more detailed and elaborates the TEU. In addition, the Charter of Fundamental Rights of the EU entered into force in 2009 and has the same legal value as the two Treaties (the TEU and the TFEU). The TEU, the TFEU and the Charter all contain provisions that are relevant to the field of gender equality.

Cases, Materials and Text on National, Supranational and International Non-Discrimination Law - Dagmar Schiek 2007-08-31

This casebook, the result of the collaborative efforts of a panel of experts from various EU Member States, is the latest in the Ius Commune Casebook series developed at the

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Universities of Maastricht and Leuven. The book provides a comprehensive and skilfully designed resource for students, practitioners, researchers, public officials, NGOs, consumer organisations and the judiciary. In common with earlier books in the series, this casebook presents cases and other materials (legislative materials, international and European materials, excerpts from books or articles). As non-discrimination law is a comparatively new subject, the chapters search for and develop the concepts of discrimination law on the basis of a wide variety of young and often still emerging case law and legislation. The result is a comprehensive textbook with materials from a wide variety of EU Member States. The book is entirely in English (i.e. materials are translated where not available in English). At the end of each chapter a comparative overview ties the material together, with emphasis, where appropriate, on existing or emerging general principles in the legal

systems within Europe. The book illustrates the distinct relationship between international, European and national legislation in the field of non-discrimination law. It covers the grounds of discrimination addressed in the Racial Equality and Employment Equality Directives, as well as non-discrimination law relating to gender. In so doing, it covers the law of a large number of EU Member States, alongside some international comparisons. The *Ius Commune Casebook on Non-Discrimination Law* - provides practitioners with ready access to primary and secondary legal material needed to assist them in crafting test case strategies. - provides the judiciary with the tools needed to respond sensitively to such cases. - provides material for teaching non-discrimination law to law and other students. - provides a basis for ongoing research on non-discrimination law. - provides an up-to-date overview of the implementation of the Directives and of the

state of the law. This Casebook is the result of a project which has been supported by a grant from the European Commission's Anti-Discrimination Programme. See the detailed website for this book:

[www.casebooks.eu/nonDiscrimination/](http://www.casebooks.eu/nonDiscrimination/).

*EU sex discrimination law and the principle of equal pay* - Anna Grasmik 2012-03-16 Seminar paper from the year 2012 in the subject Law - Miscellaneous, grade: 1,7, Carl von Ossietzky University of Oldenburg

(Rechtswissenschaften), course: Advanced Lectures in EU Economic Law, language: English, abstract: The Council of Europe Commissioner for Human Rights, Thomas Hammarberg, said in his speech on 8th March 2011 „Every day women in Europe experience one of the most deep-rooted injustices - being paid less than a man for work of equal value.“ Equality between women and men is one of the objectives of the European Union. With the aid

of legislation, case law and amendments to the contracts it had gradually succeeded to give emphasis to this principle and apply it in the EU. This work will now try to show you this development. In the beginning, there will be a description of legal framework in the EU. This framework essentially bases on Article 157 TFEU and the Directive 2006/54. Afterwards follows the development of case studies by the jurisprudence of the ECJ in more detail. Keep on with the content of Article 157 TFEU with a closer look on the questions: What is pay? What is equal pay for equal work or work of equal value? When exists discrimination? What is the difference between direct and indirect discrimination? “Well come forward, but still long way to go”: So the initial assessment of the agreement is to promote equal opportunities between women and men in the private sector. Is it right and more: is it enough? Let's see if this question can be answered at the end of this work.

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EC Sex Equality Law - Evelyn Ellis 1998

This is the second edition of a well received book in the Oxford European Community Law Series. Evelyn Ellis's book is a detailed and critical examination of European Community sex equality law, as interpreted by the European Court of Justice. It contains a thorough analysis of the basic principles of Community law in the context of sex equality claims and a comprehensive discussion of equal pay, equal treatment and equality in relation to social security.

Discrimination Law - Sandra Fredman FBA 2011-05-26

Equality is an ideal to which we all aspire. Yet the more closely we examine it, the more its meaning shifts. How do we explain how equal treatment can in effect lead to inequality, while unequal treatment might be necessary in order to achieve equality? The apparent paradox can be understood if we accept that equality can be formulated in different ways, depending on which underlying conception is chosen. In this

highly readable yet challenging book, Sandra Fredman examines the ways in which discrimination law addresses these questions. The new edition retains the format of the highly successful first edition, while incorporating the many new developments in discrimination law since 2002, including the Equality Act 2010, human rights law, and EU law. By using a thematic approach, the book illuminates the major issues in discrimination law, while at the same time imparting a detailed understanding of the legal provisions. The comparative approach is particularly helpful; by examining comparable law in the US, India, Canada, and South Africa, as well as the UK, the book exposes common problems and canvasses differing solutions. As in the previous edition, the book locates discrimination in its wider social and historical context. Drawing on the author's wide experience of equality law in many jurisdictions, she creates

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an analytic framework to assess the substantive law. The book is a thought-provoking and accessible overview of the way in which equality law has adjusted to new and increasingly complex challenges. It concludes that progress has been evident, but uneven. Those dedicated to equality still face an exacting, but ultimately deeply rewarding, task.

**Equality and Sex Discrimination Law -**

Katherine O'Donovan  
1988-01-01

European Union Non-Discrimination Law - Dagmar Schiek 2009-06-02

EU equality law is multidimensional in being based on different rationales and concepts. Consequently, the concept of discrimination has become fragmented, with different instruments envisaging different scopes of protection. This raises questions as to the ability of EU law to address the situation of persons excluded on a number of grounds. This edited

collection addresses the increasing complexity of European Equality Law from jurisprudential, sociological and political science perspectives. Internationally renowned researchers from Scandinavian, Continental and Central European countries and Britain analyse consequences of multiplying discrimination grounds within EU equality law, considering its multidimensionality and intersectionality. The contributors to the volume theorise the move from formal to substantive equality law and its interrelation to new forms of governance, demonstrating the specific combination of non-discrimination law with welfare state models which reveal the global implications of the European Union. The book will be of interest to academics and policy makers all over the world, in particular to those researching and studying law, political sciences and sociology with an interest in human rights, non discrimination law, contract and employment law or

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European studies.  
EU Gender Equality Law -  
European Commission.  
Directorate-General for  
Employment, Social Affairs and  
Equal Opportunities Unit G.2  
2008

**The Impact of EC Sex  
Equality Law on Women in  
Management** - Pauline Helen  
Jones 1999

European Community Sex  
Equality Law - Evelyn Ellis  
1991

This guide provides a critical  
account of EEC law on the  
equal treatment of men and  
women in employment and  
related areas. It also discusses  
how European law could best  
be developed in the future  
against the background of the  
single market and closer  
political links between the  
Member States.

*Sex Discrimination in State  
Social Security - the Limits of  
EC Equality Law - Social Policy  
Justifications and Steps  
Towards More Equality* -  
Dimitra Lembessi 2000

**Women on Boards? -**

Katharina Radloff 2011-10-13  
Inhaltsangabe:Introduction:  
Even though European equality  
law has had a considerable  
impact on the law of the  
Member States concerning  
women s rights to employment,  
it is still often the case that  
women experience a glass  
ceiling , which hinders their  
access to leadership positions  
in private companies. As  
identified by the UN Report on  
Women, women are on most  
boards of large companies, but  
their number still remains  
considerably low when  
compared to men. Although the  
Report acknowledges that in  
general opportunities of  
women with regard to  
employment have increased,  
the representation of women in  
leading positions is still too  
low. This is especially notable  
in the largest corporations,  
which remain male- dominated.  
Of the 500 largest corporations  
in the world, only 13 have a  
female chief executive officer .  
In the European Union, women  
hold only 11 percent of top  
company positions and the

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average proportion of women serving as chairman of the board of top companies was only 3 per cent in 2009. Among the European Union Member States, the highest percentage of women in boards can be found in Norway, which as the first country in the world introduced a women s quota of 40 percent for board members in 2004 by law. When quotas were proposed in 2002, the proportion of women in boards was only 6.8 percent, whereas it is now 34 percent. The success of the Norwegian example led to a political debate about female representation in leading positions throughout the Union. In September 2010, the Spanish government introduced a gender quota of 40 per cent for both, men and women to be achieved by 2015. France introduced a women s quota for corporate boards in 2011 and other governments such as those of the Netherlands and Italy are positive about introducing similar quotas via legislation. The reasons for the glass

ceiling women still experience are manifold and involve old stereotypes, which are deeply rooted in society. It is this invisible barrier that justifies positive action measures in the first place: to remove deeply rooted social practices that interfere with the process of substantial equality in society in order to create conditions that give individuals equal access to employment. However, it would be too simplistic to argue that in equality law it is all about treating people equally. Rather, it is best resumed in the Aristotelian maxim: equality is about treating equal cases equally and unequal cases unequally. In the case of gender [...]

*EU Equality Law* - Elise Muir 2018

The European Union is a supranational organisation with a set of circumscribed powers. Although these powers do not include an all-encompassing fundamental rights' mandate, today's existential challenges - from economic to refugee crisis, via

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concerns for compliance with the rule of law in some of its Member States - increase the pressure on the EU to develop tools for protection and promotion of such rights. One way of addressing the tension between the lack of a general mandate and vivid calls for protection is for the EU to focus on selected fundamental rights which it has competence to regulate. One such example is EU law on the fundamental right to equal treatment that has blossomed since the late 1990s. In developing selected fundamental right policies that can be imposed on domestic actors, as EU law does, supranational intervention needs to be carefully tailored to the plural landscape where they are intended to flourish. This monograph calls for a nuanced use of the infrastructure of EU law to convey shared values at domestic level across Europe. *Women's Quotas Under EU Equality Law* - Katharina Radloff 2012

The purpose of this study is to investigate legislation and

leading cases concerning positive discrimination in the European Union, with a particular focus on the recent debate about the most radical positive action measure: the implementation of women's quotas by supranational legislation. This study seeks to answer the question if such a radical derogation from the equal treatment principle can be tolerated, keeping in mind the fundamental character of this principle in European law. The concept of substantive equality will be analysed and set against the ECJ case law under review. It will be criticised that the ECJ focused once more on a formalist approach and allows for positive action measures only to a very limited extent. If the European Union would impose women's quotas for board members via supranational legislation, would this still be considered as a measure of positive discrimination or would it rather be a form of negative discrimination against men?

**EC Sex Equality Law** - Christa  
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Tobler 2000

**Indirect Discrimination -**

Christa Tobler 2005

Updated habilitation thesis, submitted in 2003 to the Law Faculty of the University of Basel, analysing indirect discrimination in a broad and comparative context. Focuses on the development of the legal concept in EC law and its application in a great number of areas, including internal taxation of goods, freedom of establishment, sex equality, etc. Discusses demarcation issues between direct and indirect discrimination, and applying the concepts in concrete cases.

Equality Law in an Enlarged European Union - Helen

Meenan 2010-12-09

European Union equality and anti-discrimination law were revolutionized by the incorporation of Article 13 into the EC Treaty, adding new anti-discrimination grounds and new possibilities. This comprehensive 2007 volume provides a fresh approach to Article 13 and its directives; it

adopts a contextual framework to equality and anti-discrimination law in the European Union. Part I deals with the evolution of Article 13, demographic and social change and the inter-relationship between European Equality Law and Human Rights. Part II contains expert essays on each of the Article 13 anti-discrimination grounds: sex, racial or ethnic origin, religion or belief, disability, age and sexual orientation, with common themes weaving throughout. This book will be of interest to everyone concerned with combating discrimination, academics, NGOs, lawyers, human resource professionals, employers, employees, research students and many others in the European Union and beyond.

**The Coherence of EU Law -**

Sacha Prechal 2008

This volume examines the problems of legal and linguistic diversity in the EU legal system. In a union of 27 member states, with 23 different languages, how can

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the coherence of EU law be guaranteed? The volume addresses this central question from a range of theoretical and practical perspectives.

**Sexing the Benefit** - Julia A. Sohrab 1996

The aim of this study is to examine EC equality law in the field of statutory social security, so as to consider the effectiveness of the legislation in bringing women closer to the goal of financial

independence from men.

Sex Equality Law in the European Union - Tamara K. Hervey 1996-08

Recoge: Part I. Equal pay -- Part II. Equal treatment -- Part III. Social security -- Part IV.

Enforcement of sex equality in employment -- Part V.

Citizenship and human rights --

Part VI. Women and internal market -- Part VII. Perspectives on sex equality law: proposals for reform.

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