

European Community Sex Equality Law Oxford European Community Law Series

The purpose of the present publication is to provide a general overview of the transposition of EU gender equality law in the 28 Member States of the European Union, as well as in Iceland, Liechtenstein and Norway (the EEA countries to which most of the EU equality law applies) and two candidate countries: the former Yugoslav Republic of Macedonia and Turkey. 1 This summary of the report offers a comparative analysis of the transposition of EU gender equality rules into national law. This publication is complementary to the publication EU Gender Equality Law, which provides an overview of relevant directives and case law of the Court of Justice of the EU (CJEU) in this field and which was last updated in 2013.2 These publications are aimed at a broad - and not necessarily legal - public and explain the most important issues of the EU gender equality acquis and its implementation. The term 'EU gender equality acquis' refers to all the relevant Treaty and Charter provisions, legislation and the case law of the CJEU in relation to gender equality. Another frequently used term is 'sex equality'. Both terms are used in the present publication, more or less interchangeably. However, it should be noted that while the term 'sex' refers primarily to the biological condition and therefore also the difference between women and men, the term 'gender' is broader in that it also comprises social differences between women and men, such as certain ideas about their respective roles within the family and in society.--

EC Sex Equality Law Oxford University Press, USA

This thematic brochure is produced under the European Community Action Programme to combat discrimination (2001-2006). This programme was established by the European Commission's Directorate General for Employment and Social Affairs as a pragmatic support to ensuring effective implementation of the two Directives on "Race" and "Equal treatment in the workplace" (2000) emanating from Article 13 of the Amsterdam Treaty. The six-year Programme primarily targets all stakeholders capable of exerting influence on the development of appropriate and effective antidiscrimination legislation and policies, across the EU-25, EFTA and the EU candidate countries. The Action Programme has three main objectives. These are: 1. To improve the understanding of issues related to discrimination 2. To develop the capacity to tackle discrimination effectively 3. To promote the values underlying the fight against discrimination As such activities funded under the Programme analyse and evaluate, develop and raise awareness of measures that combat discrimination on the grounds of race or ethnic origin, religion or belief, disability, age and sexual orientation. Discrimination on the grounds of gender is dealt with under separate legislative instruments. For more information on Community policies, legislation and activities on gender discrimination, please contact the Directorate for Gender Equality within DG Employment and Social Affairs.

http://www.europa.eu.int/comm/employment_social/equ_opp/index_en.htm.

In 2012, the European Commission's Network of Legal Experts in the Non-discrimination Field authored a landmark report on discrimination motivated by sex, gender identity and gender expression. The report - drawing upon expert knowledge in 30 European jurisdictions - highlighted the significant levels of inequality which, despite promising developments in individual countries, trans and intersex people confronted across the European Union (EU) and the European Free Trade Association (EFTA). In the years since 2012, the attention paid to the human rights of trans and intersex people and to discrimination on the grounds of gender identity and sex characteristics has increased significantly. Across the various Member States, and at the regional, especially the European and inter-American, level, there is growing awareness of the lived experience of trans and intersex individuals and greater understanding of the social, legal and economic challenges that they face. Yet despite this welcome increase in public knowledge and appreciation of trans and intersex lives, discrimination based on gender identity and sex characteristics remains a disproportionate reality across the EU and EFTA. In its 2014 report, 'Being trans in the EU', which explores the trans-focused data obtained during an EU-wide survey of lesbian, gay, bisexual and trans communities, the European Union Agency for Fundamental Rights (FRA) observed 'serious and repetitive victimisation [throughout] the EU'. Discrimination and violence are also disproportionately experienced by intersex people in Europe who, as observed recently by the Commissioner for Human Rights of the Council of Europe, have historically been coerced - through cultures of shame and secrecy - into positions of marginalisation and invisibility. In 2015, the European Commission published the 'List of actions to advance LGBTI equality'. Two of the Commission's priorities, as set out in its List of actions are: (a) improving rights and ensuring legal protection; and (b) monitoring and enforcement of the existing rights of lesbian, gay, bisexual, trans and intersex (LGBTI) people and their families. In 2016, the Council of Ministers asked the European Commission to report annually on the implementation of the list of actions. Against this background, the European Commission requested the European Equality Law Network to carry out an overview of trans and intersex equality frameworks across the 28 EU Member States and three additional EFTA states (Iceland, Liechtenstein and Norway). This report is the end product of that request. Proceeding through nine substantive chapters, the report analyses whether and how trans and intersex communities enjoy equality guarantees across the EU and EFTA.

Employment Discrimination Law in the European Union, Employment Non-Discrimination Act, Glass Ceiling, Lgbt Employment Disc 2018 Edition

EU Anti-Discrimination Law

Handbook on European data protection law

Approaches to Sex and Sexualities Discrimination in EU Law

The 27 EU Member States, Albania, Iceland, Liechtenstein, Montenegro, North Macedonia, Norway, Serbia, Turkey and the United Kingdom Compared

Legal Responses to Trafficking in Women for Sexual Exploitation in the European Union

This is a contribution to the debate on the role of the European Union which looks at the position of women in the institutions of the EU. The book tracks the development and implementation of policy affecting women, and analyzes the role of feminism in the political and legal history of the EU.

This thematic report of the European Commission's European Network of Legal Experts in the Field of Gender Equality addresses equality issues faced by part-time and fixed-term workers in the 33 countries participating in the Network : the 28 Member States, the EEA countries Iceland, Liechtenstein, and Norway ; and the Former Yugoslav Republic of Macedonia and Turkey. The report provides an analysis

and assessment of existing gender equality legislation and case law in relation to part-time and fixed-term work, both at EU and at national level. The implementation of the five relevant EU Directives (Recast, Statutory Social Security, Goods and Services, Part-Time Work, and Fixed-Term Work) is extensively discussed in the legislative context of EU law, alongside prominent issues such as gender stereotyping, the reconciliation of work and family life, and the gender pay gap.

Gender discrimination continues to be a reality in several parts of the world, also in Europe. The aim of this book is to provide an overview of both European Union's (EU) gender policies and gender balance in EU institutions. It does so by looking at gender equality policies and the EU legal system concerning gender equality, women's representation within different institutions (and more particularly in the European External Action Service), gender rights as a type of human rights and the EU's role in the external promotion of women's rights in third countries. The analysis shows that women's representation in the EU institutions has increased in the last decades and that the EU has strengthened its attention to gender rights in its external relations as well, however the results of both attempts are far from being fully satisfactory.

The EU has slowly but surely developed a solid body of equality law that prohibits different facets of discrimination. While the Union had initially developed anti-discrimination norms that served only the commercial rationale of the common market, focusing on nationality (of a Member State) and gender as protected grounds, the Treaty of Amsterdam (1997) supplied five additional prohibited grounds of discrimination to the EU legislative palette, in line with a much broader egalitarian rationale. In 2000, two EU Equality Directives followed, one focusing on race and ethnic origin, the other covering the remaining four grounds introduced by the Treaty of Amsterdam, namely religion, sexual orientation, disabilities and age. Eighteen years after the adoption of the watershed Equality Directives, it seems timely to dedicate a book to their limits and prospects, to look at the progress made, and to revisit the rise of EU anti-discrimination law beyond gender. This volume sets out to capture the striking developments and shortcomings that have taken place in the interpretation of relevant EU secondary law. Firstly, the book unfolds an up-to-date systematic reappraisal of the five 'newer' grounds of discrimination, which have so far received mostly fragmented coverage. Secondly, and more generally, the volume captures how and to what extent the Equality Directives have enabled or, at times, prevented the Court of Justice of the European Union from developing even broader and more refined anti-discrimination jurisprudence. Thus, the book offers a glimpse into the past, present and – it is hoped – future of EU anti-discrimination law as, despite all the flaws in the Union's 'Garden of Earthly Delights', it offers one of the highest standards of protection in comparative anti-discrimination law.

Gender and the Court of Justice of the European Union

Violence Against Women

Country Report, Gender Equality

27th Report

EU rules on gender equality: how are they transposed into national law?

EC Sex Equality Law

A Comparative Analysis of Gender Equality Law in Europe 2020

This thoroughly researched, well-documented book presents a theoretically guided empirical analysis of developing and implementing gender equality policies in the European Union (EU). It traces the history and development of EU gender policy to the present day and will be inspirational reading for those interested in European governance and the European Union, as well as gender issues and political sociology.

France has a long-standing tradition of legislating in favour of gender equality in the domain of employment and professional life. The principle of equality between men and women was first recognized in 1946 in the Preamble to the French Constitution. The law of 11 February 1950 first regulated the principle of equal pay between men and women and states that this principle has to be inserted in collective agreements. In 1972, in order to integrate the ILO Convention into the French system, the principle of equal pay for work of equal value for men and women was introduced into the Labour Code. Since then, at least 12 laws have been adopted dealing with gender equality. Despite this important legislative framework, the implementation of the European Directives on equality has had a very deep influence in pushing the French legislature to address new issues and to adopt new measures, sometimes with some important delay. For example, until May 2008, the main concepts of EU gender discrimination law had not been properly implemented in France, as French legislation included no legal definition of the concepts of direct and indirect discrimination, although the courts have applied the European definitions in some gender case law. If we look at the basic structure of the French legal system, it is important to note that the principle of equality between women and men has a constitutional value. In the field of employment and professional life, most of the rules can be found in the Labour Code in the part dealing with discrimination in general (Art. L 1132-1 et seq. of the Labour Code) and in the part specifically dealing with gender equality at work (Art. L 1141-1 et seq. of the Labour Code). The Labour Code only applies to private employment relationships. In the public sector, specific regulations apply, usually with a similar content. Therefore the two supreme courts in France, the Cour de cassation for private law and the Conseil d'Etat for public law, apply the rules on gender equality and sometimes with slightly different assessments of cases. It seems, for example, much more difficult for the Conseil d'Etat to integrate the concept of indirect discrimination than for the Cour de cassation. An important piece of this legislative framework is the Act adopted on 15 May 2008 (Act. No 2008-496) implementing the various directives on discrimination. Among other

elements, the Act finally defines direct and indirect discrimination and it applies to public and private relationships. Some provisions of the Criminal Code also deal with penal sanctions for discrimination. Outside the influence of the European Union, gender equality policies in France could also follow their own agenda. For example, various acts have been adopted with the aim of implementing parity in politics and other decision-making bodies. ^One of the most important and recent developments in gender equality policy is the adoption of Act No. 2014-873, 4 August 2014, on real equality between men and women. This law promotes an 'integrated and transversal approach to sex equality.'

This book addresses a gap in both contemporary theorising and empirical analysis of the European Union's (EU) law and policy frameworks on migration, sex work and anti trafficking. Drawing on the authors' previous research on these policies and with their practical experience of engaging with various EU institutions in law and policy-making fora around gender, equality and justice, the work examines the processes involved in constructing and enacting policy frameworks and legal interventions on these issues, within a feminist analytical framework. The authors map how EU agenda-setting operates, and detail the roles that various EU institutions, external groups and actors, including non-governmental organisations, play in promoting or blocking policy on these three issues. The book draws on feminist theorising on gender, policy-making and social justice to develop a general theoretical framework to help us understand how and why a consensus has seemingly been achieved at EU level on what constitutes gender equality in these three policy areas. The book presents a valuable resource for academics, researchers and policy makers in Law, Migration, EU policy making and Gender Studies.

Ask No Questions provides readers with a better understanding of Sexual Orientation Discrimination as an increasingly important area of law around the world. It aims to increase the likelihood of achieving equality at national and international levels through a focus on the impact of primary role legislation on the court process, and a discussion on the two most important trade agreements of our day - namely the North American Free Trade Agreement and the European Union Treaty - in a historical and compelling analysis of discrimination.

Anne-Marie Mooney-Cotter's sixth book in her series of volumes on discrimination law follows the approach and structure of her previous Ashgate volumes. Through a focus on the comparisons and contradictions of this type of law, and its detailed examination of the relationship between sexual orientation issues and the law, the book will be of importance to those concerned with equality.

An International Legal Analysis on Sexual Orientation Discrimination

Ask No Questions

Women and the European Community

Impact on Gender Equality

Equal Rights in Practice

EU Law on Maternity and Other Child-Related Leaves

Since the 1980s, the European Union has advocated the use of 'positive action' as a mechanism to advance women's equality in employment. It has sought to persuade Member States and employers that positive action (a term that is somewhat flexible, as we shall see) is a necessary part of a gender equality strategy, along with other measures, such as: prohibiting sex discrimination in several parts of the economy; enforcing the principle of equal pay for work of equal value; securing a more sustainable work-life balance; and ensuring that men and women who choose to raise children are able to continue to participate fully in the labour market. Along with measures to advance those policies, positive action remains a central element in EU policy pronouncements to this day. Positive action cannot be viewed by itself, but should be regarded as an important part of a wider strategy to address gender inequality. The debates over the appropriate response to the disadvantaged position of women in the labour market have given rise to an important distinction - that is, the distinction between discrimination and inequality, which are both terms that have a wide range of meanings. Discrimination is considered to be one reason for inequality, but not the only reason. Discrimination and inequality are neither the same thing nor merely two sides of the same coin. Removing discrimination will assist in tackling inequality but would not in itself do so. Reducing inequality is regarded as a policy aim, in addition to tackling discrimination, for both moral and economic reasons. Gender equality in the EU is mostly pursued through non-legal measures, while anti-discrimination goals are mostly grounded in legally enforceable obligations. These separate but overlapping policy agendas are pursued in various different ways, including through positive action, which is sometimes (wrongly) regarded as the same as 'positive discrimination'. The different ways in which positive action relates to the concepts of gender equality and non-discrimination illustrates their divergence. The EU advocates positive action as a method of pursuing gender equality and to that extent considers that the EU has an interest in employers and others buying into that policy - it is not indifferent. After all, since the various reforms of the Treaties, women's equality has become a task of the European Union. Positive action is not only a significant feature of EU gender policy statements, but the EU has also sought to reduce at least one of the possible barriers to its adoption, namely the possibility that some forms of positive action may be in breach of the prohibition of discrimination in EU law. Thus, hand in hand with the advocacy of positive action, in the gender equality directives, a limited exception in EU anti-discrimination law for positive action measures has been created. This exception fits squarely into the subsidiarity/self-regulation approach: the exception makes the adoption of positive action possible, although it does not require its adoption. In general, positive action is mostly advanced by the EU through a combination of subsidiarity (as between the EU and the Member States) and voluntarism (as between the states and employers).

This is the second of the Oxford Encyclopaedia of European Community Law Series. This volume covers those areas of Community law which are relevant to the creation and functioning of the internal market, such as the four freedoms, i.e. the free movement of goods, persons, services and capital, including the right of establishment; customs law; company law; intellectual property rights; sex equality law; social security law; public procurement; tax law; and related areas (competition law and policy will be covered in the third volume). Arranged in alphabetical order, it contains definitions and explanations of the most important terms and concepts used in EC and EU law, based on the Treaties, secondary legislation and, above all, on the case-law of the European Courts. The book has been prepared by recognized experts in the field of European law. There are two companion volumes to this work, each of them also entirely self-contained: one on Institutional Law (published 1990; new edition due

Although proven effective in protecting pregnancy, giving birth and breastfeeding – that is, the biological differences of women related to maternity – the current European Union (EU) legislative framework on maternity leave tends to overlook the roles of both parents, especially

during the post-delivery period of 'bonding' with the child. This framework, along with EU law on parental leave, which does not encourage an equal take-up of the leave, gives rise to serious issues of gender equality affecting both men and women. This deeply researched and urgent book proposes alternative options for future EU law on child-related leave which can be applied to both employees and self-employed workers to mitigate these limitations and side effects. Analysing the various EU Directives which, directly or indirectly, relate to maternity leave, paternity leave, adoption leave and parental leave, as well as the corresponding case law of the Court of Justice of the EU, the author uses a social risk approach and tackles the following issues: narrow focus of the legislation on the delivering mother's incapacity to work; in practice, excessive emphasis on the protection of the delivering mother; silent assent to the unequal distribution of caring responsibilities within the family; lack of attention to women's labour market outcomes; and the new direction followed by the recently adopted Directive on work-life balance. The research focuses on working parents (including non-delivering parents in same-sex couples or adoption) and includes a comparative analysis of the law of six countries – Belgium, Ireland, Spain, the United Kingdom, Sweden and Portugal – chosen to illustrate the variety of national schemes available and how their desirable features can be introduced into EU law. A more balanced design of child-related leave is a must in today's society for reasons of fairness and also for economic considerations. This complete analysis of EU legislation and case law about child-related leave – including the first-ever systematic and in-depth analysis on whether maternity leave can be considered discriminatory against fathers and a review of economic literature on how child-related leave affects the situation of women in the labour market – offers forward-looking solutions for child-related leave to enhance gender equality. Practitioners and nongovernmental organisations dealing with EU and national matters related to labour and employment law, social security law and gender equality law will welcome this important book, as will academics and policymakers interested in maternity and other child-related leaves.

The Committee's report examines the EU Commission's proposals to extend EU sex discrimination legislation to cover the supply of, and access to, goods and services. The proposals are essentially limited to commercial transactions (excluding aspects such as education, public health care, media and advertising representation), and will therefore be less comprehensive than current UK sex discrimination laws. The main impact on existing UK legislation will be the proposal to ban the use of gender as a factor in calculating insurance premiums and benefits. Although this suggestion has aroused considerable controversy in the UK, the Committee believes that the onus must be on insurance companies to justify any departure from the principle of equal gender treatment, based on objective risk assessment. More research and consultation is required before these proposals are implemented. Sound practical guidelines need to be devised, taking into account the implications on future annuities for men and women in the UK market. Overall, the Committee argues that it is a reasonable objective to move away from using gender as a criterion to assess motor insurance premiums, and to seek to achieve a fair and competitive pricing based on other factors.

Comparing European, French, and American Law

How are EU Rules Transposed Into National Law in 2014?

Sexual Equality in Access to Goods and Services Report

Gender Equality Law in the European Union

How are EU Rules Transposed Into National Law? : Luxembourg 2018

EU Anti-Discrimination Law Beyond Gender

Key Voices 2004

The new edition of this major work is a must-buy for all students studying EU employment law. It offers comprehensive coverage of an increasingly complex subject, tackling both case law and legislation, and provides detailed analysis of the EU's Directives and their impact on employment law.

The phenomenon of trafficking in women for sexual exploitation, which in the last decade has changed from a marginal 'non-issue' to a legitimate concern in many parts of the world, has become familiar through newspaper coverage, and now, finally, legislators and law enforcement agencies have begun to act. In Europe many EU Member States now have (or are developing) at least some sort of anti-trafficking policies (with some of them in the forefront of global anti-trafficking efforts). Moreover, the EU itself has become markedly more active with regard to curbing trafficking in human beings, as part of its migration control and police and judicial co-operation functions. However, even co-ordinated efforts such as those being worked on by the EU tend to produce only short-term 'cures' to a problem that is in truth global and structural in nature and which cannot be eradicated – or necessarily even significantly reduced – through policing and migration control measures alone. Too often there is little debate on broader measures which might be targeted to address the 'root causes' of trafficking, such as poverty, under-development, general lack of economic and migration opportunities and, above all, gender inequality. Against this background, this book deals with present efforts to control trafficking in women for sexual exploitation. In doing so it examines claims that what is needed effectively to prevent and tackle trafficking is a 'comprehensive' approach, and at the very least one that is far more wide-ranging and coherent than what exists today, and also analyses the assertion that destination countries, and more specifically Member States of the EU, could and perhaps should, take more action against trafficking through regional co-operation, particularly in the framework of the EU, rather than as individual Member States. The book will be of interest to a wide range of scholars in EU law, human rights, comparative law, sociology, feminist theory and politics, as well as policy-makers, practitioners and NGO activists in various European countries.

Published in 1998. This collection of papers, written by leading lawyers and sociologists in the UK, focuses on the relationships between gender and the law in the context of three areas of law: family law, criminal law and equal rights. The papers argue that gender roles within society affect the legal rights of individuals and impact on procedures they go through to enforce their rights or to gain redress for wrongs done to them. By failing to recognize the social and economic situations in which men and women are placed, the law perpetuates inequalities in their positions. Where attempts are made to ensure equality between the sexes, the result is often the exact opposite, because the legal system treats individuals as equals operating in a vacuum, ignoring the argument that equal treatment does not necessarily mean the same treatment, but can mean different treatment to ensure equality of result. Topics include: ♢ Disputes in the area of parental child custody rights ♢ The rights of surviving spouses to their deceased partner's estate ♢ Theories for violent behaviour in women as contrasted with men ♢ Gender bias in criminal sentencing ♢ The role of European law in promoting sex equality in the

work place & Pornography and free speech & Homosexuality as a civil right of citizenship
Dit boek beschrijft en verduidelijkt het EG-recht betreffende seksdiscriminatie, een uiterst ingewikkeld, technisch en gedetailleerd rechtsgebied. Ook door het compromis-karakter van menige regel brengen de in dit boek behandelde richtlijnen uitzonderlijke complexe interpretatieproblemen met zich mee, zoals b.v. het ogenschijnlijk simpele art. 119 van het EEG verdrag Na twee algemene hoofdstukken, over de concepten discriminatie en gelijkheid in het gemeenschapsrecht en over de gevolgen van dat recht voor individuen, komen aan de orde gelijk loon (art. 119 en de richtlijn) en de richtlijnen betreffende gelijke behandeling en sociale zekerheid. Vervolgens wordt van de door het EG Hof behandelde zaken nagegaan of en hoe daarop door de overtredende staten is gereageerd.

Gender Equality Law in 33 European Countries

Gender and the European Union

The Price of Gender Equality

How are EU Rules Transposed Into National Law? : France 2015

Women, Law and Politics in the European Union

How are EU Rules Transposed Into National Law? : Belgium 2019

Gender Discrimination Law of the European Community

The jurisdictional system of Luxembourg consists of both a judicial and an administrative order.

The Constitutional Court can be added to these. Thus the judicial order consists of the Constitutional Court and the instances of the judicial order which are the Superior Court of Justice, the Appeal Court, the district courts and the tribunal of the justice of the peace. The courts of the administrative order are the Administrative Court and the Administrative Tribunal. Gender equality law is generally implemented by specific laws which modify existing laws or add specific legislation.

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 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.

"Violence against women undermines women's core fundamental rights such as dignity, access to justice and gender equality. For example, one in three women has experienced physical and/or sexual violence since the age of 15; one in five women has experienced stalking; every second woman has been confronted with one or more forms of sexual harassment. What emerges is a picture of extensive abuse that affects many women's lives but is systematically underreported to the authorities. The scale of violence against women is therefore not reflected by official data. This FRA survey is the first of its kind on violence against women across the 28 Member States of the European Union (EU). It is based on interviews with 42,000 women across the EU, who were asked about their experiences of physical, sexual and psychological violence, including incidents of intimate partner violence ('domestic violence'). The survey also included questions on stalking, sexual harassment, and the role played by new technologies in women's experiences of abuse. In addition, it asked about their experiences of violence in childhood. Based on the detailed findings, FRA suggests courses of action in different areas that are touched by violence against women and go beyond the narrow confines of criminal law, ranging from employment and health to the medium of new technologies."--Editor.

The rapid development of information technology has exacerbated the need for robust personal data protection, the right to which is safeguarded by both European Union (EU) and Council of Europe (CoE) instruments. Safeguarding this important right entails new and significant challenges as technological advances expand the frontiers of areas such as surveillance, communication interception and data storage. This handbook is designed to familiarise legal practitioners not specialised in data protection with this emerging area of the law. It provides an overview of the EU's and the CoE's applicable legal frameworks. It also explains key case law, summarising major rulings of both the Court of Justice of the European Union and the European Court of Human Rights. In addition, it presents hypothetical scenarios that serve as practical illustrations of the diverse issues encountered in this ever-evolving field.

Gender Perceptions and the Law

EU Equality Law

Integrating Gender

European Union Non-Discrimination Law

An Essay on European Anti-Discrimination Law

Trans and Intersex Equality Rights in Europe

The First Fundamental Rights Policy of the EU

Offering an alternative exploration of the Court of Justice of the European Union (CJEU) and its work, this book aims to start a conversation between legal, political and gendered examinations of the Court

of Justice and some of the substantive areas of law it is concerned with. In doing so, it provides a broader and more holistic view of the Court and its work which can add to our understanding of the institution, its role and its case law as well as the contribution it can and does make to shaping law and policy and EU and national level.

This report provides a general overview of the ways in which EU gender equality law has been implemented in the domestic laws of the 27 Member States of the European Union, as well as Iceland, Liechtenstein and Norway (the EEA countries), the United Kingdom and five candidate countries (Albania, Montenegro, North Macedonia, 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, the 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 case law of the CJEU in relation to gender equality.

Since the year 2000, the material and personal scope of EU non-discrimination law has been significantly broadened and has challenged national courts to introduce a comprehensive equality framework into their national law to correspond with the European standard. The book provides a multi-layered culturally informed comparison of juridical approaches to EU (in)direct sex and sexualities discrimination and its implementation in Germany and the Netherlands. It examines how and why national courts apply national non-discrimination law with a European origin differently, although the legislation derives from the same set of EU law and the national courts have to respect the interpretive competence of the CJEU. The book provides valuable insights into the national and European context which shape the dialogue and influences of the courts inter se, the national application of EU law, and the harmonisation process within the area of gender equality law and beyond. A Dutch and German comparison is of special interest here because both countries' approaches towards non-discrimination law are quite different despite the similarities in the respective legal systems; they are founding members of the EU, they are neighbours, they are civil law countries, and their legal systems are relatively similar at least compared to Scandinavian and common law jurisdictions. Therefore, the different reception EU non-discrimination law cannot simply be explained by obvious differences between the legal systems. Their comparison thus provides an interesting case study to uncover legal and non legal, cultural and historic, factors which influence the application of EU non-discrimination law in both countries. The book is of interest for EU, comparative and equality lawyers.

Under Belgium's federal structure, policy competences are divided between three entities: the Federal State, the regions (the Flemish, Walloon and Brussels Capital Regions) and the communities (Flemish, French and German speaking communities). This causes extreme confusion and significant gaps remain in the transposition of EU law. However, since 2008 each of the federate authorities has adopted new legislation, usually inspired by federal legislation. For example, labour relations such as access to employment, working conditions and pay issues fall within the jurisdiction of the federal authorities while vocational orientation and training fall within the exclusive jurisdiction of the federate authorities, i.e. the communities and regions. This is also true for other policy areas such as education (including school staff) or public housing (within the scope of Directive 2004/113/EC). Social security is still a federal matter, although the Sixth State Reform (2014) has allocated the competence in respect of family allowance to communities. The Act of 10 May 2007 aimed at combating discrimination between women and men (the Gender Act)¹ is the legislative instrument that implements all EU directives concerning gender equality within the jurisdiction of the federal Parliament. Articles 5 and 6 of the Act of 10 May 2007 apply, inter alia, to working conditions including pay, to occupational social security schemes, and to any persons concerned. It deals with certain aspects of access to employment (e.g. in the federal public services, or concerning the standard conditions of access to the professions), but other aspects fall within the jurisdiction of the federate authorities (e.g. in their own public services, or concerning the management of the labour market). Vocational training is almost entirely a community matter.

Gender-based Positive Action in Employment in Europe

The Law of the Internal Market

Women, Employment, and European Equality Law

Comparative Perspectives on Multidimensional Equality Law

The Oxford Encyclopaedia of European Community Law

Engineering Equality

Anti Trafficking, Sex Work and Migration Law and Policy in the EU

Examining the rise of European anti-discrimination law, this book provides a critique of the focus on and implementation of, anti-discrimination law.

This volume is an examination of European Community sex equality law, as interpreted by the 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.

Sammenligning af ligelønslovgivningen i 33 europæiske lande

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 European studies.

The Application of EU and National Law in Practice in 33 European Countries

European Solutions to Social Security Disputes

An EU-wide Survey : Main Results

A Comparative Analysis

The Gender Pay Gap in Europe from a Legal Perspective

Gender Roles and Sex Equality

Gender, Equality and Social Justice

Please note that the content of this book primarily consists of articles available from Wikipedia or other free sources online.

Pages: 24. Chapters: Employment discrimination law in the European Union, Employment Non-Discrimination Act, Glass

ceiling, LGBT employment discrimination in the United States, Marriage bars, United Kingdom employment equality law.

Excerpt: In economics, the glass ceiling is "the unseen, yet unbreachable barrier that keeps minorities and women from rising to the upper rungs of the corporate ladder, regardless of their qualifications or achievements." Initially, the metaphor applied to barriers in the careers of women but was quickly extended to refer to obstacles hindering the advancement of minority men, as well as women. David Cotter et al. defined four distinctive characteristics that must be met to conclude that a glass ceiling exists. A glass ceiling inequality represents: Cotter and his colleagues found that glass ceilings are a distinctively gender phenomenon. Both white and African-American women face a glass ceiling in the course of their careers. In contrast, the researchers did not find evidence of a glass ceiling for African-American men. The glass ceiling metaphor has often been used to describe invisible barriers ("glass") through which women can see elite positions but cannot reach them ("ceiling"). These barriers prevent large numbers of women and ethnic minorities from obtaining and securing the most powerful, prestigious, and highest-grossing jobs in the workforce. Moreover, this barrier can make many women feel as they are not worthy enough to have these high-ranking positions, but also they feel as if their bosses do not take them seriously or actually see them as potential candidates. The glass ceiling continues to exist although there are no explicit obstacles keeping women and minorities from acquiring advanced job positions - there are no advertisements that specifically say "no minorities hired at this..."

The Icelandic legal system is a civil law system based on the Danish model. Its most prevalent feature is that its core principles are codified in a referable system, which serves as the primary source of law. The Constitution of the Republic of Iceland No. 33/1944 is the highest source of law and subsequently statutory legislation and regulatory statutes. The judicial system in Iceland is based upon the Constitution. The Act on the Judiciary No. 15/1998 has more specific provisions on the structure of the courts. The administration of justice is covered by the Code of Civil Procedure No. 91/1991 and the Code of Criminal Procedure No. 19/1991. Other acts have various procedural provisions. The courts are organised into district courts and the Supreme Court. The courts are composed of lawyers having jurisdiction to deal with all legal questions. There are eight districts courts. The current legislation on gender equality is the Act on Equal Status and Equal Rights of Women and Men No. 10/2008 (GEA hereinafter). The aim of the act is to establish and maintain an equal status and equal opportunities for women and men, and thus to promote gender equality in all spheres of society. All individuals shall have equal opportunities to benefit from their own enterprise and to develop their skills irrespective of gender. The task of the Gender Equality Complaints Committee according to the GEA shall be to examine cases and to deliver a ruling in writing on whether provisions have been violated. The Committee's rulings may not be referred to a higher authority. The rulings of the Complaints Committee are binding on the parties to each case. The parties may refer the Committee's ruling to the courts. Iceland is a party to all the main international human rights treaties. Iceland ratified the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) on 18 June 1985. Iceland has been a member of the Council of Europe since 1950 and the European Convention on Human Rights was adopted into domestic law in 1994. Iceland is a member of the European Economic Area (EEA). The EEA Agreement entered into force in 1994. The EEA Agreement provides for the inclusion of EU legislation in all policy areas of the Single Market. The EEA Joint Committee is the forum where decisions are taken by consensus to incorporate EU legislation into the EEA Agreement. Whenever an EEA-relevant legal act is amended or a new one adopted by the EU, a corresponding amendment needs to be made to the relevant Annex of the EEA Agreement. This is essential to maintain the homogeneity of the EEA. Such an amendment to the EEA Agreement should be taken as closely as possible to the adopted legislation on the EU side, with a view to permitting simultaneous application in the Community and in the EEA EFTA States. The decisions of the EEA Joint Committee are published in the EEA Supplement to the Official Journal of the European Union.

Consists of interviews with American professors.

EU Anti-Discrimination Law provides a detailed and critical analysis of the corpus of European Union law prohibiting discrimination on the grounds of sex, racial or ethnic origin, religion or belief, disability, age, and sexual orientation. It takes into account the changes brought about by the Treaty of Lisbon and contains a thorough examination of the relevant case law of the Court of Justice of the EU. The book examines the background to the legislation and explains the essential characteristics and doctrines of EU law and their relevancy to the topic of anti-discrimination. It also analyses the increasingly significant general principles of EU law, the Charter of Fundamental Rights, and the relevant law flowing from the European Convention on Human Rights. The key concepts contained in anti-discrimination law are subjected to close scrutiny. The substantive provisions of the law on equal pay and the workplace and non-workplace provisions of the governing Directives are similarly examined, as are the numerous exceptions permitted to them. The complex rules governing the rights of pregnant women and those who have recently given birth are dealt with comprehensively and in a separate chapter. Equality in social security schemes is also discussed. The book concludes with an assessment of the practical utility of the existing law and the current proposals for its reform.

Employment Discrimination

Members States and Governance in the European Union

EU Non-Discrimination Law in the Courts

A Comparative Analysis of Legal and Policy Approaches in the EU and EEA.

How are EU Rules Transposed Into National Law? : Iceland 2018

EU Employment Law

Discrimination at Work