Equality men-women, discrimination based on sex: burden of proof

1996/0196(SYN) - 06/11/1997 - Text adopted by Parliament, 2nd reading

In adopting the recommendation for second reading by Mrs Fiorella GHILARDOTTI (PSE, I), the European Parliament approved the Council's common position on the burden of proof in cases of discrimination based on sex, tabling again some of the amendments adopted at first reading relating to: - the reference to three directives on equal treatment, namely Directives 79/7/EEC (social security), 86/378 /EEC (occupational social security schemes) and 86/613/EEC (self-employed workers); - the definition of indirect discrimination: Parliament proposed a new wording of this definition which took account of the points highlighted by the Court; - the procedure: Parliament proposed that the Member States should include in their own legal systems procedures to make the legislation effective and to provide a more level playing field between plaintiff and defendant in terms of access to information. Finally, Parliament called on the Member States to inform the Commission of the progress made in implementing the directive by 1 January 2002 and then every three years.