



2016/2012(INI)

15.11.2016

AMENDMENTS

1 - 126

Draft report
Agnieszka Kozłowska-Rajewicz
(PE592.221v02-00)

Report on the application of Council Directive 2004/113/EC implementing the principle of equal treatment between men and women in the access to and supply of goods and services
(2016/2012(INI))

Amendment 1
Notis Marias

Motion for a resolution
Citation 1 a (new)

Motion for a resolution

Amendment

- *having regard to the Protocol (No 1) to the Treaty on the Functioning of the European Union (TFEU) on the role of National Parliaments in the European Union,*

Or. el

Amendment 2
Notis Marias

Motion for a resolution
Citation 1 b (new)

Motion for a resolution

Amendment

- *having regard to Protocol (No 2) of the Treaty on the Functioning of the European Union (TFEU) on the application of the principles of subsidiarity and proportionality,*

Or. el

Amendment 3
Tanja Fajon, Ulrike Lunacek, Daniele Viotti, Sophia in 't Veld, Ian Duncan, Malin Björk, Sirpa Pietikäinen

Motion for a resolution
Citation 5 a (new)

Motion for a resolution

Amendment

- *having regard to the Employment, Social Policy, Health and Consumer Affairs Council configuration's decision*

to extend the application of the Directive 2004/113/EC to cover gender reassignment discrimination (Doc No. 13369/04 of 27 October 2004),

Or. en

Amendment 4
Marijana Petir, Anna Záborská

Motion for a resolution
Citation 6

Motion for a resolution

Amendment

– *having regard to the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention),*

deleted

Or. en

Amendment 5
Tanja Fajon, Ulrike Lunacek, Daniele Viotti, Sophia in 't Veld, Ian Duncan, Malin Björk, Sirpa Pietikäinen

Motion for a resolution
Citation 6

Motion for a resolution

Amendment

– having regard to the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention),

– having regard to the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention), *and article 3 thereof defining "gender" as "the socially constructed roles, behaviours, activities and attributes that a given society considers appropriate for women and men",*

Or. en

Amendment 6
Angelika Mlinar

Motion for a resolution
Citation 6

Motion for a resolution

– having regard to the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention),

Amendment

– having regard to the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention), **and its Article 3 defining “gender” as “the socially constructed roles, behaviours, activities and attributes that a given society considers appropriate for women and men”**,

Or. en

Amendment 7
Angelika Mlinar

Motion for a resolution
Citation 9 a (new)

Motion for a resolution

– **having regard to the EU Fundamental Rights Agency’s LGBTI survey (2014)**,

Amendment

Or. en

Amendment 8
Angelika Mlinar

Motion for a resolution
Citation 10 a (new)

Motion for a resolution

– **having regard to the Employment, Social Policy, Health and Consumer Affairs Council configuration’s decision**

Amendment

in 2004 to extend the application of the Directive 2004/113/EC to also cover gender reassignment discrimination (Doc No. 13369/04 of 27 October 2004, p.7),

Or. en

Amendment 9

Tanja Fajon, Ulrike Lunacek, Daniele Viotti, Sophia in 't Veld, Ian Duncan, Malin Björk, Sirpa Pietikäinen

Motion for a resolution

Citation 11 a (new)

Motion for a resolution

Amendment

– *having regard to the EU Fundamental Rights Agency's LGBT survey (2013),*

Or. en

Amendment 10

Tanja Fajon, Ulrike Lunacek, Daniele Viotti, Sophia in 't Veld, Ian Duncan, Malin Björk, Sirpa Pietikäinen

Motion for a resolution

Citation 11 b (new)

Motion for a resolution

Amendment

– *having regard to the EU Fundamental Rights Agency's report "Professionally speaking: challenges to achieving equality for LGBT people",*

Or. en

Amendment 11

Angelika Mlinar

Motion for a resolution

Citation 13 a (new)

Motion for a resolution

Amendment

- ***having regard to the Commission Proposal 2008/0426 for a Council Directive on implementing the principle of equal treatment between persons irrespective of religion or belief, disability, age or sexual orientation and the Parliament’s position,***

Or. en

Amendment 12

Barbara Matera, Agnieszka Kozłowska-Rajewicz

Motion for a resolution

Citation 13 a (new)

Motion for a resolution

Amendment

- ***having regard to its resolution of 19 of January 2016 on external factors that represent hurdles to European female entrepreneurship^{1a},***

^{1a.} P8-TA(2016)0007

Or. en

Amendment 13

Agnieszka Kozłowska-Rajewicz, Barbara Matera, Ildikó Gáll-Pelcz, Michaela Šojdrová, Deirdre Clune

Motion for a resolution

Recital -A (new)

Motion for a resolution

Amendment

- A. whereas the Article 8 of the Treaty on the Functioning of the European Union states that: “In all its activities, the Union shall aim to eliminate inequalities, and to promote equality, between men and women”;***

Amendment 14

Evelyn Regner

Motion for a resolution

Recital A

Motion for a resolution

A. whereas combating gender discrimination in the field of goods and services is an integral part of the principle of equality between women and men which constitutes a fundamental *value* of the European Union *recognised in* the Treaties and in the Charter of Fundamental Rights;

Amendment

A. whereas combating gender discrimination in the field of goods and services is an integral part of the principle of *gender equality and* equality between women and men which constitutes a fundamental *principle* of the European Union *and both*, the Treaties and in the Charter of Fundamental Rights *prohibit any discrimination on grounds of sex and require equality between women and men to be ensured in all areas*;

Or. en

Amendment 15

Marijana Petir, Anna Záborská

Motion for a resolution

Recital A

Motion for a resolution

A. whereas *combating gender* discrimination in the field of goods and services is an integral part of the principle of equality between women and men which constitutes a fundamental value of the European Union recognised in the Treaties and in the Charter of Fundamental Rights;

Amendment

A. whereas *preventing and eliminating any* discrimination *based on sex, both direct and indirect, as well as ensuring equality before the law* in the field of goods and services is an integral part of the principle of equality between women and men which constitutes a fundamental value of the European Union recognised in the Treaties and in the Charter of Fundamental Rights;

Or. en

Amendment 16

Notis Marias

Motion for a resolution

Recital A

Motion for a resolution

A. whereas combating gender discrimination in the field of goods and services is an integral part of the principle of equality between women and men which constitutes a fundamental value of the European Union recognised in the Treaties and in the Charter of Fundamental Rights;

Amendment

A. whereas combating gender discrimination in the field of goods and services is an integral part of the principle of equality between women and men which constitutes a fundamental value of the European Union recognised in the Treaties and in the Charter of Fundamental Rights ***and should be the aim of all EU Member States;***

Or. el

Amendment 17

Evelyn Regner, Tanja Fajon, Ulrike Lunacek, Daniele Viotti, Sophia in 't Veld, Ian Duncan, Malin Björk, Sirpa Pietikäinen

Motion for a resolution

Recital A

Motion for a resolution

A. whereas combating gender discrimination in the field of goods and services is an integral part of the principle of equality between women and men which constitutes a fundamental value of the European Union recognised in the Treaties and in the Charter of Fundamental Rights;

Amendment

A. whereas combating gender discrimination in the field of goods and services is an integral part of the principle of ***gender equality and*** equality between women and men which constitutes a fundamental value of the European Union recognised in the Treaties and in the Charter of Fundamental Rights;

Or. en

Amendment 18

João Pimenta Lopes

Motion for a resolution
Recital A a (new)

Motion for a resolution

Amendment

Aa. whereas inequalities between men and women have widened in the most elementary aspects of life and society, in an unprecedented regressive civilisational development, and this fact cannot be uncoupled from the EU's guiding policies, in particular policies of austerity, impoverishment, low wages and precarious employment and labour deregulation;

Or. pt

Amendment 19
João Pimenta Lopes

Motion for a resolution
Recital A b (new)

Motion for a resolution

Amendment

Ab. whereas discrimination affecting women's access to goods and services is increasing rapidly at the basic level of their ability to acquire and choose them, owing to disparities in access to quality employment and access to decent wages and pensions;

Or. pt

Amendment 20
Marijana Petir, Anna Záborská

Motion for a resolution
Recital B

Motion for a resolution

Amendment

B. whereas Directive 2004/113/EC

B. whereas Directive 2004/113/EC

(hereinafter ‘the Directive’) extends the principle of equal treatment of men and women beyond the realm of employment and the labour market and into the field of access to and supply of goods and services;

(hereinafter ‘the Directive’) extends the principle of equal treatment of men and women beyond the realm of employment and the labour market and into the field of access to and supply of goods and services, *within the limits of powers conferred upon the Community;*

Or. en

Amendment 21
Marijana Petir, Anna Záborská

Motion for a resolution
Recital B a (new)

Motion for a resolution

Amendment

Ba. whereas while prohibiting discrimination, it is important to respect other fundamental rights and freedoms, including the protection of private and family life and transactions carried out in that context and the freedom of religion;

Or. en

Amendment 22
Barbara Matera, Agnieszka Kozłowska-Rajewicz

Motion for a resolution
Recital C a (new)

Motion for a resolution

Amendment

Ca. whereas the greater difficulty for female entrepreneurs in accessing financing could in part be related to a difficulty in building up sufficient credit history and managerial experience;

Or. en

Amendment 23
Evelyn Regner, Vilija Blinkevičiūtė

Motion for a resolution
Recital D

Motion for a resolution

D. whereas media, advertising and education-related services as well as the services that are provided for within the private sphere *fall outside* the scope of the Directive;

Amendment

D. whereas media, advertising and education-related services as well as the services that are provided for within the private sphere *are excluded by* the scope of the Directive; *highlights that in some cases national legislation goes further than required by the Directive by covering discrimination between men and women in media and advertising and education;*

Or. en

Amendment 24
João Pimenta Lopes

Motion for a resolution
Recital D

Motion for a resolution

D. whereas media, advertising *and* education-related services as well as the services that are provided for within the private sphere fall outside the scope of the Directive;

Amendment

D. whereas media *and* advertising, *sectors where women are most frequently treated in a stereotyped and discriminatory way, along with* education-related services as well as the services that are provided for within the private sphere fall outside the scope of the Directive;

Or. pt

Amendment 25
Angelika Mlinar

Motion for a resolution
Recital D a (new)

Motion for a resolution

Amendment

Da. whereas the Equal Treatment Directive proposed in 2008 would extend protection from discrimination on the grounds of religion or belief, age, disability and sexual orientation beyond the labour market to social protection, including social security and healthcare, social advantages, education, and access to and supply of goods and services; whereas the Council so far has not adopted its position on this Directive;

Or. en

Amendment 26

Agnieszka Kozłowska-Rajewicz, Barbara Matera, Michaela Šojdrová, Deirdre Clune

Motion for a resolution

Recital D a (new)

Motion for a resolution

Amendment

Da. whereas the Member States have the legislative competence to safeguarded equal treatment of women and men in the areas of goods and services which fall outside of the remit of the Directive;

Or. en

Amendment 27

Agnieszka Kozłowska-Rajewicz

Motion for a resolution

Recital E

Motion for a resolution

Amendment

E. whereas the Directive is applicable to all goods and services provided against remuneration, within the meaning of Article 57 TFEU and according to the

E. whereas the Directive is applicable to all goods and services provided against remuneration, within the meaning of Article 57 TFEU and according to the

relevant case-law of the Court of Justice of the European Union (CJEU); whereas remuneration must not necessarily be provided by those for whom the service is performed;

relevant case-law of the Court of Justice of the European Union (CJEU); whereas remuneration must not necessarily be provided by those for whom the service is performed ***and it can be provided in a form of an indirect payment which does not necessarily involve the service recipient;***

Or. en

Amendment 28
Julie Girling

Motion for a resolution
Recital G

Motion for a resolution

Amendment

G. ***whereas the realisation of the full potential of the Directive rests on efficient and consistent gender mainstreaming across the relevant sectors to which it applies;***

deleted

Or. en

Amendment 29
Marijana Petir, Anna Záborská

Motion for a resolution
Recital G

Motion for a resolution

Amendment

G. whereas the realisation of the full potential of the Directive rests on efficient and consistent ***gender mainstreaming*** across the relevant sectors to which it applies;

G. whereas the realisation of the full potential of the Directive rests on efficient and consistent ***integration of the dimension of equality between men and women in all policy areas*** across the relevant sectors to which it applies;

Or. en

Amendment 30
João Pimenta Lopes

Motion for a resolution
Recital G a (new)

Motion for a resolution

Amendment

Ga. whereas discriminatory practices against women persist in terms of access to services provided by the insurance and banking sector, with different rates and fees being applied depending on gender, resulting in particular from the inclusion of weighting factors linked to maternity and reproductive life;

Or. pt

Amendment 31
Agnieszka Kozłowska-Rajewicz

Motion for a resolution
Recital H

Motion for a resolution

Amendment

H. whereas in the Test-Achats ruling, the CJEU concluded that Article 5(2) of the Directive works against the achievement of the objective of equal treatment between men and women; whereas that provision was considered to be invalid with effect from 21 December 2012;

H. whereas in the Test-Achats ruling, the CJEU concluded that Article 5(2) of the Directive works against the achievement of the objective of equal treatment between men and women; whereas that provision was considered to be invalid with effect from 21 December 2012 ***and as a result the unisex premiums and benefits are mandatory in all Member States;***

Or. en

Amendment 32
Julie Girling

Motion for a resolution
Recital I

Motion for a resolution

I. whereas the key problematic areas in the implementation of the Directive include an overly restrictive understanding of the notion of goods and services, broad and sometimes unclear justifications of unequal treatment on the basis of Article 4(5) ***as well as an insufficient protection of women on grounds of maternity and pregnancy***;

Amendment

I. whereas the key problematic areas in the implementation of the Directive include an overly restrictive understanding of the notion of goods and services, broad and sometimes unclear justifications of unequal treatment on the basis of Article 4(5);

Or. en

Amendment 33
Notis Marias

Motion for a resolution
Recital I

Motion for a resolution

I. ***whereas*** the key problematic areas in the implementation of the Directive include an overly restrictive understanding of the notion of goods and services, broad and sometimes unclear justifications of unequal treatment on the basis of Article 4(5) as well as an insufficient protection of women on grounds of maternity and pregnancy;

Amendment

I. ***deploring the fact that*** the key problematic areas in the implementation of the Directive include an overly restrictive understanding of the notion of goods and services, broad and sometimes unclear justifications of unequal treatment on the basis of Article 4(5) as well as an insufficient protection of women on grounds of maternity and pregnancy;

Or. el

Amendment 34
Julie Girling

Motion for a resolution
Recital I a (new)

Motion for a resolution

Ia. whereas the issue of pregnancy has caused some confusion, pregnancy

Amendment

itself is not considered an illness;

Or. en

Amendment 35

Viorica Dăncilă

Motion for a resolution

Recital J

Motion for a resolution

J. whereas one of the challenges encountered **across** Member States is the low awareness of the rights embedded in the Directive on the side of policy-makers, service providers as well as citizens themselves;

Amendment

J. whereas one of the challenges encountered **in some** Member States is the low awareness of the rights embedded in the Directive on the side of policy-makers, service providers as well as citizens themselves, **with the Directive yet to be fully transposed in some Member States;**

Or. ro

Amendment 36

Julie Girling

Motion for a resolution

Recital J

Motion for a resolution

J. whereas one of the challenges encountered across Member States is the low awareness of the **rights embedded** in the Directive **on the side of policy-makers, service providers as well as citizens themselves;**

Amendment

J. whereas one of the challenges encountered across Member States is the low awareness of the **protection given to citizens** in the Directive;

Or. en

Amendment 37

Barbara Matera, Agnieszka Kozłowska-Rajewicz

Motion for a resolution

Recital J a (new)

Motion for a resolution

Amendment

Ja. whereas the lack of public knowledge and awareness of the Directive and its provisions may result in a lower number of gender discrimination claims;

Or. en

Amendment 38

Marijana Petir, Anna Záborská

Motion for a resolution

Recital K

Motion for a resolution

Amendment

K. whereas, while the recent Commission communication entitled 'European agenda for the collaborative economy' represents a good starting point for promoting and regulating this sector effectively, there is a need to incorporate the ***gender equality*** perspective and reflect the provisions of the Directive in further analysis and recommendations in this field;

K. whereas, while the recent Commission communication entitled 'European agenda for the collaborative economy' represents a good starting point for promoting and regulating this sector effectively, there is a need to incorporate the ***equality between men and women*** perspective and reflect the provisions of the Directive in further analysis and recommendations in this field;

Or. en

Amendment 39

Notis Marias

Motion for a resolution

Recital K

Motion for a resolution

Amendment

K. whereas, while the recent Commission communication entitled 'European agenda for the collaborative economy' ***represents a good*** starting point

K. whereas, while the recent Commission communication entitled 'European agenda for the collaborative economy' ***should serve as a*** starting point

for promoting and regulating this sector effectively, there is a need to incorporate the gender equality perspective and reflect the provisions of the Directive in further analysis and recommendations in this field;

for promoting and regulating this sector effectively, there is a need to incorporate the gender equality perspective and reflect the provisions of the Directive in further analysis and recommendations in this field;

Or. el

Amendment 40
Angelika Mlinar

Motion for a resolution
Recital L

Motion for a resolution

L. whereas all Member States have established equality bodies, their effectiveness *in fulfilling designated goals varies*;

Amendment

L. whereas all Member States have established equality bodies, *but* their effectiveness *varies greatly depending on their level of independence and their competences and resources; whereas such bodies should be adequately supported and strengthened in the performance of their tasks, with regard to the promotion, monitoring and support of equal treatment in an independent and effective manner*;

Or. en

Amendment 41
Evelyn Regner, Vilija Blinkevičiūtė

Motion for a resolution
Recital L

Motion for a resolution

L. whereas *all* Member States have established equality bodies, their effectiveness in fulfilling designated goals varies;

Amendment

L. whereas *the majority of* Member States have established equality bodies, their *attributed competences in relation to supply of and access to goods and services as well as financial resources, and therefore* effectiveness in fulfilling designated goals varies;

Amendment 42
Marijana Petir, Anna Záborská

Motion for a resolution
Recital L a (new)

Motion for a resolution

Amendment

La. whereas in its Report on the application of the Directive, the Commission states that it does not consider it necessary to propose amendments to the Directive at this stage but will prioritise addressing the remaining transposition issues with the Member States concerned, mainly in relation to the scope of the exception provided for in Article 4(5) of the Directive;

Or. en

Amendment 43
Agnieszka Kozłowska-Rajewicz, Barbara Matera, Ildikó Gáll-Pelcz, Michaela Šojdrová, Deirdre Clune, Mariya Gabriel

Motion for a resolution
Recital L a (new)

Motion for a resolution

Amendment

La. whereas the work of the European Network of Equality Bodies is crucial for enhancing implementation of equal treatment legislation as well as coordinating the cooperation and sharing of best practices between national equality bodies accords the EU;

Or. en

Amendment 44
Agnieszka Kozłowska-Rajewicz

Motion for a resolution
Paragraph 1

Motion for a resolution

1. Notes that the application of the Directive is not uniform across the Member States and that despite progress achieved in this area there are still challenges and gaps in the implementation thereof that need to be addressed in some Member States and across certain sectors;

Amendment

1. Notes that the application of the Directive is not uniform across the Member States and that despite progress achieved in this area there are still challenges and gaps in the implementation thereof that need to be addressed in some Member States and across certain sectors; ***calls on the Commission to prioritise addressing any remaining gaps in the implementation in their dialogue with the Member States;***

Or. en

Amendment 45
Notis Marias

Motion for a resolution
Paragraph 1

Motion for a resolution

1. Notes that the application of the Directive is not uniform across the Member States and that despite progress achieved in this area there are still challenges and gaps in the implementation thereof that need to be addressed in some Member States and across certain sectors;

Amendment

1. Notes that the application of the Directive is not uniform across the Member States and that despite progress achieved in this area there are still challenges and gaps in the implementation thereof that need to be addressed in some Member States and across certain sectors ***forthwith;***

Or. el

Amendment 46
Evelyn Regner

Motion for a resolution
Paragraph 1

Motion for a resolution

1. *Notes* that the application of the Directive *is not uniform* across the Member States and that despite progress achieved in this area there are still challenges and gaps in the implementation thereof that need to be addressed in some Member States and across certain sectors;

Amendment

1. *Is Concerned* that the application of the Directive *varies a lot* across the Member States and that despite progress achieved in this area there are still challenges and gaps in the implementation thereof that need to be addressed in some Member States and across certain sectors;

Or. en

Amendment 47
Marijana Petir, Anna Záborská

Motion for a resolution
Paragraph 1 a (new)

Motion for a resolution

Amendment

1a. Reminds that the Better Regulation Agenda recommends focusing on monitoring and evaluation of the implementation of existing EU law rather than modifying or creating new legislation, with the aim of minimising additional administrative burden for business and Member States created; in this regards, agrees with the Commission that it is not necessary to propose amendments to the Directive at this stage and emphasises the need to focus on the implementation of the Directive before considering any revisions;

Or. en

Amendment 48
Angelika Mlinar

Motion for a resolution
Paragraph 1 a (new)

Motion for a resolution

Amendment

1a. Stresses the crucial role of the Member States in implementing EU legislation and policies at national level and strongly recommends support from regional and local authorities, as well as cooperation with civil society, to eliminate discrimination in all areas of life;

Or. en

Amendment 49
Evelyn Regner

Motion for a resolution
Paragraph 1 a (new)

Motion for a resolution

Amendment

1a. Regrets that the scope of the Directive is rather narrow and does not cover media and advertising content, taking into account their significance, as well as the significance of education in the creation, retention and development of gender-based stereotypes;

Or. en

Amendment 50
Julie Girling

Motion for a resolution
Paragraph 1 a (new)

Motion for a resolution

Amendment

1a. Stresses that greater guidance from Member States to industry may be necessary in ensuring the full implementation of the Directive;

Or. en

Amendment 51
Evelyn Regner

Motion for a resolution
Paragraph 2

Motion for a resolution

2. Takes note that while the Commission report states that no specific difficulties have been signalled in implementing several provisions of the Directive, this statement is based on very few cases of discrimination reported, and that overall there is very limited information and that data collection in this area varies considerably at Member State level;

Amendment

2. Takes note that while the Commission report states that no specific difficulties have been signalled in implementing several provisions of the Directive, this statement is based on very few cases of discrimination reported, and that overall there is very limited information and that data collection in this area varies considerably at Member State level; ***Calls on the Commission to launch a comprehensive study and data collection, to continue its monitoring activities and to support and encourage the Member States in collecting and providing data in order to realise the full potential of the Directive;***

Or. en

Amendment 52
Agnieszka Kozłowska-Rajewicz, Barbara Matera, Michaela Šojdrová, Deirdre Clune, Mariya Gabriel

Motion for a resolution
Paragraph 2

Motion for a resolution

2. Takes note that while the Commission report states that no specific difficulties have been signalled in implementing several provisions of the Directive, this statement is based on very few cases of discrimination reported, and that overall there is very limited information and that data collection in this area varies considerably at Member State

Amendment

2. Takes note that while the Commission report states that no specific difficulties have been signalled in implementing several provisions of the Directive, this statement is based on very few cases of discrimination reported, and that overall there is very limited information and that data collection in this area varies considerably at Member State

level;

level; *calls on the Members States, the Commission and the relevant stakeholders to raise the awareness about the provisions of the Directive to enhance the perceived importance of equal treatment in the field of goods and services;*

Or. en

Amendment 53
Julie Girling

Motion for a resolution
Paragraph 2

Motion for a resolution

2. Takes note that *while* the Commission report states that no specific difficulties have been signalled in implementing several provisions of the Directive, this *statement is based on very few cases of discrimination reported, and that overall there is very limited information and that data collection in this area varies considerably at Member State level;*

Amendment

2. Takes note that the Commission report states that no specific difficulties have been signalled in implementing several provisions of the Directive, this *view has been supported by industry;*

Or. en

Amendment 54
Agnieszka Kozłowska-Rajewicz, Barbara Matera, Ildikó Gáll-Pelcz, Michaela Šojdrová, Deirdre Clune, Mariya Gabriel

Motion for a resolution
Paragraph 3

Motion for a resolution

3. Notes that only some Member States reported the existence of specific provisions on positive action;

Amendment

3. Notes that only some Member States reported the existence of specific provisions on positive action; *calls on the Member States to better integrate and promote provisions on positive action which is based on a legitimate aim and*

strives to prevent or compensate gender-based inequalities, as outlined in the Directive;

Or. en

Amendment 55
Evelyn Regner

Motion for a resolution
Paragraph 3 a (new)

Motion for a resolution

Amendment

3a. Regrets that 13 Member States have not taken yet legal provisions protecting transgender persons against discrimination in supply of and access to goods and services which creates legal uncertainty and possible high discrimination rates due to lack of data;

Or. en

Amendment 56
Angelika Mlinar

Motion for a resolution
Paragraph 3 a (new)

Motion for a resolution

Amendment

3a. Is concerned that, to date, 13 Member States have chosen to not introduce explicit legal provisions protecting trans people against discrimination in access to goods and services, contributing to legal uncertainty amidst high discrimination rates;

Or. en

Amendment 57

Tanja Fajon, Ulrike Lunacek, Daniele Viotti, Sophia in 't Veld, Ian Duncan, Malin Björk, Sirpa Pietikäinen

Motion for a resolution

Paragraph 3 a (new)

Motion for a resolution

Amendment

3a. Is concerned that 13 Member States have not introduced explicit legal provisions protecting transgender people against discrimination in access to goods and services, contributing to legal uncertainty amidst high discrimination rates;

Or. en

Amendment 58

Barbara Matera, Agnieszka Kozłowska-Rajewicz

Motion for a resolution

Subheading 2

Motion for a resolution

Amendment

The insurance *sector*

The insurance *and financial sectors*

Or. en

Amendment 59

João Pimenta Lopes

Motion for a resolution

Subheading 2

Motion for a resolution

Amendment

The insurance sector

The insurance *and banking* sector

Or. pt

Amendment 60
João Pimenta Lopes

Motion for a resolution
Paragraph 4

Motion for a resolution

4. Welcomes the implementation of the *Test-Achats* ruling in national legislation by the Member States and the fact that the national legislation has been amended in a legally binding manner; points out that there are still challenges related to the conformity of the national legislation with the ruling, *for example in sickness insurance schemes*;

Amendment

4. Welcomes the implementation of the *Test-Achats* ruling in national legislation by the Member States and the fact that the national legislation has been amended in a legally binding manner; points out that there are still challenges related to the conformity of the national legislation with the ruling *and to the guarantee that there will be no discrimination in the various areas of the insurance sector, eliminating disparities depending on gender or linked to maternity and reproductive life*;

Or. pt

Amendment 61
João Pimenta Lopes

Motion for a resolution
Paragraph 4 a (new)

Motion for a resolution

4a. Condemns the discriminatory practices in the banking sector linked to pregnancy, maternity plans and maternity and leading to disparities in access to rented property and home ownership or in obtaining loans, and considers that these practices should be eliminated;

Or. pt

Amendment 62
Notis Marias

Motion for a resolution
Paragraph 5

Motion for a resolution

5. Considers that ensuring proper and full implementation of the ruling is crucial; calls on the Commission to monitor by means of periodic reports conformity with these rules in the Member States in order to ensure that *any gaps are addressed*;

Amendment

5. Considers that ensuring proper and full implementation of the ruling is crucial; calls on the Commission to monitor by means of periodic reports conformity with these rules in the Member States in order to ensure that *that the principle of equal treatment - with regard to women and men - in access to goods and services is respected*;

Or. el

Amendment 63

Agnieszka Kozłowska-Rajewicz, Barbara Matera, Michaela Šojdrová, Deirdre Clune, Mariya Gabriel

Motion for a resolution
Paragraph 6

Motion for a resolution

6. *Underlines that* a greater effort needs to be made to protect the rights of pregnant women in this field and safeguard them against unqualified pregnancy-related costs, as well as *raising* awareness among service providers as to the special protection afforded to pregnant women;

Amendment

6. *Highlights that while the Directive expressly prohibits the use of pregnancy and maternity as a way to differentiate in the calculation of premiums and benefits for the purposes of insurance and related financial services*, a greater effort needs to be made to protect the rights of pregnant women in this field and safeguard them against unqualified pregnancy-related costs, as well as *to raise* awareness among service providers as to the special protection afforded to pregnant women; *in particular there is a need to ensure that transitional periods in different types of insurance, especially medical insurance, do not interfere with the rights of pregnant women to enjoy equal treatment throughout the period of pregnancy*;

Or. en

Amendment 64
Julie Girling

Motion for a resolution
Paragraph 6

Motion for a resolution

6. Underlines that a greater effort needs to be made to protect the rights of pregnant women *in this field and safeguard them against unqualified pregnancy-related costs, as well as raising awareness among service providers as to the special protection afforded to pregnant women;*

Amendment

6. Underlines that a greater effort *and clarity* needs to be made to protect the rights *and welfare* of pregnant women *when accessing goods and services; pre-existing medical conditions and pregnancy should be considered separately and pregnant women should not experience higher costs on the sole grounds of their pregnancy;*

Or. en

Amendment 65
Notis Marias

Motion for a resolution
Paragraph 6

Motion for a resolution

6. *Underlines that a greater effort needs to be made* to protect the rights of pregnant women in this field and safeguard them against unqualified pregnancy-related costs, as well as raising awareness among service providers as to the special protection afforded to pregnant women;

Amendment

6. *Calls on Member States to make a greater effort* to protect the rights of pregnant women in this field and safeguard them against unqualified pregnancy-related costs, as well as raising awareness among service providers as to the special protection afforded to pregnant women;

Or. el

Amendment 66
Tanja Fajon, Ulrike Lunacek, Daniele Viotti, Sophia in 't Veld, Ian Duncan, Malin Björk, Sirpa Pietikäinen

Motion for a resolution
Paragraph 6 a (new)

Motion for a resolution

Amendment

6a. *Is concerned that many insurance companies discriminate against transgender people by excluding trans-specific healthcare needs and considering transgender people as not insurable; is also concerned that intersex people face discriminatory practices when seeking to access life insurance and private health insurance due to their medical history; calls on the European Commission to look into instances of discrimination on the grounds of gender identity and sex characteristics in the insurance industry;*

Or. en

Amendment 67
Barbara Matera, Agnieszka Kozłowska-Rajewicz

Motion for a resolution
Paragraph 6 a (new)

Motion for a resolution

Amendment

6a. *Calls for a holistic approach to female entrepreneurship, aimed at encouraging and supporting women in building a career in entrepreneurship, facilitating access to finance and business opportunities, and creating an environment enabling women to realise their potential and become successful entrepreneurs by ensuring, inter alia, the reconciliation of professional and personal life, access to childcare facilities, and tailor-made training;*

Or. en

Amendment 68

Agnieszka Kozłowska-Rajewicz, Barbara Matera, Michaela Šojdrová, Deirdre Clune, Mariya Gabriel

Motion for a resolution

Paragraph 6 a (new)

Motion for a resolution

Amendment

6a. Welcomes the equalising effect on pensions of the Test-Achats ruling which prohibited sex-based actuarial factors in insurance contracts and made unisex premiums and benefits mandatory in private insurance schemes, including pensions; notes that while this ruling applies only to the private schemes, the unisex rule in pensions constitutes a good practice in terms of reducing the gender pension gap;

Or. en

Amendment 69

Barbara Matera, Agnieszka Kozłowska-Rajewicz

Motion for a resolution

Paragraph 6 b (new)

Motion for a resolution

Amendment

6b. Calls on Member States' governments to collaborate with the financial sector regarding their obligation to ensure equality between men and women in access to capital for freelancers and SMEs; invites them to explore the possibilities of introducing gender equality into their reporting structures on the attribution of loans, into the tailoring of their risk profiles, investment mandates and staff structures, and into financial products and the advertising thereof;

Or. en

Amendment 70

Agnieszka Kozłowska-Rajewicz, Barbara Matera, Michaela Šojdrová, Deirdre Clune

Motion for a resolution

Paragraph 6 b (new)

Motion for a resolution

Amendment

6b. Welcomes the decision of some Member States to apply the unisex rule also to their occupational pension schemes in order to ensure equality between women and men in all areas of pension calculation; encourages other Member States to consider following suit, if appropriate;

Or. en

Amendment 71

Evelyn Regner

Motion for a resolution

Paragraph 7

Motion for a resolution

Amendment

7. Notes that while the prohibition of harassment, including sexual harassment, is embedded in national legislation, women continue to experience forms of abuse on means of transport on a systematic and frequent basis and there is a persisting need to enhance preventive measures against harassment, including raising awareness among the service providers;

7. Notes that while the prohibition of harassment, including sexual **and gender-based** harassment, is embedded in national legislation, women, **transgender and intersex persons** continue to experience forms of abuse on means of transport on a systematic and frequent basis and there is a persisting need to enhance preventive measures against harassment, including raising awareness among the service providers;

Or. en

Amendment 72

Tanja Fajon, Ulrike Lunacek, Daniele Viotti, Sophia in 't Veld, Ian Duncan, Malin Björk, Sirpa Pietikäinen, Evelyn Regner

Motion for a resolution
Paragraph 7

Motion for a resolution

7. Notes that while the prohibition of harassment, including sexual harassment, is embedded in national legislation, women continue to experience forms of abuse on means of transport on a systematic and frequent basis and there is a persisting need to enhance preventive measures against harassment, including raising awareness among the service providers;

Amendment

7. Notes that while the prohibition of harassment, including sexual ***and gender-based*** harassment, is embedded in national legislation, women, ***transgender and intersex persons*** continue to experience forms of abuse on means of transport on a systematic and frequent basis and there is a persisting need to enhance preventive measures against harassment, including raising awareness among the service providers;

Or. en

Amendment 73
Notis Marias

Motion for a resolution
Paragraph 7

Motion for a resolution

7. Notes that while the prohibition of harassment, including sexual harassment, is embedded in national legislation, women continue to experience forms of abuse on means of transport on a systematic and frequent basis and there is a persisting need to enhance preventive measures ***against*** harassment, including raising awareness among the service providers;

Amendment

7. Notes that while the prohibition of harassment, including sexual harassment, is embedded in national legislation, women continue to experience forms of abuse on means of transport on a systematic and frequent basis and there is a persisting need to enhance preventive measures ***to put an end to incidents of*** harassment, including raising awareness among the service providers;

Or. el

Amendment 74
Angelika Mlinar

Motion for a resolution
Paragraph 7

Motion for a resolution

7. Notes that while the prohibition of harassment, including sexual harassment, is embedded in national legislation, women continue to experience forms of abuse on means of transport on a systematic and frequent basis and there is a persisting need to enhance preventive measures against harassment, including raising awareness among the service providers;

Amendment

7. Notes that while the prohibition of harassment, including sexual ***and gender-based*** harassment, is embedded in national legislation, women continue to experience forms of abuse on means of transport on a systematic and frequent basis and there is a persisting need to enhance preventive measures against harassment, including raising awareness among the service providers;

Or. en

Amendment 75

Agnieszka Kozłowska-Rajewicz, Barbara Matera, Deirdre Clune

Motion for a resolution

Paragraph 8

Motion for a resolution

8. Calls on the Commission and Member States to facilitate the exchange of best practices in this area; calls for focusing on those preventive measures which are consistent with the principle of equality between women and men, as recommended for example in the Istanbul Convention, and are not limiting to women's liberties;

Amendment

8. Calls on the Commission and Member States to facilitate the exchange of best practices in this area; calls for focusing on those preventive measures which are consistent with the principle of equality between women and men, as recommended for example in the Istanbul Convention, and ***which*** are not limiting to women's liberties ***as well as concentrate primarily on addressing potential perpetrators rather than modifying behaviour of women as potential victims***;

Or. en

Amendment 76

Julie Girling

Motion for a resolution

Paragraph 8

Motion for a resolution

8. Calls on the Commission and Member States to facilitate the exchange of best practices in this area; calls for focusing on those preventive measures which are consistent with the principle of equality between women and men, ***as recommended for example in the Istanbul Convention, and are not limiting to women's liberties;***

Amendment

8. Calls on the Commission and Member States to facilitate the exchange of best practices in this area; calls for focusing on those preventive measures which are consistent with the principle of equality between women and men;

Or. en

Amendment 77

Marijana Petir, Anna Záborská

Motion for a resolution

Paragraph 8

Motion for a resolution

8. Calls on the Commission and Member States to facilitate the exchange of best practices in this area; calls for focusing on those preventive measures which are consistent with the principle of equality between women and men, ***as recommended for example in the Istanbul Convention, and are not limiting to women's liberties;***

Amendment

8. Calls on the Commission and Member States to facilitate the exchange of best practices in this area; calls for focusing on those preventive measures which are consistent with the principle of equality between women and men and are not limiting to women's liberties;

Or. en

Amendment 78

Agnieszka Kozłowska-Rajewicz, Barbara Matera, Ildikó Gáll-Pelcz, Deirdre Clune, Mariya Gabriel

Motion for a resolution

Paragraph 8 a (new)

Motion for a resolution

Amendment

8a. Notes that the Istanbul Convention

states that “the realisation of de jure and de facto equality between women and men is a key element in the prevention of violence against women” and, therefore, calls on the Member States and the Commission to follow this comprehensive approach in their policy aimed at eradicating violence against women, including the implementation of the anti-harassment provisions outlined in the Directive;

Or. en

Amendment 79
João Pimenta Lopes

Motion for a resolution
Paragraph 9

Motion for a resolution

9. Underlines that parents and carers of small children still face physical access barriers and other obstacles, such as an insufficiency of baby changing facilities on the premises of service providers; emphasises the need to safeguard the rights of both mothers and fathers to enjoy equal opportunities in the company of their children on the premises of service providers;

Amendment

9. Underlines that parents and carers of small children still face physical access barriers and other obstacles, such as an insufficiency of baby changing facilities on the premises of service providers, ***notably in toilets***; emphasises the need to safeguard the rights of both mothers and fathers to enjoy equal opportunities in the company of their children on the premises of service providers;

Or. pt

Amendment 80
Notis Marias

Motion for a resolution
Paragraph 9

Motion for a resolution

9. ***Underlines*** that parents and carers of small children still face physical access

Amendment

9. ***Deplores the fact*** that parents and carers of small children still face physical

barriers and other obstacles, such as an insufficiency of baby changing facilities on the premises of service providers; emphasises the need to safeguard the rights of both mothers and fathers to enjoy equal opportunities in the company of their children on the premises of service providers;

access barriers and other obstacles, such as an insufficiency of baby changing facilities on the premises of service providers; emphasises the need to safeguard the rights of both mothers and fathers to enjoy equal opportunities in the company of their children on the premises of service providers;

Or. el

Amendment 81

Agnieszka Kozłowska-Rajewicz, Barbara Matera, Ildikó Gáll-Pelcz, Michaela Šojdrová, Deirdre Clune, Mariya Gabriel

Motion for a resolution Paragraph 9 a (new)

Motion for a resolution

Amendment

9a. Highlights that equal treatment of both mothers and fathers with small children in the access and use of services is crucial for gender equality in general as it promotes equal and shared responsibility for childcare between women and men; calls therefore on the Member States to raise awareness among the service providers about the need for equal facilities for both parents available within their premises;

Or. en

Amendment 82

Agnieszka Kozłowska-Rajewicz, Barbara Matera, Ildikó Gáll-Pelcz, Michaela Šojdrová, Deirdre Clune, Mariya Gabriel

Motion for a resolution Paragraph 9 b (new)

Motion for a resolution

Amendment

9b. Notes that integrating the gender-sensitive perspective into the early stages

of planning and structuring of the means of transport and other public spaces constitutes a good and cost-efficient practice for eradicating physical barriers which undermine equal access for parents and carers of small children;

Or. en

Amendment 83

Evelyn Regner, Vilija Blinkevičiūtė

Motion for a resolution

Paragraph 10

Motion for a resolution

10. Points out that unequal treatment of women on the grounds of breastfeeding on the premises of service providers still persists across the Member States; considers that the protection of women on the grounds of maternity and pregnancy as guaranteed by the Directive needs to be strengthened at Member State level **by the means of their choice**; considers that there is a need in particular for awareness-raising, specifically among the service providers;

Amendment

10. Points out that unequal treatment of women on the grounds of **maternity or pregnancy, including** breastfeeding on the premises of service providers still persists across the Member States; considers that the protection of women on the grounds of maternity and pregnancy, **including breastfeeding** as guaranteed by the Directive needs to be strengthened **and fully implemented** at Member State level; considers that there is a need in particular for awareness-raising, specifically among the service providers;

Or. en

Amendment 84

João Pimenta Lopes

Motion for a resolution

Paragraph 10

Motion for a resolution

10. Points out that unequal treatment of women on the grounds of breastfeeding on the premises of service providers still persists across the Member States;

Amendment

10. Points out that unequal treatment of women on the grounds of breastfeeding on the premises of service providers still persists across the Member States;

considers that the protection of women on the grounds of maternity and pregnancy as guaranteed by the Directive needs to be strengthened at Member State level by the means of their choice; considers that *there is a need in particular for awareness-raising, specifically among the* service providers;

considers that the protection of women on the grounds of maternity and pregnancy as guaranteed by the Directive needs to be strengthened at Member State level by the means of their choice; considers that service providers *must comply with the Directive's guiding principles and national legislation transposing it*;

Or. pt

Amendment 85
Marijana Petir, Anna Záborská

Motion for a resolution
Paragraph 10 a (new)

Motion for a resolution

Amendment

10a. *Reminds, however, that principle of equal treatment in the access to goods and services does not require that facilities should always be provided to men and women on a shared basis, as long as they are not provided more favourably to members of one sex;*

Or. en

Amendment 86
João Pimenta Lopes

Motion for a resolution
Paragraph 10 a (new)

Motion for a resolution

Amendment

10a. *Notes that discrimination and disparities are still being recorded in access to medical goods and services, which highlights the need to boost access to high-quality free public health services;*

Or. pt

Amendment 87
João Pimenta Lopes

Motion for a resolution
Paragraph 10 b (new)

Motion for a resolution

Amendment

10b. *Takes the view that offering a network of maternity-support services, notably crèches and pre-school and after-school services, is essential to help ensure that the principle of equality between men and women in access to goods and services is actually implemented; takes the view that this network should include a level of public services that meets the population's needs;*

Or. pt

Amendment 88
Julie Girling

Motion for a resolution
Paragraph 11

Motion for a resolution

Amendment

11. *Highlights the new possible areas of application of the Directive, in particular as a result of the digitalisation of certain services and sectors as well as the proliferation of collaborative forms of service provision;*

deleted

Or. en

Amendment 89
Evelyn Regner

Motion for a resolution
Paragraph 11

Motion for a resolution

11. Highlights *the new possible areas of application of the Directive, in particular as a result of the digitalisation of certain services and sectors as well as the proliferation of collaborative forms of service provision*;

Amendment

11. Highlights *that digitalisation of certain services and sectors as well as the proliferation of collaborative forms of service provision have changed the access to and supply of goods and services, nevertheless the Directive remains applicable to the digital sphere*;

Or. en

Amendment 90
Julie Girling

Motion for a resolution
Paragraph 11 a (new)

Motion for a resolution

Amendment

11a. *Recalls Article 1 and 3 of the Directive, in particular Article 3(3) which states the legal scope of the Directive;*

Or. en

Amendment 91
Evelyn Regner

Motion for a resolution
Paragraph 12

Motion for a resolution

Amendment

12. Considers that those services offered within the collaborative economy which are *publicly advertised* and offered for profit fall within the remit of the Directive and should, therefore, be consistent with the principle of equal treatment of women and men;

12. Considers that those services offered within the collaborative economy which are *available for the public* and offered for profit fall within the remit of the Directive and should, therefore, be consistent with the principle of equal treatment of women and men;

Or. en

Amendment 92

Agnieszka Kozłowska-Rajewicz, Barbara Matera, Ildikó Gáll-Pelcz, Deirdre Clune, Mariya Gabriel

Motion for a resolution

Paragraph 12 a (new)

Motion for a resolution

Amendment

12a. Notes that harassment poses a particular challenge for gender equality in the area of collaborative economy services; highlights that whilst the "zero-tolerance" policy towards harassment adopted by many platforms constitutes a good practice to be further strengthened in the sector, there is a need for the platforms concerned to prioritise prevention of harassment as well as to consider creating clear procedures for reporting abuse cases for users;

Or. en

Amendment 93

Evelyn Regner

Motion for a resolution

Paragraph 12 a (new)

Motion for a resolution

Amendment

12a. Notes in this context that in the digital sphere, "profit" does not necessarily mean money and that data is increasingly used as a counter performance for goods and services;

Or. en

Amendment 94

Julie Girling

Motion for a resolution
Paragraph 13

Motion for a resolution

Amendment

13. Calls on the Commission to monitor the principle of gender equality in the collaborative economy in its future reports on the application of the Directive and to issue specific guidelines identifying good practices to safeguard equal treatment of women and men in the services offered within the collaborative economy;

deleted

Or. en

Amendment 95

Agnieszka Kozłowska-Rajewicz, Barbara Matera, Deirdre Clune, Mariya Gabriel

Motion for a resolution
Paragraph 13 a (new)

Motion for a resolution

Amendment

13a. Notes that while the recently published Communication from the Commission on "European agenda for the collaborative economy" is a good starting step for promoting and regulating this sector effectively, in its further stages the Commission should integrate the principles of gender mainstreaming and reflect the regulations of the Directive to safeguard equal treatment of women and men and effectively prevent harassment in the services offered within the collaborative economy;

Or. en

Amendment 96
Julie Girling

Motion for a resolution
Paragraph 14

Motion for a resolution

14. Points out that the application of Article 4(5) has proved a major challenge in the implementation of the Directive, constituting the grounds for the largest share of complaints received by the equality bodies in the Member States, mainly pertaining to the leisure and entertainment sector;

Amendment

14. Points out that the application of Article 4(5) has proved a major challenge in the implementation of the Directive, constituting the grounds for the largest share of complaints received by the equality bodies in the Member States, mainly pertaining to the leisure and entertainment sector; ***notes that there will be occasions when different conditions for men and women will apply without a body or service provider contravening the Directive;***

Or. en

Amendment 97

Agnieszka Kozłowska-Rajewicz, Barbara Matera, Deirdre Clune, Mariya Gabriel

Motion for a resolution
Paragraph 16 a (new)

Motion for a resolution

Amendment

16a. Encourages equality bodies and consumer protection organisations to both raise awareness about the limits and conditions for differential treatment among the service providers as well as to enhance awareness about the rights for equal treatment among service users, as it is often reported that users are not familiar with applicable provisions in the field of goods and services;

Or. en

Amendment 98

Marijana Petir, Anna Záborská

Motion for a resolution
Paragraph 17

Motion for a resolution

17. Considers that the relative lack of positive action based on Article 4(5) across Member States constitutes a gap in the implementation of the Directive; calls for promoting forms of positive action based on a legitimate aim, in which there is a direct link between preferential treatment and the disadvantages to be prevented or eliminated, such as the protection of victims of sex-related violence in cases of single-sex shelters;

Amendment

17. Considers that the relative lack of positive action based on Article 4(5) across Member States constitutes a gap in the implementation of the Directive; calls for promoting forms of positive action based on a legitimate aim, in which there is a direct link between preferential treatment and the disadvantages to be prevented or eliminated, such as the protection of victims of sex-related violence in cases of single-sex shelters, ***reasons of privacy and decency, and the freedom of association;***

Or. en

Amendment 99
Notis Marias

Motion for a resolution
Paragraph 17

Motion for a resolution

17. Considers that the relative lack of positive action based on Article 4(5) across Member States constitutes a gap in the implementation of the Directive; calls for promoting forms of positive action based on a legitimate aim, in which there is a direct link between preferential treatment and the disadvantages to be prevented or eliminated, such as the protection of victims of sex-related violence in cases of single-sex shelters;

Amendment

17. Considers that the relative lack of positive action based on Article 4(5) across Member States constitutes a gap in the implementation of the Directive; calls for promoting forms of positive action based on a legitimate aim, in which there is a direct link between preferential treatment and the disadvantages ***which need*** to be prevented or eliminated, such as the protection of victims of sex-related violence in cases of single-sex shelters;

Or. el

Amendment 100
Angelika Mlinar

Motion for a resolution
Paragraph 17 a (new)

Motion for a resolution

Amendment

17a. *Reiterates its call on the Council to consider all possible avenues to ensure that the proposed Equal Treatment Directive is adopted without further delay, thereby guaranteeing comprehensive protection against discrimination on the grounds of sex, racial or ethnic origin, religion or belief, disability, age and sexual orientation on an equal footing;*

Or. en

Amendment 101
Evelyn Regner

Motion for a resolution
Paragraph 17 a (new)

Motion for a resolution

Amendment

17a. *Calls on the Commission to consider a revision of the Directive to ensure that other grounds of discrimination like gender identity, gender expression and sex characteristics are to be included; Moreover calls on the Commission to include the content of media and advertisement in the Directive to avoid different levels of protections in the supply of and access to goods and services;*

Or. en

Amendment 102
Evelyn Regner

Motion for a resolution
Paragraph 17 b (new)

Motion for a resolution

Amendment

17b. *Stresses the need for clarification of the provisions of liability for providers of goods and services and the connecting online platforms on the basis of the Directive; Calls therefore on the Member States and on the Commission to urgently address the issue of liability in the above mentioned context;*

Or. en

Amendment 103

Viorica Dăncilă

Motion for a resolution

Paragraph 18

Motion for a resolution

18. Calls on the Commission to prioritise addressing the transposition issues with the Member States concerned and support them in order to implement the Directive in a more consistent manner;

Amendment

18. Calls on the Commission to prioritise addressing the transposition issues with the Member States concerned ***by means of concrete measures***, and ***to*** support them in order to implement the Directive in a more consistent manner;

Or. ro

Amendment 104

Evelyn Regner

Motion for a resolution

Paragraph 18 a (new)

Motion for a resolution

Amendment

18a. *Urges the Commission and the Member States to unblock the Commission proposal for a Council Directive on implementing the principle of equal treatment between persons irrespective of religion or belief, disability,*

*age or sexual orientation COM/2008/0426
final to ensure a common level of
protection against discrimination outside
the workplace for all grounds of
discrimination of Article 19 TFEU;*

Or. en

Amendment 105
João Pimenta Lopes

Motion for a resolution
Paragraph 18 a (new)

Motion for a resolution

Amendment

*18a. Invites the Commission to review
the Directive, expanding its scope to
include sectors such as the media,
advertising, education and decision-
making processes;*

Or. pt

Amendment 106
João Pimenta Lopes

Motion for a resolution
Paragraph 18 b (new)

Motion for a resolution

Amendment

*18b. Believes that directives regulating
vocational training, social security and
other areas characterised by
discrimination against women should be
revised to improve their content and
eliminate gender discrimination,
following the principle of equal treatment
for men and women;*

Or. pt

Amendment 107

Viorica Dăncilă

Motion for a resolution

Paragraph 19

Motion for a resolution

19. Calls on the Member States and the Commission to integrate a sector-specific gender-mainstreaming approach in enhancing the implementation of the Directive;

Amendment

19. Calls on the Member States and the Commission to integrate a sector-specific gender-mainstreaming approach in enhancing the implementation of the Directive; ***invites the Commission and Member States to adopt concrete measures, with practical examples, to ensure that both women and men can fully and properly utilise the Directive as an effective means of protecting their rights to equal treatment in accessing all goods and services;***

Or. ro

Amendment 108

Marijana Petir, Anna Záborská

Motion for a resolution

Paragraph 19

Motion for a resolution

19. Calls on the Member States and the Commission to integrate a sector-specific ***gender-mainstreaming approach in enhancing*** the implementation of the Directive;

Amendment

19. Calls on the Member States and the Commission to integrate a sector-specific ***approach to the full integration of the issue of equality of men and women in all policy areas, in order to enhance*** the implementation of the Directive;

Or. en

Amendment 109

Evelyn Regner, Vilija Blinkevičiūtė

Motion for a resolution

Paragraph 20

Motion for a resolution

20. Points out that equality bodies play a crucial role in monitoring and ensuring that the rights derived from the Directive are fully exercised at national level; calls on the Member States to guarantee sufficient competences **and** independence for equality bodies to fulfil their **principal tasks**, which include independent assistance to victims of discrimination in pursuing their complaints, conducting independent surveys concerning discrimination and publishing independent reports and recommendations;

Amendment

20. Points out that equality bodies play a crucial role in monitoring and ensuring that the rights derived from the Directive are fully exercised at national level; calls on the Member States to **strengthen their role, to** guarantee sufficient competences, **adequate resources and full** independence for equality bodies to fulfil their **tasks given by the Directive in an effective way**, which include independent assistance to victims of discrimination in pursuing their complaints, conducting independent surveys concerning discrimination and publishing independent reports and recommendations, **raising awareness about the Directive and challenging stereotypes about gender roles in the supply of and access to goods and services**;

Or. en

Amendment 110

Marijana Petir, Anna Záborská

Motion for a resolution

Paragraph 20

Motion for a resolution

20. Points out that equality bodies play a crucial role in monitoring and ensuring that the rights derived from the Directive are fully exercised at national level; calls on the Member States to guarantee sufficient competences and independence for equality bodies to fulfil their principal tasks, which include independent assistance to victims of discrimination in pursuing their complaints, conducting independent surveys concerning discrimination and publishing independent reports and recommendations;

Amendment

20. Points out that equality bodies play a crucial role in monitoring and ensuring that the rights derived from the Directive are fully exercised at national level; calls on the Member States to guarantee sufficient competences and independence, **in accordance with national law and practice**, for equality bodies to fulfil their principal tasks, which include independent assistance to victims of discrimination in pursuing their complaints, conducting independent surveys concerning discrimination and publishing independent reports and recommendations;

Amendment 111
Angelika Mlinar

Motion for a resolution
Paragraph 20

Motion for a resolution

20. Points out that equality bodies play a crucial role in monitoring and ensuring that the rights derived from the Directive are fully exercised at national level; calls on the Member States to guarantee sufficient competences and independence for equality bodies to fulfil their principal tasks, which include independent assistance to victims of discrimination in pursuing their complaints, conducting independent surveys concerning discrimination and publishing independent reports and recommendations;

Amendment

20. Points out that equality bodies play a crucial role in monitoring and ensuring that the rights derived from the Directive are fully exercised at national level; calls on the Member States to guarantee sufficient competences, ***adequate resources and personnel*** and independence for equality bodies to fulfil their principal tasks, which include independent assistance to victims of discrimination in pursuing their complaints, conducting independent surveys concerning discrimination and publishing independent reports and recommendations;

Or. en

Amendment 112
Marijana Petir, Anna Záborská

Motion for a resolution
Paragraph 20 a (new)

Motion for a resolution

20a. Calls on the Member States to encourage dialogue with relevant stakeholders which have a legitimate interest in contributing to the fight against discrimination on grounds of sex in the area of access to and supply of goods and services;

Amendment

Or. en

Amendment 113

Viorica Dăncilă

Motion for a resolution

Paragraph 21

Motion for a resolution

21. Calls on the Commission to enhance the cooperation with equality bodies and provide support to Member States in systematically identifying the main challenges and share best practices;

Amendment

21. Calls on the Commission to enhance the cooperation with equality bodies and provide support to Member States in systematically identifying the main challenges and share best practices; ***calls on the Commission to gather best practices and make them available to Member States in order to provide the necessary resources for supporting positive action and ensuring better implementation of the respective provisions at national level;***

Or. ro

Amendment 114

Agnieszka Kozłowska-Rajewicz, Barbara Matera, Deirdre Clune, Mariya Gabriel

Motion for a resolution

Paragraph 21

Motion for a resolution

21. Calls on the Commission to enhance the cooperation with equality bodies and ***provide support to*** Member States ***in*** systematically ***identifying*** the main challenges and share best practices;

Amendment

21. Calls on the Commission to enhance the cooperation with equality bodies and ***to monitor if the relevant provisions regarding their competences are met in all the*** Member States ***as well as to provide support to*** systematically ***identify*** the main challenges and share best practices;

Or. en

Amendment 115
Angelika Mlinar

Motion for a resolution
Paragraph 21 a (new)

Motion for a resolution

Amendment

21a. Points out that access to justice for victims of discrimination could be improved by giving independent equality bodies the competences to provide assistance, including free legal aid, as well as the right to represent individuals in cases of alleged discrimination;

Or. en

Amendment 116
Angelika Mlinar

Motion for a resolution
Paragraph 21 b (new)

Motion for a resolution

Amendment

21b. Calls on the Commission to closely monitor the effectiveness of national complaint bodies and procedures in the context of the implementation of the Directive and to ensure that transparent and effective complaint mechanisms, including dissuasive sanctions, are in place;

Or. en

Amendment 117
Agnieszka Kozłowska-Rajewicz, Barbara Matera, Deirdre Clune, Mariya Gabriel

Motion for a resolution
Paragraph 22

Motion for a resolution

22. Calls on the Commission, the Member States and the equality bodies to raise awareness about the provisions of the Directive among both service providers and users in order to boost the understanding of equal treatment in this field and reduce breaches of the Directive being left unreported;

Amendment

22. Calls on the Commission, the Member States and the equality bodies, ***potentially in cooperation with consumer protection organizations***, to raise awareness about the provisions of the Directive among both service providers and users in order to boost the understanding of equal treatment in this field and reduce breaches of the Directive being left unreported;

Or. en

Amendment 118
Notis Marias

Motion for a resolution
Paragraph 22

Motion for a resolution

22. Calls on the Commission, the Member States and the equality bodies to raise awareness about the provisions of the Directive among both service providers and users in order to ***boost*** the ***understanding*** of equal treatment in this field and reduce breaches of the Directive being left unreported;

Amendment

22. Calls on the Commission, the Member States and the equality bodies to raise awareness about the provisions of the Directive among both service providers and users in order to ***implement*** the ***principle of*** equal treatment in this field and reduce breaches of the Directive being left unreported;

Or. el

Amendment 119
Agnieszka Kozłowska-Rajewicz, Barbara Matera, Ildikó Gáll-Pelcz, Deirdre Clune, Mariya Gabriel

Motion for a resolution
Paragraph 22 a (new)

Motion for a resolution

Amendment

22a. Calls on the Commission to establish a public database of relevant

legislation and case law regarding equal treatment between women and men as a means to raise awareness about the application of the legal provisions in this field;

Or. en

Amendment 120
Evelyn Regner

Motion for a resolution
Paragraph 23

Motion for a resolution

23. Calls on the Commission, given the persisting gaps in the *practical* application of the Directive, to ask the European Network of Legal Experts in cooperation with equality bodies to draw up a new comprehensive report;

Amendment

23. Calls on the Commission, given the persisting gaps in the application of the Directive, to ask the European Network of Legal Experts in cooperation with equality bodies to draw up a new comprehensive report, *also taking into account intersectional forms of gender inequalities and multiple grounds of discrimination, affecting women with disabilities, migrant women, lesbian, bisexual, transgender and intersex women; Calls the Commission to reflect the findings within its next report on the application of the Directive;*

Or. en

Amendment 121
Tanja Fajon, Ulrike Lunacek, Daniele Viotti, Sophia in 't Veld, Ian Duncan, Malin Björk

Motion for a resolution
Paragraph 23

Motion for a resolution

23. Calls on the Commission, given the persisting gaps in the practical application of the Directive, to ask the European

Amendment

23. Calls on the Commission, given the persisting gaps in the practical application of the Directive, to ask the European

Network of Legal Experts in cooperation with equality bodies to draw up a new comprehensive report;

Network of Legal Experts in cooperation with equality bodies to draw up a new comprehensive report *looking in particular at intersectional forms of gender inequalities, affecting women with disabilities, Roma and migrant women, lesbian, bisexual, transgender and intersex people*;

Or. en

Amendment 122
Viorica Dăncilă

Motion for a resolution
Paragraph 23

Motion for a resolution

23. Calls on the Commission, given the persisting gaps in the practical application of the Directive, to ask the European Network of Legal Experts in cooperation with equality bodies to draw up a new comprehensive report;

Amendment

23. Calls on the Commission, given the persisting gaps in the practical application of the Directive, to ask the European Network of Legal Experts in cooperation with equality bodies to draw up a new comprehensive report *that deals fully with discrimination on grounds of gender identity in legislation and in future policies in the field of gender equality*;

Or. ro

Amendment 123
Tanja Fajon, Ulrike Lunacek, Daniele Viotti, Sophia in 't Veld, Ian Duncan, Malin Björk, Sirpa Pietikäinen

Motion for a resolution
Paragraph 24 a (new)

Motion for a resolution

24a. Calls on the Commission to include gender identity, gender expression and sex characteristics in any future proposal for a recast, and until then, to comprehensively monitor discrimination on these grounds in its future reports on

Amendment

the implementation of the directive and to issue specific guidance supporting inclusive transposition of the directive;

Or. en

Amendment 124
Angelika Mlinar

Motion for a resolution
Paragraph 24 a (new)

Motion for a resolution

Amendment

24a. *Calls upon the Commission to include gender identity, gender expression and sex characteristics in any future proposal for a recast, and until then, to comprehensively monitor discrimination on these grounds in its future reports on the implementation of the directive and to issue specific guidance supporting inclusive transposition of the directive;*

Or. en

Amendment 125
Evelyn Regner

Motion for a resolution
Paragraph 24 a (new)

Motion for a resolution

Amendment

24a. *Calls on the Commission and on the Member states to ratify the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) without further delay;*

Or. en

Amendment 126
Angelika Mlinar

Motion for a resolution
Paragraph 24 b (new)

Motion for a resolution

Amendment

24b. Calls on the Member States to improve comprehensive, comparable specific data collection concerning harassment and sexual harassment in the area of equal access to goods and services, to differentiate on the grounds of discrimination and to ensure close cooperation between justice, police and equality bodies;

Or. en