

WRITTEN QUESTION E-2059/01
by Per Gahrton (Verts/ALE)
to the Commission

Subject: The Commission's failure to comply with Articles 155 and 169 of the EC Treaty

Pursuant to Article 155, the Commission is required to ensure that Member States transpose Council directives into national law. Such changes in the law are binding on Member States. Pursuant to Article 169, the Commission is required to bring legal action against Member States which do not comply with these directives.

Articles 48 and 100 of the EC Treaty prohibit discrimination on grounds of sex and against other EU citizens at work. The ILO principle of equal pay for equal work applies throughout the EC. The Council has adopted a series of directives to implement these prohibitions.

A few years ago I put a question to the Commission about a case of wage discrimination about which a complaint had been made to the Commission. Commissioner Pádraig Flynn replied to it before Parliament and promised that the case would be processed swiftly.

A further inquiry – not by the Commission – showed that since becoming a party to the EEA Agreement and later acceding to the EC, Sweden had not transposed the directives into its domestic employment legislation but instead had introduced wage discrimination as a principle throughout the public sector. The Commission has been aware of this situation at least since Pádraig Flynn gave his reply to my question in Parliament.

When will the Commission comply with the binding provisions pursuant to Articles 155 and 169 and thus put an end to the wage discrimination in Sweden which is prohibited by the EC Treaty? Or does the Commission – in disregard of the law – aim to have this model introduced throughout the EU?