

WRITTEN QUESTION E-2654/05

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to the Commission

Subject: Ruling on sexual orientation by the Catania Regional Administrative Court

A few days ago the Regional Administrative Court of Catania upheld an appeal by a young homosexual whose driving licence had previously been withdrawn on grounds of 'sexual identity problems'.

In upholding the appeal, the Court stated that 'sexual preferences have no bearing whatsoever on the ability to drive a motor vehicle safely', since they are 'merely a personality disorder'.

Article 13 of the EC Treaty empowers the Community to take measures to combat discrimination. Article 21 of the Charter of Fundamental Rights of the European Union prohibits any discrimination based on sex or sexual orientation.

As the guardian of the Treaties, does the Commission not consider the position of the Catania Regional Administrative Court, as reflected in the grounds given for its ruling, to be unacceptable and incompatible with the Treaties?

Furthermore, does it not consider it vital for the European Union to take measures to prevent any possible discrimination and prejudice based on sexual orientation?

What action will it take on this matter in the coming months?