

ORAL QUESTION H-0471/03
for Question Time at the part-session in September I 2003
pursuant to Rule 43 of the Rules of Procedure
by Maurizio Turco
to the Council

Subject: Transposition in Italy of the directive against discrimination at work

The Italian Council of Ministers has approved the legislative decree implementing Directive 2000/78/EC¹ against discrimination at work based on religion or belief, disability, age or sexual orientation. The decree gives rise to doubts about the correct and full application of the anti-discrimination directive, in particular as regards sexual orientation and religion. In this connection does the Council not consider that the directive is being transposed excessively vaguely, without limiting, as the Directive itself does, possible exceptions to the ban on discrimination, in particular the wording of Article 3(3) of the decree, which allows discrimination contrary to the directive, and hence that the decree is contrary to the spirit and letter of the directive, in particular as regards religion and sexual orientation? If the directive were to be implemented in Italy in accordance with these provisions, would the Council be obliged to take Italy to the Court of Justice?

Tabled: 08.07.2003
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¹ OJ L 303, 2.12.2000, p. 16.