

**Question for written answer E-015796/2015
to the Commission**

Rule 130

Agnieszka Kozłowska-Rajewicz (PPE)

Subject: Application of the directive implementing the principle of equal treatment between men and women in the access to and supply of goods and services in legal and practical terms

Although Directive 2004/113/EC has been successfully transposed into national law in all 28 Member States, there are still some challenges in relation to the practical implementation of some of its provisions. Earlier this year the Commission published a report on the application of the directive, but the following questions require further and more in-depth clarification:

What are the primary problematic areas of the implementation of Council Directive 2004/113/EC in the Member States?

To what extent and in what Member States is the derogation provided in Article 4(5), which permits the provision of goods and services exclusively or primarily to members of one sex under certain conditions, being used with an overly broad scope so that in effect it leads to justification of unequal treatment?

How is Article 4(3) of the directive, which clarifies that harassment and sexual harassment as defined in Article 2(c) and (d) constitute prohibited discrimination, applied in practice to situations involving a third-party harasser who is not the provider of goods or services and to the issue of liability in such a situation (for example, when harassment occurs in cases of services provided in a shared economy context, as in the cases of Uber or Airbnb)?