

# **European legal regulation of the remuneration of women and men**

## **Abstract**

This thesis focuses on the legal regulation of the principle of equal pay in European law. Despite the fact that the principles of equality of men and women are anchored in the international, regional and national laws, the actual fulfilment of the principle of equal pay in the European countries is not satisfactory. This thesis is trying to provide a systematic overview of the relevant legal regulation of the principle of equal pay on the international and European level. Within the respective legal systems, this thesis focuses on the particularity of the regulation, on the existence of control and enforcing mechanism and on the actual application of the principle of equal pay through these mechanisms.

The thesis is divided into four chapters. The first chapter defines the concepts essential for this thesis. In particular, it contains definitions of concepts of equality and discrimination. Furthermore, the concepts of sex, gender and differences in remuneration are defined. The second chapter focuses on the legal regulation of equal pay as adopted by the UN. It analyses the Convention on the Elimination of all Forms of Discrimination against Women and the relevant treaties of the International labour organisation, including the overview of the respective enforcement mechanisms. The third chapter describes the regulation of equal pay by the Council of Europe. Alongside the European Convention on Human Rights and the relevant decisions of the European Court for Human Rights, this chapter also focuses on the European social chart and its control and enforcing mechanisms. It also contains the description of the relevant soft law adopted by the Council of Europe. The last chapter is devoted to the legal regulation of the principle of equal pay in the European Union. The focus is on the primary and secondary legislation, within the latter the focus is mostly on the Directive 2006/54 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation. The chapter is further analysing the relevant decisions of the Court of Justice of the EU and it focuses on soft law adopted by the EU bodies as well. In the conclusion of the thesis, the respective legal systems are compared and their sufficiency and effectiveness is being evaluated.

**Key words:** equal pay, work of equal value, discrimination against women