

(English version)

Question for written answer E-000227/25
to the Commission
Nikos Pappas (The Left)
(20 January 2025)

Subject: Protecting maternity in professional sport and eliminating discrimination on grounds of pregnancy

Although maternity is a fundamental right under Article 33 of the Charter of Fundamental Rights of the European Union ⁽¹⁾, many professional female athletes continue to be discriminated against on grounds of pregnancy. Contractual clauses providing for the cancellation of contracts in the event of pregnancy undermine women's rights and increase insecurity in an already demanding professional field.

Furthermore, despite the adoption of the work-life balance directive ⁽²⁾, the employment conditions of professional athletes are insufficiently regulated, leaving female athletes exposed to discrimination and at risk of losing their professional status should they choose to become mothers.

In view of the above, can the Commission say:

1. What measures does it intend to take to protect maternity in professional sport and eliminate discrimination on grounds of pregnancy?
2. How will it address the existence of unfair terms in contracts providing for cancellation on grounds of pregnancy, which is at odds with the principle of equal treatment?
3. Does it intend to establish European standards for the professional rights of female athletes, including access to social protection during pregnancy and maternity?

Submitted: 20.1.2025

Answer given by Mr Micallef on behalf of the European Commission
(20 March 2025)

The Commission is fully committed to gender equality and women's rights, including supporting female athletes, in line with the Gender Equality Strategy 2020-2025 ⁽¹⁾.

The Commission's High-Level Group on gender equality in sport ⁽²⁾ in its recommendations published in 2022 called upon ensuring legal frameworks, equal opportunities and conditions, and securing social benefits for female athletes.

The recommendations specify that their rights under national labour laws should be fully applied, and sport organisations should develop maternity policies.

Moreover, EU legislation protects against discrimination on grounds of sex in conditions for access to employment and to self-employment. ⁽³⁾

It also protects against discrimination in employment and working conditions, including dismissals. ⁽⁴⁾ It prohibits the reduction of rights of women, when returning to their jobs after maternity leave. ⁽⁵⁾

In addition, an employee who is pregnant, has given birth or has adopted a child, has the right to maternity leave for a period of at least 14 weeks before and/or after the birth or adoption. ⁽⁶⁾

In line with Directive (EU) 2019/1158, ⁽⁷⁾ the Commission has been analysing the transposition and implementation of the rights to family-related leave in Member States, including the rights granted to self-employed persons as of 2027. ⁽⁸⁾

¹ <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:12016P/TXT>

² <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32019L1158>

⁽¹⁾ <https://ec.europa.eu/newsroom/just/items/682425/en>

⁽²⁾ <https://op.europa.eu/en/publication-detail/-/publication/684ab3af-9f57-11ec-83e1-01aa75ed71a1>

⁽³⁾ Article 14 of Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast), OJ L 204, 26.7.2006, p. 23-36.

⁽⁴⁾ See footnote 3.

⁽⁵⁾ Article 15 of Directive 2006/54/EC.

⁽⁶⁾ Council Directive 92/85/EEC of 19 October 1992 on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding (tenth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC).

⁽⁷⁾ Directive (EU) 2019/1158 of the European Parliament and of the Council of 20 June 2019 on work-life balance for parents and carers and repealing Council Directive 2010/18/EU, OJ L 188, 12.7.2019, p. 79-93.

⁽⁸⁾ Article 18 of Directive (EU) 2019/1158.

The 2019 Council Recommendation on access to social protection for workers and the self-employed ⁽⁹⁾ encourages Member States to extend access to adequate social protection to all workers and the self-employed, including those in non-traditional contracts and sectors such as professional sports.

This covers a broad range of social security branches, including maternity and paternity benefits.

⁽⁹⁾ Council Recommendation (EU) 2019/118, OJ C 387, 15.11.2019.