

## **THE PRINCIPLE OF GENDER EQUALITY IN ACCESS TO GOODS AND SERVICES: DIRECTIVE 2004/113/EC AND ITS DARK SIDE**

**Nadia Rusi**

University of Tirana, Faculty of Law, Tirana, Albania, Email: nrusi@hotmail.com

### **Abstract**

Equality between women and men is a fundamental principle in EU. In recent years, it has evolved in the same direction with social changes. The adoption of new legislation reflect among others the evolution of the European Court of Justice case law in relation to gender issues. This paper aims to analyzes the principle of gender equality in access and supply to goods and services after the adoption of directive 2004/113/EC. The paper highlights that with the adoption of this Directive, European law on gender equality and non-discrimination takes a new direction, expanding its sphere of action on issues that go beyond the employment relations. However, although the Goods and Services Directives is potentially a very important addition to the EU gender equality framework, several issues, such as the limited scope of application of the Directive, have significantly undermined its potential. There are still pending issues that calls for further regulation. The paper concludes that the reform of the existing legal framework in gender equality can be accomplished through the intervention in the text of Directive 2004/113 or the adoption of a new directive for the same purpose.

**Keywords:** *gender equality, goods and services, directive 2004/113/EC, material scope*