

Case 14/83 Von Colson [1984] ECR 1891

Facts: The applicants claimed unlawful sex discrimination against a state employer, relying on the Equal Treatment Directive. They wanted to be reinstated to their post.

Held: Article 6 of the Equal Treatment Directive was not sufficiently precise to have direct effect. Nevertheless, Member States had a duty to take all appropriate measures to ensure fulfilment of the directive obligation is binding on all authorities of Member States, including the courts. In applying the national law, and in particular the provisions specifically introduced to implement the Directive 76/207, national courts are required to interpret their national law in light of the wording and the purpose of the directive – have discretion.