



Malta-EU Steering & Action Committee

JUSTICE AND HOME AFFAIRS



09.11.09

COM (2009) 606 - Proposal for a Council Decision on the signing of the Arrangement between the European Community and the Republic of Iceland, the Principality of Liechtenstein, the Kingdom of Norway and the Swiss Confederation on the participation by those States in the work of the committees which assist the European Commission in the exercise of its executive powers as regards the implementation, application and development of the Schengen acquis

COM (2009) 605 - Proposal for a Council Decision on the conclusion of the Arrangement between the European Community and the Republic of Iceland, the Principality of Liechtenstein, the Kingdom of Norway and the Swiss Confederation on the participation by those States in the work of the committees which assist the European Commission in the exercise of its executive powers as regards the implementation, application and development of the Schengen acquis

The EU is party to two agreements - one with Iceland and Norway, and another with Switzerland and the Principality of Liechtenstein which provide for the association of these states (Associated States) with the implementation, application and development of the Schengen *acquis*. The agreements (Association Agreements) set up a Mixed Committee to which the Associated States may participate giving them the opportunity to participate in decision-shaping but not in decision-taking. The Associated States do not participate in the work of the Schengen Comitology committees except as observers (through the system of an *ad hoc* exchange of letters).

The need was felt for the conclusion of a single arrangement to provide for the participation by the Associated States in the work of the Schengen Comitology committees. Following negotiations, an Arrangement was drawn up.

By virtue of the above two proposals, the Commission is proposing to the Council to decide that the Arrangement be signed on behalf of the Community (COM (2009) 606); and to decide that the Arrangement be concluded (COM (2009) 605).



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COMMISSION CONSULTATION

Commission consults on the legal framework for the fundamental right to protection of personal data

The European Commission has launched a public consultation to obtain views on the new challenges for personal data protection in order to maintain an effective and comprehensive legal framework to protect individual's personal data within the EU.

The questionnaire is available at:

http://ec.europa.eu/justice_home/news/consulting_public/news_consulting_0003_en.htm

Responses should be sent by 31st December 2009:

By post → European Commission, Directorate-General for Justice, Freedom and Security, Unit D5 – Data protection, B - 1049 Brussels

Via email → JLS-PRIVACY-CONSULTATIONS@ec.europa.eu

JUDGEMENT OF THE EUROPEAN COURT OF JUSTICE

CASE C-63/08 - Virginie Pontin v. T-Comalux SA

In this judgement the Court held that where the only remedy available under national legislation to a worker dismissed during pregnancy does not provide adequate time-limits within which to bring proceedings, that legislation introduces less favourable treatment linked to pregnancy and constitutes discrimination against female employees. The Court said that dismissed pregnant workers must enjoy effective judicial protection of their rights under Community law.

Background:

The Luxembourg Code du travail (Labour Code), which transposes the Pregnant Workers Directive, prohibits the dismissal of an employee where she has been medically certified as being pregnant or within twelve weeks of her giving birth. However, it makes legal action by an employee dismissed during pregnancy subject to a time-limit of 15 days from the date on which her contract is terminated.

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