

Ombudsman welcomes Commission decision to abolish age limit for trainees

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The European Ombudsman, **P. Nikiforos Diamandouros**, has welcomed the European Commission's decision to abolish the age limit in its in-service traineeship programme. This follows a complaint concerning the rules governing the programme, which provided for an age limit of 30 years. Announcing its decision, the Commission stated that "in line with the European Ombudsman's recommendation, the Commission has adopted a decision on rules governing the official traineeships scheme ... in which it abolishes the age limit as one of the selection criteria..."

The complaint

The complainant alleged that the age limit constituted discrimination and was contrary to the EU Charter of Fundamental Rights. Article 21 of the Charter states: "Any discrimination based on any ground such as ... age ... shall be prohibited". According to the established case law of the European Court of Justice, a difference in treatment is discriminatory, if it is not justified by objective factors.

The Commission originally argued that the age limit was objectively justified because the in-service traineeship programme is aimed at young university graduates at the beginning of their careers.

The Commission had not explained, however, why it considered it to be justified to discriminate between 'young' and 'old' university graduates, said the Ombudsman. He stated that the age limit constituted unjustified discrimination and, in a draft recommendation, called on the Commission to abolish it. Already in April 2002, the Commission agreed to abolish age limits in its recruitment competitions, following criticism from the Ombudsman.

Background

The complaint was submitted by a student at the Copenhagen Business School (1). The complainant stated that it was part of his course to do a traineeship of 3-6 months, and that he had inquired into the possibility of doing so at the European Commission. The complainant, who was forty years old at the time of submitting his complaint, noticed that the Commission applied an age limit of 30 to trainees. He decided to complain to the European Ombudsman.

The Ombudsman's draft recommendation in this case can be found on his website at:
<http://www.ombudsman.europa.eu/recommen/en/022107.htm> [Link]



For further information, please call Mr Peter Bonnor, Legal Officer, tel. +33 3 88 17 25 41.

(1) A similar complaint was subsequently received by the Ombudsman from a citizen in the UK and the same draft recommendation was made.