

## Ombudsman criticises age discrimination by the Commission

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The European Ombudsman, **P. Nikiforos Diamandouros**, has criticised discrimination by the European Commission against freelance interpreters who are older than 65. This follows a complaint from an interpreter who stopped receiving job offers after he turned 65, although he wanted to continue working.

The Ombudsman made a proposal for a friendly solution in which he asked the Commission to abandon this discriminatory policy. He also suggested that the Commission compensate the complainant. The Commission rejected his proposals. The Ombudsman has now sent a special report to the European Parliament (EP) asking it to support his position.

Mr Diamandouros said: "The European Parliament has abolished its discriminatory policies after my intervention. It is therefore even more regrettable that the Commission still discriminates against persons on grounds of age."

### Background

The EU Charter of Fundamental Rights prohibits discrimination on the basis of age.

The Belgian complainant worked as a freelance interpreter for more than 35 years for the European Commission and the EP. He interpreted, at conferences and meetings, from Dutch, English, German, Italian, and Spanish, into French. In 2004, when he turned 65, he stopped receiving job offers from the two EU institutions. He turned to the Ombudsman, complaining that he was being discriminated against by the two institutions because of his age. The Ombudsman opened two separate inquiries.

The Commission confirmed that it treated freelance conference interpreters over 65 differently because it needed to give opportunities to new, young interpreters. The Ombudsman was not convinced. He accepted that different treatment on grounds of age can sometimes be justified under exceptional circumstances. In this case, however, a complete ban on giving any work to interpreters over 65 was disproportionate.

The EP accepted the Ombudsman's recommendations and changed its policies. It now bases its hiring policy solely on the professional ability of interpreters. The Commission, however,



rejected his proposals to stop its policy of discrimination and to compensate the complainant. The Ombudsman therefore sent a special report to the EP stressing that unjustified age discrimination is a violation of a fundamental right. He only issues special reports for cases raising important questions of principle.

To read the special report, please go to:

<http://www.ombudsman.europa.eu/cases/specialreport.faces/en/3682/html.bookmark> [Link]