

Ms Loyola de Palacio del Valle-Lersundi &
Ms Anna Diamantopoulou
Commissioners for Energy & Transport, and
Employment & Social Affairs
European Commission
Rue de la loi 200
B-1049 Bruxelles

12th January 2004

Dear Ms de Palacio,

I am writing to express my concern about the rule in France, Italy and Portugal, which prevents pilots over 60 operating in their airspace as commanders. The vast majority of Member States and candidate countries have adopted the JAR-FCL 1 and 3 requirements, which provide for pilots being allowed to act as commanders until the age of 65.

This discrepancy, caused by the position of those few countries, means that some of Europe's most experienced and highly skilled aviators are prevented from working, despite their willingness to do so and their having a clean bill of health. The solution of some airlines of permitting former captains to operate as co-pilots until 65, but on a considerably lower wage, is surely an inefficient use of experienced professionals.

It is unacceptable that pilots' right to work in any Member State, as guaranteed by Art. 15 II of the EU Charter of Fundamental Rights, be infringed in this way. Equally, discrimination on the basis of age, which is prohibited by Art. 21 of the Charter, should not be tolerated.

Whilst we understand that the JAR-FCL requirements will effectively become binding through the European Employment Directive, to be implemented in October 2006, it would be helpful if the Commission could put pressure on the named countries to change their policy and so put an end to age discrimination in aviation and avoid valuable expertise going to waste. I look forward to hearing from you.

Yours sincerely,

Dr. Caroline Lucas MEP