

EU contribution to questions on Education, training, life-long learning for the elderly

Information on the situation at European Union level, provided by the European Commission¹

European Union Legal Framework

1. Definition of rights to education

Since 2017, the EU Member States adhere to the 20 principles of the European Pillar of Social Rights². The first principle is that "everyone has the right to quality and inclusive education, training and life-long learning in order to maintain and acquire skills that enable them to participate fully in society and manage successfully transitions in the labour market." This is further strengthened in principle four: "the right to receive support for job search, training and requalification" and "the right to transfer... training entitlements during professional transitions", as today's workers are much more likely to change jobs often throughout their career than workers a few decades ago. It is during those moments of transition, when people are more fragile, that they need to be supported most. This can be a particular issue for older workers.

2. Normative elements of the rights

According to Articles 165 and 166 of the Treaty on the Functioning of the European Union, the EU fully respects the responsibility of the Member States for the content of teaching and the organisation of education and training systems, and plays a supporting role in supplementing their actions.

3. State obligations

Against this background, a framework for European cooperation in education and training is regularly agreed with Member States whose first priority is "making lifelong learning a reality for all". While Member States continue to develop and organise their own policies and systems, through this strategic framework they identify priorities on which they cooperate and learn from each other, through peer learning and the exchange of good practices.

Article 21 of the Charter prohibits discrimination on the basis of age. Article 14 of the Charter also establishes the Right to education^[1] and to have access to vocational and continuing training

¹ The European Union shares responsibilities and competences with its Member States when it comes to the promotion and protection of the rights of older persons. Many of the policies and related implementation instruments are in the direct remit of the Member States. In a number of areas the EU has its own responsibilities and actions, often to support the action of its Member States. Individual EU Member States give in their own contributions information on the situation and legislation at the level of their country.

² https://ec.europa.eu/commission/priorities/deeper-and-fairer-economic-and-monetary-union/european-pillar-social-rights/european-pillar-social-rights-20-principles_en

^[1] **Right to education:**

1. Everyone has the right to education and to have access to vocational and continuing training.
2. This right includes the possibility to receive free compulsory education.
3. The freedom to found educational establishments with due respect for democratic principles and the right of parents to ensure the education and teaching of their children in conformity with their religious,

irrespective of age, as there is no age limit. The provisions of the Charter apply to the EU Member States when they are implementing Union law.³

In the Employment Equality Directive (2000/78/EC) there is a prohibition of discrimination on grounds of, inter alia, age, in the field of employment and vocational training. This Directive has been transposed into national law by all EU Member States.

Any claim, declaration or appeal with regard to the application of the relevant national legislation of a particular Member State may be submitted to a corresponding authority, institution or tribunal of that Member State in accordance with its national rules of procedure. If the litigation concerns (the interpretation of) EU law, the plaintiff may, after having used the national legal recourse procedures, submit the matter to the Court of Justice of the European Union.

The European Ombudsman investigates complaints about maladministration by EU institutions. People or organisations who have encountered problems with the EU administration, bodies and agencies, and have unsuccessfully tried to resolve the problem with the institution or body in question, can submit a complaint to the European Ombudsman. At the national level, EU Member States provide a similar Ombudsman service with regard to maladministration by national public bodies.

4. Special measures

5. Obligations of non-State parties

6. Implementation

Since 1 January 2016, the 17 Sustainable Development Goals of the 2030 Agenda for Sustainable Development have focused policies on ending all forms of poverty, fighting inequalities and tackling climate change, while ensuring that no one is left behind. SDG 4 is dedicated to education and many of its goals are at the core of EU policy in education and training, in particular equal access to basic skills, such as literacy, as a foundation for lifelong learning.

Older people are often at a double disadvantage in that, firstly, their level of education and training tends to be already lower than that of the younger cohorts, with whom they compete for jobs, and secondly their participation in learning activities is below the population average.

For the period 2014 to 2020, €7.2 billion from the European Social Fund has been earmarked for "Enhancing equal access to lifelong learning for all age groups..., and promoting flexible learning pathways including through career guidance and validation of acquired competences", while €6.8 billion more is available for "improving the labour market relevance of education and training systems". The use of this funding is decided at national and regional levels. Increasingly, the European Social Fund has been used to finance measures to cope with demographic change and the need to upskill and reskill an ageing population and an ageing workforce .

philosophical and pedagogical convictions shall be respected, in accordance with the national laws governing the exercise of such freedom and right.

³ The Charter does not extend the field of application of European Union law beyond the powers of the Union or establish any new power or task for the Union, or modify powers and tasks as defined in the EU Treaties.