

(English version)

Question for written answer E-003319/26
to the Commission
Giuseppe Antoci (The Left)
(24 August 2026)

Subject: Increasing the maximum age for enlistment in the armed forces and law enforcement agencies in the light of EU's equal treatment principles

Italy's declining population and shrinking 18-25 cohort — the main demographic applying for public jobs — have exposed a systemic vulnerability in the recruitment system used by Italy's armed forces and law enforcement agencies. One committee ⁽¹⁾ advocates raising the maximum enlistment age for certain military and law enforcement jobs to 40, with a view to broadening the pool of candidates and harnessing the physical and mental fitness, aptitude and professional skills of older recruits ⁽²⁾.

Article 707 of Legislative Decree No 66/2010 ⁽³⁾ sets restrictive age limits, only accepting candidates between the ages of 23 and 26. Such an approach should to be assessed in the light of Article 21 of the Charter of Fundamental Rights of the EU and Directive 2000/78/EC, which prohibits discrimination on grounds of age unless justified by legitimate aims and pursued by appropriate and proportionate means.

I therefore have the following questions for the Commission concerning Legislative Decree No 58/2006 ⁽⁴⁾:

1. Does it agree that the current enlistment-related age limits should be reviewed in the light of demographic and labour market changes?
2. Does it agree that recruitment procedures should, in order to be considered proportionate, take the physical and mental fitness, aptitudes and professional skills of candidates into account, and avoid excluding applicants solely on the basis of their age?
3. Does Directive 2000/78/EC enable Member States to exercise some discretion in adjusting the aforementioned limits without falling foul of the principles of proportionality, equal treatment and non-discrimination?

Submitted: 24.8.2026

Answer given by Ms Lahbib on behalf of the European Commission
(14 October 2026)

Council Directive 2000/78/EC ⁽¹⁾ establishes a general framework for equal treatment in employment and occupation, including on ground of age. The directive applies, in principle, to both the public and private sectors, including public bodies.

At the same time, Article 3(4) of the directive provides that Member States may stipulate that the directive, insofar as it relates to discrimination on the grounds of disability and age, shall not apply to the armed forces.

The use of this possibility falls within the discretion of the Member States. On the basis of the information currently available, Italy has made use of this exemption in relation to the armed forces.

Setting enlistment age limits for these personnel is therefore a matter of national competence.

¹ Committee for Raising Age Limits in the Armed Forces and Law Enforcement (Comitato Innalzamento Limiti d'Età, Forze dell'Ordine e Armate).

² See the technical dossier entitled 'Increasing the Maximum Military and Law Enforcement Enlistment Age', which specifies the job categories concerned and outlines the applicable social security framework. See also the technical and regulatory dossier entitled 'Structural Amendment and Extension of the Maximum Age for Recruitment in the Military, Law Enforcement and Emergency Services', which highlights the discrepancy between current regulations and Italy's demographic, educational and employment trends.

³ See the draft law on raising the age limit for access to competitions in the armed forces and law enforcement.

⁴ Legislative Decree No 58 of 2 April 2026, 'Reforming the national military apparatus pursuant to Article 2 (1) of Law No 201 of 28 November 2023 with a view to improving the recruitment and operational capacity of the armed forces'.

⁽¹⁾ Council Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation, OJ L 303, 2.12.2000, pp. 16-22, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32000L0078>.