

Decision in case 303/2019/NH on the European Commission's assessment of academic qualifications when selecting trainees

Decision

Case 303/2019/NH - Opened on 22/03/2019 - Decision on 07/10/2019 - Institution concerned European Commission (Settled by the institution) |

The case concerned how the European Commission assesses academic qualifications when it selects its trainees. The Commission rejected the complainant's application due to "inadequate academic qualifications" as he had obtained his bachelor's degree in two years instead of three. The Commission explained that it rejected all applicants with less than three years of studies.

In the course of the Ombudsman's inquiry, the Commission admitted the complainant to the selection procedure for the traineeship programme. The Commission also changed its practice for assessing academic qualifications. It now accepts all applicants who have a three-year degree obtained in less than three years.

The Ombudsman closed the case as settled and welcomed the Commission's decision to change its practice. She suggested to the Commission that it update its traineeship website to reflect better the new practice for assessing academic qualifications.

Background to the complaint

1. The complainant applied for a traineeship at the European Commission under the 'Blue Book' programme [1] , for the period October 2019 to February 2020. He stated in his application that he has a bachelor's degree that he managed to obtain in two years instead of the normal three years.

2. The Commission informed the complainant that he was not eligible for a traineeship because of " *inadequate academic qualifications* ". Following an appeal by the complainant, the Commission explained that it rejected all applicants with less than three years of studies, in line with the 'Traineeship rules'. [2]

3. Dissatisfied with the Commission's reply, the complainant turned to the Ombudsman in February 2019.



The inquiry

4. The Ombudsman opened an inquiry into the Commission's decision to reject the complainant's traineeship application because he had completed his bachelor's degree in less than three years.

5. The Ombudsman asked the Commission to comment, among other things, on whether its position that a bachelor's degree has to be obtained over three years is in line with the obligation to respect the nature of diplomas as decided by the national authorities issuing them [3] .

6. In the course of the inquiry, the Commission decided to admit the complainant to the selection procedure for the traineeship programme. The Commission stated that it had applied the three-year rule too restrictively, especially since universities have started to offer the possibility of completing a bachelor's degree that normally entails three years of studies in less than three years. The Commission had therefore decided to change how it assesses academic qualifications for its traineeship programme. It now admits applicants who have obtained a three-year degree in less than three years.

The Ombudsman's assessment

7. The Ombudsman finds that the Commission has settled the complaint by admitting the complainant to the selection procedure. The Ombudsman also welcomes the Commission's decision to change how it assesses academic qualifications to ensure that future applicants who have completed a three-year degree in less than three years are not automatically excluded from the traineeship selection procedure.

8. The Ombudsman notes that the Commission's traineeships website still contains potentially misleading information regarding the required academic qualifications [4] . The Ombudsman will make a suggestion for improvement in this regard.

Conclusion

Based on the inquiry, the Ombudsman closes this case with the following conclusion:

The European Commission has settled the matter complained about and taken steps to ensure that the problem will not reoccur. [5]

The complainant and the European Commission will be informed of this decision .



Suggestion for improvement

The Commission should update the “Who can apply?” and the Frequently Asked Questions sections [6] on its traineeship website to reflect better its revised practice for assessing academic qualifications.

Emily O'Reilly

European Ombudsman Strasbourg, 07/10/2019

[1] <https://ec.europa.eu/stages/> [Link]

[2] The Rules governing the official traineeships scheme of the European Commission are laid down in Commission Decision of 2.03.2005 - C(2005)458, available at http://ec.europa.eu/stages/sites/stages/files/rules_en.pdf [Link]. See in particular Article 2.2.1.

[3] By analogy, judgement of the Court of Justice of 13 July 1989, *Jaenicke Cendoya v Commission*, C-108/88, paragraphs 49, 50 and 51, and judgement of the General Court of 7 February 1991, *Ferreira de Freitas v Commission*, T-2/90.

[4] See https://ec.europa.eu/stages/information/application_en [Link] (last visited 30 September 2019), and https://ec.europa.eu/stages/frequently-asked-questions-about-the-traineeship_en [Link] (last visited 30 September 2019), in particular the answers to the questions “ *What level of studies is required?* ”, “ *I will finish my three-year studies after the deadline for sending application forms (...)* ” and “ *My Bachelor has a duration of 3 years (180 credits) but I managed to complete it in two and a half years (...)* ”.

[5] Full information on the procedure and rights pertaining to complaints can be found at <https://www.ombudsman.europa.eu/en/document/70707> [Link].

[6] See https://ec.europa.eu/stages/information/application_en [Link] and https://ec.europa.eu/stages/frequently-asked-questions-about-the-traineeship_en [Link]