



Decision on how the European Commission dealt with a complaint about a Polish university not selecting a student for the Erasmus+ programme (case 1540/2021/FA)

Decision

Case 1540/2021/FA - **Opened on** 24/09/2021 - **Decision on** 24/09/2021 - **Institution concerned** European Commission (No maladministration found) |

Dear Mr X,

On 26 August 2021, you submitted a complaint to the European Ombudsman against the European Commission. You are dissatisfied with how the Commission handled your complaint about a university in Poland not selecting you for the Erasmus+ exchange programme.

You argue that the Commission failed to investigate the matter and that it merely relied on the explanation provided by the Polish Erasmus+ national agency, which you claim is biased towards the university.

After a careful analysis of all the information you have submitted, **we find no indication of maladministration by the European Commission.**

As explained by the Commission in its letter to you dated 27 July 2021, Erasmus+ national agencies are in charge of the management and implementation of the Erasmus+ programme. National agencies are set up by national authorities, which are responsible for the good implementation of the programme at national level. The Commission is responsible for setting the priorities, targets and criteria for the programme [1] . The Commission also reviews the national management and control systems for the programme. However, the monitoring and supervision of the programme is done by the national authorities [2] . It is thus for the national agencies to ensure that higher education institutions comply with the programme requirements. Hence, it is not the role of the Commission to intervene directly in individual matters.

The Ombudsman's review in this case is thus limited to examining whether the Commission handled the complaint reasonably and in accordance with its role in the management of the Erasmus+ programme. The Ombudsman cannot review the actions of national agencies, nor of higher education institutions benefitting from the programme, as these bodies fall outside the Ombudsman's mandate.



We consider that the explanations provided by the Commission on how it followed up on your concerns are reasonable and appropriate. The Commission said that it liaised with the Polish national agency and sought clarifications regarding the issues you raised, in particular on the availability of the information about the Erasmus+ programme in English. The Commission also provided you with appropriate advice and clarifications as to why your application was not successful.

Moreover, the fact that national authorities manage the Erasmus+ programme at national level does not imply that these authorities, such as the national agency, are biased. We find nothing in your complaint to substantiate your argument in this regard.

On the basis of the above, there is thus nothing to suggest that the Commission failed to fulfil its supervisory role, leaving the primary monitoring and implementation of the programme to the national authority and national agency.

Although we understand you will be disappointed with this reply, we nevertheless hope you find these explanations helpful [3] .

Yours sincerely,

Tina Nilsson Head of the Case-handling Unit

Strasbourg, 24/09/2021

[1] For more information on how the Erasmus+ programme is managed:
https://ec.europa.eu/programmes/erasmus-plus/about/how-is-it-managed_en .

[2] Articles 27-29 of Regulation (EU) No 1288/2013 of the European Parliament and of the Council of 11 December 2013 establishing “Erasmus+”: the Union programme for education, training, youth and sport and repealing Decisions No 1716/2006/EC, No 1712/2006/EC and No 1298/2008/EC (the Erasmus+ Regulation), available at
<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32013R1288&from=EN>

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