

## **Decision of the European Ombudsman on complaint 567/2001/GG against the European Commission**

Decision

**Case 567/2001/GG - Opened on 26/04/2001 - Decision on 02/10/2001**

Strasbourg, 2 October 2001

Dear Mr B.,

On 12 April 2001, you made a complaint to the European Ombudsman concerning the failure of the European Commission's delegation in Poland to provide information requested by you. You had asked for information as to 1) how many candidates had been interviewed in the context of the selection procedure, 2) who the successful candidates were and 3) what experience these candidates had.

On 26 April 2001, I forwarded the complaint to the Commission for its comments.

The Commission sent its opinion on your complaint on 31 July 2001. I forwarded the Commission's opinion to you on 3 August 2001 with an invitation to make observations, if you so wished, by 30 September 2001 at the latest. No such observations were received from you.

I am now writing to let you know the results of the inquiries that have been made.

### **THE COMPLAINT**

In January 2001, the complainant, a UK national, applied for the position of task manager at the European Commission's delegation in Warsaw (Poland). However, he was not even invited for an interview. He then wrote to the delegation on various occasions in order to ask for information as to 1) how many candidates had been interviewed, 2) who were the successful candidates and 3) what experience these candidates had. Given that no satisfactory reply was forthcoming, the complainant turned to the Ombudsman.

### **THE INQUIRY**

The complaint was sent to the Commission for its opinion.

#### **The opinion of the Commission**



In its opinion, the Commission made the following comments:

Following the publication of the vacancies, no less than 232 candidatures had been received by the Commission's delegation in Warsaw. The 35 best candidates had been put on a short-list, taking into consideration the criteria that had been indicated in the publication. The remaining 197 candidates (including the complainant) had been informed in March 2001 that their applications could not be considered.

15 of the 35 short-listed candidates had been interviewed whereas the others had been informed that their candidature had been considered but not finally selected.

As a result of the interviews, the delegation had selected three candidates. These candidates had several years experience in dealing with either Phare management in a candidate country or structural funds management in a member state.

However, the recruitment process was not yet finalised as the next step would be the request to headquarters for recruitment authorisation. As this process was not yet terminated, the Commission was of the opinion that the results of the selection could not be revealed to the complainant. The Commission offered, however, to provide information on the names and the experience of the successful candidates to the Ombudsman on a confidential basis.

#### **The complainant's observations**

No observations were received from the complainant.

## **THE DECISION**

### **1 Failure to provide information**

1.1 The complainant unsuccessfully applied for the position of task manager at the European Commission's delegation in Warsaw (Poland). He claims that the Commission failed to provide him with information as to 1) how many candidates had been interviewed, 2) who were the successful candidates and 3) what experience these candidates had.

1.2 The Commission replies that 35 out of 232 candidates had been put on a short-list 15 of whom had been interviewed. As a result of these interviews, the delegation had selected three candidates. According to the Commission, these candidates had several years experience in dealing with either Phare management in a candidate country or structural funds management in a member state. However, the recruitment process was not yet finalised, and the Commission therefore considers that the results of the selection could not be revealed to the complainant. The Commission offers, however, to provide information on the names and the experience of the successful candidates to the Ombudsman on a confidential basis.

1.3 The Ombudsman considers that in its opinion the Commission provided some of the information requested by the complainant, i.e. information on the number of candidates interviewed (1) and on the experience of the successful candidates (3). In so far as the identity of the successful candidates is concerned, the Ombudsman considers the Commission's view according to which this information should not be provided before the selection process is



terminated to be reasonable.

1.4 In these circumstances, there appears to be no maladministration on the part of the Commission.

## **2 Conclusion**

On the basis of the European Ombudsman's inquiries into this complaint, it appears that there is no maladministration on the part of Commission. The Ombudsman therefore closes the case.

The President of the European Commission will also be informed of this decision.

Yours sincerely,

Jacob SÖDERMAN