



## Decision on how the European External Action Service (EEAS) dealt with concerns about the pre-selection of candidates for the Junior Professionals in Delegations programme (case 1537/2021/OAM)

Decision

**Case 1537/2021/OAM - Opened on 12/11/2021 - Decision on 28/06/2022 - Institution concerned** European External Action Service ( No maladministration found ) |

The case concerned how the European External Action Service's handled a complaint concerning the pre-selection of candidates by Romania for the Junior Professionals in Delegations programme. The EEAS said that, according to the rules, it cannot review Member States' assessments of candidates, unless there is a manifest error or substantiated allegations that the procedure was not fair, transparent and objective, which was not the case. The Ombudsman found the EEAS's explanation of its role, as well as its assessment of this case, was reasonable.

The Ombudsman therefore closed the inquiry finding no maladministration.

Background to the complaint

- 1.** The Junior Professionals in Delegations (JPD) [1] is a traineeship programme whereby young professionals from EU Member States are selected to work as trainees in the EU delegations around world. It is organised by the European External Action Service (EEAS) and the European Commission. The pre-selection of candidates is managed by the Member States, while the final selection is done by the EEAS and the Commission. [2] The call for applications is launched every two years.
- 2.** In January 2021, the 2021-2023 round was launched. In April 2021, the Member States sent the list of pre-selected candidates to the EEAS and the Commission. The final results were announced in June 2021 and the traineeship started in autumn 2021.
- 3.** The complainant is a Romanian national, who applied to participate in the programme. Her application, which was assessed by the Romanian Ministry of Foreign Affairs did not receive a score high enough to be pre-selected.
- 4.** The complainant wrote to the Romanian authorities expressing dissatisfaction with the pre-selection results and requesting a review of her candidacy. In reply, the Romanian authorities explained the points awarded for each criteria and maintained the initial results.
- 5.** Following this, the complainant turned to the EEAS arguing that the pre-selection done by



the Romanian Ministry of Foreign Affairs was not fair and transparent and requesting an in-depth investigation into the evaluation of candidates at national level.

**6.** The EEAS told the complainant that the Romanian authorities are responsible for the pre-selection and that, for further investigation, she should raise her concerns with the national appeal bodies. The EEAS asked the complainant to keep it informed about any outcome.

**7.** Dissatisfied with the response, the complainant turned to the Ombudsman in September 2021.

The inquiry

**8.** The Ombudsman opened an inquiry into how the EEAS followed up on concerns about lack of fairness and transparency in the pre-selection of candidates for the JPD programme.

**9.** In the course of the inquiry, the Ombudsman received the reply of the EEAS on the complaint and on the Ombudsman's questions. Subsequently, the complainant sent comments in response to the EEAS's reply.

## Arguments presented to the Ombudsman

**10.** The complainant argued that she had reasons to believe the pre-selection of JPD candidates done by the Romanian Ministry of Foreign Affairs was not fair and transparent. She suspected some candidates were wrongly favoured. She also argued her scoring was inconsistent with the programme's rules.

**11.** The complainant considered that, as the EEAS has overall responsibility for the JPD programme, it should have addressed her concerns and carried out an in-depth investigation into the pre-selection process.

**12.** In its reply to the Ombudsman, the EEAS explained the procedure for the selection of the JPD participants. The Member States are in charge of a first eligibility check and the pre-selection of the candidates. They have to ensure a fair, transparent and objective pre-selection process [3] and inform applicants of appeal procedures at national level. The EEAS said that, in accordance with the principle of subsidiarity, it cannot investigate directly the national authorities or review their assessment of the candidates, unless it sees there has been a manifest error.

**13.** The EEAS and the Commission check the eligibility of the pre-selected candidates and evaluate them by comparing "*key information*" (studies, professional experience, languages spoken, etc.). The EEAS and the Commission then make the final selection and match the selected candidates with the available posts in the EU delegations.

**14.** The EEAS set out the measures it takes if it becomes aware of issues related to the selection process. In cases of individual complaints about the pre-selection process, the EEAS replies to the complainant and also sends a copy of the reply to the Member State's



Permanent Representation to the EU, which should inform the candidate of the means of recourse. In addition, the EEAS asks the complainant to keep it informed about the follow-up at national level.

**15.** In cases of “*substantiated allegations with consistent and coherent indications or evidence that the process was not fair, transparent and objective*”, the EEAS would formally request the relevant Permanent Representation to look into the allegations at national level, and inform it about their assessment. If needed, the EEAS could decide to ask the relevant Member State for the applications received and organise the pre-selection on its own, with the Permanent Representation as observer.

**16.** As regards the concerns communicated by the complainant in this case, the EEAS found that she had not provided any evidence, or at least a *‘beginning of proof’*, in relation to her allegations of nepotism. Nor had she provided the exchanges with the national authorities regarding the matter (the EEAS had advised her to turn to the national Ombudsman and to the Permanent Representation, and to keep the EEAS informed of her actions and the results). The EEAS concluded there were no elements suggesting the existence of a manifest error in how the Romanian Ministry of Foreign Affairs assessed her application. The EEAS pointed out that it had verified the eligibility of the pre-selected candidates nominated by Romania and informed the Permanent Representation that it considered one candidate ineligible.

## The Ombudsman's assessment

**17.** In accordance with the decisions establishing the JPD programme, [4] the responsibility for the *pre-selection* lies with the Member States and for the *final selection* with the EEAS and the Commission.

**18.** However, the EEAS has overall responsibility for the JPD programme, and has a duty to ensure that all stages of the selection process function fairly and effectively. The Ombudsman is satisfied with the explanations received from the EEAS in this regard.

**19.** As for individual complaints about the pre-selection process, it is reasonable for the EEAS to refer to redress procedures at national level. In addition, the EEAS endeavours to follow the outcome of such procedures. The EEAS followed this approach in this case.

**20.** The EEAS also appears to have a clear procedure in place for dealing with serious and substantiated allegations about the Member State's pre-selection process. It is reasonable for the EEAS to consider such measures only after receiving at least some evidence that the national authorities have mismanaged the pre-selection of candidates.

**21.** The EEAS also verifies that there are no eligibility issues with candidates pre-selected by the Member States, as it has done in this case.

**22.** In the reply to the Ombudsman, the EEAS also responded to the complainant's specific



concerns. The Ombudsman agrees with the EEAS's analysis that, in this case, it did not have sufficient reasons to scrutinise further the pre-selection carried out by the Romanian authorities.

**23.** In light of the above, the Ombudsman considers there was no maladministration by the EEAS.

Conclusion

Based on the inquiry, the Ombudsman closes this case with the following conclusion [5] :

**There was no maladministration by the European External Action Service.**

The complainant and the European External Action Service will be informed of this decision .

Tina Nilsson

Head of the Case-handling Unit

Strasbourg, 28/06/2022

[1] Further information on the programme can be found here:

[https://europa.eu/youth/go-abroad/traineeships/become-junior-professional-eu-delegation-jpd\\_en](https://europa.eu/youth/go-abroad/traineeships/become-junior-professional-eu-delegation-jpd_en)

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[2] In accordance with the rules: Joint Decision of the Commission and of the High Representative of the EU for Foreign Affairs and Security Policy of 12 June 2012:

[https://eeas.europa.eu/sites/default/files/joint\\_decision\\_of\\_12.06.2012.pdf](https://eeas.europa.eu/sites/default/files/joint_decision_of_12.06.2012.pdf) and Decision of the Chief Operating Officer of the EEAS in agreement with the Directors-General of DG DEVCO and DG HR of the European Commission of 22 January 2014, as amended: [https://eeas.europa.eu/sites/default/files/decision\\_eeas\\_dec\\_2014\\_002\\_en\\_0.pdf](https://eeas.europa.eu/sites/default/files/decision_eeas_dec_2014_002_en_0.pdf) .

[3] In accordance with Article 3.2 of the annex to the 2014 Decision, see footnote 2.

[4] See footnote 2.

[5] This complaint has been dealt with under delegated case handling, in accordance with the Decision of the European Ombudsman adopting Implementing Provisions