

## Ombudsman continues efforts to improve EU recruitment practices

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The European Ombudsman, **P. Nikiforos Diamandouros**, is continuing his efforts to improve the recruitment practices of the EU institutions and bodies. Referring to two recent decisions on complaints against the European Commission and Europol, the Ombudsman said: "For many citizens, their first real dealings with the EU administration take the form of applying for work. It is important that the recruitment practices of the EU institutions and bodies are top class, so as to maintain and deepen citizens' trust. I will continue to do everything I can to ensure that citizens who seek work in the Union's administration are treated fairly and properly."

The two decisions that led to the Ombudsman's comments were as follows:

**European Commission:** A citizen with French/Bulgarian nationality applied for a local agent post in the Commission Delegation in Sofia, Bulgaria. The Commission rejected his application because of his dual nationality. It invoked the Vienna Convention of Diplomatic Relations of 18 April 1961 and stated that the local agent post concerned was reserved for candidates who did not have the nationality of the country where they would perform their duties and were not permanent residents in that country.

The Ombudsman criticised the Commission for failing to provide an objective justification for rejecting the complainant's application, saying that it had infringed the principle of non-discrimination. None of the rules applicable to local agents contained provisions according to which persons with Bulgarian nationality would be excluded from these contracts. The Ombudsman also found that the vacancy notice for the post in question did not provide the candidates with all the necessary information on the recruitment procedure.

The Ombudsman's decision is available on his website at:

<http://www.ombudsman.europa.eu/decision/en/031367.htm> [Link]

**Europol:** A citizen complained to the Ombudsman, alleging that Europol had failed to respect its Staff Regulations by recruiting her as an administrative assistant under a local staff contract and not as a Europol staff member. This meant that she was employed under less advantageous conditions. Europol argued that, in situations where its establishment plan did not foresee staff posts and the workload was such that temporary assistance was required, it had to resort to employing temporary staff under conditions applicable to local staff. It claimed that it was free to do so as long as it stayed within the limits of its personnel budget.



The Ombudsman pointed out that Europol's Staff Regulations clearly mentioned that a post of administrative assistant shall be a Europol staff post. He did not find any legal basis to justify Europol's practice of employing temporary staff under conditions applicable to local staff. He therefore issued a critical remark with a view to drawing Europol's attention to the need to review its practices governing the engagement of staff.

The Ombudsman's decision is available on his website at:

<http://www.ombudsman.europa.eu/decision/en/031571.htm> [Link]

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