



P. NIKIFOROS DIAMANDOUROS

Mr Erik Halskov
Director
European Personnel Selection Office
Avenue de Cortenbergh/Kortenberglaan
80
1049 Brussels
BELGIQUE

Strasbourg, 10 -10- 2005

Own initiative inquiry OI/5/05/PB relating to the European Personnel Selection Office

Dear Mr Halskov,

On 6 September 2005, I announced that I would open an own initiative inquiry into the issue of candidates' access to the evaluation criteria established by selection boards. I did so in my decision on complaint 2097/2003(ADB)PB (paragraph 2.9), forwarded to EPSO on that same date. The same announcement was made on 14 and 22 September 2005 in my decisions on complaints 2028/2003/(MF)PB and 413/2004/(MF)PB.

In the three inquiries referred to, I had made draft recommendations in which I asked EPSO to give the complainants access to the evaluation criteria established by the selection board. In its detailed opinions, EPSO informed me that it did not feel able to release the evaluation criteria because those criteria could not be separated from the various instructions, recommendations and opinions that were given to the individual independent evaluators working for the selection boards. EPSO also informed me, however, that it was looking into the possibility of providing candidates with more detailed evaluation sheets, in order to allow candidates to better understand their marks.

In its detailed opinions on the draft recommendations referred to, EPSO gave detailed additional information that would help the complainants concerned to understand their marks. For that reason, I decided to close the inquiries. I also noted, however, that EPSO's detailed opinion raised important factual and legal issues of a more general nature, and I decided on that basis to open an own initiative inquiry into the issue of access to the evaluation criteria established by the selection boards.

I have concluded that, in order to properly formulate my request for a written opinion on this matter, it would be useful to be informed in more detail of the procedures concerning the establishment and the application by the selection boards of evaluation criteria in relation to written examinations. For this purpose, I consider that it would be appropriate for a member of my staff to visit EPSO with a view to obtaining clarification of those procedures. I would therefore be grateful if EPSO could contact the relevant member of my staff, Mr Peter Bonnor (Legal Officer), to arrange an appointment. Mr Bonnor's telephone number and email address are the following:

+ 33 3 88 17 25 41

pbonnor@europarl.eu.int

It is envisaged that Mr Bonnor will be accompanied by one other Legal Officer from my Office.

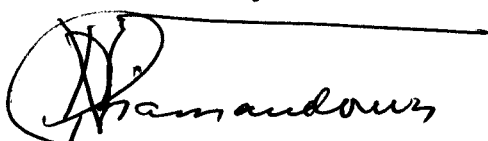
For the purpose of the visit, I would be grateful if EPSO could make available a sample of recent cases where selection boards have established evaluation criteria in relation to those contained in the notice of competition published in the Official Journal.

These examples should include relevant material available for inspection, in particular examples of the various instructions, recommendations and opinions given to the independent evaluators by the selection board, as well as examples of the information that such evaluators have provided to the selection board. In this respect, I would like to point out here that the European Ombudsman and his staff have the same duty of confidentiality in relation to confidential documents as the responsible services of the Community institutions and bodies (Article 4 of the European Ombudsman's Statute).

I would be grateful if EPSO could contact Mr Bonnor by 15 October 2005.

Thank you for your co-operation.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'P. Nikiforos DIAMANDOUROS', with a long horizontal line extending to the right.

P. Nikiforos DIAMANDOUROS