

JUDGMENT OF THE COURT OF FIRST INSTANCE (First Chamber)
24 September 2002

Case T-92/01

Marie-Claude Girardot
v
Commission of the European Communities

(Officials – Recruitment – Selection of temporary staff – Refusal to include on the reserve list – Composition of the Selection Committee – Equal treatment)

Full text in French II - 859

Application for: annulment of the Selection Committee's decision contained in a letter of 13 July 2000 not to include the applicant on the reserve list of temporary staff resulting from selection procedure COM/R/A/01/1999.

Held: The Selection Committee's decision contained in the letter of 13 July 2000, not to include the applicant on the reserve list resulting from selection procedure COM/R/A/01/1999 is annulled. The Commission is ordered to pay the costs.

Summary

Officials – Competitions – Selection Board – Composition – Sufficient stability to ensure consistent assessment of candidates (Staff Regulations, Annex III, Art. 3)

The wide discretion enjoyed by a competition selection board or a selection committee in determining the procedures for and detailed content of the oral tests to be undergone by the candidates must be counterbalanced by scrupulous observance of the rules governing the organisation of those tests. The Selection Board or Committee must therefore ensure that the principle of equal treatment is complied with strictly in relation to the candidates in the course of those oral tests and that the choice made between the persons concerned is objective. To that end, it is obliged to ensure consistent application of the assessment criteria to all the candidates concerned by making sure *inter alia* that its composition is stable.

(see paras 24-26)

See: T-95/98 *Gogos v Commission* [2000] ECR-SC I-A-51 and II-219, paras 37, 38 and 41