

# EUROPEAN UNION CIVIL SERVICE TRIBUNAL

## Judgment of the Civil Service Tribunal (Second Chamber) of 22 January 2015 — Kakol v Commission

(Joined Cases F-1/14 and F-48/14) <sup>(1)</sup>

*(Civil Service — Competition — Open competition EPSO/AD/177/10 — Conditions for eligibility — Not admitted to the competition — Failure to state reasons — Admitted to an earlier similar competition — Specific duty to state reasons — Action for annulment — Action for compensation)*

(2015/C 089/54)

*Language of the case: French*

### Parties

*Applicant:* Danuta Kakol (Luxembourg, Luxembourg) (represented initially by: F. Frabetti, lawyer, and subsequently by: R. Duta, lawyer)

*Defendant:* European Commission (represented by: J. Currall and G. Gattinara, acting as Agents)

### Re:

**F-1/14:** Application for annulment of the decision of EPSO not to admit the applicant to the assessment stage because of her level of education which does not correspond to completed university studies of at least three years attested to by a diploma relevant to the post, or equivalent training/an equivalent professional qualification relevant to the post.

**F-48/14:** Application for annulment, firstly, of the decision of 14 February 2014 by which the selection board in selection procedure EU Careers EPSO/AD/177/10-AUDIT2013-Administrators-AD 5 confirmed, after re-examination, the initial decision of the selection board of 3 October 2013 not to admit the applicant to the assessment centre stage of the competition because her level of education did not correspond to a full cycle of university studies equivalent to at least three years, as evidenced by a diploma related to the nature of the duties, or professional training/qualification related to the nature of the duties and of an equivalent level and, secondly, insofar as necessary, of the initial decision of the selection board of 3 October 2013.

### Operative part of the judgment

*The Tribunal:*

1. Removes Case F-1/14 from the Register of the Tribunal;
2. Annuls the decision of 14 February 2014 of the selection board in competition EPSO/AD/177/10 not to admit Ms Kakol to that competition;
3. Dismisses the remainder of the action in Case F-48/14;
4. Orders the European Commission, in Case F-1/14, to pay the costs incurred by Ms Kakol and to bear its own costs;
5. Orders the European Commission, in Case F-48/14, to bear its own costs and to pay the costs incurred by Ms Kakol.

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<sup>(1)</sup> OJ C 52, 22.2.2014, p. 54, and OJ C 235, 21.7.2015, p. 35.