

JUDGMENT OF THE CIVIL SERVICE TRIBUNAL
(Second Chamber)
25 November 2008

Case F-53/07

Ivanka Iordanova
v
Commission of the European Communities

(Civil service — Recruitment — Open competition — Conditions for admission — Rejection of application — Diplomas)

Full text in the language of the case (English) II-A-1 - 2087

Application: brought under Articles 236 EC and 152 EA, in which Ms Iordanova seeks, first, annulment of the decision of the selection board in open competition EPSO/AST/14/06 refusing to admit her to the tests in that competition and, second, an order that the Commission pay damages to make good the loss allegedly suffered.

Held: The action is dismissed. Each party is to bear its own costs.

Summary

Officials — Competitions — Competition based on qualifications and tests — Conditions for admission — Diplomas submitted or professional experience presented (Staff Regulations, Annex III, Arts 1 and 5)

The selection board in a competition based on qualifications and tests is responsible for determining, case by case, whether the diplomas submitted or the professional experience presented by each candidate correspond to the level required by the Staff Regulations and the notice of competition. Although bound by the wording of the notice of competition as published, the selection board enjoys a broad discretion in that regard and the Community judicature must confine itself to ascertaining whether the exercise of that discretion was vitiated by a manifest error.

(see paras 34-35)

See:

T-244/97 *Mertens v Commission* [1999] ECR-SC I-A-23 and II-91, para. 44;
T-139/00 *Bal v Commission* [2002] ECR-SC I-A-33 and II-139, para. 35; T-332/01
Pujals Gomis v Commission [2002] ECR-SC I-A-233 and II-1155, paras 39 to 41;
T-25/03 *De Stefano v Commission* [2005] ECR-SC I-A-125 and II-573, para. 34

F-12/05 *Tas v Commission* [2006] ECR-SC I-A-1-79 and II-A-1-285, paras 39
and 43