

# Master's Thesis Supervisor's Expert Opinion

Student: Matilda Hammond

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Title of Bachelor's Thesis: Civil Service in EU Institutions

Aim of the Thesis: Analysis of the EU civil servants' legal status, their recruitment, promotion, remuneration and other rights and duties. Protection of civil servants' rights by court will be covered by an analysis of relevant case law. Results of the analysis will be generalized and will serve to advise whether some of the tackled legal institutes can be incorporated into national legislations to reach their improvement.

Thesis Supervisor: JUDr. Jana Janderová, Ph.D

Study Programme: Economic Policy and Administration

Academic Year: 2017/2018

## Difficulty of the Topic

	Excellent	Very good	Satisfactory	Unsatisfactory	Cannot be evaluated
Theoretical knowledge	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Input data and their processing	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Methods used	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## Thesis Evaluation Criteria

	Excellent	Very good	Satisfactory	Unsatisfactory	Cannot be evaluated
Degree of achievement of the aim of the thesis	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Original attitude to the topic processing	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Adequacy of the methods used	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Depth of analysis (relative to topic)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Logical structure of the thesis and scope	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Working with Czech and foreign literature including citations	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Formal arrangement of the thesis (text, charts, tables)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Language level (style, grammar, terminology)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

# Applicability of the Results of the Thesis

	High	Medium	Low	Cannot be evaluated
For theory	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
For practice	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Other Comments on the Thesis

The thesis covers on approx. 45 pages of text civil service in EU institutions. After providing a definition of an EU civil servant including different contract types, general overview of rights and duties stipulated for in the Staff Regulations and brief explanation of the Court of Justice of the EU (namely the recently abolished Civil Service Tribunal) role in the review of EU institutions decisions touching the rights of civil servants, the student covers more deeply the most important aspects of the civil service. Recruitment procedure and job requirements, traineeship, remuneration, allowances, promotion and redundancy are analyzed. Both literature review and case law analysis have been carried out to support the theoretical delimitation of these aspects of civil service.

A special chapter is dedicated to the outcomes of the EU Court of Justice case law review with the intention to show maladministration on the part of the EU institutions. However, the conclusions the student draws from the studied case law are controversial, the least to say. The number of cases studied and their random selection (e.g. five recruitment cases with applicants claiming the recruitment procedure not being transparent, out of which in three the ECJ ruled in favor of the claimant) do not support the outcomes on page 53 ("EU recruitment procedure is not as transparent as stipulated").

Although the student came in for regular consultations with the supervisor and was provided with suggestions and recommendations in order to improve the research (namely to draw more detailed information from the Staff Regulations and to reflect on the numerous Civil Service Tribunal case law), it can be summarized that the student covered the subject of EU civil service in a rather cursory manner. Even though, the methods were selected and used adequately, the research does not reach the profundity needed to draw correct conclusions.

Some factual errors occur in the text as well, e.g. on p. 55 the national legislation does not take form of regulations and directives, but laws. Further, the thesis suffers some formal errors, including such grammatical errors as misspelling of the fundamental piece of legislation governing the civil service in the EU institutions, the Staff Regulations (often quoted in singular) and the Charter of Fundamental rights of the EU.

At the end of the thesis, the student recommends measures to be taken by national legislators to improve the civil service in EU Member states. The research aim was met, although the thesis suffers from numerous shortcomings, the lack of depth above all. However, the work still meets all the diploma thesis requirements. For all these reasons, I value the thesis with the mark E, as shown below.

## Comments on the Outputs from the Theses System

The thesis is not a plagiarism.

## Questions and Suggestions for Defence

The Civil Service Tribunal was abolished in 2016. Can you explain the reasons? Which institution took over its competences?

## Final Evaluation

I **recommend** the thesis for the defence.

I propose to grade this Master's thesis as follows: **E**

In Pardubice 15.5.2018

Signature .....