



Advancing Diversity in the European Commission's Workforce

Policy Paper

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Introduction

Although it boasts a workforce of over 32,000 civil servants, the European Commission (“the Commission”) continues to suffer from a diversity gap when it comes to the representativeness of its staff across key dimensions. While progress has been made in recent years to address the lack of representation of historically underrepresented groups by increasing the participation of women for middle and senior management roles and to improve access for people with disabilities,¹ the inclusion of groups such as ethnic and racial minorities remains a challenge. Online campaigns such as [#BrusselsSoWhite](#) brought the issue to the forefront, emphasising that there has not been a single European Commissioner of colour to date. People of ethnic and/or racial minorities are also visibly underrepresented in the Commission workforce. President Ursula von der Leyen underscored the urgency of addressing the issue during her speech at the [European Anti-Racism summit](#) in March 2021, calling on the Commission to lead by example by bringing Europe’s diversity into the civil service.

Highlighting the challenges and obstacles that contribute to the Commission’s diversity gap, this policy brief proposes concrete actions to address them. In this paper, diversity is defined as ‘the practice or quality of including people from a range of different social and ethnic backgrounds’ including those of different genders, sexual orientations and other innate and socially constructed personal characteristics (*Oxford English Dictionary*). In order to increase diversity within the Commission, underrepresented groups, namely groups that have been historically excluded from the rights, privileges and opportunities of a society and organisation that they find themselves in, should be represented.

¹ The EU Gender Equality Strategy 2020–2025 has the objective of making significant progress for a gender equal Europe. See: https://ec.europa.eu/info/policies/justice-and-fundamental-rights/gender-equality/gender-equality-strategy_en (accessed on 25 August 2021). The European Personnel Selection Office has also taken measures, for example through the New Guide on Reasonable Accommodations, available here: https://epso.europa.eu/documents/epsos-new-guide-reasonable-accommodations_en (accessed on 25 August 2021) and on measures taken to ensure gender diversity in the selection process, available here: https://epso.europa.eu/how-to-apply/equal-opportunities_en (accessed on 25 August 2021).

The Importance of Diversity

The lack of diversity is problematic for several reasons. Firstly, there is *intrinsic* value in diversity. Out of basic ethical questions of justice and equality, a political organisation should strive for optimum representativeness in its workforce. These intrinsic values are reflected in [Article 2 of the Treaty on the European Union](#) which emphasises ‘respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities.’ Secondly, diversity is *instrumentally* important for any organisation, particularly like the Commission, itself a representative body.² The exclusion of valuable experiences and perspectives in the policy-making process may result in outcomes that fail to reflect the concerns and issues of the diverse populations the policymaker represents.³ This is especially important in a context such as the EU Commission, an executive body⁴ responsible for the initiation of EU law- and policy-making processes, who thus decides *which* concerns and issues to address.

Increasing staff diversity can create a positive feedback loop in that a more diverse pool of applicants are incentivised to apply as they perceive they can have a chance to access the Commission as a workplace. This creates a cycle that ultimately enhances equal opportunities for EU citizens to join the European civil service, itself a defined goal of the European Personnel Selection Office (EPSO).

The importance of diversity is supported by the law. Article 21 of the [EU Charter of Fundamental Rights](#) on non-discrimination prohibits, for example, ‘[any] discrimination based on any ground such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation.’ This provision is aligned with international human

² Representative in the sense that whilst not elected, the Commission is steered by a group of 27 Commissioners (one from each Member State), known as ‘the college’. Together they take decisions on the Commission’s political and strategic direction. See https://ec.europa.eu/info/about-european-commission/organisational-structure/how-commission-organised_en (accessed 7 September 2021).

³ A. Mintz and C. Wayne, ‘The Polythink Syndrome and Elite Group Decision-Making’ (2016) 37 *Political Psychology* 3.

⁴ It is for precisely this reason, namely that the Commission is the body responsible for proposing legislation, enforcing EU laws and directing the union’s administrative operations, that we have chosen to focus on it in this policy paper.

rights law and relevant UN commitments, from the protection against discrimination for all persons being recognised as a universal right by the Universal Declaration of Human Rights, to various subsequent Conventions and declarations.⁵ In addition, the Commission is bound by the [2000 Racial Equality Directive](#), which enshrines the principle of equal treatment between persons irrespective of ethnic and/or racial origin.

Since 2017, the Commission is committed to a [Diversity and Inclusion Charter](#), touted as ‘a commitment in favour of diversity and inclusion among the Commission staff, which must benefit from equal treatment and opportunities, irrespective of any ground such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation.’ The Charter is part of the wider [Diversity and Inclusion strategy](#) of the Commission, adopted on 19 July 2017. The publication of both commitments has been insufficient to obtain short-term results in order to include underrepresented groups in the Commission.

Although some diversity aspects are considered in the selection of the future European public servants (i.e. gender perspective in the formation of the selection board or exam accessibility),⁶ these measures—whilst admittedly challenging to design and implement—can go further by, for example, adopting an intersectional approach. EU non-discrimination laws aim to address both direct and indirect discrimination, so aiming to achieve substantive as opposed to mere formal equality. While this is not meant to guarantee equality of outcomes, certain measures of affirmative action to ‘level the playing field’ that take historical inequalities into account, can be pursued in order to achieve substantive equality.⁷

⁵ The right to equality before the law and protection against discrimination for all persons constitutes a universal right recognised by the Universal Declaration of Human Rights, the United Nations Convention on the Elimination of all forms of Discrimination Against Women, the International Convention on the Elimination of all forms of Racial Discrimination and the United Nations Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights and by the European Convention for the Protection of Human Rights and Fundamental Freedoms, to which all Member States are signatories.

⁶ Annex III - REGULATION No 31 (EEC), 11 (EAEC), laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Economic Community and the European Atomic Energy Community.

⁷ S. Wachter, B. Mittelstadt and C. Russell, ‘Bias Preservation in Machine Learning: The Legality of Fairness Metrics Under EU Non-Discrimination Law (January 15, 2021)’ (2021) 123 West Virginia Law Review, 16 <http://dx.doi.org/10.2139/ssrn.3792772>.

State of Play

Under the leadership of President Von der Leyen, the Commission has embraced the goal of a more diverse College of Commissioners. At the European Parliament plenary on 17 June 2020, the President asked, 'What can we do so that our institutions better represent the diversity of our European societies?'.⁸ The Commission also adopted the first ever [EU Anti-racism Action Plan](#) that year; this includes several measures aimed at advancing diversity in the Commission's workforce, namely a dedicated survey to assess diversity of Commission staff, the creation of a Diversity and Inclusion Office within Directorate-General for Human Resources (DG HR), a commitment to increased diversity of Commission staff to improve representativeness, and a strategy for the Commission's traineeships programme with specific diversity objectives.⁹

There is, however, insufficient data on the diversity of Commission staff, which is problematic. EPSO has conducted an extensive survey of previous applicants, with the aim of identifying structural representativeness issues and possible reasons for discrimination. The results are expected for the Autumn of 2021 and will likely identify the gaps and scope for action from an outreach and standardised testing point of view. Regardless, the lack of representativeness across key dimensions such as the inclusion of people of colour is so apparent that it can no longer be ignored. Several initiatives from the Commission, EPSO, and other key stakeholders acknowledge that there is both a problem with lack of diversity in the Commission's workforce and that there are potential shortcomings in its recruitment procedures. DG HR has established a new unit for diversity and created an inter-institutional task force to better coordinate policies on this issue.

Furthermore, diversity deficits can be gauged from a [recent survey by Politico](#): in addition to persistent gender imbalances (62% of total EU officers are men), there is a strong concentration of educational backgrounds. Over 16% of EU officials graduated from three

⁸ https://ec.europa.eu/commission/presscorner/detail/en/SPEECH_20_1114.

⁹ A new HR strategy for the Commission is currently being developed and expected to enter into force in Autumn 2021. Various stakeholders have already fed into the process, with the European Court of Auditor's report being one of the most comprehensive assessments of the current hiring practices. The report points out many shortcomings and is entitled 'Time to adapt the selection process to changing recruitment needs.'

Belgium-based universities: College of Europe, Free University of Brussels, and KU Leuven, followed by other capital city-based universities such as Sapienza University of Rome and the University of Vienna.¹⁰ Since these elite higher education institutions often already suffer from biased student bodies, hiring candidates predominantly from such a narrow spectrum of higher education institutions tends to reinforce these biases. Indeed, the high concentration of candidates from very specific backgrounds was also flagged by a [recent report from the European Court of Auditors](#), which critically assessed EPSO's work and criticised it for, inter alia, 'hamper[ing] geographic and socio-economic diversity within EU institutions.'

In recent years, DG HR and the wider Commission have started to address the gender gap in the workforce, especially in middle and senior management.¹¹ Mandatory quotas and promotion policies have substantially increased the proportion of women in such positions, while continuous reporting and follow-up resulted in situational awareness. Similarly, steps have been taken to make the Commission [more accessible for people with disabilities](#), including through targeted traineeships, [adapted recruitment procedures](#), [outreach and networking with disability organisations](#) (by EPSO) and technical assistance at the workplace.

However, these measures are not far-reaching enough in their approach (targeting only some historically underrepresented groups). Instead, workforce diversity should be addressed from a more holistic, intersectional vantage point, one that, whilst even if working within the existing institutional structures, nonetheless pushes for increasing the representation of and accessibility for non-hegemonic groups.

¹⁰ C. Hirsch, W. Adkins, and A. Busquets Guàrdia, 'How to join the EU bubble – Brussels careers by the numbers', Politico, 4 February 2021, <https://www.politico.eu/article/what-to-study-to-join-the-eu-bubble-careers-eu-university-studies-europe-parliament/> (accessed 23 August 2021).

¹¹ European Commission, 'Equality of Treatment' (2021) https://ec.europa.eu/info/about-european-commission/service-standards-and-principles/equality-treatment_en (accessed 25 August 2021).

Shortcomings and Obstacles

Lack of Diversity in the Pool of Applicants: Poor Outreach towards Underrepresented Communities

Mirroring the lack of data on workforce diversity,¹² there is a lack of disaggregated data on the pool of applicants at EPSO level. This indicates that the Commission and EPSO may not have been able to reach out to a diverse cohort of applicants. EPSO only began to collect data on this issue in 2021, via a survey of applicants.

In terms of outreach, we identify the following shortcomings:

I. Limited Engagement with Civil Society

While EPSO has launched a [Network of Diversity and Inclusion Organisations \(NDIO\)](#) in December 2020 to reach historically underrepresented groups, it has so far fallen short in promoting the call for applications.¹³ There is also a lack of relevant information about NDIO, which could potentially hamper the interest of intended applicants. At the time of writing, 110 organisations have already joined the network. However, the majority of these come from a previous database launched by EPSO for NGOs working on disabilities and medical conditions, rather than from other underrepresented groups. Although the recruitment process for the NDIO is still ongoing,¹⁴ it is worth noting EPSO's difficulty reaching new stakeholders for this network.

¹² European Commission, 'A better workplace for all: from equal opportunities towards diversity and inclusion' (2016) <https://ec.europa.eu/info/sites/default/files/communication-equal-opportunities-diversity-inclusion-2017.pdf> (accessed 25 August 2021).

¹³ For instance, the promotion campaign for the call for applications of the NDIO in social media was restricted to a post in Twitter on December 10th, 2020 (https://twitter.com/EU_Careers/status/1336996599965261826?s=20), and with very limited engagement, which contravenes the rolling-basis feature of the call.

¹⁴ Eight months since its publication, and as at the date of this paper (August 2020), the call remains open. EPSO already sends communication campaign material to the organisations registered in the database. Additional activities should follow in the course of 2021/2022, based on the results of the diversity survey also launched by EPSO.

II. Geographical Concentration of Recruitment Activities and Insufficient Corporate Recruitment Campaign

EPSO and the Commission are not displaying any concerted efforts to promote the Commission as an attractive employer beyond Brussels and other overrepresented regions. Outreach activities are geographically narrow in scope, as also criticised by the European Court of Auditors. Career fairs predominantly take place in Brussels and Luxembourg, where most EU employees are based. Accordingly, two-thirds of all candidates sit their pre-selection tests in those two cities.¹⁵ Unsurprisingly, many applications also come from a relatively homogenous group with similar educational and professional backgrounds, as people outside of certain institutions, career paths, or political circles may be unaware of the possibility of pursuing a career as an EU civil servant. It is therefore likely that job postings do not reach a diverse range of candidates.

III. Untargeted Social Media Presence and Inadequate Online Outreach

Studies suggest that social media platforms are good places to reach people from disadvantaged backgrounds online. While social media lends itself to outreach and information dissemination on part of EPSO, which has a relatively wide social media presence already, its current strategy has the following flaws:

1. Low Engagement. At present, EPSO seems to employ a ‘push strategy’ when it comes to its social media,¹⁶ using it as a broadcasting channel instead of interacting with its followers and building long-term relationships with them. This has led to low engagement across EPSO’s social media platforms, preventing EPSO from reaching a wider audience.

2. Lack of Diverse Imagery. While EPSO’s website features people from diverse backgrounds, its social media imagery continues to lack diversity, with posts about diversity often being

¹⁵ <https://op.europa.eu/webpub/eca/special-reports/epso-23-2020/en/#chapter5> (accessed 25 August 2021).

¹⁶ A. Meijer and T. Marcel, ‘Social media strategies: Understanding the differences between North American police departments’ (2013) 30 *Government Information Quarterly*, 343.

accompanied by illustrations or images of inanimate objects. At times this content even perpetuates (gender and racial) stereotypes.

3. Lack of Presence on Certain Social Media Platforms. EPSO does not currently have an (active) social media presence on some of the main social media platforms used by young people, such as TikTok, Snapchat and YouTube.

Risks of Using AI in the Recruitment Process

EPSO currently uses an algorithm-based tool called the 'machine assisted content screener' in the second phase of the recruitment process, where candidates have to prove their experience in a 'content-based' manner.¹⁷ It has the stated goal of assisting humans in objective and bias-free decision/evaluation and to manage huge amounts of data. To this end, EPSO also monitors the application of these tools and ensures that diversity (in terms of measured parameters such as age and gender) in the initial stage of the process is reflected in later processes.

However, research has shown that Artificial Intelligence (AI) systems used for hiring practices can have negative impact upon different parts of the recruitment pipeline and ultimately towards determining who gets hired. Concerns can arise in terms of data representation, optimisation decisions and the eventual end result. A glaring example was Amazon's much-touted AI recruitment tool that showed bias against women, effectively replicating historical bias.¹⁸ While rule-based systems are more straightforward and transparent, optimisation decisions made at the outset can often reflect unconscious bias that can be hard to eventually uncover, let alone remedy, especially when the use of AI systems are not made known to applicants in the first place.

The following are concerns that pertain to the use of AI tools by EPSO:

¹⁷ Based upon correspondence with an EPSO Senior Psychologist.

¹⁸ See Reuters, 'Amazon ditched AI recruiting tool that favored men for technical jobs', *The Guardian*, 11 October 2018, <https://www.theguardian.com/technology/2018/oct/10/amazon-hiring-ai-gender-bias-recruiting-engine> (accessed 25 August 2021).

1. Lack of transparency around the use of AI tools for selection/evaluation processes. Even when AI tools are not directly used for decision making, it is advisable for EPSO to be transparent about the usage of AI. This will enhance the legitimacy and eventual accountability processes for the hiring pipeline.

2. Lack of transparency and explainability around the criteria (and weightage) of algorithmic optimisation. In addition, EPSO should be transparent on the grounds for screening/sorting/classifying. While the second stage of the recruitment process is done with some amount of discretion by the Selection Board (assisted by AI), it does not detract from the fact that transparency on the functioning of the AI tool should be forthcoming.

3. Lack of accountability for processes (that narrows/leads to outcomes). While the Staff Regulations and case law precedent allow for candidates to challenge *decisions* made at different stages of the selection pipeline,¹⁹ these grounds do not include the candidate's ability to challenge the *processes* undertaken, including through the use of AI tools that sort, screen, and evaluate candidates. In other words, there does not appear to be a way for candidates to understand how the AI tool works nor ways to challenge the sorting/evaluation/selection criteria, as these do not amount to *decisions* as such. Yet when AI tools play an increasingly critical role through processes that screen persons out, within the larger context of lack of transparency and optimisation parameters based upon historical and cultural inequalities, all this may amount to inadvertently closing opportunities to underrepresented candidates who have been documented to have been disproportionately affected by purported neutral AI tools. This is even the case when sensitive data are not present, as inferences by proxy data (postal code, amount of work experience, number and types of languages spoken) could bring about the same harm.²⁰ A more holistic approach for EPSO to take would be to conduct ongoing external audits on human rights impacts in order to catch and prevent the realisation of systemic or disparate harms to the widest extent possible.

¹⁹ Which is reflected in point 4 of Annex III in the Notice of Competitions for various positions.

²⁰ K. Crawford, 'The hidden biases in big data' (2013) *Harvard Business Review*, <https://hbr.org/2013/04/the-hidden-biases-in-big-data> (accessed 25 August 2021). See also D. Raji, 'How our data encodes systemic racism', *Technology Review*, 10 December 2020, <https://www.technologyreview.com/2020/12/10/1013617/racism-data-science-artificial-intelligence-ai-opinion/> (accessed 25 August 2021).

Inequality of Meritocracy

EPSO's selection procedures involve standardised testing, assessment centres, and a qualitative assessment of candidates' experience and qualifications (beyond the satisfaction of formal requirements). These procedures are intended to be meritocratic, i.e. ensuring that formal equality is respected when all candidates are assessed on the same selection criteria and by the same assessment measures. However, there has been increasing debate over whether such purported meritocratic systems are a cause or contributor of inequality.²¹ Standardised measurement works on the implicit assumption that all groups within societies have the same starting point. Providing people with equal access to opportunities (i.e. formal equality) is not equivalent to providing access by adjusting for historical disparities and their enduring effects on protected groups; it ignores unequal starting points and socio-cultural factors of discrimination and systemic racial profiling. The 'colour blind' standardised testing selection model in effect favours the status quo.²²

EPSO regularly re-evaluates each stage of their recruitment processes in attempt to ensure that there is no bias or discrimination against any group of candidates, with the aid of an internal psychometrician and network of psychologists.²³ If the underrepresentation of various identity groups persists despite internal evaluation and adjustment of these processes, there is a strong case for affirmative action.

A Lack of Intersectional Diversity

More often than not, when diversity is being acknowledged by the EU institutions, it is not being addressed from an intersectional perspective. As noted, intersectionality is the way in which a person is affected—and so discriminated against or disadvantaged—by more than one form of discrimination. First developed as a heuristic tool through which to recognise the

²¹ See D. Markovits, *The Meritocracy Trap: How America's Foundational Myth Feeds Inequality, Dismantles the Middle Class, and Devours the Elite* (Penguin, 2019). See also T. B. Edsall, 'The Meritocracy Is Under Siege' *The New York Times*, 12 June 2019, available here: <https://www.nytimes.com/2019/06/12/opinion/meritocracy-tests-education.html> (accessed 25 August 2021).

²² See the findings on Being Black in the EU by Fundamental Rights Agency here: <https://fra.europa.eu/en/publication/2018/being-black-eu>

²³ Based upon correspondence with an EPSO Senior Psychologist.

intersection between race and gender, intersectionality can be applied to other social identities and issues such as (but not limited to): class, sexual orientation, age, ethnicity and disability.²⁴ In essence, intersectionality is an analytical frame that strives to recognise, and ultimately propose solutions to address, the intersectional, or ‘overlapping’ ways in which a single person may be disadvantaged or discriminated against. It endeavours to recognise that there can be both a ‘sameness’ and a ‘difference’ to the experiences of people, depending on which aspects of their identities may be engaged.²⁵ For example: a hiring policy that attempts to remove biases related to a candidate’s race is addressing the sameness between candidates—either they are, or they have been, negatively affected by bias regarding their race—but this does not consider the differences between such candidates. A well-educated Congolese woman and a poorly educated Senegalese man will have different affecting experiences, despite both having experienced discrimination by virtue of their identity as an underrepresented ethnic and/or racial minority. An intersectional hiring policy would, therefore, be one which also attempts to account for such intersectional or multidimensional differences, acknowledging the wider problem of diversity efforts which focus on singular categories of discrimination.²⁶

Proposals for a More Diverse Commission

Diversifying EPSO’s Pool of Applicants

In terms of outreach, we suggest the following approaches:

²⁴ K. Williams Crenshaw, ‘Mapping the Margins: Intersectionality, Identity Politics, and Violence Against Women of Color’ in K. Crenshaw et al., *Critical Race Theory: The Key Writings That Formed the Movement* (The New Press, 1995) 378.

²⁵ S. Cho, K. Williams Crenshaw and L. McCall, ‘Toward a Field of Intersectionality Studies: Theory, Applications, and Praxis’ (2013) 8 *Signs: Journal of Women in Culture and Society* 791.

²⁶ Too often, these are centred on the more privileged of a group: white women in the case of gender discrimination, ethnic minority men in the case of race discrimination; the particularities of the experience(s) of ethnic minority women (for example) being all but invisible to such efforts. See OECD, ‘All Hands In? Making Diversity Work for All’ (2020), available at <https://www.oecd-ilibrary.org/sites/b976af4e-en/index.html?itemId=/content/component/b976af4e-en> (accessed 25 August 2021).

1. Improve EPSO’s outreach to civil society to encourage more applications to the Network of Diversity and Inclusion Organisations. Specifically, we suggest doing this by: (i) promoting the call more intensively with institutional partners and through various communication channels and (ii) providing more detailed information in the call about the actual role of the NDIO, including how EPSO intends to engage with these organisations.

2. Spread calls for applications and traineeship programmes consistently through each single local European Documentation Centres and Europe Direct’s (EDC/ED) website. The EU has a high number of European Documentation Centres (EDC) and Europe Direct offices all over the territory of member states.²⁷ These constitute a potentially important source of information and training on how to apply and prepare for EPSO tests and subsequent interviews when applying for Commission positions. Furthermore, such centres can be a source to target and persuade candidates from historically underrepresented groups to apply.²⁸ Nonetheless, there is no coordinated effort in promoting calls and providing training for prospective applicants.

We suggest enhancing visibility of opportunities for university graduates by: (i) organising in each EDC/EC online informational sessions on calls for applications and (ii) providing mentoring on the application process or indicating the closest centre that can assist the candidate.

3. Spread out recruitment activities to reduce the current geographical concentration. In particular, EPSO representatives should foster presences at job fairs outside of Brussels and Luxembourg. The Commission should empower EPSO to use the resources of its representatives in Member States as multipliers. Furthermore, the Commission and EPSO should continue and expand activities such as the ‘Back to School,’ ‘Back to University,’ and

²⁷ European Union (2021) “Meet Us”: see https://europa.eu/european-union/contact/meet-us_en (accessed 25 August 2021).

²⁸ There already are positive examples. Among these we can cite Punto Europa at the University of Bologna in Forlì, periodically organising informational meetings and study trips to Brussels to promote EU-related opportunities.

'EU Careers Student Ambassadors' programmes, while training the participants to pay a particular focus on diversity aspects.²⁹

4. Actively advertise the Commission as an attractive and inclusive employer, using online platforms as well as more traditional means of awareness-raising campaigns. This advertising should take place in several modes: When it comes to print and online media, a revamped 'EU Careers' advertisement campaign could be launched on suitable print and online media outlets (international as well as national) to coincide with the application deadlines for the EPSO competitions. In addition to promoting specific job openings, such a general recruitment campaign should highlight the attractiveness of the Commission as an equal opportunity employer and its ambition to achieve a more diverse workforce. Building on promising examples from the past, such as a [2015 video campaign](#) displaying a diverse group of Commission employees, these efforts would need to be boosted across social media and other channels to receive significantly more attention. Such recruitment campaigns could even be aided through creative offline advertisement at strategic places where possible candidates are likely to get exposed to and compelled by the information material. These places could include international airports, train stations, etc.

In addition to promoting the above-mentioned campaign, there are a number of actions that can be taken to improve the inclusiveness of EPSO's social media presence:

a) Optimise Social Media Strategies. To create a more engaged audience across social media platforms and therefore reach a wider pool of people, the content shared by EPSO and the way EPSO interacts with its followers needs to be optimised to each platform. This includes asking questions and replying to messages sent to these social media accounts, as easy communication with EPSO is paramount.

²⁹ Under the umbrella of the "Back to School" and "Back to University" initiatives, each year hundreds of Commission officials return to their educational homes and promote EU careers among current students. https://ec.europa.eu/germany/content/schule_de (accessed 25 August 2021). The "EU Careers Student Ambassadors" are a volunteer-based scheme coordinated by EPSO to raise awareness amongst university students about job opportunities and career paths at the EU. https://epso.europa.eu/job-opportunities/eu-careers-student-ambassadors_en (accessed 25 August 2021).

b) Diversify Social Media Content. EPSO should ensure its social media presence visually reflects the diversity in the EU. In doing so, EPSO needs to carefully assess its social media content for implicit biases which may perpetuate harmful stereotypes about race, gender, sexuality and other characteristics, and ensure such content does not get shared by EPSO.

c) Widen Social Media Presence. To reach a more diverse audience and people who would not usually consider a career at the Commission, EPSO should have an active social media presence on more emerging and well-established social media platforms such as TikTok, Snapchat and YouTube.

5. Encourage Member States to draw up their own campaigns promoting EU careers. Some (especially smaller) Member States are aware of the underrepresentation of their nationals in the EU's workforce and have devised various means to address this issue. Furthermore, Member States may see strategic value in improving their representation at the EU institutions.³⁰ Such initiatives present a chance not only for increasing the overall number and quality of applicants, but also for boosting diversity. Building on this, EPSO and the Commission could reach out to relevant contact points in all Member States to encourage the uptake of similar initiatives at national and sub-national level. In doing so, a special focus should be placed on advocating Member States to properly acknowledge and incorporate diversity aspects, mainstreaming them into any promotional activities. This would help address diversity issues according to national and local specific needs in line with the subsidiarity principle.

Improving EPSO's Recruitment Processes

6. Improve transparency and accountability around the use of AI tools in the recruitment process. It is necessary for EPSO to improve both transparency and accountability when it comes to their use of AI tools in recruitment processes. For increased transparency, we suggest that information on the criteria and the use of AI tools in the recruitment process be shared with candidates and/or the public. Additionally, EPSO should spread awareness of

³⁰ Consider, for instance, the Irish government's recent brochure "[A Career for EU](#)" or the German Foreign Ministry's [EU jobs newsletter "A Career in Europe"](#).

implicit biases that could be present in AI systems, for example through staff training. The tool should also be put through periodic human rights impact assessments. Finally, EPSO should create clarity around accountability mechanisms, including accessible legal pathways and remedies to applicants who feel that they may have been discriminated against in the recruitment process.

Enhancing Situational Awareness on Diversity in the Commission's HR Units

7. First, improve continuity in diversity efforts between EPSO and DG HR. EPSO and DG HR's Diversity unit should coordinate further to improve the interface between the recruitment process and the actual recruitment outcome. This would allow for better data generation on the stages of the HR cycle in which diversity objectives may be missed or where certain candidates may experience structural discrimination. One way to achieve more consistency throughout the recruitment process could be to extend EPSO's mandate to also monitor the follow-up after the pre-selection up until the final hiring decision. Another recommendation would be to establish an interface office situated between EPSO and DG HR.

Additionally, EPSO should periodically send delegates to attend job interviews as silent observers. This way, EPSO would acquire insights into the workings of the Commission's selection boards, could identify any potentially discriminating factors, and suggest strategies for addressing them. It would also allow EPSO to better understand whether diversity-raising methods implemented in the pre-selection stage may be undermined during subsequent steps of the recruitment process.

8. Secondly, introduce dedicated diversity sections in the HR chapters of DG's annual management plans. Requiring Directorates-General (DGs) to include a dedicated diversity section in their annual management plans would inspire organisational change and institutionalise new reflexes to HR management at a more decentralised level. In these sections, DGs need to set out aims and report on progress regarding diversity, inclusivity, intersectionality and equal opportunity (conceptualised broader than gender). Falling short of mandatory quotas, such a recurrent exercise would at minimum oblige DG management and HR units to systematically investigate and reflect on the state of diversity in their departments,

as well as to draw up mitigating strategies and setting measurable objectives for how to improve any exposed shortcomings. DG HR should take the lead and prepare a concise template that other DGs could then incorporate into their management plans and adapt to their circumstances as necessary.

Affirmative Action Measures

Affirmative action in hiring policies is broadly defined as ‘policies addressing the underrepresentation of disadvantaged groups in the labour market through active measures that go beyond simple non-discrimination.’³¹ Two particular affirmative actions are proposed: diversity quotas and an alternative entry scheme.

9. Intersectional Quotas. While the Commission has committed to quotas regarding female representation,³² it would benefit from implementing quotas addressing other forms of underrepresentation. Quotas regulating the proportion of candidates from historically underrepresented groups in companies or political organisations are becoming increasingly common, and are already mandatory in numerous EU Member States, including Austria, Belgium, Germany, France, Italy and Portugal.³³ Such quotas have been demonstrated to increase female and/or minority representation in a variety of contexts.³⁴

Quotas referring to characteristics other than gender are often referred to as ‘minority quotas,’ where ‘minority’ is defined in a flexible manner, depending on the social cleavages in a given setting. Such quotas often aim to tackle underrepresentation in terms of ethnicity, race, and religion.³⁵

³¹ OECD, ‘All Hands In? Making Diversity Work for All’ (2020), available at <https://www.oecd-ilibrary.org/sites/b976af4e-en/index.html?itemId=/content/component/b976af4e-en> (accessed 23 August 2021).

³² European Commission, ‘EU action to promote gender balance in decision-making’ https://ec.europa.eu/info/policies/justice-and-fundamental-rights/gender-equality/equality-between-women-and-men-decision-making/eu-action-promote-gender-balance-decision-making_en (accessed 25 August 2021).

³³ <https://www.oecd-ilibrary.org/sites/b976af4e-en/index.html?itemId=/content/component/b976af4e-en#boxsection-d1e7277> (table 3.2)

³⁴ E. Horst, E. and K. Wrohlich, ‘Spitzengremien großer Unternehmen: Geschlechterquote für Aufsichtsräte greift, in Vorständen herrscht beinahe Stillstand’ (2018) *Deutsches Institut für Wirtschaftsforschung: Managerinnen-Barometer: Unternehmen*.

³⁵ Questions such as: ‘Who gets to define the quota?’ ‘How can it be challenged?’ ‘What is the legal status of the definition of “minority” group?’, while outside the scope of this paper are neither unanswerable nor a non-

We suggest for EPSO to implement hiring quotas across all contract types,³⁶ and across different dimensions of diversity. To ensure these quotas work in an intersectional way, we suggest the adoption of minority quotas alongside more wide-reaching gender policies at a minimum,³⁷ but would prefer the implementation of explicitly intersectional quotas (e.g. X% of Black women). In doing so, attention should be paid to how different types of quotas benefit different demographic groups (table 1).

Such quotas should be implemented at all stages of the recruitment processes, ensuring that the same percentage of candidates from underrepresented groups proceed through each stage. We recommend for these quotas to be based on the makeup of the EU population. For example, because the [European Network Against Racism estimates](#) that ethnic and racial makeup at least 10% of the EU population, to address this form of underrepresentation we recommend a minimum quota of 10%. Higher quotas (such as 20%) are likely necessary to include other underrepresented groups and to redress historical underrepresentation of minority ethnic and racial groups.

Table 1: Summary of Effects of Various Quota Policies for Demographic Minority and Majority Women.³⁸

Quota type	Primary beneficiaries	Not beneficial for
Gender quotas (Regulating the proportion of women candidates/employees)	Demographic majority women	Demographic minority men
Minority quotas (Regulating the proportion of	Demographic minority	Demographic majority

insurmountable problem. See, for example, the design lessons learned from places like India, also: S. Knispel, 'Gender Quotas in India had Unintended Effects', *Futurity*, 22 May 2020, <https://www.futurity.org/gender-quotas-indian-politics-2372862-2/> (accessed 7 September 2021).

³⁶ Namely permanent official, temporary and contract agents, temporary staff (intérimaires), trainees, and seconded national experts.

³⁷ This system has been referred to as "tandem quotas", see table 1.

³⁸ Adopted from Table 5 in M.M. Hughes, 'Intersectionality, Quotas, and Minority Women's Political Representation Worldwide' (2011) 105 *American Political Science Review* 616.

(context dependent) minority candidates/employees)	men	women
Mixed quotas (A combination of gender quotas and minority quotas)	Demographic minority men and demographic majority women	Demographic minority women
Tandem quotas (Gender policies are adopted alongside minority quotas)	Demographic minority women	Demographic majority men and women

Note: In this instance, "minority" and "majority" are defined in a flexible manner, depending on the social cleavages in a given setting. This will often relate to things such as race, ethnicity, religion, and language.

10. Alternative Entry Scheme. An Alternative Entry Scheme (AES) would go some way in addressing the underrepresentation of disadvantaged groups within the Commission—groups, it has been noted, who are most likely to be disadvantaged by the current ‘meritocratic’ recruitment process. As has been often demonstrated in other settings, candidates with the most relevant experience, especially at trainee level, are likely to be those who come from a high-income family and benefit from belonging to an historically advantaged racial and/or ethnic group.³⁹

Using the model of the positive action programme for trainees with a disability, the Commission could introduce a paid traineeship programme for candidates who belong to an

³⁹ The bulk of discussion on inequality in relation to the ‘holistic’ aspects of merit-based applications is currently focussed on university admissions. Nonetheless, these findings can be extrapolated. For a general discussion of the inequality standardised assessments perpetuates, see M. Sandel, *The Tyranny of Merit: What’s Become of the Common Good?* (Allen Lane 2020). For specific examples, see: F. DeBoer, ‘The Progressive Case for the SAT’, *Jacobin*, 30 March 2018, <https://www.jacobinmag.com/2018/03/sat-class-race-inequality-college-admission> (accessed 24 August 2021); A. Perry, ‘Students Need a Boost in Wealth More Than a Boost in SAT Scores’, *Hechinger Report*, 17 May 2019, <https://hechingerreport.org/students-need-a-boost-in-wealth-more-than-a-boost-in-sat-scores/> (accessed 25 August 2021). Other studies which have been conducted on the lack of diversity at the Bar in England and Wales have demonstrated that ‘entry to the Bar relies on prior educational achievement, which has negative impacts on certain groups (for example, would-be black and Asian minority ethnic barristers’: S. Vaughan, “‘Prefer not to say’: diversity and diversity reporting at the bar of England & Wales’ (2017) 4 *Journal of the Legal Profession* 207, 210.

underrepresented group.⁴⁰ Diverging from this model, the traineeships would be intended both as an opportunity for such candidates to develop a professional network within the Commission as well as gain relevant work experience.⁴¹ More pertinently, the internship would itself be a possible AES, in that the performance of interns during their internship would be used as a means by which to assess 'promising' longer-term candidates. At the end of the internship, candidates would be invited to be interviewed by a selection board after which, if successful, they would be placed on a reserve list for a longer-term or more permanent position within the Commission. Unless a candidate performs badly, or declines the opportunity, the internship programme would conclude with an interview opportunity for each intern.

⁴⁰ <https://www.consilium.europa.eu/en/general-secretariat/jobs/traineeships/positive-action-programme-for-trainees-with-a-disability/>.

⁴¹ It is well established that people with a migrant background and ethnic minorities tend to have fewer contacts with people in higher social positions, and therefore have an initial disadvantage in gaining jobs and training opportunities, see: OECD, 'All Hands In? Making Diversity Work for All' (2020), available at <https://www.oecd-ilibrary.org/sites/b976af4e-en/index.html?itemId=/content/component/b976af4e-en> (accessed 23 August 2020). Furthermore, there is increasing evidence from 'CV testing studies' in France and the United States have shown that fictitious candidates from disadvantaged neighbourhoods were less likely to be invited for interviews simply because of their name, address or other 'identifiable characteristic' of 'disadvantage'. In 2019, 14 OECD countries explicitly acknowledge in their national non-discrimination legislation that socio-economic background can be a distinct ground for discrimination. This is the kind of scenario the proposed internship scheme would avoid. See OECD, above.