

458th Plenary Meeting

PC Journal No. 458, Agenda item 3(b)

**DECISION No. 550/Corrected reissue*
APPROVAL OF THE OSCE STAFF REGULATIONS**

The Permanent Council,

Having extensively reviewed the Staff Regulations applicable to OSCE staff,

Taking into account the need for adequate Regulations applicable to all categories of staff,

Approves the attached revised Staff Regulations, which shall enter into effect on the same day as this decision, taking into account the following provisions:

1. Appointments:

Recognizes the importance of improving the transparency of the process of selecting and recruiting OSCE officials, and requests the Chairmanship and the Secretary General to propose procedures to further enhance this process. Also requests the Secretary General to make proposals to ensure adequate implementation of the Staff Regulations. Such proposals should include provisions relating, *inter alia*, to the need for all vacancies for contracted and seconded posts to be notified to participating States in principle with a notice of three to four weeks. In exceptional circumstances, the Secretary General may make exceptions to this period;

2. Length of service:

Decides, exceptionally and in acknowledgement of the impact of the amendment introduced in Regulation 3.11, b, (ii), that the newly established period for maximum continuous length of service to the OSCE shall apply to seconded staff/mission members as of 1 January 1999;

3. Grading secondees:

Requests the Secretary General to provide the Permanent Council, for approval in the context of the Mid-Year Review of the Unified 2003 Budget, with a draft post table for the

* Incorporates corrections to the translation of Attachment 1 to the decision.

OSCE, which includes a grading system for seconded posts, based on the system of levels of professional competence used in REACT;

4. Provident Fund:

Requests the Secretary General, in the context of its Decision No. 527 (paragraph VII.1), to provide it with additional information on the proposals regarding the harmonization of contribution levels to the OSCE's Provident Fund with those to the United Nations Joint Staff Pension Fund with a view to its consideration of this issue before the submission of the 2004 Unified Budget;

5. Local staff:

Reiterates its Decision No. 527 to further consider ways and means to rationalize the Organization's local staff-costs category. In this connection a revision of needs and requirements in field operations should prove useful and therefore requests the Secretary General and the heads of mission to carry out a thorough assessment of the local staff-costs category in the individual missions with a view to reflecting the conclusions of this assessment in the 2004 Unified Budget Proposal;

6. Privileges and immunities:

Notes that nothing contained in the staff regulations shall prejudice the outcome of ongoing negotiations on a possible OSCE agreement dealing with privileges and immunities of the OSCE and expects to continue such discussions constructively at the earliest possible opportunity.

STAFF REGULATIONS FOR THE ORGANIZATION FOR SECURITY AND CO-OPERATION IN EUROPE

Article I GENERAL

Regulation 1.01 Terminology

For the purpose of these Regulations the following definitions shall apply:

Appointment

Employment with the Secretariat, an institution or a mission through a contract of employment hereinafter referred to as “letter of appointment”.

Assignment

Employment with the Secretariat, an institution or a mission by secondment through a contract of employment hereinafter referred to as “terms of assignment”.

Contracted Staff/Mission Member

Person appointed to the Secretariat, an institution or a mission through a letter of appointment.

Dependents

The spouse and/or children of OSCE officials.

Deputy Head of Institution

Person designated as such by the OSCE Chairmanship.

Deputy Head of Mission

Person designated as such by the OSCE Chairmanship.

Director

Staff/mission member holding a post at the level D1 or D2.

Duty Station

Place where the staff member is working or where a mission member is deployed within the mission area.

Fixed-Term Appointment/Assignment

Appointment or assignment to the Secretariat, an institution or a mission for a definite period of six months or more.

Fixed-Term Staff/Mission Member

Person holding a fixed term appointment or assignment.

Head of Institution

The head of any entity designated as an OSCE institution.

Head of Mission

Person designated by the OSCE Chairmanship to head missions.

Host Country

Country where the Secretariat or an institution is established or where a mission operates according to its mandate as defined by the participating States.

International Post

Post in the Professional and higher categories for the purpose of the application of the salary scales.

International Staff/Mission Member

Contracted staff/mission member holding an international post or seconded staff/mission member who is not a national or permanent resident of the country of the duty station.

Institution

Any entity designated as such by the participating States.

Local Post

Post in the General Service and National Professional categories for the purpose of the application of the salary scales.

Local Staff/Mission Member

Contracted staff/mission member holding a local post or seconded staff member who is a national or permanent resident of the country of the duty station.

Mission

OSCE field operation.

Mission Area

Geographic zone in which the Mission operates according to its mandate as defined by the participating States.

Mission Member

OSCE official working within a mission, excluding the heads of mission.

OSCE

The Organization for Security and Co-operation in Europe, its decision-making bodies, the Secretariat, the Office of the High Commissioner on National Minorities, the Office of Democratic Institutions and Human Rights, the Representative on Freedom of the Media, any other entity designated an institution, and the missions.

OSCE Official

Any person subject to the Staff Regulations in accordance with Regulation 1.03, including the Secretary General, the heads of institution and the heads of mission and all international or local, contracted or seconded, fixed-term and short-term staff/mission members.

Representative of the Chairmanship

Person designated, in accordance with MC(10).DEC/8 of 7 December 2002.

Seconded Staff/Mission Member

Person seconded by or through a participating State for an assignment to the Secretariat, an institution or a mission and to whom the OSCE does not pay any salary from its own Unified Budget.

Secondment

Process of assignment of an OSCE official to the Secretariat, an institution or a mission to whom the OSCE does not pay any salary from its own Unified Budget.

Secretary General

The Chief Administrative Officer of the OSCE and head of the Secretariat.

Short-Term Appointment/Assignment

Appointment or assignment to the Secretariat, an institution or a mission for a period of less than six months.

Short-Term Staff/Mission Member

Person who is appointed or assigned to the Secretariat, an institution or a mission for less than six months, excluding those employed on an hourly or daily basis.

Staff Member

OSCE official working within the Secretariat or an institution, excluding the Secretary General and the heads of institution.

**Regulation 1.02
Scope and Purpose**

These Regulations embody the fundamental conditions of service, duties, obligations and rights of OSCE officials. They set out the broad principles of personnel policy for the recruitment and administration of OSCE officials.

Regulation 1.03
Applicability

These Regulations shall apply to:

- (a) The Secretary General, the heads of institution and the heads of mission as specified herein and in their letters of appointment or terms of assignment.
- (b) Staff members and mission members, excluding those employed on an hourly or daily basis.

Regulation 1.04
Authority

- (a) In implementing these Regulations, the Secretary General, as the Chief Administrative Officer, shall develop and issue the corresponding Staff Rules, in conformity with these Regulations and the policies enshrined therein, and shall ensure their proper implementation.
- (b) The Staff Rules shall be communicated to the Permanent Council, prior to their promulgation and entry into force, in order to provide participating States with the opportunity and sufficient time to make their views known.

Regulation 1.05
Accountability

- (a) The Secretary General shall be responsible and accountable to the Permanent Council, through the Chairmanship, for the proper application of these Regulations. Heads of institution and heads of mission shall, *mutatis mutandis*, exercise responsibility to the Permanent Council in respect of their institution/mission, through the Secretary General.
- (b) The Secretary General shall monitor compliance with these Regulations and Rules within the OSCE and ensure that any such corrective action as may be required is taken.

Regulation 1.06
Delegation of Authority

The Secretary General, the heads of institution and the heads of mission may delegate their authority under these Regulations to their authorized representatives. Such delegation of authority shall not relieve them from their responsibility and accountability.

Article II DUTIES, OBLIGATIONS AND PRIVILEGES

Regulation 2.01 Conduct of OSCE Officials

(a) OSCE officials shall conduct themselves at all times in a manner befitting the status of an international civil servant. They shall not engage in any activity which is incompatible with the proper performance of their duties with the OSCE. They shall avoid any action and, in particular, any kind of public pronouncement which may adversely reflect on their status as well as on the integrity, independence and impartiality of their position and function as officials of the OSCE.

(b) By signing the letter of appointment or terms of assignment, OSCE officials shall agree to discharge their functions and regulate their conduct with the interests of the OSCE only in mind and neither to seek nor accept instructions from any Government or from any authority external to the OSCE. In the performance of their duties, staff/mission members shall be subject to the authority of and be responsible to the Secretary General and their respective head of institution or head of mission. OSCE officials shall undertake to abide by the OSCE Code of Conduct set out in Appendix 1 of these Regulations and Rules, of which the Code of Conduct is an integral part.

(c) OSCE officials shall at no time use their official position to private advantage.

Regulation 2.02 Disclosure of Information

OSCE officials shall observe maximum discretion with regard to all matters relating to the activities of the OSCE. They shall at no time use, disseminate and/or publish information known to them by reason of their official position, except in connection with the discharge of their functions. They shall maintain due discretion regarding the matters related to the activities of the OSCE upon separation from the Organization.

Regulation 2.03 Privileges and Immunities

(a) The Secretary General, the heads of institution and heads of mission, as well as staff members and international mission members shall enjoy the privileges and immunities to which they may be entitled by national legislation or by virtue of bilateral agreements concluded by the OSCE relating to this matter. Local staff/mission members shall enjoy privileges and immunities only to the extent granted to them by the respective host State under national legislation and relevant bilateral agreements which may be concluded between a State and the OSCE.

- (b) Privileges and immunities granted to OSCE officials are conferred in the interests of the OSCE and not for personal benefit.
- (c) Such privileges and immunities shall not exempt OSCE officials from respecting the laws and regulations of the host country.
- (d) The Secretary General shall decide, in consultation with the Chairmanship, whether immunity of a staff/mission member should be waived. Immunity of the Secretary General, the heads of institution and the heads of mission may be waived by the Chairmanship, who shall inform the Permanent Council of his intention to do so.

Regulation 2.04
Intellectual Property

All rights, including title, copyright and patent rights, in any work performed by OSCE officials in fulfillment of their official duties shall be vested in the OSCE with a view to ensuring the widest possible distribution of information.

Regulation 2.05
Reimbursement for Financial Losses

Within the limits and conditions specified in the Staff Rules, OSCE officials may be required to reimburse the OSCE, either in full or in part, for any financial loss incurred by the OSCE as a result of their wilful action or inaction, their negligence or their failure to observe any regulation, rule or administrative issuance.

Regulation 2.06
Compensation for Loss or Damage to Personal Effects

Within the limits and conditions specified in the Staff Rules, OSCE officials may be entitled to compensation in the event of loss or damage to their personal effects directly attributable to the performance of official duties on behalf of the OSCE.

Regulation 2.07
Functional Protection

OSCE officials shall be entitled to the protection of the OSCE in the performance of their duties within the limits specified in the Staff Rules.

Regulation 2.08
Hardship/Hazard status of Missions

The Secretary General shall, in consultation with the heads of institution and the heads of mission, determine the hardship/hazard status of all OSCE duty stations, taking into account United Nations determinations in this regard. Any budgetary implications of such determinations shall be subject to prior approval by the Permanent Council.

Regulation 2.09
Non-Family Status of the Missions

International mission members shall assume full responsibility for their families in the duty stations. They shall not in any case be granted any benefit or entitlement due to the presence of their families at the duty station. The Secretary General, in consultation with the respective head of mission, shall determine those duty stations where international mission members shall not establish their families.

Article III
APPOINTMENTS AND ASSIGNMENTS

Regulation 3.01
Designation and Recruitment

- (a) Recruitment shall be based on a transparent process, subject to open competition among nationals of participating States and without regard to gender, race, colour, religion and beliefs nor to ethnic or social origin or to nationality.
- (b) The paramount consideration in the employment of OSCE officials and in the determination of the conditions of service shall be the necessity of securing the highest standards of efficiency, competence, and integrity, taking full account of the principle of recruiting staff from all OSCE participating States on a fair basis and the importance of achieving gender balance within the Organization.
- (c) Under no circumstances shall specific posts come to be identified with any one participating State, region or group of States.
- (d) The Secretary General shall report annually to the Permanent Council on the implementation of these policies for its consideration.

Regulation 3.02
Designation of the Secretary General and Heads of Institution

The Secretary General and the heads of institution shall be appointed by the Ministerial Council in accordance with procedures and for periods established by it.

Regulation 3.03
Designation of Heads of Mission and Representatives of the Chairmanship

- (a) The appointment of heads of mission is the responsibility of the Chairmanship. They shall be appointed from among nominations by participating States, and taking full account of the results of consultations with the Secretary General, the OSCE Troika and the host country.
- (b) Representatives of the Chairmanship shall be designated in accordance with Decision MC(10).DEC/8 of 7 December 2002.

Regulation 3.04

Designation of Directors in the Secretariat, Deputy Heads of Institution and Mission and Directors in the Institutions and Missions

- (a) Directors in the Secretariat shall be appointed by the Chairmanship in consultation with the Secretary General.
- (b) Deputy heads of institution and deputy heads of mission shall be appointed by the Chairmanship, in consultation with the respective head of institution or mission and the Secretary General.
- (c) Directors in the institutions and missions shall be appointed by the Chairmanship, in consultation with the respective head of institution or mission and the Secretary General.

Regulation 3.05

Appointments or Assignments of Other Staff

- (a) The Secretary General shall appoint or assign all staff members of the Secretariat below Director level. The heads of institution shall appoint or assign their respective staff in consultation with the Secretary General.
- (b) International fixed-term mission members shall be appointed or assigned by the respective head of mission, in consultation with the Secretary General.
- (c) Local mission members and international short-term mission members shall be appointed by the respective head of mission.

Regulation 3.06

Medical Standards

The Secretary General shall establish appropriate medical standards which OSCE officials shall be required to meet as a precondition of appointment or assignment and, once recruited, during their appointment or assignment.

Regulation 3.07

Letters of Appointment and Terms of Assignment

Letters of appointment for contracted OSCE officials and terms of assignment for seconded OSCE officials shall set out, expressly or by reference, all terms and conditions of employment with the OSCE. They shall be signed by the appointing authority in accordance with Regulations 3.03, 3.04 and 3.05, and countersigned by the OSCE officials concerned, at the time of their appointment or assignment.

Regulation 3.08

Periods of Service

- (a) The OSCE is committed to the principle of non-career service. Thus, OSCE officials shall be appointed or assigned for fixed terms. Letters of appointment and terms of assignment shall specify the expiration date. Unless extended pursuant to Regulation 3.11 below, the appointment or assignment shall end without notice on the expiration date.
- (b) Directors in the Secretariat, the institutions and the missions shall be appointed for a three-year fixed term which can be extended for up to one year, in accordance with Regulation 3.11.
- (c) Staff/Mission members holding positions at the P5 level shall be appointed for a two-year fixed term which can be extended for up to three years, in accordance with Regulation 3.11 below.
- (d) Contracted staff/mission members holding professional posts below the P5 level shall be appointed for a two-year fixed term which can be extended for further periods in accordance with Regulation 3.11. The maximum length of any extension may not exceed three years and the total period of service in the same post may not exceed seven years.
- (e) Heads of mission may serve in the same field operation for a maximum of three years, extendable for a final period of up to one year in accordance with Regulation 3.11.
- (f) Seconded mission members may serve in the same mission for a maximum period of seven years within the limit of Regulation 3.11.

Regulation 3.09 Probationary Period

Fixed-term staff/mission members shall serve a six-month probationary period.

Regulation 3.10 Performance Appraisal

The performance of fixed-term staff/mission members shall be subject to periodic reports prepared by their supervisors in accordance with the procedure specified in the Staff Rules. In the case of seconded staff/mission members, the results of the performance appraisal shall be made available to the seconding country upon request.

Regulation 3.11
Extension of Appointments and Assignments

- (a) Appointments and assignments shall not carry any expectation of extension or conversion to another type of employment. Extensions beyond the period set under Regulation 3.08 may be granted by the authority competent for appointment and assignment under Regulations 3.02, 3.03, 3.04 and 3.05.
- (b) In granting extensions, the following principles shall apply, subject to the provisions of Regulation 3.09:
- (i) Extension may be granted provided that the staff/mission member's services are rated as satisfactory;
 - (ii) The total length of service of international staff/mission members with the OSCE shall not exceed ten years.

Regulation 3.12
Transfer and Temporary Assignment

- (a) Staff/mission members shall accept the duties assigned to them by the Secretary General or the respective head of institution/mission, as well as their deployment within the Secretariat, the institution or the mission.
- (b) The Staff Rules shall set out the conditions under which a staff/mission member may be transferred or temporarily assigned within the OSCE.
- (c) Transfers of international fixed-term seconded staff/mission members which are not the result of a disciplinary measure in accordance with Regulation 9.03 (b) (vii), shall be decided in agreement with the seconding country and the Secretary General.

Article IV SEPARATION FROM SERVICE

Regulation 4.01

Expiration and Termination of Appointments and Assignments

(a) Fixed-term appointments of staff/mission members who reach the age of 65 while in service shall normally expire on the last day of the month of their 65th birthday. However, the competent authority for the appointment under Regulations 3.03, 3.04 and 3.05 may, where relevant in consultation with the Secretary General and the respective head of institution or mission, by way of exception and only in the interest of the OSCE, offer or extend an appointment beyond this age limit for a period not exceeding one year, taking into account the limitations set under Regulation 3.11.

(b) Appointments or assignments may be terminated before the expiration date by the authority competent for appointment and assignment under Regulations 3.03, 3.04 and 3.05, in consultation with the Chairmanship or the Secretary General when required. For international fixed-term contracted mission members and international seconded mission members, the decision shall be taken by the respective head of mission in consultation with the Secretary General and, in the case of international seconded staff/mission members, communicated prior to the implementation of the decision to the seconding country.

Regulation 4.02

Grounds for Termination

(a) Subject to appropriate procedure, the appointment or assignment of an OSCE official may be terminated on the following grounds:

- (i) If emergency situations require the evacuation of the mission and the discontinuation of its activities for a period of at least one month;
- (ii) If a post has been abolished or staff reductions are to be effected;
- (iii) If the services of the staff/mission member prove to be unsatisfactory;
- (iv) If the OSCE official is unable to perform his/her functions for medical reasons;
- (v) As a result of a disciplinary measure;
- (vi) If facts come to light which, if known before, would have precluded the appointment or assignment;
- (vii) In case of abandonment of post;
- (viii) If the OSCE official ceases to be a national of a participating State.

(b) The assignment of a seconded OSCE official may also be terminated at the request of the seconding country.

Regulation 4.03
Termination Notice

OSCE officials whose appointments or assignments are terminated under Regulation 4.02 (a) (ii) and (iii) above shall be entitled to a period of notice in accordance with the Staff Rules.

Regulation 4.04
Termination Indemnity

(a) Fixed-term contracted OSCE officials whose appointments are terminated under Regulation 4.02 (a) (i), (ii) and (iv) shall be entitled to a termination indemnity.

(b) The termination indemnity shall amount to one month's net base salary for each completed year of service or for each year remaining until the expiry of the appointment, whichever is higher. For fractions of a year, the indemnity shall be prorated.

Regulation 4.05
Resignation

(a) A staff/mission member may resign by giving the Secretary General, respective head of institution/mission, and the appointing authority the same period of written notice as would be required for termination of his/her appointment or assignment. The Secretary General, respective head of institution/mission, and the appointing authority may, however, accept shorter notice.

(b) The Secretary General, heads of institution, the heads of mission and the representatives of the Chairmanship shall give their notice to the Chairmanship, who shall notify the Permanent Council of this resignation.

Article V

SALARIES AND ENTITLEMENTS

Regulation 5.00

Standards of Remuneration

The OSCE adheres to the standards of remuneration established in the United Nations common system. Under no circumstances shall the cost of the remuneration package exceed that of the United Nations common system.

Regulation 5.01

Classification of Posts

The Secretary General shall make provision for the classification of posts according to the nature of the duties and responsibilities required and reflect such determinations in the post tables submitted to participating States through the Unified Budget.

Regulation 5.02

Salaries

- (a) Within the limits specified in the Staff Rules, salaries of international contracted OSCE officials shall be in accordance with the net salary scale applicable in the United Nations common system to staff in the Professional and higher categories.
- (b) Salary scales of locally contracted staff/mission members shall be established by the Secretary General, taking into account, if available, the local net salary scales of the organizations of the United Nations common system or, if not, the generally applicable local salary levels in the respective duty station, and the host country's applicable income tax system if any.
- (c) The salary scales shall be appended to the Staff Rules which shall specify the procedures applicable to the payment of the salaries.
- (d) The salary scales shall be included in the Unified Budget.

Regulation 5.03

Post Adjustment

Salaries paid to international contracted staff members, and to the Secretary General and the heads of institution shall be subject to post adjustment in accordance with the International Civil Service Commission's decisions.

Regulation 5.04
Salary Increments

(a) Fixed-term contracted staff/mission members shall, as a rule, be appointed at step one of the salary scale. Under the conditions specified in the Staff Rules, the competent authority for appointment under Regulations 3.03, 3.04 and 3.05 may exceptionally approve the appointment at a higher step.

(b) A periodic salary increment shall be awarded to fixed-term contracted staff/mission members in accordance with the Staff Rules, on the basis of satisfactory performance as reflected in appraisal reports pursuant to Regulation 3.11.

Regulation 5.05
Taxation

In the event an OSCE official is subject to national income taxation with respect to the net salaries and emoluments paid to him/her by the OSCE, the Secretary General is authorized to refund him/her the amount of those taxes paid to the extent that such amounts have been reimbursed to the Organization by the State concerned.

Regulation 5.06
Unauthorized Absence from Work

Salaries and other emoluments shall not be paid to staff/mission members in respect of periods of unauthorized absence from work.

Regulation 5.07
Recovery of Undue Payments

The Staff Rules shall specify the conditions under which the OSCE is entitled to recover undue payments made to OSCE officials.

Regulation 5.08
Travel Expenses

(a) The OSCE shall reimburse OSCE officials for expenses for duty travel in accordance with the conditions and procedures specified in the Staff Rules.

(b) Within the limits and under the conditions laid down in the Staff Rules, the OSCE shall reimburse eligible OSCE officials and, if applicable, their eligible dependents, for travel expenses incurred upon:

- (i) Appointment;
- (ii) Change of duty station;
- (iii) Home leave;
- (iv) Separation from service;
- (v) Medical evacuation pending reimbursement;
- (vi) Education grant travel.

Regulation 5.09
Removal Expenses

Within the limits and under the conditions laid down in the Staff Rules, the OSCE shall reimburse eligible OSCE officials, for removal expenses incurred upon:

- (i) Appointment;
- (ii) Change of duty station;
- (iii) Separation from service.

Regulation 5.10
Installation Grant

(a) Under the conditions laid down in the Staff Rules, the OSCE shall pay an installation grant to eligible international fixed-term contracted staff members, including the Secretary General and the heads of institution, in respect of themselves and their eligible dependents upon appointment and transfer to another duty station provided that service is foreseen for at least twelve months.

(b) The installation grant shall be the equivalent of the daily subsistence allowance applicable to the duty station, and fifty per cent of that amount for each eligible dependent, and shall be paid for a period of thirty days after arrival at the duty station.

**Regulation 5.11
Repatriation Grant**

Under the conditions laid down in the Staff Rules, the OSCE shall pay a repatriation grant to international fixed-term contracted staff members, including the Secretary General and the heads of institution, in respect of themselves and their eligible dependents upon separation from service.

**Regulation 5.12
Rental Subsidies**

Under the conditions laid down in the Staff Rules, the OSCE shall pay rental subsidies to eligible international fixed-term contracted staff members, including the Secretary General and the heads of institution.

**Regulation 5.13
Board and Lodging Allowances**

Under the conditions laid down in the Staff Rules, the OSCE shall pay board and lodging allowances to international mission members, including heads of mission, unless they have the status of permanent resident in the host country of the mission.

**Regulation 5.14
Dependency Allowances**

(a) Under the conditions laid down in the Staff Rules, the OSCE shall pay dependency allowances to eligible fixed-term contracted staff members, including the Secretary General and the heads of institution, as follows:

- (i) For eligible international staff members, a child allowance shall be paid for each dependent child equal to the amount approved in the United Nations common system. However, such an allowance shall not be paid in respect of the first dependent child if the staff member has no dependent spouse; in this case the staff member shall be remunerated in accordance with the dependency rate of the salary scales;
- (ii) For each disabled child an annual amount equal to the amount approved by the United Nations General Assembly for the United Nations common system. However if the staff member has no dependent spouse and is entitled in respect of a disabled child to be remunerated in accordance with (i) above, the allowance shall be the same as the allowance for a dependent child in (i) above. The age-limit shall not apply in respect of a disabled child;

- (iii) For eligible local staff members, dependency allowances shall be paid at rates and under conditions as established for each of the duty stations of the OSCE taking into account the United Nations common system.
- (b) The Secretary General shall establish a mechanism to avoid duplication of benefits for the same purpose from different sources which will be elaborated in the Staff Rules.
- (c) If both parents are staff members, only one may claim for dependent children.

Regulation 5.15
Education Grant

- (a) Under the conditions laid down in the Staff Rules, the OSCE shall pay education grant to eligible international fixed-term contracted staff members, including the Secretary General and heads of institution, in respect of their dependent children.
- (b) The education allowance shall represent 75 per cent of schooling costs actually incurred, in the limits of the maximum education grant set by the United Nations for the respective duty station.
- (c) Special education grants for disabled children, education travel costs and reimbursement of tuition for the teaching of the mother tongue for a dependent child attending local school shall be granted in accordance with the United Nations common system.

Regulation 5.16
Hazard Pay

Under the conditions laid down in the Staff Rules, the OSCE shall pay hazard pay to eligible OSCE officials working in duty stations designated by the Secretary General, in consultation with the heads of mission, as locations where hazardous conditions prevail.

Regulation 5.17
Special Post Allowance

Under the conditions laid down in the Staff Rules, the OSCE shall pay special post allowances to eligible fixed-term contracted staff/mission members who are temporarily assigned to higher level posts in accordance with Regulation 3.12.

Article VI
SOCIAL SECURITY AND PROVIDENT FUND

Regulation 6.01
OSCE Social Security Scheme

- (a) Under the conditions specified in the present Article and in the Staff Rules, the OSCE shall contribute to:
- (i) Health insurance for contracted OSCE officials;
 - (ii) Pension insurance for fixed-term contracted OSCE officials;
 - (iii) Accident and life insurance connected with the performance of official duties for OSCE officials;
 - (iv) Emergency medical evacuation insurance for OSCE officials.
- (b) The Secretary General shall make arrangements, either with insurers or through self insurance, for the four insurance branches listed in (a) above, hereinafter referred to as OSCE schemes.
- (c) OSCE officials shall, in no case, have double social security coverage at the expense of the OSCE.

Regulation 6.02
OSCE Health Insurance Scheme

- (a) Contracted OSCE officials shall participate in the OSCE health insurance scheme, unless they are authorized by the Secretary General to continue participation in the health insurance scheme in which they participated before their appointments with the OSCE.
- (b) The OSCE shall contribute 50 per cent of the cost of health insurance for eligible OSCE officials who participate in the OSCE health insurance scheme. The OSCE shall also contribute 50 per cent of the cost for their eligible dependents. If an OSCE official is authorized to participate in a health insurance scheme, other than the OSCE's or a national scheme, the OSCE shall contribute either 50 per cent of the cost of the other scheme or 50 per cent of the cost of the OSCE scheme, whichever is the lower.
- (c) The OSCE shall not contribute to a supplementary health insurance scheme.
- (d) Seconded OSCE officials shall provide the OSCE with evidence that they have an appropriate and sufficient health insurance coverage. Should they wish to participate in the OSCE health insurance scheme, they shall contribute to it at their own expense.

Regulation 6.03
OSCE Provident Fund

- (a) Fixed-term contracted OSCE officials shall participate in the OSCE Provident Fund, unless they are authorized by the Secretary General to continue participation in the pension insurance scheme in which they participated before their appointments with the OSCE. In case the official concerned opts for continuation in a pension insurance scheme other than a national scheme one, the OSCE shall contribute the employer's share of either the other scheme or the OSCE Provident Fund, whichever is lower.
- (b) The OSCE shall contribute an amount of 15 per cent and the OSCE official 7.5 per cent of the OSCE official's net base salary, including post adjustment, if applicable, for the account of any OSCE official participating in the Provident Fund of the OSCE.
- (c) OSCE Provident Fund benefits shall be paid in accordance with the Staff Rules.

Regulation 6.04
OSCE Accident and Life Insurance Scheme

Under the conditions specified in the Staff Rules, the OSCE shall pay the cost of accident and life insurance, the purpose of which shall be to pay benefits to OSCE officials in case of injury, illness, death or disability attributable to the performance of official duties.

Regulation 6.05
OSCE Emergency Medical Evacuation Insurance Scheme

Under the conditions specified in the Staff Rules, the OSCE shall pay the cost of insurance for emergency medical evacuation:

- (i) For international mission members; and
- (ii) For OSCE officials when they are on duty travel.

Regulation 6.06
OSCE Contributions to Social Security Schemes other than the OSCE Scheme

- (a) For contracted OSCE officials participating in the national social security scheme of the host country, the OSCE shall contribute the share of the contributions which, in accordance with the scheme, is payable by the employer in respect of the employee, normally for each branch to which the OSCE contributes in accordance with this Article.
- (b) For contracted OSCE officials who are authorized to continue participation in another scheme, the OSCE shall reimburse upon submission of documentary evidence proving payment, the employer's contribution for the corresponding scheme up to an amount equivalent to the lower of the two employer's contributions within the following limits:

- (i) For health insurance, up to 6.5 per cent of their monthly net salary, including post adjustment, if applicable;
- (ii) For pension insurance, up to 15 per cent of their monthly net salary, including post adjustment, if applicable.

Article VII WORKING HOURS AND LEAVE

Regulation 7.01

Working Hours

- (a) The working week and working hours shall be defined by the Secretary General and the heads of institution/mission, according to the normal practice at the respective duty stations and be included in the Staff Rules.
- (b) The Staff Rules shall specify the conditions under which overtime may be compensated, as well as the conditions applicable to part-time work, night work and service outside normal working hours.
- (c) The Secretary General, in consultation with the heads of institution and missions, shall decide which days are to be observed as holidays at each duty station. There shall be nine OSCE holidays in each calendar year.

Regulation 7.02

Annual Leave

- (a) OSCE officials shall be entitled to annual leave at the rate of two-and-a-half working days per month.
- (b) Leave shall only be taken when authorized in advance by the supervisor.
- (c) In the case of the Secretary General, the heads of institution and the heads of mission, leave shall be authorized by the Chairmanship.

Regulation 7.03

Home Leave

- (a) Under the conditions and limits specified in the Staff Rules, home leave shall be granted to:
 - (i) International fixed-term contracted staff members, including the Secretary General and heads of institution, once every two years;
 - (ii) International fixed-term mission members, including the heads of mission, once every year.
- (b) Travel expenses incurred shall be reimbursed by the OSCE under the conditions specified in the Staff Rules.

Regulation 7.04
Special Leave

(a) OSCE officials shall be entitled to special leave on full or partial pay or without pay, for the following reasons:

- (i) Marriage of the OSCE official: two days;
- (ii) Paternity leave: four days;
- (iii) Death of spouse/child/parent/sibling: four days;
- (iv) Death of a parent-in-law: two days.

(b) Special leave for reasons other than those mentioned in (a) above may be granted, on full or partial pay or without pay, for exceptional reasons and in the interest of the OSCE, and, in the case of seconded staff/mission members, where their national legislation so provides, in accordance with the conditions specified in the Staff Rules.

(c) International fixed-term mission members serving in duty stations where extreme hardship or hazardous conditions prevail, may be granted rest and recuperation leave under the conditions specified in the Staff Rules.

Regulation 7.05
Sick Leave

OSCE officials who are unable to perform their duties because of illness or injury, or whose attendance is prevented by public health requirements, shall be granted sick leave under the conditions specified in the Staff Rules.

Regulation 7.06
Maternity and Adoption Leave

(a) Under the conditions specified in the Staff Rules, female OSCE officials shall be entitled to maternity leave of sixteen consecutive weeks. This period may be extended by two weeks in the event of a multiple birth.

(b) Under the conditions specified in the Staff Rules, OSCE officials shall be entitled to adoption leave.

Article VIII
STAFF RELATIONS

Regulation 8.01
Staff Relations

The Secretary General, the heads of institutions and the heads of mission shall establish and maintain continuous contact and communication with all staff/mission members in order to ensure their effective participation in identifying, examining and resolving issues relating to staff welfare, including conditions of work and other personnel policies. The Secretary General shall provide guidelines for this purpose.

Regulation 8.02
Staff Representation

- (a) Staff/mission members shall have the right to elect staff representatives. Staff Rules shall specify the conditions under which staff representation in the Secretariat, the institutions and the missions is organized and define the criteria for eligibility to elect or to be elected as staff representatives.
- (b) Staff representative bodies shall be composed in such a way as to afford equitable representation of all staff/mission members in the Secretariat or their respective institution or mission.
- (c) The activities of the representative staff bodies shall not impose an excessive burden on the Unified Budget.

Article IX
DISCIPLINARY PROCEDURE

Regulation 9.01
Misconduct Warranting Disciplinary Action

Non-compliance by a staff/mission member with an obligation stipulated in the present Regulations, the Staff Rules, the OSCE Code of Conduct, or any other relevant administrative issuance may constitute misconduct warranting disciplinary action.

Regulation 9.02
Due Process

No disciplinary measure shall be imposed unless the staff/mission member concerned has been notified in writing of the allegations and has been given a reasonable opportunity to respond.

Regulation 9.03
Disciplinary Measures

(a) The appropriate disciplinary measure shall be taken by the Secretary General or the respective head of institution/mission in respect of the disciplinary procedure established in accordance with the Staff Rules.

(b) The disciplinary measures shall be as follows:

- (i) Written censure;
- (ii) Written censure with transfer to another post of the same grade, either in the same duty station or in another duty station in the mission area;
- (iii) Suspension without pay for a period not exceeding two weeks;
- (iv) For OSCE staff/mission members entitled to salary increments, deferment of the next increment for a period not exceeding twelve months;
- (v) For OSCE staff/mission members entitled to salary increments, relegation by one step in the relevant salary scale;
- (vi) For OSCE staff/mission members with grade, demotion, i.e. personal downgrading in their own post;
- (vii) Transfer to another post of a lower level, either in the same duty station or in another duty station in the mission area;

- (viii) Separation from service, with or without notice or compensation in lieu thereof;
 - (ix) Summary dismissal.
- (c) Pending investigation and conclusion of the disciplinary procedure, the Secretary General or the respective head of institution/mission may suspend from duty the staff/mission member with or without pay.
- (d) If the suspension from duty, the transfer to another post or the separation from service of an international fixed-term staff/mission member is contemplated, the decision shall be taken in consultation with the Secretary General. In addition, in the case of a seconded staff/mission member, the seconding country shall be informed prior to the decision.

Article X APPEALS

Regulation 10.01 Internal Appeals Procedure

- (a) The Secretary General shall establish an appeals procedure for staff/mission members against administrative decisions concerning alleged non-observance of their letters of appointment or terms of assignment, or of any provisions governing their working conditions, as well as in relation to disciplinary measures taken against them.
- (b) In the event of an appeal, an Internal Review Board shall be established to advise respectively the Secretary General, the head of institution or the head of mission regarding that appeal. To the extent possible, staff representation shall be assured in the Internal Review Board.
- (c) To be considered, an appeal shall be lodged within thirty days from the date of the notification of the impugned decision.

Regulation 10.02 External Appeals Procedure

- (a) Further to the procedure established in Regulation 10.01, a fixed term staff/mission member shall have a right of final appeal to a Panel of Adjudicators against an administrative decision directly affecting him/her in accordance with the Terms of Reference set forth in Appendix 2 of the Staff Regulations and Rules.
- (b) The Panel of Adjudicators shall be appointed by the Chairmanship from a roster to which all participating States are invited to nominate candidates, and shall carry out its functions in accordance with the Terms of Reference referred to above.

Regulation 10.03 Effect of the Appeal

Filing an internal appeal or a final appeal shall not imply suspension of the execution of the impugned decision.

Article XI FINAL PROVISIONS

Regulation 11.01 Amendment

- (a) These Regulations shall not be regarded as establishing acquired rights of the staff; they may be revised, amended or suspended by the Permanent Council. If such proposed revisions or amendments pertain to the terms and conditions of service of staff, the Permanent Council shall, prior to the decision, be advised of the views of the Secretary General on the matter.
- (b) Amendments to the Staff Rules shall be communicated to the Permanent Council prior to their promulgation by the Secretary General. Any budgetary implications of amendments to the Staff Rules shall be presented to the Permanent Council for approval before the Rules in question are promulgated.
- (c) The Permanent Council shall review periodically the implementation of these Regulations, including the effectiveness of the recruitment and appointment criteria, policies and procedures, the conditions of service of OSCE officials and the adequacy of the level of remuneration and its affordability in the light of the OSCE's financial situation.
- (d) Any budgetary implications of amendments to the Staff Rules shall be presented to participating States for approval before the Rules in question are promulgated.

Regulation 11.02 Settlement by Mutual Agreement

In exceptional cases and in the interest of the OSCE, the Secretary General, or the respective head of institution/mission in consultation with the Secretary General, shall be empowered to conclude mutually agreed settlements with staff/mission members, in relation to separation from service or disputes about working conditions, provided that they renounce all right of appeal.

PC.DEC/550/Corr.1
27 June 2003
Attachment 1

ENGLISH
Original: RUSSIAN

**INTERPRETATIVE STATEMENT UNDER PARAGRAPH 79
(CHAPTER 6) OF THE FINAL RECOMMENDATIONS
OF THE HELSINKI CONSULTATIONS/Corrected reissue***

By the Delegation of the Russian Federation:

“The Russian Federation has joined the consensus with regard to the Staff Regulations adopted today, which we regard as a significant step forward in the matter of reforming the OSCE, bringing order into the activities of its principal bodies, institutions and missions and ensuring the necessary transparency in those activities.

While supporting this decision, the Russian delegation believes it necessary to make the following statement.

All the formulations and definitions contained in the Regulations relate exclusively to the set of issues governed by this specific document, and in no way do they set a precedent or prejudge the results of discussions on other problems or in other negotiation formats. This applies, among other things, to the sections of the Staff Regulations and Rules concerning the privileges and immunities of OSCE officials, including the procedure and authority for the lifting of immunities. These matters are the subject of separate consultations within the working group on the drafting of a multilateral convention on the legal capacity, privileges and immunities of the OSCE. In those consultations, the Russian Federation reserves the right to adhere to its well-known positions, which are based on the domestic legislation and the legal practice of the Russian Federation. Russia will maintain the same approach in the practical implementation of the relevant sections of the Staff Regulations and Rules.

While we have agreed to the adoption of this document, it is the understanding of the Russian Federation that the Staff Regulations and Rules may be improved and will be reviewed, amended and suspended, as required, in accordance with the established procedure.

We request that this interpretative statement be attached to the Journal of the day.”

* Incorporates corrections to the translation of the attachment to the decision.

PC.DEC/550/Corr.1
27 June 2003
Attachment 2

Original: ENGLISH

**INTERPRETATIVE STATEMENT UNDER PARAGRAPH 79
(CHAPTER 6) OF THE FINAL RECOMMENDATIONS
OF THE HELSINKI CONSULTATIONS**

By the Delegation of Turkey:

“Our delegation, having joined the consensus on the decision on the approval of the OSCE Staff Regulations, would like to underline that it understands the term ‘on a fair basis’ in Article 3.01 (b) of the revised Staff Regulations as meaning ‘taking full account of equal opportunity requirements, the diversity of the OSCE community and geographical balance within the Organization’.

We request that this statement be attached to the Journal of today’s meeting.”

PC.DEC/550/Corr.1
27 June 2003
Attachment 3

Original: ENGLISH

**INTERPRETATIVE STATEMENT UNDER PARAGRAPH 79
(CHAPTER 6) OF THE FINAL RECOMMENDATIONS
OF THE HELSINKI CONSULTATIONS**

By the Delegation of Albania:

“In connection with the decision just adopted on the approval of the OSCE Staff Regulations, this delegation would like to state that the word ‘fair’ in paragraph 3.01 (b) of the Staff Regulations is understood to mean and interpreted as ‘equitable’.

I would like to request that this interpretative statement be attached to the Journal of the day and the decision.”