



**Organization for Security and Co-operation in Europe**

**Secretary General  
Vienna, 6 October 2022**

**Staff Instruction No. 21/Rev.2**

**Subject: Professional Working Environment**

**1. Reference**

Staff Regulation 2.01

OSCE Code of Conduct, Appendix 1 to the OSCE Staff Regulations and Staff Rules  
PC.DEC/399/Corr.1, Annex 6 – Internal Oversight Mandate

**2. Purpose**

**2.1** The purpose of this Staff Instruction is to define the OSCE policy on the professional working environment and to establish the procedures to be followed should allegations of violations of this Staff Instruction be reported.

**2.2** This Staff Instruction underpins and further advances efforts to promote workplaces and practices that are safe and free of violations of this Staff Instruction.

**3. Applicability**

**3.1** This Staff Instruction applies to all OSCE officials.

**3.2** Non-OSCE staff, as defined in paragraph 5 (j), shall be made aware of this policy, and their respective contractual arrangements with the OSCE shall ensure that they are bound to abide by it.

**3.3** The mere expression of disagreement, admonishment, criticism or similar action regarding work performance, conduct, or any such related issues within a supervisory relationship, where communicated appropriately, shall not normally be considered a violation of this Staff Instruction. Such work-related disagreements shall normally fall under the provisions of Staff Instruction 15 on Performance Management in the OSCE.

**4. Effective Date**

**4.1** This Staff Instruction takes effect on 1 November 2022, and it cancels and supersedes Staff Instruction No. 21/Rev.1.

**4.2** Circulars or guidelines issued on the same subject shall be adjusted in accordance with this revised Staff Instruction. In case of inconsistency, this Staff Instruction shall prevail.

## 5. Definitions

For the purpose of this Staff Instruction, the following definitions shall apply:

- (a) **Harassment** is any improper conduct or practice on the part of one or more OSCE officials or non-OSCE staff that reasonably causes, or might reasonably be expected to cause, offence or humiliation to another OSCE official or non-OSCE staff. Harassment may take the form of words, gestures, actions or omissions which tend to annoy, alarm, abuse, demean, intimidate, belittle, humiliate or embarrass another or which create an intimidating, hostile or offensive work environment.
- (b) **Sexual harassment** is harassment, as defined in paragraph 5 (a), which contains a sexual element. It includes any unwelcome sexual advance, request of a sexual favour, verbal or physical conduct or gesture of a sexual nature or any other unwelcome behaviour, including the displaying of pornography to another OSCE official or non-OSCE staff, or making remarks, jokes and/or suggestive comments with a sexual connotation or of a sexual nature. Sexual harassment further includes making a sex-related act or behaviour a condition of employment or career advancement, taking advantage of a position of vulnerability, differential power, or trust for sexual purposes, or profiting monetarily, socially or politically from any such aforementioned activity.
- (c) **Discrimination** is any arbitrary distinction on the basis of gender, race, religion or belief, nationality, ethnic or social origin, age, sexual orientation, marital status, disability or other aspects of personal status, which would reasonably have the effect of treating an individual or group unfairly or unjustly either directly or indirectly.
- (d) **Abuse of authority** is any improper use of a position of influence, power or authority of one individual against another. It is not restricted to supervisory relationships and may occur between OSCE officials and non-OSCE staff.
- (e) **Complainant** is any OSCE official or non-OSCE staff who submits a complaint alleging a violation of this Staff Instruction.
- (f) **Victim** is any OSCE official or non-OSCE staff who has been subjected to a violation of this Staff Instruction.
- (g) **Alleged offender** is the subject of an allegation of a violation of this Staff Instruction.
- (h) **Zero-tolerance** shall mean that allegations of violations of this Staff Instruction shall be addressed with the utmost seriousness and as a matter of priority.
- (i) **Informal resolution** is the process by which a workplace conflict is addressed in an informal manner using the avenues described in section 8 of this Staff Instruction and in any further administrative issuance on this subject.

- (j) **Non-OSCE staff** shall mean persons working for the OSCE who are not subject to the OSCE Staff Regulations and Staff Rules, e.g. daily or hourly staff (Staff Instruction No. 18), consultants (Staff Instruction No. 23), interns (Staff Instruction No. 25), Junior Professional Officers, as well as other individuals undertaking activities on behalf of, or as part of, the OSCE.

## **6. Principles**

**6.1** The OSCE is committed to maintaining a professional working environment in which all individuals are treated equally, and with respect, dignity and courtesy, in accordance with paragraph 6 of the OSCE Code of Conduct.

**6.2** Wherever possible and appropriate, the OSCE encourages the use of informal resolution to resolve workplace conflicts.

**6.3** The OSCE has a zero-tolerance approach to harassment, sexual harassment, discrimination or abuse of authority.

**6.4** While typically involving a pattern of behaviour, a violation of the OSCE's professional working environment can take the form of a single incident.

**6.5** Any violation of this Staff Instruction may constitute misconduct warranting disciplinary action in accordance with Article IX of Staff Regulations and Staff Rules.

**6.6** While considering the perspective of the complainant is an essential part of the assessment of alleged violations, assessment of whether behaviour is inappropriate is not purely subjective. When assessing complaints, the OSCE applies a reasonableness test, and whether behaviour constitutes a violation of this Staff Instruction shall be based on an assessment of the facts and circumstances in which they occur, taking into account the particular sensitivities required in the OSCE's multicultural environment.

**6.7** All complaints and associated documents shall be treated as confidential. The sharing of information regarding complaints shall be strictly confined to those who need to know the information to discharge their responsibilities or functions. Cognizant of the benefit of transparency, the OSCE shall strive to make all information relevant for the case available to the complainant, the victim and/or the alleged offender, including the investigation report, to the extent necessary to protect private or confidential data of others, or the essential interests of the OSCE. This may require the redacting and/or anonymizing of certain documents.

**6.8** The making of a complaint or co-operating in any process pursuant to this Staff Instruction shall be considered a protected activity and OSCE officials and non-OSCE staff shall be entitled to protection from retaliation in accordance with Staff Regulation 9.02 and any further administrative issuance on this subject.

**6.9** The OSCE shall provide assistance and support to victims as it deems necessary and appropriate on a case-by-case basis. This may include assistance in obtaining immediately needed services (e.g. psychological counselling) or reasonable workplace adjustments.

## **7. Duties and Responsibilities**

### **7.1 OSCE officials and non-OSCE staff shall inter alia:**

- (a) Familiarize themselves with this Staff Instruction and abide by its standards at all times, whether on or off duty;
- (b) Be respectful of other OSCE officials or non-OSCE staff and maintain the highest standards of conduct befitting the status of international civil servants, in line with the Staff Regulations and Staff Rules, including the Code of Conduct;
- (c) Co-operate fully with any process under this Staff Instruction and respect the confidentiality of any related information.

### **7.2 Responsibilities of supervisors:**

- (a) Foster an environment of mutual respect and courtesy by offering guidance and support to their team and promptly taking steps in accordance with this Staff Instruction to address conduct that falls short of the expected standards of a professional working environment;
- (b) Act as a resource for any person under their supervision who believes that s/he has been or is being subjected to, or has witnessed, a violation of this Staff Instruction;
- (c) The failure of supervisors to address a violation of this Staff Instruction that has come to their attention may be considered as misconduct warranting disciplinary action in accordance with Article IX of the Staff Regulations and Staff Rules.

### **7.3 Responsibilities of the OSCE:**

- (a) The OSCE has an obligation to take all appropriate steps to promote a professional working environment and prevent violations of this Staff Instruction;
- (b) The Department of Human Resources (DHR) is responsible for the OSCE-wide implementation of this Staff Instruction, providing guidance to executive structures on the interpretation of its application and offering psychosocial support as needed;
- (c) The respective local HR/CFA shall advise OSCE officials and non-OSCE staff with regard to the relevant regulatory framework, procedures and possible courses of action;
- (d) The Office of Internal Oversight (OIO) is responsible for overseeing the effective operation of any investigation commissioned or conducted by any investigation panel across the OSCE, and is the sole investigations entity investigating allegations of sexual harassment;

- (e) An investigation panel is a body established by the Secretary General or the head of institution/mission to conduct fact-finding into allegations of harassment, discrimination and/or abuse of authority, comprising at least two OSCE officials, preferably those who have been trained to conduct such investigations, and/or qualified external investigators;
- (f) The Ethics Co-ordinator shall provide advice on ethics-related issues arising from the implementation of this Staff Instruction, including situations involving a possible conflict of interest;
- (g) The Informal Resolution function provides confidential and impartial informal resolution services to OSCE officials and eligible non-OSCE staff to address workplace conflict, including matters arising from this Staff Instruction;
- (h) The Office of Legal Affairs (OLA) shall provide legal advice and support to DHR and other functions on the interpretation and implementation of this Staff Instruction.

## **8. Informal Resolution**

**8.1** The OSCE encourages informal resolution of workplace conflicts at their earliest stage and wherever possible and appropriate, recognizing its importance for maintaining professional working environment. As may be elaborated in any further administrative issuance on this subject, individuals impacted by a workplace conflict may, as appropriate, use one or more of the informal resolution avenues, including:

- (a) Approaching the other party(ies) to the conflict;
- (b) Involving an OSCE official as a third party;
- (c) Seeking guidance from DHR or the local HR office;
- (d) Availing of workplace mediation services, provided both parties agree.

**8.2** Individuals who are considering using informal resolution can seek further guidance on the options available, including from DHR or the respective local HR/CFA, staff representatives, or the Ethics Co-ordinator in the Secretariat. Informal resolution can be availed at any time, before, during, and after filing a formal complaint, in which case any formal complaint process that may have commenced will be paused, unless the matter is under investigation by OIO or a Disciplinary Committee has been established.

## **9. Formal Procedure**

**9.1** OSCE officials and non-OSCE staff who consider themselves to have been or are being subjected to, or witnessed, harassment, sexual harassment, discrimination and/or abuse of authority within the meaning of this Staff Instruction may submit a formal complaint.

**9.2** A formal complaint can be made using the complaint form as set out in **Annex 1** to this Staff Instruction. Whilst there is no requirement to use this form, complaints submitted in a different format should normally state:

- (a) the name of the alleged offender;
- (b) the name of the complainant;
- (c) the name of the alleged victim, if the complaint is made by a third party;
- (d) the date(s), location(s) and description of the alleged incident(s) of harassment, sexual harassment, discrimination and/or abuse of authority;
- (e) the names of witnesses, if any; and
- (f) any other relevant information.

**9.3** The formal complaint may be prepared and/or submitted, on behalf of the alleged victim and with their consent, by another OSCE official or non-OSCE staff.

**9.4** The complaint shall be submitted to the Secretary General with a copy to the Director, DHR, or to the respective head of institution/mission with a copy to the CFA and HR. Complaints related to sexual harassment may also be addressed directly to OIO, consistent with OIO's role as set out in paragraph 9.25. All complaints must be signed, which may be by electronic means, and dated.

**9.5** Where allegations of a violation of this Staff Instruction are made against a head of institution/mission, or where there may be a conflict of interest on the part of the head of institution/mission, the complaint shall be submitted to the Secretary General, with a copy to the Director, DHR.

**9.6** Cognizant of the Organization's need to address alleged violations in a timely manner, in order to be considered, formal complaints shall be filed: (a) within 90 days of the last incident of the alleged violation of this Staff Instruction, or within 30 days of the conclusion of a prior informal resolution process where that process has been unsuccessful; and (b) prior to separation from the OSCE. The foregoing time limitations shall not apply to allegations of sexual harassment or to exceptional situations as determined by the Secretary General or the respective head of institution/mission, in consultation with the Secretary General for international staff/mission members.

**9.7** Complaints must be made in good faith, which means that they must not be knowingly false or misleading. The submission of a complaint found to have been made in bad faith may constitute misconduct warranting disciplinary action.

**9.8** Cognizant that there often may be difficulties in establishing corroborating evidence of harassment, sexual harassment, discrimination and/or abuse of authority, the minimum standard of proof required to find an allegation substantiated shall be the preponderance of evidence.

#### ***Steps after the receipt of a formal complaint***

**9.9** The receipt of the complaint shall be acknowledged by the Secretary General, the respective head of institution/mission or an authorized representative as delegated by the Secretary General or the respective head of institution/mission.

**9.10** Further to the acknowledgement referenced to in paragraph 9.9, the Secretary General, or the respective head of institution/mission, in consultation with the Secretary General for international staff/mission members, shall determine, within 5 working days, whether the:

- (a) Complaint includes allegations of sexual harassment, in which case it shall be referred to the Office of Internal Oversight, in accordance with paragraph 9.25;
- (b) Time limits set out in paragraph 9.6 have been met or exceptional situations warrant the waiver of the time limitations;
- (c) Complaint constitutes an appeal against an administrative decision that is alleged to be derived from a violation of this Staff Instruction, in which case the procedure set out in section 11 shall apply; and
- (d) Complainant would consider engaging in informal resolution if they have not done so already, where appropriate.

**9.11** At any point of time following the receipt of a complaint, and having due consideration for the allegations, the facts which may be established, and the interests and due process rights of both parties, interim measures may be implemented by the responsible official(s). Interim measures are implemented in order to protect the integrity of the process and evidence, to help prevent the occurrence/repetition of prohibited conduct and/or to cater for the security, safety or wellbeing of the parties involved and/or other affected individuals. Interim measures, which shall not be considered as retaliatory actions for the purposes of Staff Regulation 9.02 or any further administrative issuance on this subject, may include one or more of the following:

- (a) Physical separation of the alleged offender and the affected individual(s);
- (b) Temporary assignment of either the alleged offender or the affected individual(s);
- (c) Placement of the alleged offender on administrative leave pursuant to Staff Regulation 9.05;
- (d) Consideration of special leave for the affected individual(s) under Staff Regulation 7.04 (c);
- (e) Changes in reporting lines; and/or
- (f) Other measures as may be considered appropriate.

**9.12** Throughout the duration of the formal process, the appropriate stakeholders referred to in paragraph 7.3 shall regularly update the parties as to the stages and status of the process.

#### ***Allegations of harassment, discrimination and/or abuse of authority***

**9.13** Following the administrative assessment of complaints involving allegations of harassment, discrimination and/or abuse of authority, the Director for Human Resources or the respective head of institution/mission shall notify the alleged offender of the allegations and provide them with a copy of the complaint at the earliest practicable time, but no later than 10 working days upon receipt of the allegations, to enable them to provide their response within 10 working days. The alleged offender shall be advised in the same communication to abstain from any action that is retaliatory or might be perceived as such.

**9.14** At the earliest practicable time, normally not later than 20 working days following receipt of the alleged offender's response, the Secretary General or the respective head of institution/mission, in consultation with the Secretary General for international staff/mission members, shall complete a preliminary assessment to decide whether the allegations:

- (a) Are factually sufficiently established such that no further investigation is needed;
- (b) Should be investigated;
- (c) Are *prima facie* unsubstantiated;
- (d) Fall outside the scope of application of this Staff Instruction.

**9.15** If it is decided that the allegations are to be investigated, pursuant to paragraph 9.14 (b), OIO shall be afforded 10 working days to review the complaint and the alleged offender's response in order to determine if OIO shall conduct the investigation.

**9.16** In the event that OIO does not elect to investigate the complaint, an investigation panel referred to in paragraph 7.3 (e) of this Staff Instruction shall be established by the Secretary General or the respective head of institution/mission.

**9.17** Within 90 days of the opening of the investigation by OIO or the constitution of an investigation panel, the OIO or the investigation panel shall:

- (a) Complete the investigation, or
- (b) Where the complexities of the case necessitate an extended period, inform the Secretary General or the respective head of institution/mission, as well as the complainant and the alleged offender, as appropriate, of the status of the investigation and, to the extent possible, of the estimated timeframe for completion of the investigation.

**9.18** OIO shall oversee all investigation panels. Prior to commencing the investigation and throughout the conduct of the investigation, the investigation panel shall be in contact with OIO in order to obtain the necessary guidance and to ensure that the investigation is conducted appropriately. The investigation panel may also request DHR's guidance on the interpretation and application of this Staff Instruction and the HR management aspects of the case, or guidance from the Ethics Co-ordinator in line with paragraph 7.3 (f) of this Staff Instruction.

**9.19** The investigation panel shall submit its report to the Secretary General with a copy to the Director, DHR, or to the respective head of institution/mission with a copy to the CFA, and to the Director, OIO.

**9.20** At this stage, or if it has been determined that the allegations are factually sufficiently established such that no further investigation is needed, Staff Regulation 9.03 (a) applies:

*“Following the response of the staff/mission member to the allegations raised against him/her and the investigation if one has been conducted, the following courses of action may be taken:*

- (i) *Full exoneration from the allegations;*
- (ii) *Partial exoneration from the allegations;*
- (iii) *Submission of the case to the Disciplinary Committee in accordance with Regulation 9.06, unless the staff/mission member decides in writing to waive his/her right for the review of his/her case by the Disciplinary Committee;*
- (iv) *Dismissal in accordance with Rule 9.04.2.”*

**9.21** Where the alleged offender is non-OSCE staff, upon consideration of the investigation report, the Secretary General or the respective head of institution/mission will determine the appropriate course of action in line with this Staff Instruction and the relevant contractual arrangement. All such decisions, when made by heads of institutions/missions, shall be communicated to the Director for Human Resources.

**9.22** At any time during the formal procedure, the complainant may choose to withdraw the complaint by notifying the Secretary General or the respective head of institution/mission that s/he does not wish to proceed, in which case, the process may conclude. The Secretary General or the respective head of institution/mission may, however, decide that the continuation of the formal procedure is in the interest of the OSCE, irrespective of the withdrawal of the complaint. In either case, the parties to the process shall be informed accordingly. Where an investigation has been initiated, the Director of OIO may be consulted on whether or not to conclude the investigation.

#### ***Allegations of sexual harassment***

**9.23** When sharing information related to complaints of sexual harassment on a need-to-know basis, careful consideration shall be given to the potential for abuse of and harm to those involved due to any improper disclosure.

**9.24** The identity of the actual or suspected victim and/or complainant<sup>1</sup> may only be revealed to the alleged offender provided that due consideration has been given to interim measures as set out in paragraph 9.11, in order to protect the safety and security of the actual or suspected victim and/or complainant.

**9.25** Due to the sensitive nature of sexual harassment, OIO shall be the sole office responsible for investigating sexual harassment complaints.

**9.26** At the earliest practicable time, normally not later than 20 working days following receipt by OIO of the complaint, OIO shall complete a preliminary assessment of the complaint, and the Director of OIO shall determine whether the complaint:

- (a) Shall be investigated;
- (b) Is *prima facie* unsubstantiated;
- (c) Falls outside the scope of this Staff Instruction.

**9.27** OIO will inform the Secretary General or the respective head of institution/mission of the outcome of its assessment pursuant to paragraph 9.26. During

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<sup>1</sup> Note that “victim and/or complainant” may refer to the same individual in certain circumstances.

its preliminary assessment, OIO shall inform the actual or suspected victim of the review and will take into account any objections or other concerns raised by the actual or suspected victim at that stage (e.g. related to privacy or fear of retaliation).

**9.28** If, following receipt of the preliminary assessment by OIO, the Secretary General, or the respective head of institution/mission, in consultation with the Secretary General for international staff/mission members, determines that there is no *prima facie* case of sexual harassment, the suspected victim and/or complainant shall be informed that it has been decided that an investigation will not be pursued and thus that the case is closed.

**9.29** Given the potential risk to the investigative process that may be posed by informing the alleged offender of the complaint upon its receipt, OIO shall provide the alleged offender with the opportunity to respond in writing to the complaint at an appropriate time during the investigation, as determined by OIO.

**9.30** Within 90 days of the opening of the investigation, OIO shall:

- (c) Complete the investigation, or
- (d) Where the complexities of the case necessitate an extended period, inform the Secretary General or the respective head of institution/mission, as well as the complainant and the alleged offender, as appropriate, of the status of the investigation and, to the extent possible, of the estimated timeframe for completion of the investigation.

**9.31** OIO shall submit a strictly confidential investigation report to the Secretary General or the respective head of institution/mission with a copy to Director, DHR.

#### Decision following receipt of the investigation report

**9.32** Where the alleged offender is an OSCE official, upon consideration of the investigation report, the Secretary General or the respective head of institution/mission, shall decide on the course of action in line with Staff Regulation 9.03.

**9.33** Where the alleged offender is non-OSCE staff, upon consideration of the investigation report, the Secretary General or the respective head of institution/mission shall determine the appropriate course of action in line with this Staff Instruction and the relevant contractual arrangement.

#### Referral to authorities

**9.34** If there is sufficient evidence to substantiate that an OSCE official or non-OSCE staff, has engaged in sexual harassment, the Secretary General or the respective head of institution/mission, in consultation with the Secretary General for international staff/mission members, may refer such cases to relevant authorities for investigation and/or prosecution. Decisions on such referrals shall take into account, to the extent possible, the views of the victim.

**9.35** To facilitate any relevant investigation and/or prosecution regarding matters covered by paragraph 9.34, the Secretary General may waive, in accordance with Staff

Regulation 2.03 (d), the immunity of the alleged offender who is an OSCE official or non-OSCE staff and may disclose the OSCE records that the authorities might require.

## **10. Special Circumstances**

**10.1 Separation of the alleged offender:** It may happen that following the submission of a complaint, but before the conclusion of the process, the alleged offender separates from the OSCE. In this case, the Secretary General, or the respective head of institution/mission, in consultation with the Secretary General for international staff/mission members, shall determine whether the complaint will be pursued despite the separation of the alleged offender. In the event that it is determined to pursue the complaint, the alleged offender will be afforded the opportunity to continue to participate in the process.

In cases where the complaint is *not* pursued, a note and the relevant files (e.g. complaint, investigation report etc.) shall be placed in the personnel file of the alleged offender, disclosing that they separated while being the subject of allegations of violation of this Staff Instruction, and the rationale for not pursuing the complaint, if applicable. The complainant and the alleged offender will be informed accordingly.

**10.2 Separation of the complainant:** If the complainant separates following the submission of a complaint, but before the conclusion of the process, the Secretary General or the respective head of institution/mission shall determine whether such a separation brings the complaint to an end. In the event that it is determined to pursue the complaint, the complainant will be afforded the opportunity to continue to participate in the process. If it is determined that the allegations have been made in bad faith, a note and the relevant files (e.g. complaint, investigation report etc.) shall be placed in the personnel file of the complainant. In all cases, the complainant and the alleged offender will be informed of the decision.

**10.3 Investigation without a formal complaint:** While allegations of violations of this Staff Instruction are normally considered only on the basis of a formal complaint, the Secretary General or respective head of institution/mission, in consultation with the Secretary General for international staff/mission members, may decide to initiate an investigation even if no formal complaint has been submitted. OIO may also investigate such matters that come to its attention.

**10.4 Joint formal complaints:** Although individual circumstances might be different, staff similarly situated and affected by an allegation of a violation of this Staff Instruction may submit a complaint jointly. In such cases, they shall be referred to as complainants and they shall maintain their individual rights to request clarification, support, review, and/or appeal in accordance with their individual rights under the Staff Regulations and Staff Rules.

## **11. Administrative Decisions Alleged to Derive from Harassment, Discrimination or Abuse of Authority**

**11.1** An OSCE official, who has received an administrative decision that s/he considers to derive from harassment, discrimination or abuse of authority and which s/he wishes to challenge, shall submit the form in Annex 1 to the Secretary General or

the respective head of institution/mission, as appropriate, within 30 days of receiving the administrative decision.

**11.2** Upon receipt of the form, the Secretary General or the respective head of institution/mission shall send the complaint to the individual(s) involved in taking the administrative decision to enable them to provide their response(s) within 10 working days.

**11.3** Upon receipt of the response(s), the Secretary General or the respective head of institution/mission shall decide within 10 working days whether to:

- (a) Refer the complaint for investigation, in which case the provisions outlined in paragraphs 9.15 to 9.19 shall apply, before proceeding with the appropriate steps outlined in Appendix 12 of the Staff Regulations and Staff Rules; or
- (b) Proceed with the appropriate steps outlined in Appendix 12 of the Staff Regulations and Staff Rules without an investigation.

**11.4** In accordance with Staff Regulation 10.03, the submission of the form in Annex 1 shall not imply the suspension of the execution of the administrative decision.

## **12. Final Provisions**

**12.1** Copies of the investigation report and of the Disciplinary Committee's report, together with the determinations and decisions made by the Secretary General or the respective head of institution/mission in relation to the formal complaint shall be placed:

- (a) In the personnel file of the alleged offender, unless the alleged offender has been fully exonerated;
- (b) In the personnel file of the complainant, if the complaint is found to have been submitted in bad faith, as set out in paragraph 9.7 of this Staff Instruction.

**12.2** The individuals referred to in paragraphs 12.1 (a) and (b) above shall be informed accordingly and shall be offered an opportunity to provide a response, which will also be placed on their personnel file.

**12.3** DHR shall be informed by the respective head of institution/mission of the outcomes of all complaints received pursuant to this Staff Instruction.

**12.4** The Director, DHR shall report periodically to the Secretary General on the implementation of this Staff Instruction.

## Annex 1

Date of receipt of the complaint by the OSCE:

### COMPLAINT FORM **PLEASE SUBMIT IN ACCORDANCE WITH 9.2, 9.3 OR 9.4, AND 9.5**

<b>1. Complainant<sup>2</sup></b>			
<b>Family name</b>	<b>First name(s)</b>	<b>Female</b> <input type="checkbox"/>	<b>Male</b> <input type="checkbox"/>
		<b>Prefer not to say</b> <input type="checkbox"/>	
<b>Date of birth: Day / Month / Year</b>		<b>Nationality(ies)</b>	
<b>Duty station</b> <i>Tick one.</i> 1 <input type="checkbox"/> Secretariat. Please specify the name of the Department and the Unit: ..... 2 <input type="checkbox"/> Institution/Mission. Please specify the name of the Institution/Mission: .....			
<b>Are you</b> An OSCE official <sup>3</sup> <input type="checkbox"/> Non-OSCE staff <sup>4</sup> <input type="checkbox"/>	<b>Type of contract</b> Junior Professional Officer <input type="checkbox"/> Contracted <input type="checkbox"/> Seconded <input type="checkbox"/> Intern <input type="checkbox"/> Consultant <input type="checkbox"/> Daily/Hourly <input type="checkbox"/> Other .....	<b>Type of appointment/assignment</b> Fixed-term <input type="checkbox"/> Short-term <input type="checkbox"/>	<b>Type of post</b> International <input type="checkbox"/> Local <input type="checkbox"/>
<b>Entry on duty date</b>	<b>Expiry date of contract</b>	<b>Title of post</b>	<b>Grade of post</b>
<b>Current postal address for correspondence.</b>			
<b>Current e-mail address and telephone for correspondence. Please indicate if you do <u>not</u> wish to be contacted by e-mail.</b>			
<b>2. Complaint concerning</b> <i>Tick as appropriate.</i> 1 <input type="checkbox"/> <b>Harassment</b> , e.g. improper conduct or practice on the part of one or more OSCE officials or non-OSCE staff that reasonably causes offence to, intimidates, demeans, belittles or humiliates another OSCE official or non-OSCE staff (see definition in paragraph 5 (a) of SI 21). Please indicate the name(s) of the alleged offender(s). ..... 2 <input type="checkbox"/> <b>Sexual Harassment</b> , e.g. harassment, which contains a sexual element. It includes any unwelcome sexual advance, request of a sexual favour, verbal or physical conduct or gesture of a sexual nature or any other unwelcome behaviour, including the displaying of pornography to another OSCE official or non-OSCE staff, or making remarks, jokes and/or suggestive comments with a sexual connotation or of a sexual nature. Sexual harassment further includes making a sex-related act or behaviour a condition of employment or career advancement, taking advantage of a position of vulnerability, differential power, or trust for sexual purposes, or profiting monetarily, socially or politically from any such aforementioned activity (see definition in paragraph 5 (b) of SI 21). Please indicate the name(s) of the alleged offender(s). ..... 3 <input type="checkbox"/> <b>Discrimination</b> , e.g. any treatment or arbitrary distinction on the basis of gender, race, religion or belief, nationality, ethnic or social origin, age, sexual orientation, marital status, disability or other aspects of personal status, which would reasonably have the effect of treating an individual or group unfairly or unjustly (see definition in paragraph 5 (c) of SI 21).			

<sup>2</sup> Please provide the required information known to you in the relevant boxes. The submissions shall consist of (1) this form, (2) any brief attached by you and (3) any supporting documents, in that order.

<sup>3</sup> As defined by Staff Regulation 1.01.

<sup>4</sup> As defined in paragraph 5 (j) of this Staff Instruction.

Please indicate the name(s) of the alleged offender(s).

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4 ☐ **Abuse of authority**, e.g. any improper use of a position of influence, power, or authority of one individual against another. It is not restricted to supervisory relationships, and may occur between OSCE officials and non-OSCE staff. (see definition in paragraph 5 (d) of SI 21)

Please indicate the name(s) of the alleged offender(s).

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**Single event or if a continuing event, date when event began.** *Tick one.*

1 ☐ Date of Event: ..... (D / M / Y)

2 ☐ Continuing event since: ..... (D / M / Y)

**3. Informal resolution (please indicate as applicable)**

**I have / have not** engaged in informal resolution to resolve the issues raised in my complaint.

**If no: I would / would not** be open to considering informal resolution before my complaint is handled through the formal procedures set out in this Staff Instruction.

**4. Complaint**

*Briefly describe your complaint below and any supporting facts and witnesses. In addition, you may set out the facts and any other particulars of your complaint in a brief annexed to this form. **Please indicate how attempts at informal resolution and/or mediation have been undertaken, facilitated, or requested, where applicable.***

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**Supporting documents, if any**

*Please supply any documentation supporting your allegations. This documentation may include administrative correspondence, emails and statements from witnesses. Please number each of the supporting documents you append to this form and list them below in chronological order.*

Number	Date			Nature	Author	Addressee
	D	M	Y			

**Witnesses, if any**

*Please provide the names, titles, contact details of the witnesses of the facts you have alleged, if any.*

Name	Contact details			Title
	Email address	Telephone	Address	

I \_\_\_\_\_ (name of complainant) certify that this complaint is submitted in good faith and the contents to be true to the best of my knowledge.

\_\_\_\_\_ (Signature)

\_\_\_\_\_ (Date)