

RULES OF PROCEDURE OF THE PANEL OF ADJUDICATORS

As adopted by the Panel on 31 March 2006, as amended on 6 December 2023, to be submitted through the Chairpersonship to the Permanent Council and to OSCE executive structures for dissemination to OSCE personnel, and to be published on the OSCE website.

I. ORGANIZATION

Article 1

Chairperson of the Panel

1. The Chairperson of the Panel of Adjudicators shall direct the work of the Panel, including case management. He/she shall represent the Panel. He/she shall preside at the meetings of the Panel.
2. If the Chairperson is unable to act, the Deputy-Chairperson shall exercise the functions of Chairperson. In the event of the latter's incapacity, the Chairperson shall designate one of the Adjudicators or Deputy-Adjudicators to act as Chairperson.

Article 2

Executive Secretary of the Panel

1. The Panel shall be provided with an Executive Secretary placed at its disposal by the OSCE Secretariat. The Executive Secretary shall perform secretarial functions for the Panel. The Executive Secretary shall also keep a registry.
2. The Chairperson shall send through the Executive Secretary to the members of the Panel the dossiers and other documentation and notifications relating to the cases referred to them.
3. The Executive Secretary shall make for each case a dossier which shall record all actions taken in connection with the preparation of the case, the dates thereof, and the dates on which any document or notification forming part of the procedure is received by or dispatched by the Chairperson.

Article 3

Sessions of the Panel

1. The Panel shall hold adjudication sessions whenever the caseload so warrants.
2. The Chairperson shall set and may amend the dates of each adjudication session of the Panel and shall invite members to attend for such period as he/she determines. As a general rule, the date of an adjudication session will be communicated to the members three weeks in advance. The OSCE Secretariat will undertake all administrative and logistical preparation for such sessions, including provision of travel and subsistence allowances.

II. PROCEDURE

Article 4

Application

1. For applications, the External Appeal Form, as published on Appendix I, must be used.
2. The explanatory brief shall set out the facts and the legal grounds on which the application is based. It shall specify, inter alia, the provisions of the letter of appointment or terms of assignment whose non-observance is alleged. It shall not exceed 5,000 words.
3. The Annexes shall contain the texts of all documents referred to in the first three sections of the application, as well as the documents confirming the exhaustion of the internal appeals procedures or waiving such procedures under Staff Rule 10.02.1. They shall be presented by the applicant in accordance with the following rules:
 - (a) Each document shall be annexed in the original or, failing that, in the form of a copy bearing the words "Certified true copy";
 - (b) Documents which are not in English shall be accompanied by a translation into English;
 - (c) Each document, regardless of its nature, shall be annexed in its entirety, even if the application refers to only part of the document;
 - (d) Each document shall constitute a separate Annex and shall be numbered with an Arabic numeral. The word "ANNEX", followed by the number of the document, shall appear at the top of the first page;

- (e) The words "see Annex", followed by the appropriate number, shall appear in parentheses after each reference to an annexed document in the other sections of the application.
4. In accordance with Staff Rule 10.02.2 (a), the applicant shall prepare one paper copy and one electronic copy of the application. The date of filing shall be considered the first of the following dates:
- (a) the date on which the applicant has submitted an electronic copy of the application, together with its complete enclosures, in accordance with the appeal form contained in Appendix I, at SECGEN@osce.org. A complete paper copy of the application shall reach the Secretary General (OSCE Secretary General, Wallnerstrasse 6, 1010 Vienna, Austria) no later than two weeks following submission of the electronic copy; or
 - (b) the date on which the Secretary General has received by mail one paper copy, and its complete enclosures, of the application.
5. The applicant shall sign the last page of the original application and, in the Annexes thereto, each certification made in accordance with paragraph 3 (a) above. The applicant may also, by means of a letter transmitted for that purpose to the Executive Secretary, authorize his/her counsel or the staff member who is representing him/her to sign on his/her behalf instead.
6. Applications shall be filed in accordance with Staff Rule 10.02.2.
7. Following the receipt of an application and its supporting documents by the Chairperson of the Panel in accordance with Staff Rule 10.02.2 (ii), any further communication relating to such application shall be addressed to the Executive Secretary.

Article 5

Written Proceedings

1. Upon receipt of an application the Chairperson will invite the Secretary General to submit a response to him/her by 30 days, not exceeding 5,000 words. The response will be transmitted to the applicant and to the other members of the Panel by the Executive Secretary.

2. In the response, the Secretary General shall:
 - (a) append to its communication the original or a certified copy or transcript of any item of evidence adduced in support;
 - (b) append to any text which is not in English a certified translation into English.
3. The applicant may submit a reply to the response within 20 days from the date of reception of the response, not exceeding 2,000 words. The response will be transmitted to the Secretary General and to the members of the Panel by the Executive Secretary.
4. Upon the Secretary General's reasoned request or on his/her own motion, the Chairperson may allow the submission of a rejoinder to the reply. Such request must be submitted within 10 days from the date of reception of the reply. The rejoinder will be transmitted to the applicant and the members of the Panel by the Executive Secretary.
5. Further submissions are not allowed, unless prior permission is requested and granted by the Chairperson.

Article 6

Convening the Panel

Upon completion of the written pleadings, the Chairperson shall convene the Panel as per Article 3.

Article 7

Recusal

1. A member of the Panel who is, or appears to be, in a situation of conflict of interest in a case shall recuse himself or herself.
2. A reasoned request by a party for the recusal of a member of the Panel must be made as soon as the grounds for such request become known and must state precisely the grounds on which it is based.
3. The other two members of the Panel shall rule on the request without undue delay.
4. If more than one member of the Panel is concerned, the Chairperson shall appoint other members of the Panel of Adjudicators to rule on the request(s).

III. OTHER MATTERS

Article 8

Case Management

1. The Panel or the Chairperson may, on its own motion or on the request of either party, order such measures of investigation or submission of additional pleadings or information as it deems fit, including the appearance of the parties before it, the hearing of expert and other witnesses and consultation to any competent authority.
2. The Panel or the Chairperson may at any stage of the proceedings call for the production of documents or of such other evidence as may be required.

Article 9

Oral Hearings

1. The Panel may, on its own motion or upon request by either party, hold oral hearings. A request by either party to oral hearings shall identify any witness whom that party wants the Panel to hear and the issues which the party wants the witness to address.
2. All oral hearings shall be held in a closed session unless the Panel decides otherwise. The Panel may direct that witnesses be examined through means of telecommunication that do not require their physical presence at the oral hearings (such as videoconference). The Panel shall take all steps necessary to ensure the confidentiality of hearings.

Article 10

Calculation of Time Limits

1. Time limits are calculated on the basis of Central European Time.
2. Time limits start running from the first day after the relevant notification.
3. Where any deadline falls on a weekend or on an OSCE official holiday, the deadline shall be considered to be the next working day.
4. Any submission, including the application in accordance with Staff Rule 10.02.2 (a), must reach the Secretary General and be forwarded to the Chairpersonship within the relevant time limits.

Article 11

Matters not Covered by the Rules

The Panel shall, in exercise of the powers vested in it by the OSCE Staff Regulations and Staff Rules, deal with any matter which these Rules of Procedure do not expressly provide for.

Article 12

Amendments

The present Rules of Procedure may be amended by the Panel.

FINAL CLAUSE

Article 13

The present Rules of Procedure, including its amendments, shall apply to applications submitted from 1 January 2024.

Anna Conba

WLS

St. Hoff

Reich

J.M. Schenkendorf

OSCE EXTERNAL APPEAL FORM

REQUEST FOR APPEAL TO THE OSCE PANEL OF ADJUDICATORS

The external appeals procedure is laid out in Article X of the OSCE Staff Regulations and Staff Rules and in the Rules of Procedure of the Panel of Adjudicators.¹

To be receivable, the request shall consist of this completed and signed appeal form, together with your brief and any supporting documents (annexes) referred to in sections (4) and (6) below.

(1) OSCE OFFICIAL'S PERSONAL DETAILS

1. Full name <i>(e.g. Ms. Jane Anne DOE)</i>		
2. Date of birth <i>(dd-MMMM-yyyy)</i>	Click or tap to enter a date.	
3. Nationality/ies		
4. Postal address <i>(for correspondence)</i>		
5. Email address/es <i>(for correspondence)</i>		
6. Telephone number <i>(for correspondence)</i>		
7. Current OSCE employment status	Choose an item.	
8. If you are applying on behalf of an OSCE official, please state your name and relationship to the official	8.1 Full name	8.2 Relationship

(2) OSCE OFFICIAL'S EMPLOYMENT DETAILS AT THE TIME OF THE DECISION BEING APPEALED

9. Executive structure <i>(incl. dept/unit, if applicable)</i>		
10. Duty station		
11. Type of post	Choose an item.	
12. Post title		
13. Post grade <i>(if applicable)</i>		
14. Type of employment	Choose an item.	
15. Seconding authority <i>(if applicable)</i>		
16. Start of contract <i>(dd-MMMM-yyyy)</i>	Click or tap to enter a date.	
17. End of contract <i>(dd-MMMM-yyyy)</i>	Click or tap to enter a date.	
18. Previous OSCE contracts <i>(if applicable)</i>		

¹ The OSCE Secretariat's Office of Legal Affairs may be contacted for procedural guidance on the appeal process. More details on the OSCE Panel of Adjudicators can be found on the [OSCE website](#).

(3) APPEALED DECISION

Please specify the details of the administrative decision being appealed.

19. I am appealing an administrative decision concerning:

- Alleged non-observance of the official's letter of appointment or terms of assignment
- Alleged non-observance of any provisions governing the official's working conditions
- A disciplinary measure taken against the official
- Other

20. Please specify the relevant clause/s, provision/s of the letters of appointment/terms of assignment, or the OSCE regulatory framework, which are alleged not to have been observed:

21. Date of the decision (dd-MMMM-yyyy)

Click or tap to enter a date.

22. Date of receipt of notification of decision (dd-MMMM-yyyy)

Click or tap to enter a date.

(4) BRIEF

23. Brief of arguments

Set out the facts of the case and the official's arguments for requesting a review in a separate document (not exceeding 5,000 words), attaching it to this appeal form as the first supporting document.

(5) RELIEF CLAIMED

24. Relief claimed

List the aims of the appeal. For example, rescinding the appealed decision, reinstatement, material damages, moral damages, etc. The list should not contain arguments, explanations or allegations.

(6) SUPPORTING DOCUMENTS

25. Supporting documents (annexes)

Number each of the supporting documents and list them below in chronological order; add or delete extra rows, as necessary. The list should ordinarily include the decision being appealed. When identifying the author or addressee of an item of correspondence, use official titles, e.g., D/OSG, rather than names.

Number	Date (dd-mmm-yyyy)	Description (i.e., nature, author, addressee)
01	01 September 2023	Brief
02	Click or tap to enter a date.	e.g., Letter from SG to me with decision to issue reprimand
03	Click or tap to enter a date.	e.g., Letter from SG to me upholding decision following IRB Report
04	Click or tap to enter a date.	e.g. email with subject line '123' sent from XYZ to ABC
05	Click or tap to enter a date.	
06	Click or tap to enter a date.	

(7) DECLARATION AND SIGNATURE

Add your name and then sign and date the form

I, (full name of the applicant),
certify the contents of this application to be true to the best of my knowledge and that all annexes are certified
true copies.

.....
Signature

.....
Date (dd-MMMM-yyyy)

Submitting the external appeal application:

**Applicants must submit the external appeals application in both hard and electronic copy, together with
any supporting documents, to the Secretary General at [SECGEN \(at\) osce.org](mailto:SECGEN@osce.org) and
OSCE Secretary General, Wallnerstrasse 6, 1010 Vienna, Austria.**

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