



Austrian Chairmanship

295th PLENARY MEETING OF THE COUNCIL

1. Date: Thursday, 20 July 2000

Opened: 10.10 a.m.
Suspended: 1.20 p.m.
Resumed: 3.20 p.m.
Closed: 5.10 p.m.

2. Chairperson: Ms. J. Stefan-Bastl
Mr. H.-P. Glanzer

3. Subjects discussed - Statements - Decisions:

Agenda item 1: OSCE HIGH COMMISSIONER ON NATIONAL
MINORITIES

OSCE High Commissioner on National Minorities, United States of America, France-European Union (also on behalf of Bulgaria, Cyprus, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Romania, the Slovak Republic, Slovenia, the Czech Republic and Turkey) (PC.DEL/412/00), Russian Federation, the former Yugoslav Republic of Macedonia, Norway, Latvia, Ukraine, Chairperson

Agenda item 2: ADDRESS BY THE SPECIAL REPRESENTATIVE OF THE
PRESIDENT OF THE RUSSIAN FEDERATION FOR
UPHOLDING HUMAN AND CITIZENS' RIGHTS AND
FREEDOMS IN THE CHECHEN REPUBLIC

Special Representative of the President of the Russian Federation for Upholding Human and Citizens' Rights and Freedoms in the Chechen Republic (PC.DEL/408/00) (PC.DEL/411/00), Representative of the Council of Europe, Director of the Office of Democratic Institutions and Human Rights, Canada, France-European Union (also on behalf of Bulgaria, Cyprus, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Romania, the Slovak

Republic, Slovenia, the Czech Republic and Turkey) (PC.DEL/413/00),
Norway, United States of America, Switzerland, Chairperson

Agenda item 3: OSCE MISSION IN KOSOVO

Head of OSCE Mission in Kosovo, Norway, Canada, France-European Union
(also on behalf of Bulgaria, Cyprus, Estonia, Hungary, Latvia, Lithuania,
Malta, Poland, Romania, the Slovak Republic, Slovenia and the
Czech Republic) (PC.DEL/417/00), Turkey (PC.DEL/414/00)
(PC.DEL/415/00), Slovenia (PC.DEL/416/00), United States of America,
Russian Federation, Albania, Chairperson

Agenda item 4: REPORT BY THE SECRETARY GENERAL OF THE OSCE
PARLIMENTARY ASSEMBLY ON THE NINTH ANNUAL
SESSION OF THE PARLIMENTARY ASSEMBLY

Secretary General of the OSCE Parliamentary Assembly, United States
of America (PC.DEL/423/00), France-European Union, Chairperson

Agenda item 5: DECISION ON THE AUDITED FINANCIAL STATEMENTS
FOR 1999

Chairperson

Decision: The Permanent Council adopted Decision No. 365 (PC.DEC/365),
the text of which is appended to this Journal, on the audited financial
statements for 1999.

Agenda item 6: DECISION ON AMENDMENTS OF THE OSCE STAFF
REGULATIONS

Chairperson

Decision: The Permanent Council adopted Decision No. 366 (PC.DEC/366),
the text of which is appended to this Journal, on amendments of the OSCE
Staff Regulations.

Agenda item 7: DECISION ON THE OSCE-JAPAN CONFERENCE 2000:
“COMPREHENSIVE SECURITY IN CENTRAL ASIA -
SHARING OSCE AND ASIAN EXPERIENCES” (none
adopted)

Chairperson, Armenia

Agenda item 8: REVIEW OF CURRENT ISSUES

(a) *Situation in Belarus:* United States of America, Czech Republic, Belarus

- (e) *Matters of protocol*: Spain, Chairperson, Luxembourg
- (f) *Organizational matters*: Chairperson

4. Next meeting:

Thursday, 24 August 2000, at 10 a.m., in the Ratsaal



295th Plenary Meeting

PC Journal No. 295, Agenda item 5

**DECISION No. 365
THE AUDITED FINANCIAL STATEMENTS FOR 1999**

The Permanent Council,

In accordance with the provisions of Financial Regulations 7.05 and 8.06(e) and on the basis of the report of the External Auditors,

- Expresses its gratitude for the work of the Auditors from the Swedish National Audit Office and accepts the audited Financial Statements for 1999;
- Notes with concern weaknesses in financial and material asset management, highlighted by the External Auditors, as well as their observations and comments regarding the treatment of unliquidated obligations;
- Recognizes the External Auditors' recommendation that, while the Secretary General has overall fiscal and material management authority for the Organization in accordance with existing Regulations, his capability to exercise that authority should be enhanced;
- Reminds the Heads of Missions and Field Operations and the Heads of Institutions of their responsibility to manage financial and material assets in accordance with OSCE Financial Regulations and pertinent Secretariat instructions;
- Requests the Secretary General to provide a comprehensive report on the discrepancy in material assets - including those of Kosovo Verification Mission (KVM) - noted by the Auditors and propose new financial instructions on unliquidated obligations by 10 September 2000; with reference to the KVM, the report will supplement information already provided in PC.IFC/22/99 of 20 May 1999;
- Further requests the Secretary General to draw up an action plan referring to the recommendations of the External Auditors for consideration of the informal Financial Committee, and report on steps already taken to remedy the weaknesses noted by the Auditors, by 10 September 2000;

- Tasks the Secretariat with continuing close co-operation with the External Auditors and - given the importance of the External Auditors' opinion - with ensuring that all pertinent information material is made available to them in a timely manner;
- Requests the External Auditors to review all additional details on material assets and the financial instructions on unliquidated obligations to be provided by the Secretariat, before the Permanent Council receives the External Auditors' final opinion on these issues; the informal Financial Committee is called upon to continue its deliberations on the Auditors' opinion;
- Tasks the informal Financial Committee with reviewing the new information and continuing deliberations on the further strengthening of the OSCE's internal audit capacity with a view to making recommendations to the Permanent Council by 30 September 2000.

The Permanent Council seeks an early adoption of new Financial Regulations to enhance the financial policies and practices of the OSCE. To this end, the Permanent Council, acknowledging the preparatory work already undertaken, instructs the Secretariat to submit its recommendations before the end of 2000.



295th Plenary Meeting

PC Journal No. 295, Agenda item 6

**DECISION No. 366
AMENDMENT OF THE OSCE STAFF REGULATIONS**

The Permanent Council,

Recalling the Ministerial Council Decision of 19 December 1997 on enhancing the operational capacity of the Secretariat (MC(6).DEC/3),

Further recalling Permanent Council Decision No. 325 of 9 December 1999,

Noting the information provided by the Secretary General (SEC.GAL/55/00) to the effect that the cost of the total OSCE remuneration package, including the operation of the Provident Fund, does not exceed the cost of the total compensation package provided under the United Nations Common System,

Noting that the Organization Directive No. 11/99 on the Professional Working Environment in the OSCE and the appeal procedures therein will form a component of all Staff Regulations and Regulations for seconded mission personnel,

Further noting the amended Staff Rules put forward by the Secretary General (SEC.GAL/36/00),

1. Decides to amend the Staff Regulations 1.01, 6.05 and 11.02 as reflected in the revised Staff Regulations (Annex);
2. Requests the Secretary General to prepare Staff Regulations for contracted staff in missions, both internationally and locally recruited, for submission to the Permanent Council by the end of September 2000;
3. Further requests the Secretary General to prepare Regulations for seconded mission personnel as well as a revision of the financial arrangements covering operational costs (e.g., travel costs and medical insurance) of seconded mission personnel currently covered in Annex I of the Financial Regulations, for submission to the Permanent Council by the end of October 2000.

PC.DEC/366
20 July 2000
Annex



Organization for Security and Co-operation in Europe

STAFF REGULATIONS

AND

STAFF RULES

FOR

FIXED-TERM STAFF

DOC.SEC/3/00
July 2000

Original: ENGLISH

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Article I GENERAL

Regulation 1.01 Authority and Applicability

- (a) The following Staff Regulations were approved by the Permanent Council of the OSCE (hereinafter “the Permanent Council”) on 19 December 1996 and shall enter into force on 1 January 1997.*
- (b) These Regulations shall apply to Heads of Institution as specifically provided herein and as specified in the terms of appointment of the Head of Institution concerned.
- (c) These Regulations shall apply to all staff members of the OSCE Institutions holding a fixed-term appointment. They shall apply to seconded staff in Institutions only to the extent prescribed in their letters of appointment.
- (d) In implementing these Regulations, the Secretary General of the OSCE (hereinafter “the Secretary General”) shall issue the corresponding Staff Rules.

Rule 1.01.1 - Authority

The Staff Rules have been issued by the Secretary General pursuant to Staff Regulation 1.01.(d).

Regulation 1.02 Terminology

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

OSCE

Unless otherwise following from the context, all or any of the following Institutions:

- (a) the Secretariat;
- (b) the Office of the High Commissioner on National Minorities;
- (c) the Office for Democratic Institutions and Human Rights;
- (d) the Office of the OSCE Representative on Freedom of the Media;
- (e) such other entities as may be designated as an OSCE Institution.

*

The Regulations were further amended by the Permanent Council on 9 December 1999 and amended Staff Regulations entered into force on 1 January 2000.

Head of Institution

The Secretary General, the High Commissioner on National Minorities and the Director of the Office for Democratic Institutions and Human Rights, the OSCE Representative on Freedom of the Media and the Head of any other entity designated as an OSCE Institution.

Director

Senior Official, other than a Head of Institution, holding a post at the level D1 or D2.

Staff Member

A person, other than a Head of Institution, holding a letter of appointment with the OSCE and occupying a post on the approved Post Table.

Fixed-Term Appointment

An appointment with the OSCE, having an expiration date specified in the letter of appointment, granted for a period of six months or more

International Posts

Posts designated for international recruitment.

International Staff

Staff occupying international posts.

Seconded Staff

Staff seconded by or through a participating State for service with the OSCE. The costs of salaries, emoluments and other benefits of such staff are borne by the seconding State, except as otherwise agreed in writing with the Secretary General or the other Heads of Institution after consultation with the Secretary General.

Local Posts

Posts designated for local recruitment. Certain categories of local staff may exceptionally also be internationally recruited in accordance with provisions to be specified in the Staff Rules.

Local Staff

Staff occupying local posts.

Dependent Spouse

A dependent spouse shall be a spouse whose gross occupational earnings, if any, do not exceed the lowest entry level of the United Nations General Service gross salary scales in force on 1 January of the year concerned for the duty station in the country of the spouse's place of work.

Dependent Child

A child who is less than 20 years old and for whom the staff member provides no less than half of the total support.

Regulation 1.03

Scope and Purpose

These Regulations set out the conditions of service and the basic duties, obligations and rights of Heads of Institution and of staff members of the OSCE, as far as applicable. They set out the broad principles of personnel policy for the staffing and administration of all OSCE Institutions.

Rule 1.03.1 - Scope and Purpose of the Staff Rules

The Staff Rules provide the details required to implement the Staff Regulations. They set forth, together with the Regulations and any special conditions as may be included in the letter of appointment, the conditions of employment of staff concerned.

Regulation 1.04

Accountability

- (a) The Secretary General and the other Heads of Institution, to the extent that their Institution is concerned, shall be responsible and accountable to the Permanent Council for the proper application of these Regulations.
- (b) The Secretary General, in consultation with the other Heads of Institution, shall establish a system of accountability and responsibility for staff members in accordance with principles laid down by the Permanent Council. Implementation of such a system shall be the responsibility of the respective Head of Institution.
- (c) The Secretary General and the other Heads of Institution may delegate authority in staff matters, such as the appointment of staff, to their authorized representatives.

Article II
DUTIES, OBLIGATIONS AND PRIVILEGES

Regulation 2.01
The International Nature of the Service

By accepting appointment, staff members pledge themselves to discharge their functions and regulate their conduct with the interests of the OSCE only in view. Staff members are subject to the authority of the Head of Institution. In the performance of their duties staff members are responsible to their respective Head of Institution. They shall neither seek nor accept instructions from any Government or from any authority external to the OSCE.

Regulation 2.02
Staff Members' Conduct

Staff members of the OSCE shall conduct themselves at all times in a manner befitting the international status of the OSCE. 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 staff members of the OSCE. They shall respect the laws of the countries in which they enjoy privileges and immunities.

Rule 2.02.1 - Outside Activities and Interests

- (A) Staff members shall not engage in any paid occupation or employment outside the OSCE without prior approval of the Head of Institution.
- (B) No staff member may be actively associated with the management of any business, nor may he or she hold a financial interest in any business, if there is a possibility that the staff member will benefit from such association or financial interest by reason of his/her official position with the OSCE.
- (C) A staff member who has occasion to deal in his/her official capacity with any business in which he or she holds a financial interest shall at once disclose the measure of that interest to the Head of Institution concerned.

Rule 2.02.2 - Duties of a Staff Member to Supply Certain Information

- (A) Staff members shall, on appointment, supply the Head of Institution with whatever information relevant to their appointment the Head of Institution requests. They shall also supply all information relating to matters anterior to their appointment which is relevant to their employment by and service with the OSCE.

(B) Staff members shall notify the Secretary General through the Head of Institution in writing of any event affecting their status under the Staff Regulations and these Rules. In particular they shall give such notification on:

- (i) changes in their nationality, family or dependency status;
- (ii) any arrest, indictment or summons into court as a defendant in a criminal proceeding or conviction, fine or imprisonment for the violation of any law (excluding, e.g., minor traffic violations).

Regulation 2.03

Acceptance of Honours, Decorations and other Distinctions

In connection with their duties staff members shall not receive any honour, decoration, favour, gift or remuneration from any Government or from any source external to the OSCE without prior permission from the Secretary General or the Head of Institution after consultation with the Secretary General.

Regulation 2.04

Proprietary Rights

All rights, including title, copyright and patent rights, in any work performed by a staff member as part of his/her official duties shall be vested in the OSCE with a view to ensuring the widest possible distribution of information.

Regulation 2.05

Release of Information

Staff members shall observe maximum discretion with regard to all matters of official business. They shall at no time use information known to them by reason of their official position to private advantage nor shall they publish anything based thereon except with the written approval of the respective Head of Institution. Staff members shall also not communicate such information to third parties except in connection with the discharge of their functions. These obligations shall not cease upon separation from the OSCE.

Rule 2.05.1 - Use of Information

Except as part of official duties, staff members shall be required to seek prior approval of the Head of Institution for performance of any one of the following acts, if such act relates to the purpose, activities or interests of the OSCE or involves the use of information known to them by reason of their official duties:

- (i) Issue statements to the press, radio or other media of public information;
- (ii) Accept speaking engagements;

- (iii) Take part in film, theatre, radio or television productions or presentations; or
- (iv) Submit articles, books or other material for publication.

Regulation 2.06 Privileges and Immunities

Privileges and immunities granted to staff members of the OSCE are conferred in the interests of the OSCE. Such privileges and immunities shall not exempt staff members from performance of the obligations applying to them outside the performance of their duties or from the observance of laws and police regulations. In any case where the question of claiming immunity from a legal suit or process may arise, the staff member involved must immediately report such question through the Head of Institution to the Secretary General. The Secretary General shall decide, in consultation with the Chairman-in-Office and the Head of Institution concerned, whether immunity should be waived. Where such a question arises with respect to a Head of Institution, it shall be considered by the Chairman-in-Office.

Regulation 2.07 Normal Working Week and Compensation for Overtime

- (a) The Secretary General, in consultation with the other Heads of Institution, shall establish a normal working week and decide which days are to be observed as holidays at each duty station. There shall be nine OSCE holidays in each calendar year.
- (b) The normal working week shall consist of five working days, Monday through Friday, of eight working hours each for full-time staff and four working hours each for half-time staff. Exceptions may be made by the Head of Institution as the needs of the OSCE may require. Staff members shall work beyond the normal working hours if required.
- (c) Staff members in the General Service category, who have been explicitly required by their supervisors to work in excess of the established working week shall be given compensatory time off or may receive additional payment, under conditions established by the Secretary General. In exceptional cases, and subject to the exigencies of the service and prior approval by the Head of Institution, limited compensatory time off may be granted to staff members in the Professional category who have been explicitly required by their supervisors to work substantial or recurrent periods of overtime.

Rule 2.07.1 – Part-time employment

Part-time employment may be authorized for staff working in the General Service category for not less than half of the normal working week time. In such cases salaries and allowances part-time employees are entitled to receive shall be prorated according to their working time.

Rule 2.07.2 - Overtime

Staff Members in the General Service category who are required to work in excess of the working time laid down in Staff Regulation 2.07 shall be given compensatory time off or may receive additional payment subject to the following conditions:

- (A) Overtime must be authorized in advance for staff in the Secretariat by their respective Head of Department and for staff in the other Institutions by their respective Head of Institution or his/her delegated representative. Persons competent to authorize overtime must also afterwards confirm that the overtime was in fact performed.
- (B) Compensation for overtime shall, to the maximum extent possible, take the form of compensatory time off. The compensation shall be equal to the number of overtime hours worked except for overtime worked after 10 p.m. on workdays, as well as on weekends and official holidays, for which the compensation shall be 1.5 hours per hour worked. Subject to the exigencies of service, compensatory time off will be granted within four months following the month in which it is earned.
- (C) Overtime will be paid in cash only when it is not possible, due to the exigencies of work, to give compensatory time off within the four months following the month in which overtime was performed. The rate for overtime shall be calculated on the basis of the annual net base salary divided by 2080 hours.
- (D) Hours worked in excess of the normal working time laid down in Staff Regulation 2.07 while on official duty travel shall not be counted as overtime except when required for servicing of conferences or meetings, or when the staff member is required to work on Saturdays, Sundays or official local OSCE holidays.
- (E) Staff members who have been explicitly required by their immediate supervisors to perform work in another duty station, other than servicing of conferences or meetings, in excess of the normal working time between Monday and Friday may be compensated in cash for such overtime work if it can be charged against this duty stations' budget.

Regulation 2.08 Reimbursement for Financial Losses

Staff members may be required to reimburse the OSCE either partially or in full for any financial loss suffered by the OSCE as a result of their negligence or of their failure to observe any regulation or administrative instruction. Reimbursement shall in any event be required if the loss is due to a wilful act by the staff member.

Regulation 2.09
Compensation for Loss of or Damage to Personal Effects

Staff members may be entitled, within the limits and under the terms and conditions established by the Secretary General, to appropriate compensation in the event of loss of or damage to their personal effects directly attributable to the performance of official duties on behalf of the OSCE.

Article III
CLASSIFICATION OF POSTS

Regulation 3.01

Application of a System for the Classification of Posts

The Secretary General shall apply a system, to be approved by the Permanent Council, for the classification of posts, taking account of the nature of the duties and responsibilities involved and of the qualifications required.

Article IV APPOINTMENTS

Regulation 4.01 Appointments of Heads of Institution

Heads of Institution shall be appointed by the Ministerial Council in accordance with procedures and for periods determined by the Ministerial Council.

Regulation 4.02 Appointments of Directors

Directors shall be appointed by the Chairman-in-Office in consultation with the Secretary General for a three-year non-renewable term. Such appointments can be extended for a final period of up to one year.

Regulation 4.03 Appointments of Other Staff

The Secretary General shall appoint all staff members of the OSCE Secretariat below the Director's level. The other Heads of Institution shall appoint their respective staff in consultation with the Secretary General.

Regulation 4.04 Recruitment

The paramount consideration in the appointment of all categories of staff shall be the necessity for securing the required high standards of competence, efficiency and integrity, taking into account equal opportunity requirements and the diversity of the OSCE community. Recruitment shall be subject to open competition among nationals of participating States without regard to race, colour, gender, mother tongue, religion and beliefs, or to national, ethnic or social origin. Under no circumstances shall specific posts come to be identified with any one participating State, region or group of States. The Permanent Council shall annually review the implementation of these policies.

Rule 4.04.1 - Vacancy Notices

Notification of vacant positions should reach a wide audience. Deadlines for receipt of applications shall be set so that there is adequate time to respond.

Rule 4.04.2 - Local Recruitment

(A) Staff members in General Service category shall be regarded as local recruits and shall not be eligible for international benefits as provided under Staff Rule 4.04.3.

(B) Notwithstanding paragraph (A) above, staff members in grades G6 and G7 recruited from outside the country of the duty station shall be eligible for payment of travel expenses on appointment and on separation and for payment for removal of household effects.

Rule 4.04.3 - International Recruitment

(A) Staff members in Professional and higher categories shall be considered as having been internationally recruited. The allowances and benefits in general available to internationally recruited staff members include payment of travel expenses upon initial appointment and on separation from service for themselves, their spouses and dependent children, removal of household effects, assignment grant, home leave, education allowance and child allowance in respect of their dependent children, rental subsidy and repatriation allowance upon separation. Staff members shall not be entitled to the foregoing allowances and benefits to the extent that they receive benefits in money or kind which serve essentially the same purpose as these allowances and benefits.

(B) The entitlements of a staff member who has acquired permanent resident status in any country other than that of his/her nationality shall be reviewed and modified, as appropriate, in order to ensure that any change or continuation of such entitlement is not contrary to the purposes for which the allowance or benefit was created.

Rule 4.04.4 – Family Relationship

(A) Appointments shall not be granted to a person who is the father, mother, son, daughter, brother, sister or spouse of a staff member except for an appointment at an Institution which is different from that of the staff member.

(B) The marriage of a staff member to another shall not affect the contractual status of either spouse but their entitlements and other benefits shall be modified as provided in the Staff Regulations and Rules.

- (i) A staff member shall not be assigned to serve in post which is superior or subordinate in the line of authority to his/her spouse;
- (ii) He/she shall disqualify himself/herself from participating in the process of reaching or reviewing an administrative decision affecting the status or entitlement of his/her spouse.

Regulation 4.05

Letters of Appointment

Upon appointment each staff member shall receive a letter of appointment signed by the Chairman-in-Office, Head of Institution or an official authorized by the Head of Institution, as the case may be. The letter of appointment shall set out expressly or by reference all terms and conditions of employment.

Rule 4.05.1 - Contents of Appointment Letters

(A) The letter of appointment issued to staff members, other than staff seconded by a participating State, shall contain expressly or by reference all the terms and conditions of employment. All contractual entitlements of staff members shall be strictly limited to those contained expressly or by reference in their letter of appointment. The letter of appointment shall state:

- (i) That the appointment is subject to the provisions of the Staff Regulations and Rules, and to changes which may be duly made in such Regulations and Rules from time to time;
- (ii) That the appointment is for a fixed-term period;
- (iii) The date at which the staff member is required to enter upon his/her duties;
- (iv) The period of appointment, the notice required to terminate it and the period of probation, if any;
- (v) The category, the grade and step of the commencing salary;
- (vi) Social security arrangements; and
- (vii) Any special conditions which may be applicable.

(B) The letter of appointment issued to a staff member seconded by a participating State shall contain expressly or by reference all the terms and conditions of employment, as agreed between the Head of Institution and the seconding participating State. All contractual entitlements of such staff members are strictly limited to those contained expressly or by reference in the letter of appointment. Normally, seconded staff members shall receive no salary, emoluments or other benefits from the OSCE.

Regulation 4.06 Medical Standards

The Secretary General shall establish appropriate medical standards which staff members shall be required to meet before appointment. As a precondition of appointment, staff members shall be required to submit satisfactory evidence by a reputable medical authority that they meet the medical standards established.

Regulation 4.07 Appointment Periods for Grades P5 and below

The OSCE is committed to the principle of non-career service. Thus:

- (a) A fixed-term appointment, having an expiration date specified in the letter of appointment, may be granted for an initial period not exceeding two years. The period of probationary service under such an appointment shall normally be six months. At no time shall a fixed-term appointment be deemed to carry any expectation of or right to extension or

conversion to another type of appointment. An extension of the initial appointment may be granted in accordance with the principles set forth in (b) below.

(b) A fixed-term appointment may be extended by the Secretary General in the case of Secretariat staff and by Heads of Institution in consultation with the Secretary General, in accordance with the following principles:

- (i) The possibility for extending the period of service applies especially to positions within the Secretariat where the factors regarding institutional memory and continuity are central, *inter alia*,
- (ii) Appointments of staff members holding posts in the Professional category, Grades P1 to P4, may be extended for further periods provided that the staff member's performance is rated as more than satisfactory. The maximum period of any extension may not exceed three years and the total period of service may not exceed seven years.
- (iii) Appointments of staff members in Department I holding posts in the Professional category and posts at Grade P5 in other areas may be extended for up to a total period of service of five years provided that the staff member's performance is rated as more than satisfactory.

(c) Appointments of staff members holding posts in the General Service category, Grades G1 to G7, may be extended for a period of up to two years, provided that the staff member's performance is rated as more than satisfactory. In the case of sustained more-than-satisfactory performance, further renewals of up to two years each may be offered beyond the first two periods.

(d) Appointments of staff members who reach the age of 65 while in service shall normally expire on the last day of the month of their 65th birthday. The Secretary General or a Head of Institution, in consultation with the Secretary General, may, 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 two years.

Regulation 4.08

Performance Evaluation

The performance of staff members in the Professional and General Service categories shall be the subject of periodic reports prepared by the staff member's supervisors in accordance with a system established by the Secretary General.

Rule 4.08.1 - Performance Evaluation Reports

(A) The performance evaluation report shall serve to determine whether the staff member carries out his/her assigned work effectively and efficiently and also to provide a basis for work-related counselling of the staff member.

(B) The performance evaluation report shall be shown to and discussed with the staff member, who shall have a right of rebuttal. There shall be no possibility of rebuttal of performance evaluation report related to the probationary period of a staff member. The performance evaluation report and any related documents shall form a part of the Personnel record of the staff member.

Article V
SEPARATION FROM SERVICE

Regulation 5.01
Termination of Appointments

The Head of Institution or his/her representative may terminate the appointment of a staff member before its expiration date if such action would be in the interest of the good administration of the Organization and is in accordance with the provisions of Regulation 5.02.

Rule 5.01.1 - Notice of Termination

- (A) Staff members shall be given the following notice of termination:
- (i) If the staff member holds a fixed-term appointment of two years or more or if the total period of his/her service exceeds two years, at least two months' notice or pay in lieu thereof, provided that during the period of probation the period of notice shall be one month;
 - (ii) In all other instances at least one month's notice of termination or pay in lieu thereof.
- (B) No notice of termination shall be required:
- (i) In the case of expiry of a fixed-term appointment; or
 - (ii) In the case of disciplinary action leading to summary dismissal.

Regulation 5.02
Grounds for Termination

The appointment of a staff member may be terminated on the following grounds:

- (a) if the staff member has not completed or is unable to complete the probationary period in a satisfactory manner;
- (b) if the needs of the OSCE require abolition of the post or reduction of staff;
- (c) if the staff member is, for reasons of health, incapacitated for further service;
- (d) if the staff member has committed a serious breach of the OSCE regulations and rules;
- (e) if the services of the staff member prove to be unsatisfactory or if his/her conduct clearly indicates that he/she does not meet the standards of integrity required under the Staff Regulations.

Regulation 5.03
Termination Indemnities

- (a) A staff member whose appointment is terminated shall be paid an indemnity at the following rates and under the following conditions:
- (i) if the appointment is terminated because the needs of the service require abolition of the post or reduction of staff, one month's net base salary for each completed year of service or for each year remaining until the expiry of his/her current appointment, whichever is higher. For fractions of a year, the indemnity shall be prorated.
 - (ii) if the appointment is terminated for reasons of health, the same amount as under (i) above, reduced by the amount of any disability benefit that the staff member may receive from a national social security system to which the OSCE contributes, for the number of months to which the indemnity corresponds.
- (b) No indemnity shall be paid:
- (i) if the staff member is employed in another post within the OSCE;
 - (ii) if the staff member is recalled to his/her Government service;
 - (iii) if the staff member's appointment is terminated on the grounds indicated in Regulation 5.02 (d) and (e);
 - (iv) at the expiry of a fixed-term appointment or if the staff member has not completed or is unable to complete the probationary period in a satisfactory way;
 - (v) if the staff member abandons his/her post;
 - (vi) if the staff member resigns.

Regulation 5.04
Resignation

A staff member may resign by giving the Head of Institution concerned the same period of written notice as would be required for termination of his/her appointment. The Head of Institution may, however, accept shorter notice. Directors shall give their notice to the Chairman-in-Office through the respective Head of Institution.

Regulation 5.05

Payment of Salary and Allowances in the Event of Separation

The Secretary General shall establish procedures for the payment, upon separation, of salary and allowances to which a staff member is entitled pursuant to these Regulations.

Rule 5.05.1 - Last Day for Pay Purposes

When a staff member is separated from service, the date on which entitlement to salary and allowances ceases shall be determined as follows:

- (i) Upon resignation, the date shall either be the expiration of the notice period provided for under Staff Regulation 5.04 or such other date as the Head of Institution accepts;
- (ii) Upon expiration of a fixed-term appointment, the date shall be the date specified in the letter of appointment;
- (iii) Upon termination, the date shall be the date specified in the notice of termination;
- (iv) Upon expiration of an appointment pursuant to Staff Regulation 4.07(c), the date shall be the day specified in that Regulation;
- (v) In the case of summary dismissal, the date shall be the date of dismissal.

Rule 5.05.2 - Staff Member's Beneficiaries

- (A) At the time of appointment each staff member shall designate a beneficiary or beneficiaries to whom all amounts standing to his/her credit from the OSCE shall be paid in the event of death of the staff member. The staff member concerned shall be responsible for updating that designation.
- (B) Such payment shall release the OSCE from all liability in respect of any sum so paid.

Regulation 5.06

Payment in Lieu of Unused Annual Leave

If at the time of separation a staff member has unused annual leave, he/she shall be paid in lieu thereof the cash equivalent for the period of such accrued leave up to a maximum of thirty calendar days, calculated on the basis of the last net base salary, including post adjustment where applicable.

Regulation 5.07
Payment of Provident Fund Benefits

Upon separation, participants in the Provident Fund shall be entitled to receive Provident Fund benefits in accordance with the rules governing the administration of the Fund.

Regulation 5.08
Repatriation Grant

The Secretary General shall establish a scheme for the payment of repatriation grants no higher than the maximum rates and under conditions similar to those established by the United Nations General Assembly for the United Nations common system and specified in the Staff Rules promulgated by the Secretary General.

Rule 5.08.1 – Payment of Repatriation Grant

(A) The repatriation grant shall be payable to staff members recognized as internationally recruited under Rule 4.04.3 whom the Organization is obligated to repatriate and who at the time of separation are residing, by virtue of their service with the OSCE, outside their home country. The repatriation grant shall not, however, be paid to a staff member who is summarily dismissed or has resigned from the OSCE before fulfilling 3 years of service. Eligible staff members shall be entitled to a repatriation grant only upon relocation outside the country of the duty station. The amount of the grant shall be proportional to the length of service with the OSCE and is set forth in Appendix 3.

(B) Payment of repatriation grant shall be subject to the following conditions and definitions:

- (i) The expression “obligated to repatriate”, as used in Rule 5.08.1, shall mean the obligation to return a staff member and his/her spouse and dependent children, upon separation, at the expense of the OSCE, to a place outside the country of his/her duty station.
- (ii) “Home country”, as used in Appendix 3, shall mean the country of home-leave entitlement under Rule 8.02.3 or such other country as the Secretary General may determine.
- (iii) If at any time a staff member was considered to have acquired permanent residence in the country of his/her duty station and subsequently changed that status, the staff member’s continuous service will be deemed to have commenced at the time the change was made. Continuity of such service shall not be considered as broken by periods of special leave. However, for the purpose of calculating the amount of the grant payable, service credit shall not accrue during periods of special leave with partial pay or without pay of one full month or more.

- (iv) Payment of the repatriation grant shall be subject to the provision by the former staff member of documentary evidence that he/she has established residence in a country other than that of the last duty station.
- (v) Entitlement to repatriation grant shall cease if no claim for payment of the grant has been submitted within one year after the effective date of separation. However, where both spouses are staff members and the spouse who separates first is entitled to repatriation grant, his/her entitlement to repatriation grant shall cease if no claim for payment of the grant has been submitted within one year after the date of separation of the other spouse.
- (vi) A dependent child, for the purpose of repatriation grant, shall mean a child recognized as dependent under Rule 6.04.1 at the time of the staff member's separation from service. If applicable, the repatriation grant shall be paid at the dependency rate to eligible staff member regardless of the place of residence of his/her spouse or dependent child.
- (vii) Where both spouses are staff members and each is entitled, on separation, to payment of a repatriation grant, payment shall be made to each, at single rates, according to their respective entitlements, provided that, where dependent children are recognized, the first parent to be separated may claim payment at the dependency rate. In this event, the second parent, on separation, may claim payment at the single rate for the whole period of qualifying service, or, if eligible, at the dependency rate for the whole period of his/her qualifying service, from which shall normally be deducted the difference between the dependency rate and the single rate of the repatriation grant paid to the first parent.
- (viii) In the event of the death of an eligible staff member, no payment shall be made unless there is a surviving spouse or one or more dependent children whom the OSCE is obligated to return to their home country. If there is one such survivor, payment shall be made at the single rate; if there are two or more such survivors, payment shall be made at the rate applicable to a staff member with a spouse or dependent child.

Regulation 5.09

Maximum Payments

Payments as provided for under the provisions of Article V shall not exceed those payable under the Common System of Salaries and Allowances of the United Nations.

Article VI
SALARIES AND RELATED ALLOWANCES

Regulation 6.01
Salaries

- (a) Salaries of staff members in the Professional and higher categories shall be in accordance with the salary levels as authorized by the United Nations General Assembly for the Common System of Salaries and Allowances of the United Nations.
- (b) Salaries of staff members in the General Service category shall be in accordance with the local Salary Scales as established for each of the duty stations of the OSCE by the International Civil Service Commission.
- (c) The salary scales shall be appended to the Staff Rules.

Rule 6.01.1 - Salary Scales

- (A) The salary scales for staff members in the Professional and higher categories are set forth in Appendix 1.
- (B) The salary scales for staff members in the General Service category are set forth in Appendix 2 (Tables A.1, A.2, B, C, D and E).

Regulation 6.02
Cost-of-Living Variations

The net base salaries referred to in Regulation 6.01 (a) shall be adjusted in order to take account of cost-of-living variations at different duty stations by means of a post adjustment, the amount of which shall be determined in accordance with the terms and conditions promulgated by the International Civil Service Commission.

Rule 6.02.1 - Post Adjustment

- (A) Post adjustments under Staff Regulation 6.02 shall be paid as an addition to the net base salary of staff members in the Professional and higher categories.
- (B) The amounts of post adjustment shall be determined by multiplying 1 per cent of the staff member's net base salary by the post adjustment multiplier established by the International Civil Service Commission for the duty station concerned.

Regulation 6.03

Taxation

In the event a staff member 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 6.04

Salary Increments

- (a) Staff shall be appointed at step one of the salary scale. In exceptional cases, the Secretary General, or Head of Institution in consultation with the Secretary General, may approve an appointment at a higher step.
- (b) Salary increments within the levels set forth in the salary scales shall be awarded annually to each eligible staff member on the basis of good performance as reflected in evaluation reports pursuant to Regulation 4.08, except in cases where the normal qualifying period for in-grade movement between consecutive steps is two years, in accordance with the salary scales of the Common System of Salaries and Allowances of the United Nations.

Rule 6.04.1 - The Award of Salary Increments

- (A) In cases of periods of leave without pay exceeding one month, the increment shall be postponed by the duration of such leave.
- (B) A salary increment shall take effect one year or two years, as the case may be, from the first day of the month during which the latest of the following actions took place:
 - (i) Entrance on duty;
 - (ii) Last salary increment;
 - (iii) Promotion to a higher level.

Regulation 6.05

Allowances

- (a) Staff members in Professional and higher categories shall be entitled to receive dependency allowances as follows:
 - (i) For each dependent child an annual amount equal to the amount approved by the United Nations General Assembly for the United Nations common system, except that the allowance shall not be paid in respect of the first dependent child if a staff member has no dependent spouse, in which case the staff member shall be remunerated in accordance with the salary scales applicable to a staff member with a dependent spouse;

- (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.
- (b) Staff members in General service category shall be entitled to receive dependency allowances at rates and under conditions as established for each of the duty stations of the OSCE by the International Civil Service Commission.
- (c) If both husband and wife are staff members, only one may claim for dependent children.
- (d) With a view to avoiding duplication of benefits and in order to achieve equality between staff members who receive dependency benefits under applicable laws in the form of governmental grants and staff members who do not receive such dependency benefits, the Secretary General shall prescribe conditions under which the dependency allowance for a child shall be payable only to the extent that the dependency benefits received by the staff member or his/her spouse under applicable laws are lower than such a dependency allowance.
- (e) Staff members in Professional and higher categories, unless they are permanent residents or nationals of the country of the duty station, may receive for children, an education allowance of 75 per cent of schooling costs actually incurred, not to exceed the maximum education grant set by the United Nations for the respective duty station. The education allowance for a disabled child shall be the equivalent of the educational expenses actually incurred up to the maximum education grant for a disabled child set by the United Nations for the respective duty station. The allowance shall be payable for a maximum of five years following the completion of secondary studies and shall be payable in respect of each child up to the end of the year in which the child completes four years of post-secondary studies or is awarded the first recognized degree, whichever is earlier. Once in each scholastic year travel costs of the child may also be paid for an outward and return journey between the educational institution and the duty station. Such travel shall be by a route approved by the Secretary General. The costs of such journey shall not exceed the costs of a journey between the staff member's home country and his/her duty station.
- (f) The Secretary General shall also establish terms and conditions under which an education allowance shall be payable to a staff member serving in a country whose language is different from his or her own and who is obliged to pay tuition for the teaching of the mother tongue to a dependent child attending a local school in which the instruction is given in a language other than his/her own.
- (g) The Secretary General may authorize rental subsidies in accordance with the terms and conditions applicable to the United Nations Office in Vienna, *mutatis mutandis*.

Rule 6.05.1 - Definitions

(A) For the purposes of Regulation 6.05 and subject to paragraph (B) below, a dependent child shall mean any of the following:

- (i) The staff member's natural or legally adopted child;
- (ii) The staff member's stepchild, if residing with the staff member;
- (iii) Where adoption is not possible, a child for whom the staff member assumes legal responsibility as a member of the family;
- (iv) A child for whom the staff member assumes financial responsibility and who, in the opinion of the Head of Institution, may be considered as a dependant of the staff member.

(B) A child over 18 years of age who is not in full attendance at an educational institution will not be regarded as dependent child for the purpose of Regulation 6.05

(C) "Disabled child" means a child who, by reasons of physical or mental disability, requires special teaching, or training to assist him or her in overcoming the disability.

(D) "Home country" means the country of home leave of the staff member under Rule 8.02.3. If both parents are eligible staff members, "home country" means the country of home leave of either parent.

Rule 6.05.2 - Education Allowance

(A) The schooling costs shall include the cost of enrolment, registration, tuition, prescribed textbooks, courses, costs of boarding, examinations, diplomas, midday meals provided by the educational institution and daily group transportation (school buses) and shall exclude all other fees and charges.

(B) In the case of attendance at an educational institution outside the duty station and where the institution does not provide board, a flat rate covering boarding expenses will be payable in addition to the 75% of the schooling costs indicated in paragraph (A) above up to a maximum education allowance as shown in Appendix 4.

(C) The education allowance shall be payable up to the end of the school year in which the child completes four years of post-secondary studies or is awarded the first recognized degree, whichever is the earlier. The allowance will not normally be payable beyond the school year in which the child reaches the age of twenty-five years. If the child's education is interrupted for at least one school year by national service, illness or other compelling reasons, the period of eligibility shall be extended by the period of interruption.

(D) Where attendance is for less than two thirds of the school year, the amount of the allowance shall be the proportion of the annual allowance otherwise payable which the period of attendance bears to the full scholastic year.

(E) The school year shall consist of the actual number of days between the first day of the opening term and the last day of the final term at the educational institution attended by the child.

(F) Where the period of service of the staff member does not cover the full scholastic year, the amount of the grant for that year shall normally be that proportion of the grant otherwise payable which the period of service bears to the full scholastic year.

(G) The education allowance shall not be payable in respect of:

- (i) Attendance at a kindergarten or nursery school at the pre-primary level;
- (ii) Private tuition;
- (iii) Correspondence courses.

(H) Claims for education allowance shall be submitted to the Head of Institution in writing, and shall be supported by such documentary evidence as may be required.

(I) Notwithstanding Regulation 6.05(e), a national of the country of the duty station who has been recruited to a post in Professional and higher category and who, at the time of appointment, has been living outside the country of the duty station for the last three years, shall be eligible to receive education allowance in respect of his/her dependant children.

(J) The maximum admissible expenses, maximum education allowance and flat rate for boarding are shown in Appendix 4.

Rule 6.05.3 – Education Allowance Travel

A staff member to whom an education allowance is payable under Regulation 6.05 (e) whose child attends an educational institution outside the duty station shall be entitled to travel expenses for the child of one return journey each scholastic year between the educational institution and the duty station provided that:

- (i) Such travel expenses shall not be paid if the requested journey is unreasonable, either because of its timing in relation to other authorized travel of the staff member or his/her eligible family members or because of the brevity of the visit in relation to the expense involved;
- (ii) Where attendance is for less than two thirds of the school year, travel expenses shall not normally be payable.

Rule 6.05.4 – Tuition of the mother tongue

(A) Expenses for private tuition in the mother tongue pursuant to Regulation 6.05 (f) are admissible when the following conditions are met:

- (i) Private tuition is given by a qualified teacher who is not a member of the staff member's family;

- (ii) The staff member serves in a country whose language is different from his/her mother tongue;
- (iii) The child attends a local school in which instruction is given in a different language from the staff member's mother tongue.

(B) Claims for reimbursement for tuition in the mother tongue shall be submitted in writing and supported by evidence satisfactory to the Head of Institution.

Rule 6.05.5 – Dependency allowances

(A) Payments of dependency allowance shall be made only in respect of dependent spouses and children.

(B) Staff members shall be responsible for submitting in writing to the Head of Institution any claims for the dependency allowances and may be required to support such claims by documentary evidence satisfactory to the Head of Institution. They shall be responsible for reporting to the Head of Institution any change in the status of a dependant affecting the payment of the allowance.

(C) The rates of child allowance applicable to staff in the Professional and higher category are shown in Appendix 5.

(D) The rates of dependency allowances applicable to the staff in General Service category are shown in Appendix 2.

Regulation 6.06

Payment of Salaries and Allowances

Salaries and allowances shall be paid in accordance with rules and procedures established by the Secretary General.

Rule 6.06.1 - Currency of Salary Payments

In general, salaries and allowances shall be payable in the currency of the duty station. Staff members in the Professional and higher categories and other staff members who are not nationals of the country of the duty station, however, may at their request be paid their emoluments, or a portion thereof, in a currency other than that of their duty station.

Rule 6.06.2 - Payment of Salaries

(A) Salaries shall be paid monthly at the end of the month to which they apply.

(B) For computing fractional payments of salaries, one twelfth of the annual salary shall be paid for each full month of qualifying service and one three hundred and sixtieth of the annual salary for each calendar day of qualifying service for periods less than a full month.

Rule 6.06.3 - Deductions

- (A) Deductions from salaries due to the staff members may be made only for the following:
- (i) Staff members' contributions to the OSCE Provident Fund in accordance with provisions governing the administration of the Fund;
 - (ii) Staff members' contributions to premiums of a group medical insurance scheme in which the staff member participates;
 - (iii) Staff members' contributions to the national social security system of the country of the duty station;
 - (iv) Indebtedness to the OSCE;
 - (v) As authorized by the staff member and agreed by the OSCE.

Rule 6.06.4 - Claims for Past Entitlements

- (A) No staff member shall be entitled to receive any payments which, although entitled to, he/she has not received, unless he/she claims such payment in writing within two years from the date on which such payment would have become due.
- (B) Payments or other benefits which a staff member, although not entitled to, has received in good faith, may be reclaimed by the OSCE only within two years from the date on which such payment was made or such benefits were granted.

Rule 6.06.5 - Salary Advances

- (A) Salary advances may be paid to staff members under the following circumstances and conditions:
- (i) If the salary falls due during his/her absence on approved leave or official travel of at least two weeks;
 - (ii) If the staff member arrives, on initial appointment, without sufficient funds, in such amount as the Head of Institution may deem appropriate, up to a maximum of two months' salary including post adjustment, if applicable;
 - (iii) Upon separation, where final settlement of pay accounts cannot be made at the time of the staff member's departure, subject to the advance not exceeding 80 per cent of the estimated final payments due.
- (B) The Head of Institution may, in exceptional and compelling circumstances, and if the request of the staff member is supported by a detailed justification in writing, authorize an advance for reasons other than those enumerated above.
- (C) An advance shall be liquidated:

- (i) By deduction from the next month's pay;
- (ii) At a fixed monthly rate to be determined at the time the advance is authorized, for salary advances under paragraphs (A)(ii) and (B) above; or
- (iii) By deduction of the full amount outstanding from the payments due to the staff member, if he/she is separated before the whole advance has been liquidated.

Regulation 6.07

Unauthorized Absence from Work

No salary shall be paid to staff members in respect of periods of unauthorized absence from work.

Regulation 6.08

Maximum Payments

Payments as provided for under the provisions of Article VI shall not exceed those payable under the Common System of Salaries and Allowances of the United Nations.

Article VII
TRAVEL EXPENSES, ASSIGNMENT GRANTS AND
REMOVAL EXPENSES

Regulation 7.01
Travel Expenses

- (a) The OSCE shall reimburse international staff for travel expenses incurred by the staff member, by the staff member's spouse and by his/her dependent children, upon:
- (i) appointment;
 - (ii) change of duty station;
 - (iii) home leave;
 - (iv) separation from service, unless the staff member has been summarily dismissed, or resigned before completing a period of service of one year.
- (b) Such travel expenses may also be reimbursed to internationally recruited local staff in the grades G6 and G7. The informal Financial Committee shall be kept informed of authorizations made under this paragraph.
- (c) Reimbursement of expenses for travel mentioned under (a) and (b) above shall not exceed the cost of travelling by air (economy class) or by land (first-class railway). The rules for travel on official business shall apply also to travel covered by (a) and (b) above.
- (d) The OSCE shall reimburse staff members for expenses for travel on official business.

Regulation 7.02
Assignment Grants

- (a) The following staff members shall, in respect of themselves, their spouses and their dependent children, be eligible for an assignment grant upon appointment:
- (i) International staff members who have not continuously resided in the country of the duty station for the last three years prior to taking up their appointment; and
 - (ii) International staff members who have been recruited in the country of the duty station but who have been brought to the country of the duty station for the purpose of service with an international, governmental, or non-governmental organization, or a diplomatic or consular mission, and who have been granted by their previous employer benefits for internationally recruited staff, provided that the appointment with the OSCE has necessitated a change of residence.
- (b) All international staff members shall be eligible for an assignment grant upon transfer to another duty station, provided that service is foreseen for at least twelve months.

(c) The assignment grant payable to the staff member shall be the equivalent of the daily subsistence allowance applicable to the duty station, and 50 per cent of that amount for the spouse and each of his/her dependent children, and shall be paid for a period of 30 days after arrival at the duty station.

Regulation 7.03

Removal of Household Effects

(a) International staff members appointed for a period of not less than one year whose travel upon appointment or separation is payable by the OSCE, and staff members transferred from one duty station to another for a period of not less than one year, shall be entitled to be paid the cost of removal of their household effects in accordance with paragraphs (c) and (d) below.

(b) Removal expenses may also be paid to internationally recruited local staff in the grades G6 and G7 whose travel upon appointment and separation is payable by the OSCE. The informal Financial Committee shall be kept informed of authorizations made under this paragraph.

(c) Subject to the limits set forth in paragraph (d), the costs to be reimbursed are the expenses actually incurred. The Secretary General shall establish additional conditions for the payment of removal costs, such as the requirement for competitive offers, selection of the most economical means of transportation by land or sea, and maximum amounts for reimbursable insurance costs.

(d) The maximum quantities for which reimbursement will be made by the OSCE shall be as follows:

- (i) 8000 kg or 40m³ for staff in the Professional and higher categories with a spouse residing with the staff member at the duty station;
- (ii) 4000 kg or 30m³ for staff in the Professional and higher categories without a spouse residing with the staff member at the duty station;
- (iii) 4000 kg or 30m³ for staff in the grades G6 and G7 with a spouse residing with the staff member at the duty station;
- (iv) 2500 kg or 20m³ for staff in the grades G6 and G7 without a spouse residing with the staff member at the duty station.

Rule 7.03.1 - Conditions for Entitlement

(A) Upon appointment, the OSCE shall pay the expenses of removing a staff member's household effects either from the place of recruitment or from the place recognized as his/her home for purposes of home leave under Staff Regulation 8.02, provided that the effects were in his/her possession at the date of shipment, were used by him/her and/or his/her dependants and are being transported for his/her own use.

(B) Upon separation, the OSCE shall pay the expenses of removing a staff member's household effects from his/her official duty station to the place to which he/she is entitled to be returned or to another place authorized by the Secretary General in exceptional cases and on such terms and conditions as the Secretary General deems appropriate, provided the effects were in the staff member's possession at the time of separation, were used by him/her and/or his/her dependants and are being transported for his/her own use. In no event shall the OSCE pay removal expenses in respect of a staff member and his/her spouse and dependants if the staff member has been summarily dismissed.

(C) A staff member who resigns before completing one year of service shall not normally be entitled to payment of removal expenses under subparagraph (B) above.

(D) Entitlement to removal expenses on separation from service shall cease if removal has not commenced within six months after the date of separation. This period may be extended for special reasons accepted by the Secretary General.

(E) Household effects shall be defined as all effects normally required for personal or household use provided that animals, boats, automobiles, motor cycles, trailers and other power-assisted conveyances shall not be considered as such effects.

Rule 7.03.2 - Conditions for Reimbursement

In addition to the limitations set forth in Staff Regulation 7.03(d), payment by the OSCE of removal expenses shall be subject to the following conditions:

- (i) Transportation shall be by land or sea or the most economical means as determined by the Secretary General, taking into account costs of packing, crating, cartage, unpacking and uncrating. Transportation shall take place in a single shipment and within a period of six months after the entitlement arises.
- (ii) The staff member shall be required to obtain offers from at least two reputable removal companies for the entire removal expenses, including insurance costs, and to select the lowest bidder. The Secretary General may also prescribe that transportation be effected by a company selected by the OSCE.
- (iii) Reimbursement of the cost of insurance in transit of household effects (excluding any articles of value for which special rates of premium are charged) shall be up to the insurance value for which they are ordinarily insured by the staff member, subject to a maximum value equivalent to US\$ 8 per kg of the staff member's maximum shipment entitlements. The valuation shall be subject to review and approval by the Secretary General. The OSCE shall in no case be responsible for loss or breakage.

Rule 7.03.3 - Storage

Storage charges for a maximum of 60 days may be reimbursed when incidental to removal of effects in connection with the collection and delivery of shipment from and/or to the residence, upon initial appointment, change of duty station or separation.

Regulation 7.04

Maximum Payments

Payments as provided for under the provisions of Article VII shall not exceed those payable under the Common System of Salaries and Allowances of the United Nations.

**Article VIII
LEAVE**

**Regulation 8.01
Annual Leave**

Staff members shall be entitled, while in full-pay status, to annual leave at the rate of two-and-a-half working days per month. Annual leave may be accumulated, but not more than 30 calendar days may be carried over beyond 31 December of any year.

Rule 8.01.1 - The Granting and Accumulation of Annual Leave

- (A) Annual leave may be taken in units of days and half days subject to the exigencies of the service. Leave may only be taken when authorized in advance either by a Head of Institution or in the Secretariat by a Head of Department. Personal circumstances and preferences of the staff member shall, as far as possible, be taken into account.
- (B) The annual leave shall normally be taken during the year when it is earned.
- (C) A staff member may, in exceptional circumstances, be granted advance annual leave up to a maximum of 15 days, provided his/her service is expected to continue for a period beyond that necessary to accrue the leave so advanced.

Rule 8.01.2 - Treatment of Unauthorized Absence

Any absence from duty not specifically covered by other provisions of these Rules shall be charged to the staff member's overtime balance, if any, or his/her accrued annual leave. If the staff member has no accrued annual leave, he/she shall forfeit pay and allowances for the period of such absence.

**Regulation 8.02
Home Leave**

- (a) Eligible staff members together with their spouses and dependent children shall be granted home leave in accordance with provisions established by the Secretary General.
- (b) Home leave shall be granted to international staff once in each two-year period of qualifying service in order that they may spend a substantial period of annual leave in their home country.

Rule 8.02.1 - Eligibility

- (A) Eligible staff shall be entitled to home leave in each two-year period when at least one year of qualifying service has been fulfilled and the staff member's service is expected to continue for at least six months beyond the date of his/her return from any approved home leave.

(B) Qualifying service means continuous service with the OSCE in a status which makes the staff member eligible for home leave.

Rule 8.02.2 - Benefits and Beneficiaries

Home leave entitles the staff member to the reimbursement of travel expenses to his/her home country for himself/herself, and his/her spouse and dependent children residing with him/her at the duty station or, in the case of dependent children for whom an education allowance is being paid, from an educational institution outside his/her home country, provided that reimbursement for the cost of travel for such children shall not exceed the cost of travel from the duty station to the place of home leave. Home leave conditions, such as travel time and reimbursement of travel expenses, shall be determined by the Secretary General.

Rule 8.02.3 - Terms and Conditions

(A) The country of home leave shall be the country of the staff member's nationality, subject to the following terms and conditions:

- (i) The place of home leave within the staff member's home country, for purposes of travel and transportation entitlement, shall normally be the place with which the staff member had the closest residential ties at the time of his/her appointment.
- (ii) The Heads of Institution may, in exceptional and compelling circumstances, authorize as the home country, for the purpose of this Rule, a country other than the country of nationality.

(B) In the event that a staff member, after exercising his/her entitlement to home leave, leaves the OSCE's service prior to completion of the two-year period for which home leave was granted, he/she shall be required to reimburse the OSCE any costs incurred by it for the home leave.

Regulation 8.03

Special Leave

(a) Staff members may be granted, in exceptional cases, special leave on full or partial pay or without pay, for the following reasons:

- (i) marriage of the staff member one day
- (ii) change of residence of the staff member one day
- (iii) death of spouse/child four days
- (iv) death of a parent/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, at the discretion of the Heads of Institution for exceptional reasons and in the interest of the OSCE.

Regulation 8.04
Sick Leave and Maternity Leave

(a) Staff members 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 in accordance with conditions established by the Secretary General. Female staff members shall also be entitled to maternity leave in accordance with provisions established by the Secretary General.

(b) Staff members shall be granted sick leave not exceeding 12 months in any four consecutive years. The first six months shall be on full salary and the second six months on half-salary, except that no more than three months' sick leave on full salary and no more than three months' sick leave on half-salary shall normally be granted in any period of 12 consecutive months.

(c) Female staff members shall be entitled to a total of 16 weeks of maternity leave with full pay. This period may be extended by two weeks in the event of a multiple birth.

Rule 8.04.1 - Sick Leave

(A) A staff member absent from duty because of sickness for a period of more than three consecutive working days shall produce a certificate from a duly qualified medical practitioner stating the probable duration of his/her incapacity. Staff members insured in a national social security scheme shall also immediately notify that scheme of such sickness in accordance with the provisions of that scheme.

(B) Staff members shall be entitled to up to three consecutive working days as uncertified sick leave, provided that in one calendar year the total uncertified sick leave does not exceed seven working days. Part or all of this entitlement may be used to attend to family-related emergencies, or for paternity leave in case of birth or adoption of a child, in which case the limitation of three consecutive working days shall not apply.

(C) A staff member who has taken a total of seven working days as uncertified sick leave within a calendar year shall submit a medical certificate in respect of any further absence from duty within that year. Failing the production of a certificate, the period of absence shall be deducted from the overtime balance, if any, or the annual leave or counted as special leave without pay.

(D) A staff member shall not, while on sick leave, leave the area of the duty station without prior approval of his/her Head of Institution.

(E) When sickness of more than three consecutive working days occurs within a period of annual leave, sick leave may be approved on production of an appropriate medical certificate and the annual leave balance may be adjusted.

(F) The sickness of a staff member participating in a national health insurance scheme who has exhausted his/her entitlement to sick leave on full pay shall be reported to that scheme for payment of benefits due to him/her. To the extent that such sickness benefits

exceed sick leave payments to the staff member for the period while the staff member is on sick leave with half pay, they may be deducted from the sick leave payments made by the OSCE.

(G) A staff member may be required at any time during sick leave to submit a medical certificate regarding his/her health or to be examined by a medical doctor chosen by the Head of Institution. Further sick leave may be refused if the Head of Institution, on the basis of such certificate or examination, determines that the staff member shall return to duty.

(H) Entitlement to sick leave shall lapse on the last day of the staff member's appointment.

(I) A staff member who has incurred illness or injury in connection with the performance of official duties may be granted additional sick leave upon exhaustion of regular sick leave entitlements on full pay, if so determined by the Secretary General or a Head of Institution in consultation with the Secretary General.

Rule 8.04.2 - Maternity Leave

(A) Maternity leave may commence not earlier than six weeks and not later than two weeks prior to the anticipated date of birth upon production of a certificate from a duly recognized medical practitioner indicating the anticipated date of birth.

(B) The post-delivery leave shall extend for a period of no less than ten weeks after the date of birth. This period may be extended by adding any unused portion of the period provided for in Staff Regulation 8.04(c).

(C) Sick leave shall not be granted for the duration of maternity leave except where serious medical complications arise.

(D) Annual leave shall accrue during the period of maternity leave, provided that the staff member returns to service for at least six months after the completion of maternity leave.

(E) After completing maternity leave a staff member shall be allowed time off for not more than one hour daily in order to breast-feed her child.

(F) If a staff member is a participant in a national social security scheme:

(i) She shall be reported to that scheme for the payment of maternity benefits;

(ii) She may receive such additional payments from the OSCE as will keep her on full pay during the entire period of her absence granted pursuant to paragraphs (A) and (B) above;

(iii) If the period of payment of maternity benefits by a national social security scheme exceeds the periods provided for in paragraphs (A) and (B) above, she may be granted special leave without pay upon her request for the balance of such period.

(G) Where both spouses are staff members of the OSCE, an unused portion of maternity leave to which the mother would otherwise have been entitled under paragraph (B) above may be used as paternity leave by the father of the child.

Regulation 8.05
Maximum Leave

Leave as provided for under the provisions of Article VIII shall not exceed that allowable under the Common System of Salaries and Allowances of the United Nations.

Article IX
SOCIAL SECURITY AND PROVIDENT FUND

Regulation 9.01
Health Insurance

- (a) The Secretary General shall, in consultation with the other Heads of Institution, make provision for the health insurance of staff members.
- (b) Staff shall participate either in the national social security system of the host country, a group health insurance system selected by the Secretary General, or a health insurance scheme recognized by the Secretary General.
- (c) The Secretary General shall determine the conditions of participation in these schemes. The OSCE shall contribute towards the cost of such participation in accordance with Regulations 9.04 (a) and (b) and 9.05 (b) and (c). In no event shall staff members have double insurance at the expense of the OSCE.

Rule 9.01.1 - Participation

Staff members shall participate in one of the following health insurance schemes:

- (A) International staff shall participate in the health insurance scheme provided by the OSCE, in accordance with arrangements made between the OSCE and the selected company.

Dependants of such staff shall also participate in that scheme unless they are covered by another health insurance scheme recognized by the OSCE.
- (B) Local staff shall participate in the national social security system of the host country or in the health insurance scheme provided by the OSCE. Dependants of those local staff members who participate in this health insurance scheme shall also participate in the same scheme unless they are covered by another health insurance scheme recognized by the OSCE.
- (C) Seconded staff shall continue to be covered by their own social security arrangements, unless arrangements are made for participation at their own cost in the health insurance scheme provided by the OSCE.
- (D) Local staff members and their dependants participating in the national health insurance scheme may, at their option, also participate in the supplementary health insurance scheme provided by the OSCE.

Regulation 9.02

Insurance to Cover Death or Injury Connected with the Performance of Official Duties

The Secretary General shall, in consultation with the other Heads of Institution, make provision for insurance of staff members to cover death or injury connected with the performance of official duties.

Rule 9.02.1 - Participation

(A) Staff who participate in the health insurance scheme provided by the OSCE shall participate in the accident insurance scheme provided by the OSCE. Seconded staff shall also participate in the accident insurance scheme provided by the OSCE and the OSCE shall pay the corresponding premium.

(B) Local staff who participate in the national social security system of the host country shall participate also in the accident insurance scheme of that system. In case accident insurance is not part of the national social security scheme, the OSCE will arrange for participation of local staff in the OSCE accident insurance scheme.

Rule 9.02.2 - Compensation

(A) Compensation for staff members covered by the accident insurance scheme of the host country shall be in accordance with that scheme.

(B) Compensation for staff members covered by the accident insurance scheme provided by the OSCE shall be in accordance with Appendix 6.

Regulation 9.03

Pension Insurance, Provident Fund

The Secretary General shall make provision for pension insurance coverage of staff members, including participation of eligible staff members in a Provident Fund established by the OSCE, and shall determine the conditions for participation in pension insurance schemes and the Provident Fund. The OSCE shall contribute towards the cost of participation in a pension insurance scheme and the Provident Fund in accordance with Regulations 9.04 (a) and (d) and 9.05 (b) and (d).

Rule 9.03.1 - Participation in Pension Insurance Schemes

Local staff members who participate in a national social security system shall normally participate in the pension insurance scheme of that system.

Rule 9.03.2 - Participation in the Provident Fund

Staff members holding fixed-term appointments shall be entitled to participate in the Provident Fund, except if they participate in a national pension insurance scheme and the OSCE contributes towards the cost of their participation.

Rule 9.03.3 - Administration of the Provident Fund

The Provident Fund shall be administered in accordance with Appendix 7.

Regulation 9.04 Contributions

- (a) For staff members participating in the national social security system of the host country, the OSCE shall contribute the share of the contributions which, in accordance with the system, is payable by the employer in respect of the employee.
- (b) The OSCE shall contribute 50 per cent of the premiums for staff members and their eligible dependants participating in the group health insurance scheme selected by the Secretary General up to a maximum of 6.5 per cent of the staff member's net base salary, including post adjustment if applicable. No OSCE contributions shall be made for a supplementary health insurance scheme.
- (c) The OSCE shall pay the premium costs for insurance to provide compensation in the event of death or injury connected with the performance of official duties for those staff members who participate in the accident insurance scheme selected by the OSCE.
- (d) The OSCE shall contribute an amount of 15 per cent and the staff member 7.5 per cent of the staff member's net base salary, including post adjustment if applicable, for the account of any staff member participating in the Provident Fund of the OSCE.

Regulation 9.05 Other Social Security Systems Recognized by the OSCE

- (a) Staff members may be authorized in writing by the Head of Institution to continue participation in a social security system recognized by the Secretary General in consultation with the Head of Institution concerned.
- (b) Staff authorized to continue participation in a social security system recognized by the OSCE shall be reimbursed half of the cost of health insurance and two-thirds of the cost of pension insurance upon submission of documentary evidence proving payment, subject to the maxima set forth in (c) and (d) below.
- (c) The reimbursement of staff members for continuation in a health insurance scheme other than the health insurance scheme of the host country shall not exceed 6.5 per cent of the staff member's net base salary, including post adjustment if applicable.
- (d) The reimbursement of staff members for continuation in a pension insurance scheme other than the pension insurance scheme of the host country shall not exceed 15 per cent of the staff member's net base salary, including post adjustment if applicable.

Article X
STAFF RELATIONS

Regulation 10.01
Staff Relations

The Secretary General and the other Heads of Institution shall establish and maintain continuous contact and communication with all staff in order to ensure the effective participation of the staff in identifying, examining and resolving issues relating to staff welfare, including conditions of work and other personnel policies.

Regulation 10.02
Staff Representation

- (a) Staff members shall have the right to elect staff representatives. The representatives may organize themselves in one or more staff representative bodies recognized by the Head of Institution.
- (b) The representative staff bodies shall be composed in such a way as to afford equitable representation of all staff. They shall, *inter alia*, be entitled to initiate proposals to the Secretary General and to the other Heads of Institution for the purposes set forth in Regulation 10.01.
- (c) Organizational arrangements, including procedures for elections, shall be specified in the Staff Rules.
- (d) The activities of the representative staff bodies shall not impose an excessive burden on the OSCE budget.

Rule 10.02.1 - Election of Staff Representatives

- (A) Election of staff representatives shall take place once a year and the Secretary General and other Heads of Institution concerned shall be informed of the result.
- (B) Each member of the staff may participate in elections of staff representatives. Polling officers selected by the staff shall conduct the election of staff representatives in such a way as to ensure the secrecy and fairness of the vote.
- (C) Staff representatives shall be entitled to effective participation in identifying, examining and resolving issues relating to staff welfare, including conditions of work, general conditions of life and other personnel policies, and shall be entitled to make proposals on behalf of the staff to their respective Head of Institution who shall bring it to the attention of the Secretary General if it affects general conditions of employment.

**Article XI
APPEALS**

**Regulation 11.01
Internal Appeals Procedures**

The Secretary General shall establish, in consultation with the other Heads of Institution, an administrative procedure with staff participation to advise the Secretary General and the Head of Institution concerned in the event of any appeal by a staff member against an administrative decision in which the staff member alleges non-observance of the terms of his/her appointment.

Rule 11.01.1 - Internal Review Board

- (A) In the event of an appeal by a staff member under Staff Regulation 11.01, an Internal Review Board shall be established to advise the Secretary General and the Head of Institution concerned regarding that appeal.
- (B) The Internal Review Board shall consist of three members as follows:
- (i) A Chairman designated by the Secretary General, after consultation with the Head of Institution concerned and the Staff Representatives;
 - (ii) One member appointed by the Head of Institution concerned;
 - (iii) One member appointed by the Staff Representatives.
- (C) (1) The members of the Board shall be completely independent in the discharge of their duties; the Board shall decide questions regarding its own competence.
- (2) In cases of a decision relating to the performance of a staff member, the Board shall not consider the substantive question of the standard of performance, but only evidence that the decision has been motivated by prejudice or by some other extraneous factors.
- (D) (1) If a staff member wishes to make an appeal against an administrative decision, the following procedure shall apply:
- (i) Except if the Head of Institution has already decided the matter, the staff member concerned shall request the Head of Institution to review the administrative decision and to take a decision; the request shall be made within thirty days after receipt of the notification of the administrative decision in writing.
 - (ii) If the staff member wishes to have the decision by the Head of Institution considered by the Internal Review Board, he/she shall request the Secretary General to make arrangements for the constitution of such a Board. The request for constitution shall be made within thirty days after receipt of the decision by the Head of

Institution; taken pursuant to (D)(1)(i) above or otherwise. If the Head of Institution does not take a decision within thirty days following a request made under (D)(1)(i) above, the request for constitution of the Board shall be made within a further period of thirty days.

- (iii) The staff member shall be notified of the composition of the Board and shall address his/her appeal in writing to the Chairman of the Board within thirty days following receipt of the notification of the constitution of the Board.
- (iv) The Chairman of the Board shall immediately transmit the appeal to the Head of Institution concerned who shall file his/her reply within thirty days with the Chairman.

(2) An appeal shall not be considered by the Board unless the above time-limits have been met by the staff member, provided that the Board may waive the time-limits in exceptional circumstances.

(3) The filing of an appeal shall not have the effect of suspending action on an administrative decision which is the subject of the appeal.

(4) The Board shall determine its own procedure, including whether oral hearings shall be held or whether an appeal shall be considered on the basis of written submissions only.

(5) The Board shall, by majority vote, adopt and submit a report which shall include its recommendation to the Head of Institution concerned. A copy shall be provided to the Secretary General if the appeal relates to a decision by another Head of Institution.

(6) The Board shall submit its report within three weeks after undertaking consideration of an appeal.

(7) The final decision in the matter, taken by the Secretary General, or Head of Institution concerned after consultation with the Secretary General, shall be communicated to the staff member, with a copy of the Board's report.

Regulation 11.02

External Appeals Procedures

(a) Further to the procedure established in Regulation 11.01, a staff 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 of the Panel to be established by the Permanent Council. The Terms of Reference are set forth in Appendix 8 of the Staff Regulations.

(b) The Panel of Adjudicators shall be appointed by the Chairman of the Permanent Council 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.

Rule 11.02.1 - Adjudication

- (A) Staff members shall have the right to appeal to a Panel of Adjudicators after compliance with the internal appeals procedure set forth in Rule 11.01.1.

- (B) A staff member may, in agreement with the Secretary General or the Head of Institution concerned, waive the jurisdiction of the Internal Review Board and appeal directly to the Panel of Adjudicators.

Article XII
AMENDMENT AND SUSPENSION

Regulation 12.01
Revisions, Amendments and Suspension

(a) These Regulations shall not be regarded as establishing acquired rights of the staff; they may therefore be revised, amended or suspended by the Permanent Council without prior notice, and the corresponding Staff Rules may be amended by the Secretary General. Amendments to the Staff Rules shall be communicated to the Permanent Council prior to their promulgation by the Secretary General.

(b) The Permanent Council shall review periodically the conditions of service of the staff of the OSCE, including the adequacy of the level of remuneration and its affordability in the light of the Organization's financial situation.

Rule 12.01.1 - Amendments

Any amendment to these Rules shall take effect on the date determined by the Secretary General.

Rule 12.01.2 - Suspension

Subject to the provisions of the Staff Regulations, the Secretary General may suspend specific Rules in individual cases.

APPENDIX 1

SALARY SCALES FOR STAFF MEMBERS IN THE PROFESSIONAL & HIGHER CATEGORIES
Annual salaries (in US dollars - effective 1 March 2000)

GRADE	S T E P S															
		I	II	III	IV	V	VI	VII	VIII	IX	X	XI	XII	XIII	XIV	XV
D-2	Net D	83,081	84,702*	86,322*	87,941*	89,561*	91,181*									
	Net S	76,325	77,683*	79,041*	80,398*	81,755*	83,113*									
D-1	Net D	74,533	75,920	77,308	78,692	80,080*	81,467*	82,855*	84,242*	85,628*						
	Net S	68,893	70,112	71,329	72,545	73,763*	74,972*	76,135*	77,297*	78,459*						
P-5	Net D	66,753	68,008	69,264	70,519	71,774	73,028	74,284	75,539	76,793	78,049	79,304*	80,558*	81,813*		
	Net S	62,013	63,164	64,267	65,369	66,472	67,572	68,674	69,777	70,878	71,980	73,081*	74,183*	75,262*		
P-4	Net D	56,380	57,606	58,829	60,051	61,277	62,500	63,724	64,948	66,173	67,396	68,619	69,845	71,068*	72,292*	73,517*
	Net S	52,503	53,629	54,751	55,872	56,995	58,116	59,238	60,360	61,482	62,603	63,700	64,778	65,851*	66,926*	68,001*
P-3	Net D	47,342	48,492	49,643	50,791	51,942	53,091	54,240	55,391	56,541	57,691	58,841	59,990	61,140	62,289*	63,440*
	Net S	44,191	45,248	46,308	47,364	48,423	49,479	50,536	51,594	52,650	53,708	54,762	55,816	56,869	57,923*	58,977*
P-2	Net D	39,251	40,281	41,308	42,337	43,365	44,393	45,422	46,449	47,479	48,507	49,534	50,564*			
	Net S	36,816	37,749	38,680	39,612	40,543	41,476	42,423	43,369	44,317	45,263	46,208	47,156*			
P-1	Net D	31,071	32,061	33,049	34,038	35,025	36,013	37,003	37,991	38,978	39,967					
	Net S	29,310	30,222	31,132	32,043	32,953	33,863	34,774	35,674	36,569	37,464					

D = Rate applicable to staff members with a dependent spouse or child.

S = Rate applicable to staff members with no dependent spouse or child.

* = The normal qualifying period for in-grade movement between consecutive steps is one year, except at those marked with an asterisk, for which a two-year period at the preceding step is required.

VIENNA - AUSTRIA
SALARY SCALES FOR STAFF MEMBERS IN THE GENERAL SERVICE CATEGORY
Annual salaries (in Austrian Schillings – effective 1 January 2000)
Applicable to staff members whose Entry on Duty date is on or after 1 November 1996

S T E P S												
GRADE	I	II	III	IV	V	VI	VII	VIII	IX	X	XI	XI*
G-1	240,824	248,531	256,238	263,945	271,652	279,359	287,066	294,773	302,480	310,187	317,894	325,601
G-2	278,634	287,551	296,468	305,385	314,302	323,219	332,136	341,053	349,970	358,887	367,804	376,721
G-3	322,379	332,695	343,011	353,327	363,643	373,959	384,275	394,591	404,907	415,223	425,539	435,855
G-4	372,993	384,929	396,865	408,801	420,737	432,673	444,609	456,545	468,481	480,417	492,353	504,289
G-5	431,552	445,361	459,170	472,979	486,788	500,597	514,406	528,215	542,024	555,833	569,642	583,451
G-6	499,307	515,284	531,261	547,238	563,215	579,192	595,169	611,146	627,123	643,100	659,077	675,054
G-7	577,698	596,183	614,668	633,153	651,638	670,123	688,608	707,093	725,578	744,063	762,548	781,033

Allowances: Child Allowance: Under the age of 10: ATS 25,717 per annum
 Between ages 10-19: ATS 28,717 per annum
 Above age 19: ATS 32,317 per annum
 Spouse Allowance: ATS 5,280 per annum

- * Long-service step:
 The qualifying criteria for in-grade increases to the long-service step are as follows:
- (a) The staff member should have had at least 20 years of service within the OSCE and five years of service at the top regular step of the current grade.
 - (b) The staff member's service should have been satisfactory.

**VIENNA - AUSTRIA
SALARY SCALES FOR STAFF MEMBERS IN THE GENERAL SERVICE CATEGORY**

**Annual salaries (in Austrian Schillings – effective 1 January 2000)
Applicable to staff members whose Entry on Duty date is before 1 November 1996**

S T E P S												
GRADE	I	II	III	IV	V	VI	VII	VIII	IX	X	XI	XI*
G-1	242,309	250,062	257,815	265,568	273,321	281,074	288,827	296,580	304,333	312,086	319,839	327,592
G-2	280,353	289,323	298,293	307,263	316,233	325,203	334,173	343,143	352,113	361,083	370,053	379,023
G-3	324,367	334,747	345,127	355,507	365,887	376,267	386,647	397,027	407,407	417,787	428,167	438,547
G-4	375,293	387,303	399,313	411,323	423,333	435,343	447,353	459,363	471,373	483,383	495,393	507,403
G-5	434,213	448,108	462,003	475,898	489,793	503,688	517,583	531,478	545,373	559,268	573,163	587,058
G-6	502,385	518,461	534,537	550,613	566,689	582,765	598,841	614,917	630,993	647,069	663,145	679,221
G-7	581,260	599,860	618,460	637,060	655,660	674,260	692,860	711,460	730,060	748,660	767,260	785,860

Allowances: Child Allowance: Under the age of 10: ATS 25,717 per annum
 Between ages 10-19: ATS 28,717 per annum
 Above age 19: ATS 32,317 per annum
 Spouse Allowance: ATS 5,280 per annum

- * Long-service step:
 The qualifying criteria for in-grade increases to the long-service step are as follows:
- (a) The staff member should have had at least 20 years of service within the OSCE and five years of service at the top regular step of the current grade.
 - (b) The staff member's service should have been satisfactory.

**APPENDIX 2
TABLE B**

**PRAGUE – CZECH REPUBLIC
SALARY SCALES FOR STAFF MEMBERS IN THE GENERAL SERVICE CATEGORY
Annual salaries (in Korunas - effective 1 June 1999)**

S T E P S											
GRADE	I	II	III	IV	V	VI	VII	VIII	IX	X	XI*
G-1	135,965	142,237	148,509	154,781	161,053	167,325	173,597	179,869	186,141	192,413	198,685
G-2	196,475	205,645	214,815	223,985	233,155	242,325	251,495	260,665	269,835	279,005	288,175
G-3	245,614	257,072	268,530	279,988	291,446	302,904	314,362	325,820	337,278	348,736	360,194
G-4	294,724	308,478	322,232	335,986	349,740	363,494	377,248	391,002	404,756	418,510	432,264
G-5	347,785	364,013	380,241	396,469	412,697	428,925	445,153	461,381	477,609	493,837	510,065
G-6	403,403	422,233	441,063	459,893	478,723	497,553	516,383	535,213	554,043	572,873	591,703
G-7	463,938	485,588	507,238	528,888	550,538	572,188	593,838	615,488	637,138	658,788	680,438

Allowances: Child Allowance 167,858 per annum
Spouse Allowance 0 per annum

- * Long-service step:
The qualifying criteria for in-grade increases to the long-service step are as follows:
- (a) The staff member should have had at least 20 years of service within the OSCE and five years of service at the top regular step of the current grade.
 - (b) The staff member's service should have been satisfactory.

**APPENDIX 2
TABLE C**

**THE HAGUE – NETHERLANDS
SALARY SCALE FOR STAFF MEMBERS IN THE GENERAL SERVICE CATEGORY**

Annual salaries (in Netherlands Guilders - effective 1 July 1999)

S T E P S												
GRADE	I	II	III	IV	V	VI	VII	VIII	IX	X	XI	XII [*]
G-1	37,250	38,560	39,870	41,180	42,490	43,800	45,110	46,420	47,730	49,040	50,350	51,660
G-2	41,750	43,210	44,670	46,130	47,590	49,050	50,510	51,970	53,430	54,890	56,350	57,810
G-3	46,740	48,380	50,020	51,660	53,300	54,940	56,580	58,220	59,860	61,500	63,140	64,780
G-4	52,400	54,430	56,460	58,490	60,520	62,550	64,580	66,610	68,640	70,670	72,700 ^{**}	
G-5	58,670	60,950	63,230	65,510	67,790	70,070	72,350	74,630	76,910	79,190	81,470 ^{**}	
G-6	65,710	68,260	70,810	73,360	75,910	78,460	81,010	83,560	86,110	88,660	91,210 ^{**}	
G-7	73,530	76,400	79,270	82,140	85,010	87,880	90,750	93,620	96,490	99,360	102,230 ^{**}	

Allowances: Child Allowance 46,360 per annum
Spouse Allowance 2,136 per annum

Note: The scale is based on a common work week of 37,5 hours and is to be adjusted to reflect 40 hours work week in the OSCE

- * Long-service step:
The qualifying criteria for in-grade increases to the long-service step are as follows:
- (a) The staff member should have had at least 20 years of service within the OSCE and five years of service at the top regular step of the current grade.
 - (b) The staff member's service should have been satisfactory.

WARSAW - POLAND
SALARY SCALES FOR STAFF MEMBERS IN THE GENERAL SERVICE CATEGORY
Annual salaries (in Zlotys - effective 1 December 1999)

S T E P S											
GRADE	I	II	III	IV	V	VI	VII	VIII	IX	X	XI*
G-1	25,954	27,106	28,258	29,410	30,562	31,714	32,866	34,018	35,170	36,322	37,474
G-2	29,576	30,891	32,206	33,521	34,836	36,151	37,466	38,781	40,096	41,411	42,726
G-3	33,719	35,217	36,715	38,213	39,711	41,209	42,707	44,205	45,703	47,201	48,699
G-4	38,439	40,149	41,859	43,569	45,279	46,989	48,699	50,409	52,119	53,829	55,539
G-5	46,121	48,172	50,223	52,274	54,325	56,376	58,427	60,478	62,529	64,580	66,631
G-6	55,353	57,814	60,275	62,736	65,197	67,658	70,119	72,580	75,041	77,502	79,963
G-7	67,532	70,530	73,528	76,526	79,524	82,522	85,520	88,518	91,516	94,514	97,512

Allowances: Child Allowance 1458 per annum
Spouse Allowance 0 per annum

- * Long-service step:
The qualifying criteria for in-grade increases to the long-service step are as follows:
- (a) The staff member should have had at least 20 years of service within the OSCE and five years of service at the top regular step of the current grade.
 - (b) The staff member's service should have been satisfactory.

TASHKENT - UZBEKISTAN
SALARY SCALES FOR STAFF MEMBERS IN THE GENERAL SERVICE CATEGORY
Annual salaries (in US dollars- effective 1 April 1999)

S T E P S											
GRADE	I	II	III	IV	V	VI	VII	VIII	IX	X	XI*
G-1	2,950	3,042	3,134	3,226	3,318	3,410	3,502	3,594	3,686	3,778	3,870
G-2	3,659	3,773	3,887	4,001	4,115	4,229	4,343	4,457	4,571	4,685	4,799
G-3	4,464	4,603	4,742	4,881	5,020	5,159	5,298	5,437	5,576	5,715	5,854
G-4	5,448	5,617	5,786	5,955	6,124	6,293	6,462	6,631	6,800	6,969	7,138
G-5	6,537	6,740	6,943	7,146	7,349	7,552	7,755	7,958	8,161	8,364	8,567
G-6	7,320	7,548	7,776	8,004	8,232	8,460	8,688	8,916	9,144	9,372	9,600
G-7	8,200	8,455	8,710	8,965	9,220	9,475	9,730	9,985	10,240	10,495	10,750

Allowances: Child Allowance 168 per annum
Spouse Allowance 0 per annum

*

Long-service step:

The qualifying criteria for in-grade increases to the long-service step are as follows:

- (a) The staff member should have had at least 20 years of service within the OSCE and five years of service at the top regular step of the current grade.
- (b) The staff member's service should have been satisfactory.

AMOUNT OF REPATRIATION GRANT

(applicable to Internationally Recruited Staff as recognized under Rule 4.04.3)

Weeks of net base salary		
Years of continuous service away from home country	Staff member with a spouse or dependent child at time of separation	Staff member with neither a spouse nor dependent child at time of separation
1	4	3
2	8	5
3	10	6
4	12	7
5	14	8
6	16	9
7	18	10

APPENDIX 4

**AMOUNT OF EDUCATION ALLOWANCE
APPLICABLE IN CASES WHERE EDUCATIONAL EXPENSES ARE INCURRED
IN THE CURRENCIES BELOW**

Currency	Maximum admissible educational expenses/ maximum allowance for disabled child	Maximum flat sum for board	Maximum education allowance
Austrian Schilling	167,310	42,351	125,483
Belgian Franc	423,000	113,176	317,250
Danish Krone	77,400	20,709	58,050
Deutsche Mark	30,777	6,848	23,083
Finnish Markka	54,000	12,828	40,500
French Franc	61,200	16,320	45,900
Irish Pound	6,561	1,777	4,921
Italian Lire	21,830,000	4,763,220	16,372,500
Japanese Yen	2,301,120	525,930	1,725,840
Luxembourg Franc	423,000	94,000	317,250
Monaco (French Franc)	61,200	16,320	45,900
Netherlands Guilder	28,836	6,716	21,627
Norwegian Krone	71,632	16,682	53,724
Pound Sterling	13,613	2,973	10,210
Spanish Peseta	1,572,710	387,658	1,179,530
Swedish Krona	91,575	20,615	68,681
Swiss Franc	23,435	4,982	17,576
U.S. Dollar	20,748	4,299	15,561
U.S. Dollar (other than USA)	13,000	3,164	9,750

APPENDIX 5

**AMOUNT OF CHILD ALLOWANCE
(per annum)**

DUTY STATION	CURRENCY	AMOUNT (per child)
AUSTRIA	ATS	28,256
CZECH REPUBLIC	US\$	1,730
NETHERLANDS	DGU	4,472
POLAND	US\$	1,730
UZBEKISTAN	US\$	1,730

APPENDIX 6

COMPENSATION IN THE EVENT OF DEATH OR INJURY CONNECTED WITH THE PERFORMANCE OF OFFICIAL DUTIES

Compensation paid by the insurance company J. Van Breda in the event of death or injury for staff members participating pursuant to Rules 9.02.2(B) in the scheme provided by the insurers shall be paid to staff members in accordance with this Appendix, as follows:

Death

1. Compensation in the event of death resulting from injury or illness that occurs while the staff member is on official duty shall be as follows:

A capital sum equal to 24 times the staff member's last monthly net base salary including post adjustment, if applicable.

Permanent Disability

2. (a) Compensation in the event of permanent total disability due to an accident that occurs while the staff member is on official duty shall be as follows:

A capital sum equal to 48 times the staff member's last monthly net base salary including post adjustment, if applicable.

(b) Compensation in the event of permanent partial disability shall be a fraction of the amount mentioned in paragraph 2(a), determined in relation to the severity of the disability. For further information the contract with the insurers refers.

Recovery Costs

3. In addition to the capital sums payable pursuant to paragraphs 1 and 2 above, 100 per cent of the recovery costs (transport to hospital, any necessary "fly home" service, purchase of necessary equipment) shall be reimbursed up to a maximum of ATS 300,000.

Procedures

4. Determination of permanent disability shall be made by a doctor approved by the OSCE and the insurance company.

5. Claims shall be submitted in accordance with procedures established by the Secretary General.

6. Disputes related to medical questions shall be settled in accordance with the contract with the insurers.

ADMINISTRATION OF THE PROVIDENT FUND

A. Establishment of the Provident Fund

1. Pursuant to Staff Regulation 9.03, the Secretary General has established a Provident Fund. The purpose of the Provident Fund shall be to provide eligible staff members upon separation from the OSCE with a lump sum payment in lieu of retirement benefits. The Provident Fund shall have no legal personality of its own but shall form part of the OSCE.

B. Purpose and General Arrangements

2. The Provident Fund shall be administered for the benefit of participants under arrangements made by the Secretary General with a Fund Manager and directives issued by the Secretary General implementing the provisions of this Appendix.

C. Staff Members Eligible to Participate

3. All staff members holding fixed-term appointments shall be entitled to participate in the Provident Fund, unless they participate in a national pension insurance scheme and the OSCE contributes towards the cost of their participation in that scheme. Participation in the Provident Fund shall be expressly provided for in the staff member's Letter of Appointment. Staff members who participate in the Provident Fund are hereinafter referred to as "participants". Participation in the Provident Fund shall commence on the effective date of appointment.

D. Source of Moneys

4. The source of moneys of the Provident Fund shall be the contributions by the OSCE and by participants, and income earned by the Fund. The financial assets of the Provident Fund shall be kept separate from the financial assets of the OSCE and shall not be used for any purpose other than providing benefits to participants or, in the event of death of participants, to their beneficiaries.

E. Contributions to the Provident Fund

(i) Participants

5. The OSCE shall make a monthly deduction of 7.5 per cent of the net base salary including post adjustment, if applicable, for each participant and deposit that amount - or the equivalent thereof in a currency other than that of the duty station - with the Provident Fund Manager for credit to the account of the participant concerned. A participant may increase

his/her credits to the Provident Fund by requesting the OSCE in writing to make an additional monthly deduction for deposit with the Fund Manager. The level of such voluntary deductions/contributions shall remain unchanged for at least six months. Total voluntary deductions shall not exceed 15 per cent of a participant's net base salary including post adjustment, if applicable.

(ii) OSCE

6. The OSCE shall make a monthly deposit with the Fund Manager for each participant of an amount equivalent to 15 per cent of the participant's net base salary including post adjustment, if applicable. These amounts shall likewise be deposited in the currencies of the accounts of the participants.

F. Suspension of Payment of Contributions

7. When payment of the net base salary to a participant is withheld or temporarily suspended, OSCE contributions and contributions on behalf of the participant concerned shall, subject to the provisions of paragraph 8, likewise be withheld or suspended for the period in question.

8. Where a participant is granted special leave without pay under Staff Regulation 8.03, he/she may elect to pay to the OSCE an amount equal to the contributions which would otherwise have been made pursuant to paragraphs 5 and 6 for deposit to his/her account with the Fund Manager.

G. Conversion of Currencies

9. The OSCE will convert the amounts deposited in accordance with paragraphs 5 and 6 above into the currency or currencies in which the participant's account is kept in accordance with paragraph 10. The conversion will be made using the exchange rates issued by the OSCE Treasurer.

H. Provident Fund Manager

10. The Secretary General will select a reputable financial institution to act as Provident Fund Manager. Participants shall be provided by the Fund Manager with a copy of the terms and conditions under which the Provident Fund is managed, together with information of interest to participants such as options available to them regarding investment instruments, currencies in which their accounts may be kept, fees and expenses to be charged, administrative procedures to be followed and services that may be provided by the Fund Manager.

I. Benefits

11. Provident Fund benefits shall consist of all credits to a participant's account. Upon separation from service with the OSCE, a participant in the Provident Fund shall be entitled to receive the credits standing to his/her account, unless he/she has separated or resigned from the OSCE during the first six months of participation in the Provident Fund. In that case he/she shall only be entitled to receive such part of the credits standing to his/her account as corresponds to the contributions made pursuant to paragraphs 5 and 8, unless otherwise decided by the Secretary General.

J. Designation of Beneficiaries

12. Each participant shall designate in writing one or more beneficiaries to whom Provident Fund benefits shall be paid in the event of death of the participant.

K. Payment of Benefits

13. The OSCE shall inform the Fund Manager, with a copy to the participant or beneficiary as the case may be, when a participant is separated from the OSCE or in the event of death of a participant and authorize the Fund Manager to pay out the benefits. It shall then be the responsibility of each participant and/or beneficiary to provide the Fund Manager with written instructions concerning payment of benefits due to them.

L. Provident Fund Committee

14. The Secretary General shall establish a Committee with staff participation to advise him on matters relating to the administration of the Provident Fund.

TERMS OF REFERENCE OF THE PANEL OF ADJUDICATORS

Article I

Competence of the Panel of Adjudicators

1. A panel of adjudicators consisting of three members (the Panel) shall decide on any application in which a member of the staff of the OSCE alleges non-observance of the terms of his/her appointment. For this purpose the words “terms of appointment” shall include all pertinent regulations and rules in force at the time of the alleged non-observance. The terms of appointment shall provide explicitly or by reference for the competence of the Panel with respect to such terms of appointment.
2. For the purpose of the present Terms of Reference the expression “member of the staff of the OSCE” shall mean any current or former member of the staff of the OSCE and any person who is entitled to claim upon the right of a member of the staff as a personal representative or by reason of the staff member’s death.

Article II

Appointment of the Panel

3. From a roster of candidates nominated by participating States, the Chairman of the Permanent Council of the OSCE after discussion in the Permanent Council shall appoint, for a period of three years, nine persons from whom the members of the Panel shall be appointed pursuant to paragraph (4) below. The candidates shall possess competence and experience enabling them to decide upon the applications referred to in paragraph (1) above.
4. As soon as feasible after the Chairman of the Permanent Council has received an application pursuant to paragraph (6) below, he shall organize a drawing of lots in order to select the three members of the Panel and one alternate member of the Panel from those persons referred to in paragraph (3) above who have confirmed their readiness to serve as member of the Panel on the case in question. The Chairman of the Permanent Council shall subsequently appoint the persons so selected as members of the Panel and alternate member of the Panel, respectively. In the event that a member of the Panel is unable to serve as member of the Panel, the alternate member of the Panel shall replace the member concerned.
5. The Chairman of the Permanent Council shall designate the Chairperson of the Panel from the members of the Panel. The Chairperson of the Panel shall not be of the same nationality as the applicant.

Article III

Applications

6. Applications shall be filed with the Chairman of the Permanent Council, who shall transmit them to the Chairperson of the Panel upon the latter's nomination.
7. Applications shall be submitted together with supporting documents.
8. No application shall be admissible, except under special circumstances as decided by the Panel, unless:
 - (a) The applicant has exhausted all other remedies available within the OSCE, including the Internal Appeals Procedure, except if the applicant and the Head of Institution concerned have agreed to submit the application directly to adjudication; and
 - (b) the application is filed within one of the following time limits:
 - (i) forty days of the event giving rise to the application; or
 - (ii) where the applicant has exhausted the Internal Appeals Procedure and has received notice within thirty days that the relief asked for or recommended will not be granted - forty days after the receipt of the said notice; or
 - (iii) where the applicant has exhausted the Internal Appeals Procedure and has received notice within thirty days that the relief asked for or recommended will be granted, but without relief having been granted within thirty days of receipt of that notice - forty days after the expiry of the latter period of thirty days; or
 - (iv) where the applicant has exhausted the Internal Appeals Procedure and the Head of Institution concerned has failed to take action on the report of the Internal Review Board within thirty days - forty days after the expiry of the said period of thirty days.

In individual cases the Panel may decide to waive the time limit set forth above.

9. The filing of an application shall not have the effect of suspending execution of the decision contested.

Article IV

Agreed Settlement

10. Upon receipt of an application, the Chairperson of the Panel shall ascertain whether there exist prospects for an agreed settlement between the parties. If so, the Chairperson shall use his/her best efforts to assist the settlement of the case in that manner. Should the parties not be prepared to consider an agreed settlement or should the efforts by the Chairperson to facilitate such a settlement fail, adjudication shall commence without delay.

Article V

Competence and Activities

11. In the event of a dispute as to whether the Panel has competence, the matter shall be decided by the Panel.
12. In the discharge of their duties, members of the Panel shall be completely independent and guided solely by their independent judgement. They shall neither seek nor receive any instructions.
13. Adjudication sessions shall be held in Vienna.

Article VI

Administrative and Financial Arrangements

14. The Secretary General of the OSCE shall make all the administrative arrangements necessary for adjudication within the existing OSCE budget.
15. Members of the Panel shall serve without remuneration from the OSCE, but shall be entitled to reimbursement of travel expenses and payment of a subsistence allowance (if applicable) for the duration of the adjudication sessions.

Article VII

Adjudication Procedure

16. The Chairperson, in consultation with other members of the Panel, shall determine:
 - (a) the time limits for the presentation of the response by the OSCE to the application, and the submission of evidence and other relevant procedural matters;
 - (b) the procedure to be followed with regard to hearings of the Panel; and
 - (c) other matters relating to the adjudication, including whether oral hearings shall be held or whether the application shall be decided on the basis of the documents submitted only.

Article VIII

Adjudication decisions

17. The Panel shall use its best efforts to decide on the application by consensus. If, however, it is not possible to reach a consensus, the adjudication decision shall be taken by majority vote.

18. If the Panel finds that the application is well founded it shall recommend the rescission of the contested decision or the performance of the obligation invoked. The Panel shall also fix the amount of compensation to be paid to the applicant should the contested decision not be rescinded or the obligation invoked not be performed.

19. The compensation referred to in paragraph (18) above shall be limited to the actual loss of income from the OSCE suffered by the applicant, other payments which the OSCE was obliged to make in favour of the applicant and damages suffered by the applicant as a result of such non-payment. The Panel may award costs to be reimbursed to a successful applicant for attorney's fees and expenses related to the application, not to exceed actual expenses at normal and customary rates.

20. The adjudication decisions pursuant to paragraph (18) above shall be final, and binding within the OSCE. Each decision shall state the reasons on which it is based.

21. Should the Panel find that the procedures and conditions prescribed in the OSCE Staff Regulations and Staff Rules for the submission of an application to the Panel have not been observed, it may, prior to determining of the merits of a case, remand the case for correction and fulfilment of the required procedures or conditions.

22. If the Panel finds that an application is obviously frivolous it may decide not to accept the application, or if the application was accepted, shall require the applicant to pay costs determined by the Panel.

23. Adjudication decisions shall be translated and made available in all official languages of the OSCE.

Article IX

Revision of an Adjudication Decision

24. A party to a case in which an adjudication decision has been delivered may request the Panel, through the Chairman of the Permanent Council, to revise the adjudication decision, in the event of the discovery of a fact that, by its nature might have had a decisive influence on the adjudication decision of the Panel and was unknown both to the Panel and to the party concerned at the time the adjudication decision was delivered. Such a request shall be made within two months of that party acquiring knowledge of such fact, but not later than six months of the date of the adjudication decision.

25. The request for revision of the adjudication decision shall contain the information necessary to show that the conditions laid down in paragraph (24) above have been complied with. It shall be accompanied by the original, or a copy, of all supporting documents.

Article X

Filing and Communication of the Adjudication Decision

26. The original of each adjudication decision shall be filed in the OSCE Secretariat. A copy of the adjudication decision shall be delivered to the applicant and to the Head of the OSCE Institution concerned.

Article XI

Amendments

27. Any possible amendment to the present Terms of Reference shall not affect applications pending.