

## **Amendments to the Rules of Procedure**

\*\*\*

## **DECISION**

**5 June 2025**

## **PREAMBLE**

The Administrative Tribunal of the Council of Europe,

Having regard to Article 14 of the Staff Regulations of the Council of Europe;

Having regard to the relevant regulatory provisions of the Council of Europe Development Bank and the other intergovernmental organisations which have agreed to an extension of the Tribunal's jurisdiction under Articles 2.2 and 2.3 of the Statute of the Administrative Tribunal, hereinafter referred to as "the Statute",

Pursuant to Article 19.1 of the Statute,

Having regard to the Rules of Procedure of the Administrative Tribunal, hereinafter referred to as "the Rules of Procedure",

Having consulted the Secretary General and the Staff Committee of the Council of Europe as well as the Governor and the Staff Committee of the Council of Europe Development Bank,

Adopts on 5 June 2026 the following amendments to the Rules of Procedure:

**I.** A new Rule 4bis, entitled "Language of the case" is inserted into the Rules of Procedure, with the following wording:

- "1. Having regard to Article 4.1 of the Statute of the Tribunal, the language of a case shall be either English or French.
2. The language of the case shall be the language chosen by the appellant and shall be used in any subsequent written and oral pleadings.
3. In the case of requests for rectification, interpretation, revision or execution of a judgment, the language of the case shall be the language designated as authentic in the judgment to which those requests relate.
4. Any material produced may be presented in either of the working languages of the Tribunal, regardless of the language of the case.
5. Requests for authorisation to intervene, as well as the observations of any third party authorised to intervene, shall be submitted in either of the Tribunal's working languages, regardless of the language of the case.
6. By derogation to paragraph 2, the Chair may, after consulting the parties, authorise any party to use the other working language of the Tribunal at the hearing."

**II.** Rule 19 of the Rules of Procedure, entitled “Applications for intervention”, is reworded as follows:

“1. Any person who establishes a sufficient interest in the resolution of a dispute submitted to the Tribunal may, in accordance with Article 11.2 of the Statute, apply for authorisation to intervene. The Staff Committee may also, pursuant to Article 11.3 of the Statute, apply for authorisation to intervene.

2. A request to intervene shall be reasoned. It shall be submitted to the Registrar of the Tribunal within 45 days of the publication of the lodging of the appeal referred to in Article 11.1 of the Statute.

3. The Registrar shall notify the request to intervene to the parties. The parties may submit their written observations on the requests to intervene within a time limit fixed by the Chair.

4. The Chair, after consulting the judges of the Tribunal, shall decide whether to admit the persons referred to in paragraph 1 or the Staff Committee as an intervening party.”

**III.** A new Rule 19bis, entitled “Form and conditions of intervention”, is inserted into the Rules of Procedure, with the following wording:

“1. A person or the Staff Committee accepted as an intervening party pursuant to Rule 19 shall have the right to send written comments limited to supporting the submissions of one of the parties, in accordance with Article 11.4 of the Statute, within a time limit fixed by the Chair.

2. Any comments received from an intervening party shall be communicated to the parties, who shall have the right to send observations within a time limit fixed by the Chair. The Chair may decide that the intervening party may comment in reply, within a time limit fixed by him or her.

3. The Chair shall decide to which documents in the case file the intervening party shall have access.

4. Unless the Chair decides otherwise, an intervening party shall have no right to plead in the oral hearing.”

**IV.** The present decision shall enter into force on 1 September 2026.