



ADMINISTRATIVE TRIBUNAL
OF THE COUNCIL OF EUROPE

Activity report 2025



COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

French Edition:
Rapport d'activité 2025

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Note
The English version of this report is an IA-assisted translation of the French version.

FOREWORD

The judicial activity of the Administrative Tribunal of the Council of Europe maintained a sustained pace in 2025: the number of appeals registered, of judgments ruling on the merits of cases and of orders ruling on requests for a stay of execution remained in line with the averages of recent years¹. In total, twenty-one cases were closed during the year.



The cases brought before the Tribunal provided as many opportunities to develop and consolidate its case law in areas of interest for the international civil service, such as harassment, in particular as regards the rights of staff members claiming to have been victims of it² and the procedure for appraising the performance of staff members³, including for staff members whose confirmation in their employment remains subject to the completion of a probationary period⁴.

In 2025, the Tribunal also had to deal with cases brought not by serving staff members, but by pensioners of the Council of Europe, in a case involving the Organisation’s relations with the authorities of the host State in the field of medical insurance⁵ and by unsuccessful candidates in external recruitment procedures⁶.

The conference organised to mark the Tribunal’s 60th anniversary was a highlight of 2025. Judges and registrars, academics and other leading lawyers gathered on that occasion shed significant light on issues relating to a right that is fundamental to respect for the rule of law, namely the right to a fair trial, where relations between individuals and international organisations are at stake. As part of the celebrations of this 60th anniversary, the Tribunal also launched an innovative initiative:

by gathering the responses of several international administrative tribunals to a questionnaire on the general principles of law, it laid the foundations for a wide-ranging comparative study whose publication, planned for 2026, will offer an in-depth look at this question, which is central to the practice of the tribunals competent to hear international civil service disputes.

The year 2025 was also very rich in terms of the exchanges the Tribunal was able to maintain within the community of international administrative tribunals. Building on initiatives led by several of these tribunals, it sought to play a catalysing role in promoting a project aimed at strengthening the ties between them. This project materialised in November 2025 with the adoption in Washington, D.C., of a Cooperation Agreement aimed at strengthening judicial dialogue and the exchange of knowledge and good practices between the tribunals concerned.

It only remains for me to wish you pleasant reading, and to thank you for the interest you take in the activities of our Tribunal.

PAUL LEMMENS
Chair of the Administrative Tribunal

1 – The figures relating to the judicial activity of the Tribunal are reproduced in Section IV of this report.
2 – Appeal No. 765/2024, L. Y. v. Secretary General of the Council of Europe, *Judgment of 23 September 2025* and Appeal No. 766/2024, L. D. (III) v. Secretary General of the Council of Europe, *Judgment of 24 June 2025*.
3 – Appeal No. 764/2024, A. G. v. Secretary General of the Council of Europe, *Judgment of 15 October 2025*.
4 – Appeals Nos. 761/2024 and 762/2024, L. D. (I and II) v. Secretary General of the Council of Europe, *Judgment of 25 March 2025* and Appeal

No. 747/2024, M.-L. L. v. Secretary General of the Council of Europe, *Judgment of 30 January 2025*.
5 – Appeals Nos. 746/2024 and 748 to 758/2024, A. S. T. and Others v. Secretary General of the Council of Europe, *Judgment of 5 February 2025*.
6 – Appeal No. 763/2024, M.-S. F. v. Secretary General of the Council of Europe, *Judgment of 3 June 2025* and Appeal No. 759/2024, D. S. v. Secretary General of the Council of Europe, *Judgment of 30 January 2025*.



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01

This is the 14th annual report describing the activities of the Administrative Tribunal of the Council of Europe (hereinafter “the Tribunal”) for the period from 1st January to 31 December 2025.

In addition to information concerning the composition and sessions of the Tribunal, the reader will find data and statistics relating to its decisions, as well as a detailed presentation of the cases dealt with and of the decisive points relied on by the Tribunal in resolving the disputes. The report also highlights any developments in the regulatory framework applicable to the dispute resolution procedure. One section of the report is devoted to the judicial dialogue in which the Tribunal takes part within the community of international administrative tribunals.

DISPUTE RESOLUTION PROCEDURES

02

A detailed description of the dispute resolution procedures applicable to disputes concerning the Council of Europe, the Council of Europe Development Bank, and the three intergovernmental organisations affiliated to the Tribunal, is available in the Tribunal's activity report for the year 2023.

This presentation, based on the provisions introduced by the administrative reform which entered into force on 1st January 2023, outlines in particular the administrative remedies to be exhausted prior to referral to the Tribunal, the main stages of the judicial procedure before it, and the rules governing requests for a stay of execution of an administrative decision.

In January 2025, the Tribunal adopted amendments to its Rules of Procedure with the aim of clarifying the conditions and the procedure applicable to requests for a stay of execution. These amendments essentially consisted in introducing a request form for a stay of execution in Appendix 3 to the Rules of Procedure and in providing, in Rule 20, for the possibility, on the one hand, for the Secretary General to submit written observations within the time limit set by the Chair and, on the other hand, for the applicant to submit observations in reply, by decision of the Chair either on the Chair's own initiative or on a reasoned request by the applicant.

In April 2025, the Tribunal adopted further amendments to its Rules of Procedure with the principal objective of including provisions governing the confidentiality of information or documents submitted to the Tribunal by a party. While recalling the principle set out in Article 10.6 of the Statute, according to which any document communicated to the Tribunal by one party must also be communicated without delay to the other party, the new provisions inserted in Article 7 of the Rules of Procedure specify the conditions under which an exception may be made to this principle on account of the confidentiality inherent in certain documents. These provisions now establish that the Tribunal alone is competent to determine whether a document submitted by a party as confidential and relevant to the resolution of the dispute contains elements that are indeed of a confidential nature. At the same time, amendments were adopted in order to clarify the provisions of Articles 10 and 11 of the Rules of Procedure concerning the case file to be lodged by the parties with the Tribunal and the transmission of documents by the Registrar to the parties. A detailed statement of the reasons for these amendments is provided in the corresponding decision.



Administrative
Tribunal Activity
Report for 2023



Amendments to the
Tribunal's Rules of
procedure
January 2025



Amendments to the
Tribunal's Rules of
procedure
April 2025

03

COMPOSITION OF THE ADMINISTRATIVE TRIBUNAL

In 2025, the composition of the Tribunal remained unchanged. Its members were as follows:



CHAIR

Paul Lemmens
Belgium



JUDGE

Lenia Samuel
Cyprus



JUDGE

Thomas Laker
Germany



DEPUTY CHAIR

Linos-Alexandre Sicilianos
Greece



DEPUTY JUDGE

Veronika Rita Guba
Hungary



DEPUTY JUDGE

Yves Gounin
France

During 2025, the Tribunal was supported by a Registrar (Christina Olsen) and a Deputy Registrar (Dmytro Tretyakov). It should be noted that the Registrar is employed on a full-time basis and devotes her full professional capacity to the running of the Tribunal. The functions of Deputy Registrar, on the other hand, are carried out by a staff member who, in addition to this role, performs other duties within the Organisation, notably within the Registry of the European Court of Human Rights.

The Registry staff also included two administrative assistants, Flore Chaboisseau and Jackie Lubelli, and one administrative assistant providing temporary back-up, Charlotte Le Fouest. In 2025, the Registry's activity was enriched by the contribution of two trainees, Pavlos Vaenas and Constantin Andrecs, who joined the team as part of the Council of Europe's official traineeship programme, and of three study visitors, Margot Boulbes-Mordel, Candice Spadola and Sara-Rose Ghamri.

JUDICIAL ACTIVITIES

04

KEY FIGURES: A YEAR IN REVIEW

Litigation before the Tribunal

4	Sessions	7	Hearings, one of which was held in camera
10	New appeals registered on the merits	8	Judgments delivered
1	Striking-out order	5	Orders ruling on a request for a stay of execution
9	Cases closed concerning 21 appeals		



THE TRIBUNAL'S SESSIONS

During 2025, the Tribunal met in Strasbourg in ordinary session on four occasions, dedicating a total of ten days to these meetings.

In 2025, the Tribunal held six public hearings, dealing with eight appeals, as well as one hearing in camera dealing with one appeal. It delivered one judgment, concerning one appeal, without holding a hearing.

The Tribunal also held a meeting in Paris on 21 February 2026 in preparation for its 60th anniversary conference, as well as several informal videoconference meetings to discuss various administrative matters.

JUDGMENTS

In 2025, the Tribunal delivered eight judgments on the merits, concerning twenty appeals.

SUBJECT

Request for annulment of the decision to terminate a staff member's appointment upon expiry of her fixed-term contract, on the grounds that her probationary period had not been successful.

Outcome – Annulment of the contested decision.

SUBJECT

Request for annulment of the decision not to invite a candidate to the next stages of the external recruitment procedure, on the grounds that his results in the written test were insufficient.

Outcome – Appeal inadmissible as regards the ground relating to the assessment of the candidate's paper. Appeal admissible but unfounded for the remainder.

SUBJECT

Request for annulment of the decision rejecting the Organisation's liability concerning the imposition, by the French authorities, of social security contributions on the pension paid by the Council of Europe, on the grounds that it was for the pensioners, as taxpayers subject to French tax legislation, to inform themselves about the applicable tax rules.

Outcome – Appeals unfounded.

SUBJECT

Request for annulment of the decision to terminate a staff member's appointment on the grounds that her probationary period had not been successful (No. 761/2024), as well as of the decision assigning her to another entity of the Organisation, following the lodging of her formal harassment complaint (No. 762/2024).

Outcome – Appeal No. 761/2024 inadmissible as regards the extension of the appellant's probationary period and the refusal to pay for 21.5 days of untaken paid leave. Appeal No. 761/2024 admissible for the remainder but unfounded. Appeal No. 762/2024 inadmissible.

JUDGMENTS

SUBJECT

Request for annulment of the decision not to invite the appellant to the next stage of the external recruitment procedure on the grounds that he had not obtained the minimum required mark in the first phase of the procedure.

Outcome – Appeal unfounded.

SUBJECT

Request for annulment of the decision not to pursue the appellant’s formal harassment complaint, as well as of the decision refusing to disclose to her the unredacted version of the investigation report.

Outcome – Appeal unfounded.

SUBJECT

Request for annulment of the decision not to pursue the appellant’s formal harassment complaint on the grounds that the investigation report did not conclude that established harassment had occurred.

Outcome – Annulment of the contested decision.

SUBJECT

Request for annulment of a staff member’s performance appraisal.

Outcome – Appeal unfounded.

The complete list of judgments delivered by the Tribunal since its first decision of 20 August 1968⁷ is available on the Tribunal’s website.



↘ Complete list of judgments

7 — Decision of 20 August 1968, delivered by the Appeals Board of the Council of Europe in the case of *Terrain v. Secretary General of the Council of Europe* (appeal No. 1/1967).



ORDERS RULING ON REQUESTS FOR A STAY OF EXECUTION

In 2025, five orders ruling on requests for a stay of execution were delivered

SUBJECT

Suspension of the implementation of the decision not to confirm the staff member’s fixed-term appointment on account of a probationary period deemed unsuccessful.

Outcome – Request dismissed.

SUBJECT

Suspension of the implementation of the decision not to confirm the applicant’s fixed-term appointment on account of a probationary period deemed unsuccessful.

Outcome – Request withdrawn.

ORDERS RULING ON REQUESTS FOR A STAY OF EXECUTION

SUBJECT

Suspension of the implementation of the decision not to shortlist a staff member for an oral interview in the context of an internal recruitment procedure.

Outcome – Request granted.

SUBJECT

Suspension of the implementation of the decision to abolish the job and terminate the applicant’s fixed-term contract, as well as of the implementation of the recruitment procedure launched following a restructuring of the services.

Outcome – Request dismissed.

SUBJECT

Suspension of the implementation of the decision not to confirm the applicant’s fixed-term appointment on account of a probationary period deemed unsuccessful.

Outcome – Request dismissed.

A table listing all the orders issued since 2009 on requests for a stay of execution is available on the Tribunal’s website.



➤ [List of orders issued since 2009 ruling on requests for a stay](#)



CASE LAW OVERVIEW

This overview of cases relating to the case law of 2025 has been prepared by the Registry, it is not binding on the Tribunal.

05

EXTERNAL RECRUITMENT PROCEDURES

05.1

In the context of an appeal lodged by an external candidate in a recruitment procedure, the Tribunal's review extends to manifestly erroneous or deliberately false assessments, in addition to irregularities vitiating the selection procedure. However, a candidate's mere disagreement with the assessment of his paper is not sufficient to establish the existence of such an error of assessment.

The Judgment of 30 January 2025 concerning Appeal No. 759/2024, D. S. v. Secretary General of the Council of Europe, provides clarification on the scope of the judicial review applicable to appeals by external candidates. It reaffirms the Tribunal's competence to examine, in addition to irregularities in the selection procedure, grounds alleging manifestly erroneous or deliberately false assessments, while recalling that the Administration enjoys wide discretion in organising and assessing the competition tests.

In this case, the appellant, who had been preselected to take part in a recruitment procedure on account of his qualifications, had not obtained the minimum required mark in the online written tests. He challenged his results by relying on several circumstances: technical difficulties relating to the online examination platform, the absence of certain documents in the file made available to candidates, irregularities in the supervision of the test, and an error of assessment on the part of the markers responsible for reviewing his paper. The appellant also argued that the failure to retain the video recordings of the online test had hampered his ability to provide evidence of his allegations.

As regards the admissibility of the appeal, the Tribunal noted a difference in wording between the English and French versions of the relevant provision (Article 14.10.3 of the Staff Regulations). Whereas the English version limits external candidates' right of appeal to irregularities of the selection process directly affecting them, the French version opens



↘ Appeal No. 759/2024,
D. S. v. Secretary General of the
Council of Europe, Judgment of
30 January 2025

external candidates’ right of appeal to challenges relating to “irregularities during the selection process directly affecting them” (“irrégularités lors de la procédure de sélection qui les affectent directement”). Relying implicitly on a broad interpretation of the aforementioned provision, the Tribunal declared admissible the grounds concerning technical difficulties relating to the online examination platform, the absence of certain documents in the file made available to candidates and irregularities in the supervision of the test.

On the merits, as regards the alleged technical difficulties, after recalling that “the burden of proving the alleged irregularities in the procedure lies with the appellant” (§ 51), the Tribunal noted that nothing in the file indicated that the problems of system slowness were attributable to the online examination platform (§ 53). As regards the ground alleging the unavailability of certain documents, the Tribunal observed that the parties acknowledged that certain documents were not included in the file and that the appellant was in reality challenging the choice made by the organisers as to which documents were considered relevant for the test (§ 54).

The Tribunal also held that the allegations that insufficient checks by the supervisor could have affected the performance of other candidates were purely hypothetical and did not concern the appellant’s own work (§ 58). Consequently, it considered that these grounds were not sufficiently substantiated and that, in any event, the circumstances relied on were not such as to affect the lawfulness of the contested decision (§ 59).

As regards the ground relating to the assessment of the appellant’s paper, the Tribunal recalled its earlier case law according to which it is competent to examine allegations of manifestly erroneous

or deliberately false assessments (§ 47). While emphasising that it is not for it to carry out its own assessment of the appellant’s paper, the Tribunal concluded on this point that:

“[i]n the absence of any evidence that the assessment could be characterised as manifestly erroneous or deliberately false, (...) it is [not] its task to dwell on what appears to be mere disagreement of the job candidate with the marking of his paper by the correctors. It follows that this complaint is inadmissible”

§ 61 OF THE JUDGMENT

What should be retained from this judgment is the clarification it provides as to the limits of the Tribunal’s competence in appeals by external candidates, as well as the reminder of the principle that it is for the candidate to establish the existence of an irregularity or a manifest error of assessment. This decision also highlights the approach adopted by the Tribunal in interpreting the relevant texts so as to preserve the right of appeal in the event of drafting discrepancies between the different language versions of the applicable rules.



➤ From left to right: Lenia Samuel (Judge), Paul Lemmens (Chair) and Thomas Laker (Judge)

In the context of external recruitment procedures, the Administration may reserve the right to raise the minimum required mark announced in the invitation to candidates preselected for the first eliminatory test. Such a modification, even where it takes place after the test has been held, does not infringe the principles of fairness, transparency and equal treatment, provided that it is based on objective reasons and applied uniformly.

The Judgment of 3 June 2025 in the case of M.-S. F. v. Secretary General of the Council of Europe (Appeal No. 763/2024) provides essential guidance on the scope of the legal principles of fairness, transparency and non-discrimination applicable to the Council of Europe’s recruitment procedures, in the light of the discretion enjoyed by the Organisation in managing these competitions.

The appellant, a candidate in an external recruitment competition, had been preselected to sit the first online test. He had obtained a mark of 11.5 out of 20, but was not invited to take part in the next stage of the competition, following the Administration’s decision to raise the minimum required mark from 10 to 13 after the test. Although the letter of invitation had indicated that the threshold could be raised depending on the number of successful candidates, the appellant argued that this modification was arbitrary, lacked transparency and was contrary to the Staff Regulations. This was the principal ground relied on by the appellant in support of his appeal.



➤ Appeal No. 763/2024, M.-S. F. v. Secretary General of the Council of Europe, Judgment of 3 June 2025

In response, the Administration argued that raising the threshold was a common and objective practice based on the number of candidates who had obtained the initial minimum mark and on the Organisation’s operational capacity to continue assessing candidates. It maintained that this approach made it possible to manage the recruitment procedure efficiently according to needs, particularly where only one post was to be filled.

Before examining the merits of the case, the Tribunal recalled the applicable legal framework. It emphasised that transparency requires that the selection criteria and the main stages of the procedure be clearly communicated to candidates in advance and applied consistently throughout the process (§ 33 of the judgment). Fairness implies that all candidates are assessed on the basis of identical, pre-established and objective criteria. Equal treatment, for its part, requires the Organisation to apply the same rules uniformly to all candidates, avoiding any arbitrary distinction or preferential treatment (§ 34 of the judgment).

As regards the contested modification of the minimum required mark, the Tribunal considered that it had no bearing on the conditions to be met which would have enabled potential candidates to assess whether it was worth applying, and that neither did it alter the stages of the recruitment procedure (§ 40 of the judgment). It further found that the possibility of raising the threshold had been clearly communicated to candidates in advance and that the decision to do so was based on objective reasons, such as the high number of candidates who had obtained the initial mark and the Organisation’s limited capacity to assess them in the subsequent stages (§ 41 of the judgment). Another consideration which was decisive for the Tribunal was that the



increase in the minimum mark had not altered the substantive criteria used to assess candidates and that it had been applied equally and uniformly to all preselected candidates (§ 43 of the judgment).

The Tribunal also reaffirmed its case law on the obligation to exhaust internal remedies before lodging an appeal. It recalled that:

“prior to bringing an appeal before the Tribunal, an appellant must submit an administrative complaint to the Secretary General, thereby affording the latter the opportunity to redress the matter if the grievances prove to be well-founded (see, mutatis mutandis, ATCE, Appeal No. 673/2021, C v. Governor of the Council of Europe Development Bank, judgment of 27 January 2022, §§ 54 to 56, and case law quoted)”

and that :

“purpose of the exhaustion rule in administrative disputes involving the Organisation is to enable the Secretary General to prevent or put right potential violations for which the Organisation may bear responsibility (ATCE, Appeals Nos. 561-564, Kacsandi (I, II, III, and IV) v. Governor of the Council of Europe Development Bank, decision of 26 April 2016, § 112)”

§ 50 OF THE JUDGMENT

The Tribunal considered that the ground raised by the appellant concerning the arrangements for the online test was a new and distinct ground which had not been raised in the administrative complaint he had submitted to the Secretary General. Consequently, the ground relied on in support of the appeal was declared inadmissible for failure to exhaust the internal remedies provided for. In the light of the foregoing, the Tribunal dismissed the appeal in its entirety. It confirmed that the recruitment procedure had been conducted in accordance with the applicable provisions and principles and found no violation of the appellant’s rights.

This judgment reaffirms the Organisation’s obligation to comply with the principles of fairness, transparency and equal treatment in its recruitment processes, while confirming its discretion to adjust the selection criteria flexibly, taking into account the nature of the procedure, the administrative capacity available to it and its recruitment needs.

TERMINATION OF EMPLOYMENT FOLLOWING AN UNSUCCESSFUL PROBATIONARY PERIOD

05.2

Failure to comply with the rules on the frequency of appraisals during the probationary period and on the time limits within which appraisal reports must be drawn up may constitute a substantial irregularity where it has deprived the staff member of regular feedback on their performance and, consequently, of the opportunity to remedy in good time the shortcomings held against them with a view to meeting the requirements of their job.

In examining the case of an appellant whose employment had not been confirmed on account of a probationary period deemed unsuccessful, the judgment of 30 January 2025 in the case of M.-L. L. v. Secretary General of the Council of Europe (Appeal No. 747/2024) answers the question of the conditions under which irregularities in the appraisal procedure may lead to the annulment of the decision to terminate the contract of the staff member concerned.



📄 Appeal No. 747/2024,
M.-L. L. v. Secretary General
of the Council of Europe,
Judgment of 30 January 2025

In the present case, the appellant complained that the Organisation had caused procedural delays both in setting her objectives and in drawing up her appraisal reports. According to the appellant, these procedural delays demonstrated that she had not received the regular follow-up and managerial support that she was entitled to expect from her line managers. It should be specified that the appellant's first probationary period, of two years' duration in accordance with the former Rule No. 1356 of the Secretary General of 12 March 2014 on appraisal, had subsequently been extended by one year – that final year being governed instead by the Secretary General's Staff Rule of 30 December 2022 on entry into service.

Instead of receiving three appraisal reports each covering a six-month interval during her first probationary period – as provided for in the regulations –, the appellant had in fact received only two reports. The appellant's line management had indeed decided to combine the appellant's first two appraisals and to conduct only one assessment for the first 12 months of her probationary period, running from 1st December 2020 to 30 November 2021, relying on the particular circumstances linked to the context of the Covid-19 pandemic. Likewise,

during the year of the extension of her probationary period, the appellant had received only one appraisal report covering a six-month period, whereas she should have received, at a minimum, two appraisal reports, each for a four-month interval.

The Tribunal considered that these deviations from the regulatory frequency of appraisals constituted procedural irregularities which could not be justified either by the applicable rules or by any other particular circumstance. It emphasised in this respect that:

“thorough compliance with the rules governing the organisation of appraisals and the conduct of the procedure provided for in this respect is a means of offsetting the especially large degree of discretion enjoyed by evaluators when appraising a staff member (see, in particular, General Court of the European Union, Judgment of 15 June 2022, QI v. European Commission, T-122/21, paragraph 144 and case law cited). This requirement is particularly marked if the appraisee is on a probationary period and confirmation of their employment by the Organisation is dependent on the successful completion of this period”

§ 49 OF THE JUDGMENT

As to whether these irregularities could justify the annulment of the contested decision, the Tribunal applied the established case-law test consisting in verifying whether the irregularities in question “were of a substantial nature and were capable of causing prejudice to the appellant” (§ 51 of the judgment). To that end, the Tribunal focused in particular on the time limits within which the critical appraisal reports had been drawn up and the time actually available to the appellant to remedy the shortcomings identified in her performance.

The Tribunal concluded that prejudice was established: the cumulative effect of the delays found meant that, over the whole three-year period, the appellant was effectively alerted to the risk she ran of not being confirmed in her appointment

on only one occasion, at the end of the first year of her probationary period, whereas compliance with the regulations would have provided her with five opportunities to receive crucial information to be taken into account with a view to progressively improving her performance and meeting her line management's expectations (§§ 52 and 53 of the judgment). This finding was sufficient for the Tribunal to conclude that the Organisation had disregarded its obligation to provide the appellant with regular feedback on her performance and to alert her to the shortcomings held against her. On that basis, the Tribunal annulled the contested decision and ordered the Organisation to compensate financially the non-pecuniary and pecuniary damage sustained (§§ 56 to 60 of the judgment).



The existence of professional differences, or even the subsequent lodging by the staff member concerned of a harassment complaint, cannot, in itself, suffice to establish the bias of the appraisers; on the contrary, the involvement of line managers in the appraisal constitutes an essential condition for an informed assessment of performance. The Organisation is not required to suspend the termination of employment procedure pending the outcome of the procedure relating to the staff member's harassment complaint, since the review of that decision may, where appropriate, constitute one of the possible means of redressing damage subsequently established.



Appeals Nos. 761/2024 and 762/2024, L. D. (I and II) v. Secretary General of the Council of Europe, Judgment of 25 March 2025

The case of L. D. (I and II) v. Secretary General of the Council of Europe (Appeals Nos. 761/2024 and 762/2024, Judgment of 25 March 2025) concerns, in the first place, the decision to terminate the appellant's appointment (Appeal No. 761/2024). Through its examination of this part of the judgment, the Tribunal provides useful clarification as to the conditions under which the appraisal of a staff member on probation may be regarded as having been conducted impartially. The judgment also sheds light on general issues which may arise irrespective of the circumstances specific to the case. It addresses, on the one hand, the question of the statement of reasons for an administrative act where the latter is challenged through the internal remedies. On the other hand, the judgment takes a position on the question of the relationship between a procedure for terminating a staff member's employment on account of performance deemed unsatisfactory and a harassment procedure initiated against certain staff members responsible for appraising the staff member concerned.

In the present case, the appellant considered, first, that an error of law vitiated the decision terminating her employment on account of an unsuccessful probationary period, since shortcomings in her conduct had been held against her for the first time

only at the stage of the reply to her administrative complaint. The decision to terminate the appellant's appointment had originally been reasoned only by reference to shortcomings in her professional skills. According to the appellant, this difference in reasoning was such as to cast doubt on the reality of the reasons relied on to terminate her employment.

The Tribunal did not, however, share that view. It recalled that, as a general rule, a decision rejecting a complaint may, having regard to its content, not be purely confirmatory of the contested act. That was the case here, since the decision rejecting the appellant's administrative complaint had supplemented the reasoning of the initial decision by adding considerations relating to shortcomings in her conduct (§§ 86 and 87). The Tribunal specified that, in such a case, it is for it to verify that the Organisation has not made inappropriate use of its discretion and that the decision as thus supplemented respects the procedural rights of the staff member concerned (§ 97).

The Tribunal found that the appellant's performance problems had been raised throughout her probationary period, both from the point of view of her professional skills and of her ability to establish good working relations with her colleagues (§ 98).

It reached the finding that the factual assessments relied on to reason the decision not to confirm her in her employment, as supplemented upon rejection of the administrative complaint, were substantiated to the requisite legal standard (§ 101). The Tribunal further noted that the appellant had been in a position to express her views on those assessments during her appraisals and to challenge them first in her complaint and then before the Tribunal. The appellant had therefore been able to defend her interests in full knowledge of the facts and to exercise her rights fully (§ 102). The Tribunal therefore concluded that the ground alleging an error of law was unfounded.

Secondly, the examination of the allegations of bias in the appraisal led the Tribunal to recall that, according to the relevant case law:

“the principle of impartiality does not go so far as to prevent a manager who has differences of opinion with a subordinate from assessing that person (International Labour Organization Administrative Tribunal (ILOAT), Judgment No. 1444 of 6 July 1995, Moosai, consideration 11; ILOAT, Judgment No. 2077 of 12 July 2001, D’Arcangelo, consideration 15). While it cannot be ruled out that such differences may cause the manager some irritation, that does not, in itself, imply that the latter is no longer in a position to objectively assess the merits of the person concerned (European Union Civil Service Tribunal, case F-64/13, Judgment of 30 June 2015, Z v. Court of Justice of the European Union, paragraph 71 and case law cited)”

§ 105 OF THE JUDGMENT



In the present case, the Tribunal observed that the allegations of bias made by the appellant were essentially based on hypotheses, or even mere suspicions. This was so, in particular, of the allegation that she had been penalised because of her preference for French on the grounds that her line manager was not in a position to correct her work in that language. According to the Tribunal, the choice of the appellant’s line management to favour English rather than French in her written work could not be regarded as arbitrary or unreasonable. The vacancy notice for the appellant’s job required a very good knowledge of one of the two official languages of the Council of Europe, without further specification, and in her application the appellant had indicated the same level of knowledge for English and French. In view of the interests of the service, English was the working language used by the other members of the unit of the Court’s Registry to which the appellant belonged (§§ 107 and 108).

In the Tribunal’s view, in the absence of any other circumstance, the bias of the appellant’s direct superior (N+1) was likewise not established solely on the ground that she had been the subject of the appellant’s harassment complaint. In this respect, the Tribunal observed that the complaint had been lodged after the direct superior’s recommendation not to confirm the appellant in her employment at the end of her probationary period (§ 109). In the absence of any indication revealing any bias on the part of the other staff members who took part in the appellant’s appraisal, in particular her supervising manager (N+2) and the Head of the Court’s Administration, the Tribunal also rejected the argument that they should have refrained from taking part in it. It reiterated in this respect that:

“the involvement of the immediate superiors in the work of the officials placed under their authority which enables them to make the best possible assessment of the activities of the persons working under them”

§ 110 OF THE JUDGMENT

Thirdly, one of the other grounds raised by the appellant consisted in complaining that the Organisation had terminated her appointment without awaiting the conclusions on her harassment complaint, whereas the latter called into question the merits of the negative assessments of her performance which had justified that decision. In reply, after noting that the Secretary General had been required to take her decision on the termination of the appellant’s appointment within the applicable time limit (§ 122), the Tribunal verified whether the outcome of the harassment procedure was nevertheless capable of being taken into account for the purposes of the decision concerning the continuation or termination of the employment

of the staff member concerned. Its conclusion on this point was positive, which led it to consider the ground unfounded. Indeed, in the event that the procedure on the harassment complaint had led to a finding of established harassment, the Tribunal noted that the Secretary General could have reconsidered her decision. The review of that decision was also one of the possible means of redressing the damage sustained by the appellant in the event that the Tribunal were to uphold as well-founded her appeal against the decision not to pursue her harassment complaint (§ 123).

Since the Tribunal considered that the various grounds raised by the appellant in her appeal against the decision not to confirm her in her employment were unfounded, that appeal (No. 761/2024) was dismissed.

The judgment concerns, in the second place, the appellant's appeal against the decision to assign her temporarily to another entity of the Organisation following her harassment complaint (Appeal No. 762/2024). The Tribunal declared that appeal inadmissible for lack of interest in bringing proceedings. In this respect, it noted that the appellant had consented to that measure, which was intended to protect her following her complaint, and that she did not demonstrate how that assignment had caused her any prejudice. The Tribunal also observed that the appellant did not argue that the annulment sought would procure her any advantage. It specified in this respect that such an annulment could have had the effect neither of extending her probationary period nor of renewing her contract beyond its expiry (§§ 137 to 140).



This judgment enriches the Tribunal's case law on the fair balance to be maintained between, on the one hand, the Organisation's discretion to define its needs and interests and to assess, at the end of the probationary period, a staff member's suitability to be confirmed in their employment and, on the other hand, respect for the rights and guarantees afforded to staff members on probation. It confirms that the exercise of discretion must take place within a respectful procedural framework, involving in particular transparency, effective and sufficient communication of information, and mutual respect between the appraiser and the person appraised.

MEDICAL AND SOCIAL COVER FOR RETIRED STAFF MEMBERS

In order to guarantee Council of Europe staff members their right to choose the medical cover scheme in retirement, the Organisation is required to communicate to them the information falling within its competence. By contrast, the Organisation is not required to inform staff members of the tax consequences arising from affiliation to a national scheme, these falling exclusively within the sovereignty of States. In the absence of such an obligation, an unforeseeable change of practice by the national tax authorities cannot engage the liability of the Council of Europe.

The Judgment of 5 February 2025 concerning Appeals Nos. 746/2024 and 748 to 758/2024 in the case of A. S. T. and Others v. Secretary General of the Council of Europe clarified the contours of the information obligations incumbent on the Organisation towards its pensioners since the 2008 regulatory reform, implemented by Committee of Ministers Resolution CM/Res(2008)1 of 16 January 2008, which gave retired staff members the option, if they so wished, of full affiliation ("from the first euro") to the Council of Europe's private medical cover scheme, by waiving the compulsory national social protection scheme to which they would be entitled as of right.

In the present case, the twelve appellants, resident in France, received a Council of Europe pension and also a pension from a French source. They were moreover all affiliated to the French social security scheme on a primary basis and also benefited from the Council of Europe medical scheme on a complementary basis, that is to say for health costs not reimbursed by the French scheme. They therefore did not have "full" affiliation to the Council of Europe's medical cover scheme.

During 2022 and 2023, the French tax authorities invited them to regularise their situation under French legislation on social security contributions. They thus required payment of the contributions not paid on their pensions paid by the Council of Europe. This request for regularisation resulted from a change of practice by the French tax authorities which, until then, had not subjected Council of Europe pensions to these social security contributions.



Appeals Nos. 746/2024 and 748 to 758/2024, A. S. T. and Others v. Secretary General of the Council of Europe, Judgment of 5 February 2025

Under the first ground of their appeals, the appellants complained that the Administration had deprived them of their right to choose between, on the one hand, affiliation to the French social security scheme and, on the other hand, full affiliation to the Council of Europe’s private medical cover scheme, by indicating to them that it was for them to claim the French national pension to which they were entitled. By becoming holders of a French pension, the appellants had indeed been automatically and compulsorily affiliated to the French social security scheme, which had also entailed subjection to the system of social security contributions.

On this subject, the Tribunal noted that it was not disputed that the latter had been informed of their right to choose the medical cover scheme to which they wished to be affiliated (§ 33 of the judgment). In reality, the appellants’ arguments concerned less the information relating to that right to choose than the insufficiency of information relating to the arrangements for exercising it (§ 35 of the judgment). In this respect, the Tribunal observed that the Administration had not adopted a proactive approach in communicating detailed information on the conditions for implementing affiliation to the Organisation’s full private scheme, without that failing having had the effect, however, of depriving the appellants of the possibility of effectively exercising their right to choose (§ 35 of the judgment).

As regards the obligation to claim their entitlement to the national social protection scheme, as referred to by the Administration, the Tribunal noted that this was incumbent on the appellants only on condition that they chose to be affiliated to the so-called mixed scheme, that is to say to national medical cover on a primary basis and to cover by the Council of Europe medical scheme on a complementary basis (§§ 37 and 38 of the judgment). It further observed

that, contrary to what the appellants maintained, the Administration had at no point referred to an obligation for them to claim their entitlement to a national pension (§ 40 of the judgment), a step which, in France, entails automatic affiliation to French social security (§ 36 of the judgment). The Tribunal found, on the contrary, that the Administration had systematically reminded the appellants of their right to waive the national social protection scheme in order to benefit, subject to an additional contribution, from full affiliation (from the first euro) to the Council of Europe medical scheme (§ 38 of the judgment). In communicating this option, the Administration had implied that its exercise presupposed an expression of their intention to derogate from national medical cover. In the absence of any such step, the appellants had remained covered by the national medical cover scheme to which they were subject (§ 40 of the judgment).

Having finally observed that, at the time of their retirement, the appellants had not notified the Administration or the French authorities of their wish to waive their right to a national pension and/or to the French social cover scheme, and that they had not claimed either to have been prevented from doing so by the Organisation’s conduct, the Tribunal rejected the first ground as unfounded.

Under the second ground, the appellants alleged a failure by the Council of Europe to comply with its duty to provide information and its duty of care. According to the appellants, the Organisation should have informed them that French social security contributions were payable on their Council of Europe pension, and therefore of the cost that affiliation to French social security represented for them.

As regards the scope of the duty to provide information incumbent on the Organisation, the Tribunal considered that the Organisation had

communicated to the appellants the information which fell within its competence, namely the contribution rates applicable to the Council of Europe medical scheme, both on a complementary basis and in the event of full affiliation (§ 56 of the judgment), and that it was not, by contrast, required to inform them of the costs which might be claimed by the French authorities (§ 57 of the judgment). According to the Tribunal, an obligation for the Organisation to provide information regarding the costs of affiliation to the so-called mixed scheme for the part falling within the French national system had no basis either in the 2008 reform (§ 61 of the judgment), or in the mechanism of tax adjustment by the Council of Europe (§ 62 of the judgment), or in the Council of Europe’s membership of the pension co-ordination scheme of certain international organisations (§ 64 of the judgment). The Tribunal recalled in this respect the principle established by international administrative case law, according to which:

“an international organisation cannot be held liable to its staff, whether serving or retired, for matters that fall exclusively within the sovereignty of the national authorities in tax matters”

§ 63 OF THE JUDGMENT

a principle which it held to be fully applicable to the present case (§ 64 of the judgment). The culmination of the Tribunal’s reasoning on this point is expressed essentially in the following passage of the judgment:

“[d]etermining the costs and/or tax implications of affiliation to a national medical insurance scheme is exclusively

a matter for the states, the Council of Europe having no role to play in this area”

§ 66 OF THE JUDGMENT

Finally, the Tribunal noted that even supposing that the Organisation was under an obligation to provide information in this area, the subjection of Council of Europe pensions to social security contributions resulted from a change of position by the French tax authorities, a change of which the Administration had not been aware (§ 69 of the judgment) and which it could not, moreover, anticipate (§ 70 of the judgment).

The Tribunal therefore also considered the second ground of the appeal to be unfounded.

What should be retained from this judgment is that the 2008 regulatory reform implemented by Committee of Ministers Resolution CM/Res(2008)1 of 16 January 2008 imposed on the Organisation the obligation to communicate to staff members the information falling within the Organisation’s medical scheme, in particular the applicable contribution rates, in order to enable them to exercise their right to choose the medical cover scheme or schemes in retirement. That right to choose, and more particularly the possibility of waiving the so-called mixed scheme in order to opt for the Organisation’s full cover, can nevertheless be exercised only if staff members express the wish to do so. The judgment also confirms that the principle established by international administrative case law, according to which international organisations are not required to inform their staff members of their tax obligations under national law, applies to the Council of Europe, the latter’s membership of the co-ordination system between different international organisations being no obstacle thereto.

HARASSMENT

05.4

A decision not to pursue a formal harassment complaint, based on an investigation report, can be regarded as lawful only if the alleged victim benefits from effective procedural guarantees. These include, in particular, access to the essential elements on which the decision was based, while respecting the confidentiality of the investigation and the anonymity of witnesses, in order to guarantee a fair procedure.

In the case of L. D. (III) v. Secretary General of the Council of Europe (Judgment of 24 June 2025, Appeal No. 766/2024), the Tribunal was called upon to clarify the extent of the procedural guarantees enjoyed by an alleged victim of harassment during the handling of her complaint. This judgment was based on a combined reading of the Policy on Respect and Dignity at the Council of Europe of 21 December 2022 and the Secretary General’s Rule of 22 December 2022 on investigations, in the light of the applicable general principles.

In the present case, the appellant had lodged a formal complaint of psychological harassment against her line management, also challenging the negative assessment of her performance during her probationary period. Since the investigation entrusted to external investigators had not established the existence of established harassment, the Director of Human Resources decided not to pursue the complaint. A redacted version of the investigation report had been transmitted to the appellant in the context of a management review. In her appeal, she challenged both the refusal to transmit to her the full report (with the exception of the identities of the witnesses) and the lawfulness of the procedure which had led to the contested decision, alleging violations of the right to an effective investigation and of the right to be heard.

As regards, first of all, the decision refusing to disclose an unredacted version of the investigation report, the Tribunal recalled that a staff member must, in principle, have access to the documents on which the Administration bases – or is about to base – a decision adversely affecting them, including where it has been decided not to pursue a harassment complaint (§ 28 of the judgment). However, this right must be balanced against the requirement of confidentiality of the testimony gathered, in order to protect witnesses and guarantee their freedom of speech. After comparing the redacted and unredacted versions of the investigation report, the Tribunal found that only the identity of the witnesses, certain elements enabling their identification, and the



📄 Appeal No. 766/2024, L. D. (III) v. Secretary General of the Council of Europe, Judgment of 24 June 2025



recommendations addressed to the Administration at the end of the report had been redacted. The Tribunal considered that these omissions, which had not altered the content of the statements, were not such as to infringe the appellant’s right to defend herself. The request for full disclosure of the report, apart from the identity of the witnesses, was therefore held to be either devoid of purpose or unfounded, the balance between the competing rights having been respected.

The Tribunal then examined the lawfulness of the decision not to pursue the harassment complaint, verifying whether it had been taken following a procedure complying with the applicable standards and respecting the appellant’s rights.

The Tribunal first rejected the argument that supervision of the investigation should have fallen to the Directorate of Internal Oversight (DIO), as is the case under the Speak Up policy. It confirmed that, in accordance with the applicable texts, this responsibility lies with the Director of Human Resources (§§ 52 to 58 of the judgment). It also specified that, while the Rule on investigations

authorises, under certain conditions, the transmission of information to a legal adviser, it does not, however, provide for the right of the alleged victim of harassment to be accompanied by a lawyer during the interview with the investigators. The absence of such assistance did not therefore, in the present case, constitute an infringement of the appellant’s rights (§§ 61 to 63 of the judgment).

On the adversarial principle and the right to be heard, the appellant alleged a violation, on the grounds that she had not had access to the testimony gathered and had not had the possibility of challenging it. After recalling that:

“the right to be heard guarantees every person the opportunity to make known their views during an administrative procedure and before the adoption of any decision liable to affect their interests adversely”

§ 66 OF THE JUDGMENT

The Tribunal held that this right had to be guaranteed before the Director of Human Resources, at the latest before the latter took a decision in the context of the management review, but that it was not required before the investigators, the role of the alleged victim at the investigation stage being to help “to establish the facts, through their statements and any other evidence that they may furnish” (§ 67 of the judgment). Since the appellant had had access to a report including summaries of the testimony, during the management review, and had had the opportunity to submit her observations to the Director of Human Resources, the Tribunal considered that her right to be heard had been respected (§§ 64 to 67 of the judgment). It also verified that the summaries were sufficiently detailed to enable her to understand and challenge their content, thus satisfying the requirements of the adversarial principle (§§ 68 to 70 of the judgment).

A central point of the judgment concerns the division of responsibilities between the investigators and the Directorate of Human Resources. The appellant considered that the investigators should have concluded explicitly whether or not there had been harassment, and that this omission vitiated the decision taken by the Director of Human Resources on the basis of the investigation report. The Tribunal recalled that the role of the investigators is to:

“enable the Organisation (...) to take a decision in full knowledge of the facts. (...) [T]hose conducting the investigation will endeavour to obtain, review and record any evidence that may

appear relevant to an investigation (...) and must indicate whether or not, in their opinion, there has been any wrongdoing”

§ 77 OF THE JUDGMENT

whereas:

“the Director of Human Resources has a degree of discretion to deduce from the report either that there was no disrespectful behaviour or that the report discloses behaviour that is contrary to the Policy on Respect and Dignity. To hold otherwise would mean that the Organisation would be delegating some of its responsibilities to an external body not subject to its authority, which would contravene the whole idea of creating an international organisation”

§ 76 OF THE JUDGMENT

The Tribunal then verified that the investigation had been conducted by a firm offering the required guarantees in terms of knowledge, skills and integrity, in accordance with the applicable rules on investigations, on the basis of sufficient and relevant testimony, and concluded that it met the requirements of effectiveness (§§ 78 to 90 of the judgment).



As regards the statement of reasons for the decision, the appellant considered that the investigation did not draw a clear conclusion on the facts of harassment. The Tribunal found, however, that the investigators had examined each of the grounds raised in her complaint and, in dismissing them, had “implicitly, but unambiguously” that the facts could be classified as harassment (§§ 92 to 100 of the judgment). The decision of the Director of Human Resources based on that report was therefore sufficiently reasoned and verifiable.

Finally, the Tribunal recalled that it was not for it to reassess the evidence gathered by the investigating body:

“[it] it is not its role to reweigh the evidence before an investigative body which, as the primary trier of fact, has had the benefit of actually seeing and hearing many of the persons involved, and of assessing the reliability of what they have said ”

§ 102 OF THE JUDGMENT



The Tribunal considered that the facts, as related in the investigation report, mainly reflected differences of assessment as to the appellant’s professional skills which, although experienced as distressing, did not reveal an intention to harm or established continuous conduct, and therefore did not constitute an infringement of the appellant’s dignity amounting to harassment (§§ 101 to 109 of the judgment).

The Tribunal therefore rejected all the grounds of the appeal and concluded that the decision not to pursue the appellant’s harassment complaint was lawful. This judgment illustrates the requirements imposed on the Administration as regards procedural

guarantees for alleged victims of harassment when handling their complaint. It confirms that entrusting the investigation to external investigators does not exempt the Administration from its obligation to ensure fully the rights of the alleged victim, in particular the right to be heard and the right to a thorough and impartial investigation, conducted in compliance with the applicable rules. It also recalls that the Administration’s power to assess whether facts characterise a situation capable of affecting a staff member’s dignity remains subject to review by the Tribunal, bearing in mind that the latter will censure a decision rejecting a harassment complaint taken following an investigation only in the event of a manifest error.

In order to be regarded as lawful, the decision of the competent authority relating to a harassment complaint must be taken in compliance with the procedural guarantees afforded to the alleged victim. These guarantees include the right to receive a copy of the investigation report within a time frame enabling the alleged victim to submit her observations in a meaningful way, that is to say before the competent authority rules on her complaint.

In the case of *L. Y. v. Secretary General of the Council of Europe* (Appeal No. 765/2024, Judgment of 23 September 2025), the Tribunal clarified the extent of the procedural guarantees afforded to an alleged victim of harassment, following on from the analysis begun in its earlier case law (*Appeal No. 766/2024, L. D. (III) v. Secretary General of the Council of Europe*, Judgment of 24 June 2025).

In the present case, the appellant had lodged a formal complaint of psychological harassment against her direct line manager. Since the investigation entrusted to external investigators had not concluded that there was a situation of harassment, the Director of Human Resources had decided not to pursue the complaint. In response to that decision, the appellant had requested disclosure of the investigation report, a request which was refused on the grounds that the Council of Europe’s Policy on Respect and Dignity does not provide for the transmission of that report to the persons involved in the complaint where the investigation has not concluded that there was harassment. The appellant had then lodged an administrative complaint with the Secretary General then in office, challenging the non-disclosure of the report and seeking the annulment of the decision not to pursue her complaint. The complaint was partially upheld as regards disclosure of the report, a redacted version of which was transmitted to the appellant and, for the remainder, it was rejected as unfounded. In her appeal to the Tribunal, the appellant raised principally two grounds, namely a manifest error of assessment – the decision not to pursue her complaint being based on the absence of harassment –, and a failure to comply with the Organisation’s procedural and substantive obligations.

In its assessment of this case, the Tribunal highlighted the arrangements for the necessary balance between, on the one hand, the exercise of the Administration’s discretion as to the action to be taken on the report drawn up by the investigators following a harassment complaint and, on the other hand, the right of the alleged victim to contribute to that process.



⌵ Appeal No. 765/2024, *L. Y. v. Secretary General of the Council of Europe*, Judgment of 23 september 2025



⌵ Appeal No. 766/2024, *L. D. (III) v. Secretary General of the Council of Europe*, Judgment of 24 june 2025

As regards the Administration’s discretion, the Tribunal recalled that the competent authority, in this case the Director of Human Resources, retains full discretion as to the action to be taken on the investigation report, being able to infer from it either that no disrespectful conduct results from it, or that the report establishes conduct contrary to the Policy on Respect and Dignity. On this point, the Tribunal specified that, should she depart from the conclusions of the investigation report, the Director of Human Resources should nevertheless be able to rely on specific reasons to that effect (§ 37 of the judgment). In any event, the discretion available to the Director of Human Resources does not escape the Tribunal’s judicial review, which is empowered to verify that:

“the challenged decision was taken by a competent authority, that it was in due form and that it was adopted following the applicable procedure. It is also for the Tribunal to assess, with regard to the internal legality, whether the administrative authority’s assessment took account of all relevant facts and whether it was not vitiated by a manifest error of assessment”

§ 38 OF THE JUDGMENT



As regards the alleged victim, the Tribunal emphasised that the procedure established following a harassment complaint must be designed as being centred on her protection. As a party to the procedure, the alleged victim benefits from procedural guarantees intended to ensure the fairness of the procedure, foremost among which is the right to contribute to the establishment of the facts and to be heard, both during the investigation and before the authorities called upon to rule on the complaint (§ 42 of the judgment).

The Tribunal linked the alleged victim’s right to be heard to her right to receive a copy of the investigation report, so as to be able to submit her observations on the elements liable to influence the forthcoming decision (§ 44 of the judgment). It inferred from this that:

“[i]n addition to the rights explicitly granted to her under the regulatory framework, the appellant was entitled to receive a copy of the investigation report in time to enable her to effectively put forward her observations, i.e. before the competent authority – the Director of Human Resources in this case – ruled on her complaint”

§ 46 OF THE JUDGMENT

In the present case, the appellant had had access to the investigation report only in reply to her administrative complaint. The Tribunal therefore considered that she had not been put in a position to submit her observations in a meaningful way on the content of the report – and thus exercise her right to be heard – before the decision on the handling of her complaint was taken. In the Tribunal’s view, the fact that the appellant became aware of the report before lodging her appeal with it is not such as to remedy this procedural irregularity, since the Tribunal’s powers in such an appeal are limited, the Tribunal being able to censure a decision not to pursue a harassment complaint as regards internal legality only in the event of a manifest error of assessment. The Director of Human Resources, by contrast, had the power to assess whether it was appropriate to carry out a further investigation or a more thorough re-examination of certain elements of the file before taking her decision (§ 47 of the judgment).

Holding that the disclosure to the appellant of the investigation report only at the stage of the reply to the administrative complaint was not compatible with the requirements of the right of the alleged victim of harassment to be heard, the Tribunal annulled the contested decision.

In line with settled case law recognising the right of the person concerned to be heard before the adoption of any decision liable to affect their interests adversely, the Tribunal here proposes a specific interpretation of that right as regards the alleged victim of harassment. It recognises her right to submit her observations in a meaningful way before the decision on her complaint is taken on the basis of the conclusions of the investigation. While such a right is not explicitly recognised in the Organisation’s regulatory provisions, it is nevertheless the necessary corollary of the right to be heard, as enshrined in the case law.



For the purposes of performance appraisal, the direct manager may lawfully rely on the opinion of third parties as to the quality of the staff member’s written work which the manager has not read personally. The corrections made to the staff member’s work constitute an indication of the areas for improvement expected. There is no obligation to issue a written warning for every fact liable to be the subject of criticism. The primary purpose of dialogue and regular feedback is to guide the staff member appraised and to alert them to the aspects in which they still need to make progress.

The question of the key factors for a successful dialogue during the period of appraisal of staff members’ performance is at the heart of the judgment delivered by the Administrative Tribunal in the case of A. G. v. Secretary General of the Council of Europe (Appeal No. 764/2024, Judgment of 15 October 2025). The dispute in question concerned a negative appraisal report and raised several questions concerning the respective roles and responsibilities of the direct manager (N+1) and of the staff member appraised within the performance appraisal system at the Council of Europe. More particularly, the staff member concerned considered that if her performance had not lived up to expectations, this was mainly due to the lack of supervision on the part of her line management. She also alleged procedural irregularities which were such as to call into question the arrangements made within the Registry of



📄 Appeal No. 764/2024,
A. G. v. Secretary
General of the Council
of Europe, Judgment
of 15 October 2025

the European Court of Human Rights (hereinafter “the Registry”) for the supervision of administrators.

The case concerned a lawyer at the Registry who had returned after a prolonged absence for health reasons, having resumed work first part-time and then full-time. In this context, the Organisation had adapted her performance objectives to facilitate her progressive reintegration and had provided for an initial phase without quantitative objectives. Following the setting of her objectives, the appellant had received from her N+1 a list of cases to deal with. He specified that she would receive the other cases to deal with once she had completed those already allocated. At the mid-term interview, the appellant’s N+1 informed her that an increase in her productivity was expected in order for her to meet her objectives. Nevertheless, at the end of the appraisal year, her overall performance was deemed unsatisfactory both as regards the quality and the quantity of the work carried out.

The first ground of the appeal raised a question of interpretation of the applicable texts, in particular the Staff Rule on career development. According to the appellant, her N+1 could not be regarded as her direct manager within the meaning of that Rule, since he had not personally checked all of her written work and had relied on the assessment of a lawyer responsible for quality control, in accordance with the arrangements for the organisation of work in place within the Registry.

The Tribunal was thus able to verify that, in the context of the appellant’s appraisal, her N+1 had indeed carried out all the tasks provided for in the applicable texts, including the Guide to performance assessment drawn up by the Directorate of Human Resources, as an expression of the Organisation’s administrative practice. The Tribunal thereby concluded that the requirement that the direct

manager personally read all the work of the staff member subject to his appraisal had no basis in the regulatory framework (§ 51 of the judgment). The Tribunal considered, in the light of the case law on the matter, that it is not in itself illegitimate, in an international organisation, for the direct manager to rely on the opinions of competent and reliable official interlocutors in order to form his own assessment:

“[c]ase law accepts that the person carrying out the assessment may, while exercising the requisite caution and discernment, take into account information from third parties when forming their assessment of staff members’ performance. It has accordingly made it clear that, for the purpose of forming their own opinion, the person carrying out the assessment may “take into consideration information from official and reliable contacts” (see European Union Civil Service Tribunal (CST), Judgment of 14 December 2018, UC v European Parliament, T-572/17, paragraph 104), and take into account “the opinions expressed on her work by various other officials in the departments” (see ILOAT, Judgment No 2836, consideration 11)”

§ 52 OF THE JUDGMENT

According to the Tribunal, such a structure, where it is justified by the internal organisation and the proper functioning of the service, compromises neither the lawfulness of the process nor the objectivity of the appraisal. On the contrary, it may prove necessary in order to ensure an informed and complete assessment (§§ 53 to 55 of the judgment).

The Tribunal thus expressly enshrines the possibility, for the N+1, of incorporating into his appraisal the feedback of a reference colleague who has regularly and directly monitored the drafting of the staff member’s written work, it being specified that it is for the N+1 to verify that this is a reliable source of information which he has no reason to doubt (§ 71 of the judgment).

The second ground concerned the attainment of the quantitative objectives. The staff member argued that she had been unable to achieve her objectives for want of having received a sufficient number of cases to deal with. She also relied on circumstances over which she had no control to justify not having dealt with certain cases which had been assigned to her.

The Tribunal first noted that no element in the file made it possible to infer that the appellant’s quantitative objectives, which had been set in general terms without specifying the particular cases to be dealt with, had been revised downwards (§§ 58 to 61 of the judgment). It then considered that, from the moment the appellant realised that she did not have a sufficient number of cases to deal with, not only could she not infer from this that her objectives were reduced, but it was for her to request the allocation of new cases from her line management:

“[t]he proactive attitude expected of the appellant is also evident from the job description attached to her assessment form for 2023. One of her main responsibilities was to keep her

managers informed of the results obtained in the performance of her tasks, and also of any risks that might arise in connection with her work, and to report to them on any issues related to the handling of cases. The appellant was therefore made aware that the onus was on her to take the initiative and notify her direct manager of any circumstances that might prevent her from fully achieving the objectives set. There is nothing to suggest that this obligation did not apply to the quantitative aspects of her work”

§ 65 OF THE JUDGMENT

This decision thus emphasises that, in a system based on quantitative objectives, the staff member bears an active responsibility in managing their portfolio of tasks and must report to their line management any organisational difficulty liable to compromise the completion of the tasks in question.

In examining the third ground, the judgment provides in particular an important clarification in answer to the question of the extent to which managers are expected to inform the staff members appraised as part of their duty to give feedback on their performance.

In the present case, the appellant considered that, during her exchanges with her line management, she had not been explicitly warned of the risk of receiving a negative appraisal if the quality of her work did not improve. In reply to this question, the Tribunal indicates that there is no specific obligation to issue a written warning for every fact liable to be the subject of criticism, announcing the prospect of a negative appraisal. The primary function of dialogue and regular feedback is precisely to guide the staff member and to alert them to the aspects in which they still need to make progress (§ 80 of the judgment).

The appellant also challenged her appraisal report from the angle of its statement of reasons, which she considered insufficient. After recalling the significant margin of appreciation enjoyed by appraisers, the Tribunal clarified the following on this subject:

“it is sufficient in principle for the appraisal report to set out the salient points of the official’s performance in terms, in particular, of his or her efficiency, ability and conduct in the service, and to appraise them. Subject to the obligation to state reasons and provided that the appraisal is clearly individualised and not impersonal, a reporting officer is not obliged to give details of the grounds for his or her assessment by providing specific examples to substantiate his or her value judgments” (see, in this connection, General Court of the European Union, Judgment of 17 July 2024, LW v. European Commission, T 232/23, paragraph 23)”

§ 77 OF THE JUDGMENT

The Tribunal rejected all the grounds of the appeal and concluded that it should be dismissed.

This judgment confirms that the performance appraisal system rests on a balanced relationship between the legitimate internal structuring of the monitoring of staff members and the N+1’s ability to rely on the opinions of colleagues working with the staff member, the managerial responsibility to supervise and engage in dialogue, and the staff member’s personal responsibility to act proactively in order to meet their objectives.

The decision at the same time demonstrates the way in which the Tribunal guarantees the lawfulness of the appraisal process while recalling that it is not for the court to substitute its own view for the professional assessment of line managers, provided that the latter is based on an objectively conducted process and is duly reasoned.

➤ Paul Lemmens (Chair of the Administrative Tribunal)



THE SERIOUS AND IRREPARABLE
DAMAGE REQUIRED TO GRANT A STAY
OF EXECUTION OF THE CONTESTED
ADMINISTRATIVE DECISION MUST BE
SUPPORTED BY CONCRETE EVIDENCE
AND DEPENDS ON THE PARTICULAR
CIRCUMSTANCES OF EACH CASE

05.6

In the context of termination of employment, whether resulting from an unsuccessful probationary period or from the abolition of a job in the context of a restructuring, the damage relied on by the applicants related mainly to the prospect of finding themselves unemployed and to the difficulty of identifying an alternative professional activity, often combined with financial difficulties.

In assessing such allegations, the orders delivered in 2025 relied on the Tribunal’s now consolidated case law, according to which damage of an exclusively financial nature cannot, in principle, be regarded as irreparable, since it is capable of being the subject of financial compensation in the context of a subsequent appeal on the merits (request for a stay of execution No. 1/2025, B. H. v. Secretary General of the Council of Europe, order of 31 March 2025, § 27; request for a stay of execution No. 4/2025, H v. Secretary General of the Council of Europe, order of 27 June 2025, § 20; request for a stay of execution No. 5/2025, I v. Secretary General of the Council of Europe, order of 30 November 2025, § 25).

The aforementioned case law accepts at the same time that exceptional circumstances could lead to a different conclusion, including where the damage is of a purely pecuniary nature. In such a case, however, the Tribunal must have concrete and precise indications, supported by detailed evidence making it possible to assess the consequences which are likely to result from the absence of the measure requested (request for a stay of execution No. 1/2025, cited above, § 28; request for a stay of execution No. 5/2025, cited above, § 26).



Request for a stay of execution No. 1/2025, B. H. v. Secretary General of the Council of Europe, Order of 31 march 2025



Request for a stay of execution No. 4/2025, H v. Secretary General of the Council of Europe, Order of 27 june 2025



Request for a stay of execution No. 5/2025, I v. Secretary General of the Council of Europe, Order of 30 november 2025



Thus, in the concrete assessment he makes of each situation, the Chair is not satisfied with allegations of damage formulated in general terms but requires them to be precise and corroborated by facts. In the case of B. H., the request was based on general assertions relating to the impossibility of finding new employment. The Chair noted that the applicant was at the same time carrying out a remunerated activity for a private company, without having provided the slightest indication of the income he derived from it or of his assets and financial situation, so that he had not demonstrated that the loss of his Council of Europe remuneration would oblige him to sell his home (§ 29 of the order). In the case of I, the Chair noted that the applicant had not established that the implementation of the contested decision would compromise their financial stability or their

ability to meet her essential needs in the coming months, their personal savings moreover not being quantified (§ 29 of the order).

The Chair also examines whether particular circumstances specific to each case could justify the argument that it would be very difficult, or even impossible, for the staff member concerned to find new employment. In the case of I, this argument was expressly dismissed: the Chair considered that the applicant was a relatively young professional whose qualifications should enable them to find employment with other institutions, national or international, noting in particular that in their final appraisal report, their own direct manager had acknowledged that their skills could prove valuable in other professional contexts (§ 28 of the order).

The Chair also examined the argument, frequently advanced in situations of this nature, based on the damage that could be caused by the appointment of a third party to the job previously occupied by the staff member. In the case of H, this argument was rejected on the grounds that the job to be filled in the context of the recruitment procedure in question did not correspond to the post occupied by the applicant, which had been the subject of a decision to abolish it. The fact that the holder of the new job might be led to perform some of the duties previously carried out by the applicant was not such as to call this conclusion into question (§ 23 of the order).

“even after his employment with the Organisation has ended, the applicant will retain his full right to have his complaint effectively examined within the framework of the formal procedure initiated. This right requires the Secretary General to take all necessary measures arising from the conclusions of the investigation, including, where appropriate, redress, should it be established that the applicant has been the victim of harassment”

§ 32 OF THE ORDER

As regards the damage alleged in connection with the possibility that the Secretary General might rule on the administrative complaint before having received the conclusions of the investigation into a harassment complaint lodged by the staff member – the allegations of harassment being such as to call into question the objective and impartial nature of the reasons relied on to terminate the employment –, the Chair acknowledged, in the case of B. H., that he does not have, under the regulations in force, the power to impose interim measures other than a stay of execution, such as the suspension of the administrative complaint procedure pending the conclusions of the investigation (§ 31 of the order). He considered, however, that this ground did not disclose irreparable damage, emphasising that:

In the distinct context of an internal competition procedure, the order delivered in the case of S. G. (request for a stay of execution No. 3/2025, order of 10 June 2025) illustrates how the imminent appointment of a third party to a job for which the staff member’s application was set aside may, in the light of the circumstances specific to the case, give rise to serious and irreparable damage.

In this case, the combination of several elements characterising the applicant’s particular situation was held to be decisive: the appellant’s seniority and grade, as well as the nature and grade of the job for which she had applied and which she argued corresponded fully to her profile. The Chair held that, in such a case, the definitive loss of the possibility of having her application examined after the appointment of a third party to the job concerned constitutes serious damage which cannot be satisfactorily redressed by financial compensation alone, particularly in so far as comparable jobs within the entity concerned, offering a similar level of responsibility, may be regarded as rare (§§ 28 and 29 of the order).

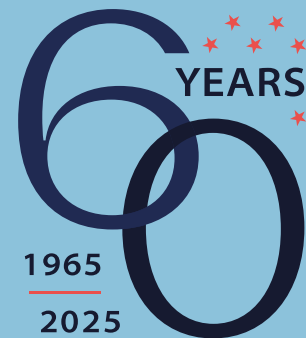
This finding must, however, be qualified in the light of the balancing of interests carried out by the Chair. If the stay was granted, it was also because the Secretary General had not demonstrated, *prima facie*, that the suspension of the contested decision would entail disproportionate negative effects for the Organisation or would hamper its ability to manage effectively the ongoing competition procedure (§ 30 of the order). The merits of granting a stay are thus assessed not only in the light of the damage sustained by the staff member, but also in the light of the absence of serious harm to the legitimate interests of the Organisation.



Request for a stay of execution No. 3/2025, S. G. c/ Secretary General of the Council of Europe, Order of 10 June 2025

60th ANNIVERSARY OF THE TRIBUNAL

The Tribunal celebrated its 60th anniversary on 13 and 14 October 2025 in Strasbourg. As on the occasion of the Tribunal's 50th anniversary in 2015, the celebrations took place in two stages: a closed session between international administrative tribunals (hereinafter "IATs"), organised on the first day of the celebrations, was followed by a part open to the public on the second day, reflecting the twofold purpose of these events, namely to deepen the dialogue between tribunals and to promote a shared reflection on international civil service law.



06

SESSION OF 13 OCTOBER 2025

Round table on general principles in the practice and case law of IATs



The closed session reserved for members of IATs was devoted to the general principles of law. In order to feed the discussions, a questionnaire was drawn up in collaboration with Anne-Marie Thévenot-Werner (senior lecturer at the University Paris-Panthéon-Assas) and designated rapporteur for this work. Sent in advance to the participating tribunals, ten IATs replied to it, thus providing comparative material of great richness.



➤ Responses of IATs to the
Questionnaire on General
Principles



➤ Report on General
Principles

Presenting the preliminary conclusions of her analysis, Anne-Marie Thévenot-Werner structured her presentation around three findings. She first showed that the tribunals identify general principles according to classical methods, which rest essentially on the comparison of national laws, on reference to their own case law and to that of other IATs, a "dialogue of judges" whose practice tends to highlight the convergence of a genuine international civil service law, itself linked to public international law.



71 From left to right: Alain Berset (Secretary General of the Council of Europe), Paul Lemmens (Chair of the Administrative Tribunal) and Mattias Guyomar (President of the European Court of Human Rights)

The rapporteur then highlighted the superior value of these principles in relation to the secondary law of organisations: fulfilling in turn an interpretative, corrective, supplementary and substantive rule-of-law guarantee function, they enable the tribunal to fill the gaps in the written normative framework and to protect against arbitrariness, including with regard to acts emanating from bodies composed of representatives of States.

The third part of the presentation emphasised the moderation with which these principles are applied. Through an examination of the duty of care, acquired

rights and the right to a fair procedure, the rapporteur showed that the tribunals use these principles with restraint, without making them an instrument enabling the decisions of the administration to be called into question too easily. In conclusion, she presented the general principles as an indispensable source of international civil service law, a necessary legal safeguard for reaching a balanced solution where the texts prove insufficient.

This work has since been consolidated in a report published by the Tribunal.



CONFERENCE OF 14 OCTOBER 2025

“The right to a fair trial before international administrative tribunals”

The following day, the celebrations of the Tribunal’s 60th anniversary continued with a conference on the right to a fair trial before IATs, open to all members of the public interested in international civil service law. Held under the banner of Article 6 of the European Convention on Human Rights (hereinafter “the Convention”), the conference brought together IAT judges, former and current judges of the European Court of Human Rights, as well as renowned academics and practitioners, to explore in greater depth several questions inherent in the very notion of a fair trial.

Opening the conference, the Secretary General of the Council of Europe, Alain Berset, recalled the importance of respect for the rule of law within the Organisation’s institutions. The President of the European Court of Human Rights (hereinafter “the Court”), Mattias Guyomar, emphasised for his part that the establishment of a means of subjecting the Organisation’s acts in the field of its civil service to judicial review is a form of duty of institutional exemplarity of the Council of Europe vis-à-vis the outside world. The Chair of the Tribunal, for his part, emphasised that respect for the right to a fair trial before IATs is fundamental in order to maintain public confidence in these tribunals.



71 From left to right: Alain Berset (Secretary General of the Council of Europe) and Paul Lemmens (Chair of the Administrative Tribunal)

The proceedings of the conference were structured around three successive panels.

PANEL 1

The first panel, devoted to access to a court with regard to the acts and omissions of international organisations and moderated by Thomas Laker, judge of the Tribunal, was introduced by Mykola Gnatovskyy, judge of the Court. His intervention dealt with the tension between the right of access to a court guaranteed by Article 6 § 1 of the Convention and the jurisdictional immunity of international organisations: in the wake of the Grand Chamber judgment *Waite and Kennedy v. Germany*, he recalled that this immunity is admissible under the Convention only if litigants have “reasonable alternative means” to protect their rights effectively, and examined the characteristics that IATs must display in order to be regarded as “tribunals” within the meaning of the Convention. The Director of Legal Advice and Public International Law and Jurisconsult of the Council of Europe, Jörg Polakiewicz, and Laure Levi, member of the Brussels Bar, led the discussions as commentators.

PANEL 2

The second panel, on the scope and methods of judicial review and moderated by Yves Gounin, deputy judge of the Tribunal, was introduced by Paola Chirulli, professor at the Università La Sapienza in Rome. Her presentation examined the relationship between judicial review and internal remedies, before exploring in greater depth the requirement of “full jurisdiction” and of enhanced review of discretionary power, and arguing for the development of a high standard of judicial review across the various international administrative tribunals. Judge Georges Ravarani, former Vice-President of the Court, and Ali Bahadir, member of the Court’s Registry, sat on this panel as commentators.

PANEL 3

The third panel, moderated by Lenia Samuel, judge of the Tribunal, was devoted to remedies and the execution of judgments. It was introduced by Patrick Frydman, Vice-President and former President of the Administrative Tribunal of the International Labour Organization (hereinafter “ILOAT”) and Conseiller d’État, whose presentation offered a comparative analysis of the rules on redress and the execution of judgments in five international administrative tribunals – the ILOAT, the United Nations Appeals Tribunal, the United Nations Dispute Tribunal, and the NATO Administrative Tribunal (hereinafter “NATO AT”), in addition to the Administrative Tribunal of the Council of Europe. He showed that the fullness of the tribunal’s powers of redress is a guarantee of

the effectiveness of justice, focusing in particular on the determination of the amounts awarded in respect of pecuniary damage. He also analysed the role of interim measures in guaranteeing the proper execution of judgments, the means available to appellants to obtain such execution and the difficulties most frequently encountered, before discussing the possibility of entrusting the monitoring of execution to a body external to the tribunals themselves. The Managing Director and Deputy General Counsel of the European Bank for Reconstruction and Development, Alba Bozo, and Judge Anne Trebilcock, member of the NATO AT, took part in the panel as commentators.

The conclusions of the day were presented by Judge Linos-Alexandre Sicilianos, Deputy Chair of the Tribunal. The proceedings of this conference will be the subject of a publication planned for 2026.



07

CO-OPERATION WITH INTERNATIONAL ADMINISTRATIVE TRIBUNALS



Paul Lemmens (Chair of the Administrative Tribunal)

30 APRIL ET 1st MAY 2025

30th anniversary of the Commonwealth Secretariat Arbitral Tribunal (CSAT)

On 30 April and 1st May 2025, the Chair of the Tribunal, Paul Lemmens, the Registrar of the Tribunal, Christina Olsen, and the Deputy Registrar, Dmytro Tretyakov, took part in the celebrations of the 30th anniversary of the CSAT held in London.

At the session of 30 April 2025 reserved for members of IATs, the Chair of the Tribunal spoke on the theme of the independence of IATs. Other themes of interest for the IAT community were addressed there, in particular the accessibility of case law, as well as efficiency and procedural innovations. The conference of 1st May 2025, entitled “The Centenary of Monod v Secretary-General of the League of Nations: One Hundred Years of International Administrative Law”, was devoted instead to the examination of topical questions such as the integrity standards promoted within international organisations, the use of artificial intelligence by IATs and the impact of the standards of the European Convention on Human Rights on the handling of disputes involving these organisations.



➤ Janice Bellace (World Bank Administrative Tribunal President)

17 – 19 NOVEMBER 2025

30th anniversary of the Administrative Tribunal of the International Monetary Fund (IMF) and 45th anniversary of the Administrative Tribunal of the World Bank

The international community of IATs met again from 17 to 19 November 2025 at the headquarters of the World Bank and the IMF, in Washington, D.C., in order to celebrate the 45th anniversary of the Administrative Tribunal of the World Bank, on 17 and 18 November 2025, and the 30th anniversary of the Administrative Tribunal of the IMF, on 19 November 2025.

On that occasion, the Chair of the Tribunal took part in the symposium organised by the Administrative Tribunal of the World Bank, where he spoke in the context of a “Forum of Presidents of IATs”. The forum addressed in particular questions relating to representation and legal assistance before IATs, as well as to co-operation between these tribunals. He also took part in the conference organised by the Administrative Tribunal of the IMF, entitled “International Administrative Law in Changing and Challenging Times”, during which he contributed to a session devoted to the invocation of human rights law by the parties and the judges in disputes brought before these tribunals.



➤ The Presidents' Forum: (from left to right) Olufemi Elias, Louise Otis, Nassib Ziadé, Janice Bellace, Issoufou Bourema, Paul Lemmens, Raul C. Pangalangan, Westmin James, and Pablo Sandoz de León.

CONCLUSION OF A COOPERATION AGREEMENT

On the occasion of the aforementioned inter-institutional exchanges between IATs, a Cooperation Agreement aimed at strengthening judicial dialogue between IATs was adopted on 17 November 2025 on the occasion of the symposium organised by the Administrative Tribunal of the World Bank in Washington, D.C.

It provides for the establishment of an executive committee responsible for co-ordinating the activities carried out under the agreement, as well as for the periodic organisation of meetings between the tribunals concerned in order to promote the exchange of information and good practices in the field of international civil service law. The conclusion of the agreement stems from a proposal made at the Tribunal's 60th anniversary, on 13 October 2025, which had initially been put forward on the occasion of the 30th anniversary of the CSAT, cited above, in London, in May 2025. This agreement represents the culmination of the long-standing dialogue that exists between IATs.

Since its adoption, the following IATs have expressed, during 2025, their intention to take part in the agreement, in addition to the Tribunal: the Administrative Tribunal of the Organization of American States (OAS), the Court of First Instance of the International Organisation of La Francophonie (TPI OIF), the Administrative Tribunal of the North Atlantic Treaty Organization (NATO AT), as well as the Panel of Judges of the Organization for Security and Co-operation in Europe (OSCE). The agreement will enter into force once seven IATs have expressed such an intention.



➤ Cooperation Agreement

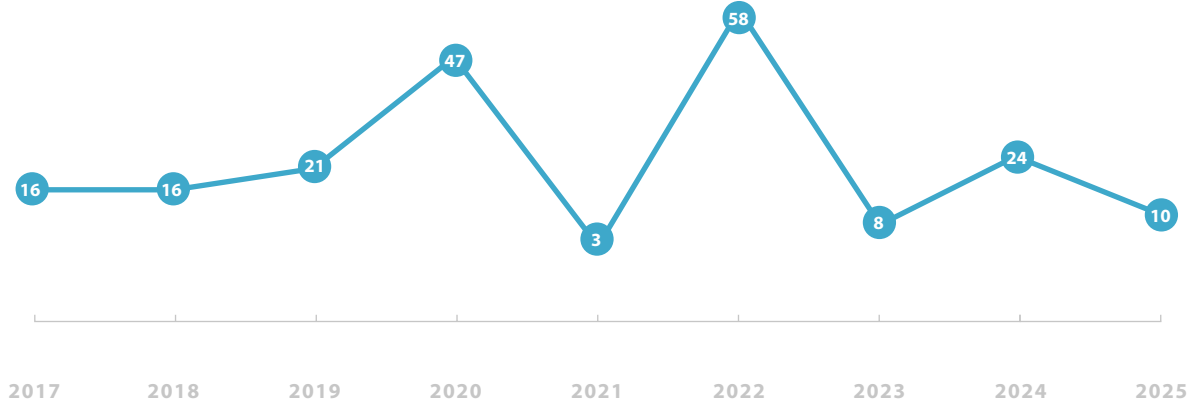
STATISTICS

Multi-annual statistics concerning the number of appeals lodged and examined, of judgments delivered and of orders adopted in respect of requests for a stay of execution are provided below to illustrate litigation trends before the Tribunal.

08

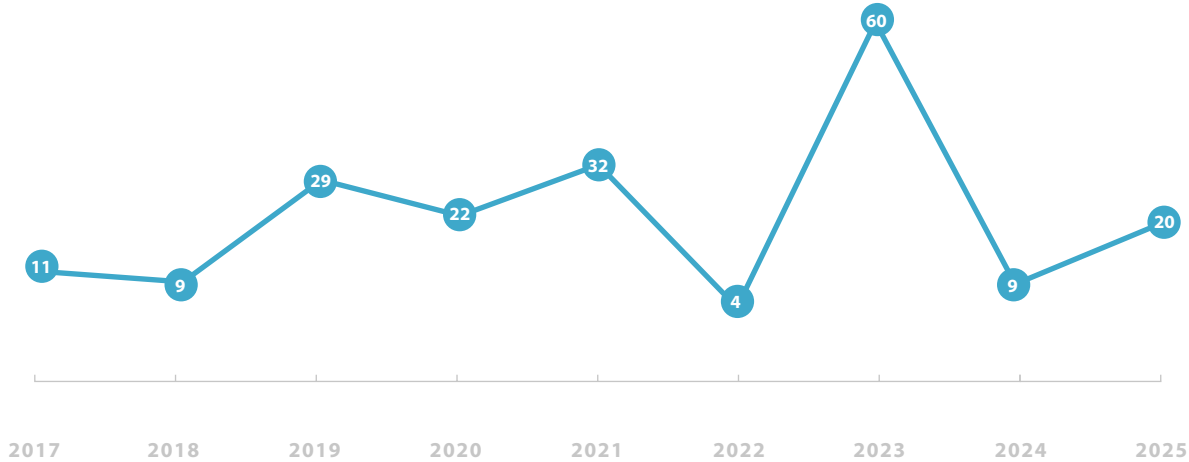
APPEALS LODGED ON THE MERITS

In 2025, the Administrative Tribunal registered 9 appeals concerning the Council of Europe and 1 appeal concerning the Council of Europe Development Bank. No appeal was registered in 2025 concerning the organisations affiliated to the Tribunal.



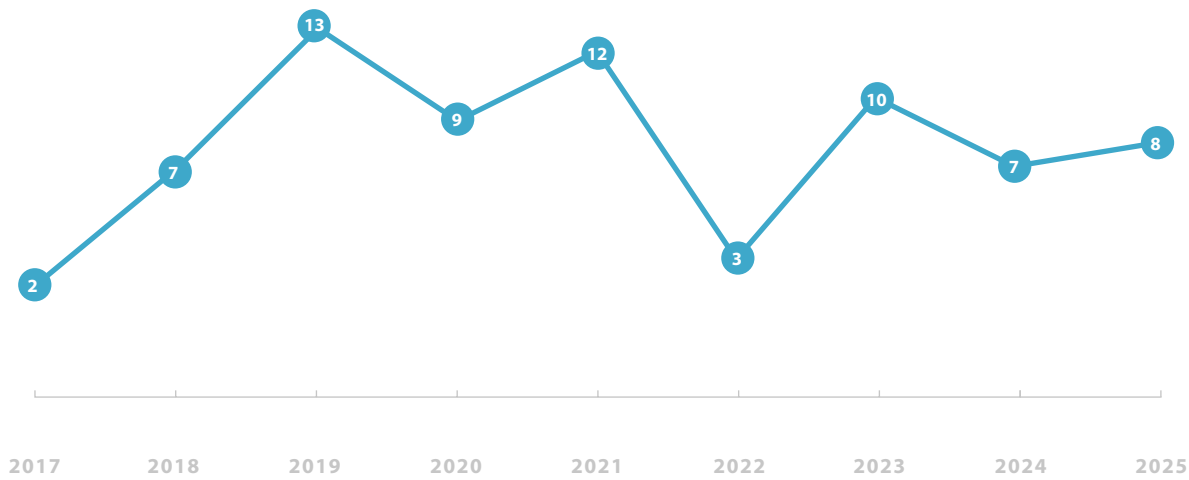
CASES CLOSED ON THE MERITS

In 2025, the Tribunal completed its examination of twenty cases on the merits, all registered in 2024. Among these cases, two appeals were held to be well-founded and the other 18 were dismissed. It should be noted that some cases may be joined, giving rise to judgments concerning several appeals.

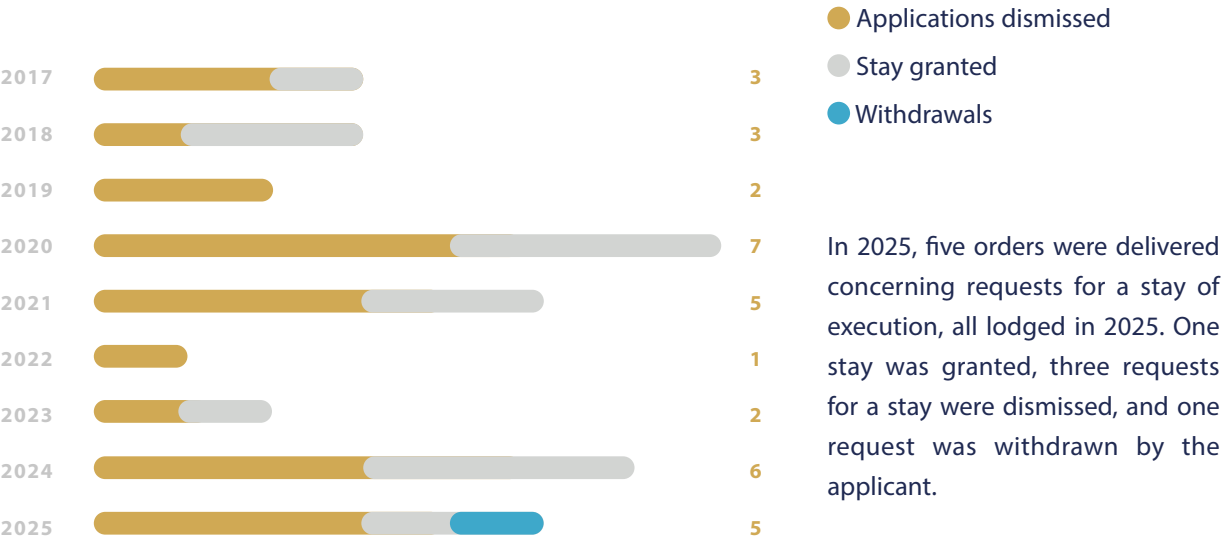


JUDGMENTS DELIVERED ON THE MERITS

In 2025, the Tribunal delivered eight judgments, all concerning the Council of Europe. As stated above, one judgment may relate to several joined cases.



ORDERS DELIVERED ON REQUESTS FOR A STAY OF EXECUTION



The Administrative Tribunal of the Council of Europe (ATCE) is an international administrative tribunal competent to hear complaints of the serving and former staff members of the Council of Europe against their employer.

The jurisdiction of the Administrative Tribunal has also been recognised by other international organisations enjoying immunity.

In addition to information about the Tribunal's judicial activities, the report provides for this period a statistical overview of administrative complaints lodged with the Council of Europe and the Council of Europe Development Bank, as well as complaints and conciliation procedures within the international organisations that have recognised the jurisdiction of the Tribunal which are the Central Commission for the Navigation of the Rhine (CCNR), the Hague Conference on Private International Law (HCCH) and the Intergovernmental Organisation for International Carriage by Rail (OTIF).

📄 www.coe.int/tribunal

ENG

www.coe.int

The Council of Europe is the continent's leading human rights organisation. It comprises 46 member states, including all members of the European Union. All Council of Europe member states have signed up to the European Convention on Human Rights, a treaty designed to protect human rights, democracy and the rule of law. The European Court of Human Rights oversees the implementation of the Convention in the member states.

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE