



## **RULES OF INTERNAL ORGANIZATION of the Evaluation Panel**

The Evaluation Panel (hereinafter: the “Panel”)

Pursuant to authority given by Article 3 Paragraph 3 of the EULEX Assembly of Judges Rules on the Evaluation of Judges and Legal Officers (ARE), adopted by the 5<sup>th</sup> Assembly of EULEX Judges on 22 April 2009, as amended by the 6<sup>th</sup> Assembly of EULEX Judges on 17 June 2009,

Establishes the following Rules of Internal Organization (hereinafter: the “Rules”):

### **Article 1**

- 1) In case of evaluating a judge the panel shall be composed of three (3) Judges, as stipulated in Article 3 Paragraph 1 of the ARE.
- 2) In case of evaluating a Legal Officer the panel shall be composed of two (2) Judges and one (1) Legal Officer, as stipulated in Article 3 Paragraph 1 of the ARE. In this case one Civil Judge and one Criminal Judge shall be members of the panel. The Civil Judge and the Supreme Court Special Chamber Judge shall participate on a rotating basis, beginning with the Supreme Court Special Chamber Judge.

## **Article 2**

- 1) The members of the Panel will fulfil their tasks in an objective and impartial manner with full respect for European Best Practices, and will keep confidential any and all information submitted to them in their capacity as members of the Panel.
- 2) One of the Judges of the Panel shall be the elected chairman of the Panel. He or she shall be determined by the members of the Panel.

## **Article 3**

- 1) Unless otherwise provided for in these Rules and the ARE the Panel shall have full discretion to determine the appropriate procedural steps individually in each case based upon the needs of the case and taking into account European Best Practices.
- 2) The Panel shall have full discretion to ask the parties for additional information and/or to hear the parties orally. The parties can request to present their arguments orally.
- 3) The Panel shall have full discretion to obtain additional information through other sources such as documents or statements of other EULEX staff members.
- 4) Proceedings before the panel are, as a general rule, not public. The Panel, upon request of the parties or *ex officio*, can decide to open the proceedings for the public.
- 5) The panel shall make all decisions after deliberating and voting by simple majority. Decisions have to be signed by all members of the Panel issuing the decision.

#### **Article 4**

These Rules of Internal Organisation enter into force with their adoption by the Assembly of EULEX Judges.