

The Secretary General

Rihards Kols

Head of the Delegation of Latvia to the OSCE Parliamentary Assembly

Riga

Copenhagen, 1 March 2023

Dear Mr. Rihards Kols,

Upon advice from the OSCE PA legal counsel, I am writing you concerning your remarks at the Standing Committee Meeting in Vienna with regards to Ms. Daria Boyarskaya, Head of the OSCE PA Vienna Office.

After mentioning her name, you said the following: “*Similar names are Ana Chapman, Baturina – I think everyone in this room knows what I am talking about*”. By this, you alleged that OSCE PA international civil servant Boyarskaya had committed offenses similar as the convicted Russian spy Chapman or the Billionaire and Financier of Putin Elena Baturina. The only “evidence” you provided is that she is a Russian national and has worked as an interpreter on the highest level.

Not only were your remarks met with sharp criticism from the Dutch and the Spanish Delegation, but as I was informed by the OSCE PA legal counsel, they also bear potential legal consequences for the following reasons:

Ms. Boyarskaya, as PA staff, is an international civil servant in accordance with the OSCE PA Rules of Procedure. She has pledged and is obliged to follow the Staff Rules as well as a Code of Conduct, which prohibits staff to accept any instructions or the like from their home countries. This is in line with the OSCE Secretariat, the OSCE institutions and the OSCE field operation’s wide practice, which overall counts 43 International Staff of Russian nationality among their staff.

The Standing Committee, as the OSCE PA’s highest administrative body when it comes to labour legislation, functions much like similar oversight bodies in private law. As it can give instructions to me in my capacity as Chief Administrative Officer and Head of the International Secretariat, this body and its members are obliged to follow general rules that define the relationship between the employer and the employee, including the handling of disputes. One of these rules is that staff issues are not to be discussed in public, unless they are anonymized or part of purely statistical data.

Not only did the Standing Committee meet in public as foreseen in our Rules of Procedure, but in addition the Session was livestreamed to the general public.

I realized that I also made a mistake and advised the President to have you continue, against her instinctive and correct attempt to stop you after you first mentioned Ms. Boyarskaya's name. I did so in good faith, aiming for transparency and full respect for the prerogatives of members of parliament to ask questions. However, what I did not expect when giving the advice was the gravity of your allegations and insinuations.

For many years, we have enjoyed the high quality of Ms. Boyarskaya's interpretation skills in our meetings, and we are proud to have been able to hire her – notably before Russia's military aggression and invasion of Ukraine. So far, nobody has reported to me any breach of her contract or our Code of Conduct, nor have I heard anything indicating wrongdoing or inappropriate support for Russia's illegal activities. It would be the duty of anybody who believes to have noticed such a thing to immediately bring this to my attention in the appropriate way and with due consideration for the overarching integrity of our International Secretariat. As I am sure you agree with me, any deviation from the Rules of Procedure and from basic norms of confidentiality would be assessed as a severe violation of labour law by the leading body of our Assembly. Staff members should be informed about their performance and care in a confidential fashion and information about them should be shared appropriately, maintaining confidentiality.

These acts would be considered slander and subject to criminal prosecution in many countries. Such slander cannot be justified by someone who has not – at least – first attempted to bring his/her accusations forward through the proper channels – i.e., in this case, by addressing them directly to me in my capacity as Chief Administrative Officer and Head of the International Secretariat.

Further, such public shaming of PA staff is a violation of the person's fundamental rights, in particular her human dignity, which I – as her supervisor and chief executive officer of the PA have to protect. And it is most likely that it is at odds with EU and OSCE data protection, confidentiality and privacy legislation.

Regrettably, I had to decide not to publish the recording of the Standing Committee of this Winter Meeting to avoid getting the OSCE PA – and you – in legal difficulties because of the remarks you made. As OSCE PA Secretary General, I cannot risk that any such legal grievances damage the standing of our Assembly.

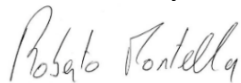
With regards to your question relating to our internal hiring processes, specifically concerning Ms. Boyarskaya's employment at the International Secretariat of the OSCE PA, please be informed that Ms. Boyarskaya has been working for the OSCE PA since 2010, when she was

hired as a Russian translator for the 2010 Annual Session in Oslo. Subsequently, Ms. Boyarskaya has worked as a Russian translator at the 2014 Annual Session in Baku, the 2016 Annual Session in Tbilisi and the 2017 Annual Session in Minsk. She also was a Russian interpreter at the 2015 Autumn Meeting in Ulaanbaatar; additionally, she served as the Revisor and Head of the Russian Translation Team at both the 2018 Annual Session in Berlin and the 2019 Annual Session in Luxembourg.

As it pertains to Ms. Boyarskaya's permanent employment at the International Secretariat from February 2021, note that as per regular practice¹ a public vacancy notice for the position of *Advisor* was published by the International Secretariat in September 2020. Out of 13 applicants, the Hiring Board (consisting out of 5 OSCE PA staff members) shortlisted 4 candidates, including Ms. Boyarskaya, who were invited to take part in an interview. All four candidates underwent an online interview, during which the Hiring Board assessed the technical abilities of the candidates as well as their personal qualities against the main criteria listed in the vacancy notice. The Hiring Board unanimously recommended Ms. Daria Boyarskaya for the post of Advisor in the Vienna Liaison Office. A detailed recruitment report for the above-mentioned position is available at the Human Resources Office of the International Secretariat in Copenhagen, and can be viewed upon request as to respect confidentiality.

I remain at your disposal for any further questions.

Sincerely,



Roberto Montella
Secretary General

¹ <https://www.oscepa.org/en/documents/international-secretariat/vacancies>