

IN THE APPEAL BEFORE THE
EBRD ADMINISTRATIVE TRIBUNAL

ENRICO GRASSI
STAFF MEMBER
Appellant

v.

THE EUROPEAN BANK FOR RECONSTRUCTION AND DEVELOPMENT
Respondent or the Bank

FURTHER DECISION ON COSTS

Following review of the objections raised by the Bank regarding the Tribunal's order concerning the costs requested by Mr. Grassi's lawyers we conclude that we have acted within our competence as set forth in Section 8.06 of the Appeals Procedures (APs).

First, the Tribunal upheld the Appeal and ordered that the Respondent reimburse the Appellant for reasonable legal costs pursuant to Section 8.06(a) of APs.

Second, the Appellant's lawyers specified ten activities such as reading legal documents, drafting the Statement of Appeal, communications between Mr. Grassi and his legal representatives, etc. All these services were necessary for submitting the appeal.

Third, the application for costs makes it clear that it does cover only costs incurred on the jurisdictional issue which constituted the gist of the appeal and does not cover all costs in relation to Mr. Grassi's grievance. Hence, the Tribunal has not transgressed the Grievance Committee's competence under Section 11.01(b)(iii) of the Grievance Procedures, as submitted by the Bank.

Fourth, the APs do not fix detailed rules how to evaluate whether the ordered legal costs are reasonable. We have relied on our professional judgement and experience as to what is reasonable in the circumstances.

For these reasons, our decision on costs is consistent with the standards set forth in Section 8.06 of the APs.

12 April 2016
For the Administrative Tribunal



Stanislaw Sołtysiński
Professor Dr Juris, LL.M