

PRO07 – Appeals Procedure		
Expands	Appeals Committee – Terms of reference (v2009-04-22)	
Changes	Additional note to allow possibility for complainants to remain anonymous.	
Replaces version	EC	2009-04-22
Approval of the current document:	EC	2010-11-25

1. Scope

This procedure applies to all appeals brought forward to the Union for Ethical BioTrade, unless otherwise described in a specific procedure, duly approved by the Board or its Executive Committee.

Appeals regarding:

- standard development,
- attribution of grants,
- membership decisions,
- verification decisions, and
- claims made by members regarding UEBT shall be handled by the Appeal Committee.

Appeals regarding standard setting may be addressed by the Standard Committee first (see PRO06 - Standardization Procedure). All other issues need to be brought up to the next General Assembly.

2. Normative reference

- UEBT GOV01 - Articles of Association
- UEBT GOV09 - Appeals Committee Terms of Reference
- UEBT PRO06 - Standardization Process

3. Submission

To be considered, the appeal shall:

- be dated and sent to the UEBT Secretariat in writing through recommended mail, within 30 days after a decision against which appealed is made public;
- provide the name and contact details of the appellant;
- disclose any possible connection with commercial interests related to the appeal;
- indicate clearly the reason for the appeal; and
- provide objective evidence sustaining the appeal.

Note:

A complainant may request the UEBT Secretariat to remain anonymous. Such requests will be assessed on a case-to-case basis and accepted when warranted.

4. Consideration

The process for considering an appeal shall be as follows:

- The UEBT Secretariat shall examine if the conditions for receiving the appeal are fulfilled.
- The UEBT Secretariat shall determine if the appeal should be treated by the General Assembly or the Appeals Committee. It doing so it should ensure that the complaint is addressed in an adequate and impartial manner;
- If relevant to the General Assembly, the Secretariat shall introduce the topic in the agenda for the next possible General Assembly, according to the deadlines for submitting the agenda (see GOV01 - Article of Association).
 - The Secretariat shall inform the appellant on the outcomes of the General Assembly and take the necessary measures, depending on the outcomes.
- If relevant to the Appeal Committee, it shall transmit the appeal to the Appeals Committee within 14 days after receiving the appeal:
 - The Secretariat shall prepare the necessary background documentation on the appeal, so that the Appeals Committee has all relevant elements to come to a decision;
 - The Appeals Committee shall review the appeal and report back to the Board within 30 days.
 - If no Board meeting is scheduled within 4 weeks after the date of issuing its recommendation, the Appeals Committee shall indicate if a special Board meeting needs to be convened to address the appeal;
 - The Board shall take a decision regarding the appeal based on the recommendations of the Appeals Committee. A decision that is not in line with the recommendation of the Appeals Committee shall be duly documented;
 - The Secretariat shall inform the appellant on the outcomes of the Board meeting and take the necessary measures, depending on the outcomes.
- Unless otherwise specified in the Swiss legislation that rules the UEBT, decisions on appeals taken either by General Assembly or the Board are final.

5. Contact

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