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**SHAPE DIRECTIVE 005-040**

**LEGAL SERVICES - SERGE LAZAREFF PRIZE**

1. **Status.** This Directive supersedes SHAPE Directive 005-040 dated 13 December 2018.
2. **Purpose.** This prize for excellence in legal services is regulated in order to maintain the coherence, importance and solemnity that the award requires and enunciates. The Directive establishes the regulatory principles for granting the award.
3. **Applicability.** This Directive is applicable to the NATO ACO Office of Legal Affairs.
4. **Publication Updates.** Updates are authorised when approved by Chief of Staff (COS) SHAPE and an assessment for a revision is to be carried out not later than 2 years after the release of this publication.
5. **Proponent.** The proponent for this directive is the ACO Office of Legal Affairs.

FOR THE SUPREME ALLIED COMMANDER, EUROPE:

Mr. Andrés MUÑOZ  
ESP NIC/A6  
ACO Office of Legal Affairs, Director



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## CHAPTER 1 – INTRODUCTION

1-1. **Introduction.** The NATO Allied Command Operations Office of Legal Affairs (NATO ACO OLA) hosts the Serge Lazareff (SL) Prize Award for excellence in legal services. This prize, in memory of Mr. Serge Lazareff, recognises and highlights the life and work of Mr. Lazareff in NATO's benefit and recognizes all those who for their outstanding contribution to NATO legal activities, are an example for current and future generations. The aim of this prize is to honour Mr. Serge Lazareff and to honour the individuals who contribute to improve the NATO legal framework and service.

### 1-2. **Serge Lazareff**

a. Mr. Serge Lazareff was an exceptional scholar, lawyer and legal practitioner, who among his various and extended merits and achievements, helped and developed the NATO legal status. He wrote numerous publications and implemented the NATO Status of Forces Agreement (SOFA) in the early years of the treaty. He worked as General Eisenhower's French interpreter and later, as his legal advisor at the Allied Forces Centre Headquarters (AFCENT).

b. Serge Lazareff was born in Paris in 1926 and died there in 2012. He was Doctor in Law and the first French post-war scholar to be accepted to Harvard. He held the Commander of the Legion of Honour and was recipient of many other awards and honours. He also pursued a career in public service, and became the General Counsel for International Operations and Vice-President Asia-Pacific with the French industrial group Pechiney. He was very much involved in academia and heavily contributed to the evolution of arbitral doctrine in his writings.

c. He was a strong believer that the phenomenon of foreign military forces, being permanently stationed, highly contributed to peace in Europe. Therefore, he paved the way for the Alliance's collaboration with respect to visiting forces, which implies many political, legal, economic, military and economic elements which needed to be solved in order to allow the Alliance to work effectively and perform and accomplish its functions and purposes.

d. The NATO ACO OLA wants to inspire individuals to pursue this path of collaboration, research and work by taking pride in hosting this Prize.

## **CHAPTER 2 – SELECTION CRITERIA**

2-1 **Candidates.** The candidates are to be individuals, from outside or inside the Organisation, whose contribution has proven outstanding and helpful for supporting and/or developing the knowledge of the NATO legal position(s) and NATO legal works, both at national and international levels. The contribution is to be in relation to the development of NATO governing treaties, NATO-led operations and other NATO activities. Post-mortem prizes can also be granted.

2-2 **Types.** There are three different Serge Lazareff prize types:

- a. Star.
- b. Commander.
- c. Grand Star.

2-3 **Categories.** There are four different Serge Lazareff prize categories:

- a. Ordinary, individual.
- b. With distinction, individual.
- c. Collective.
- d. Honorific

### 2-4 **Serge Lazareff Prize Panel and decision-making process**

a. The Panel is composed by the director OLA or his deputy, a SHAPE STREN J1 officer and a representative from one of the SHAPE subordinates headquarters legal offices. The panel is chaired by the Director OLA or his/her deputy., on behalf of SACEUR

b. In order to minimise transportation and per diem costs, the subordinate headquarters legal office member, should be preferably from the NATO CIS Group Legal Office.

c. The ACOS STREN J1 selects their representative who should preferably be the SHAPE STREN J1 EXO.

d. Nominations are to be made by the Director OLA and can also be made by the chiefs of the NATO legal offices upon request, and by COS as per his own initiative. The merits and reasons to get the prize are to be presented for the panel deliberations and decisions are to be made by majority vote.

e. The Director of ACO OLA, can award five Serge Lazareff prizes per semester outside of the deliberations of the Serge Lazareff Prize Panel. SHAPE Chief of Staff can award three Serge Lazareff prizes per year outside of the deliberations of the panel.

f. Upon COS approval the Director OLA may propose for the prize, individuals who have performed extraordinary during times of crisis, operations, or in special circumstances (fight against fraud, academic achievements, etc.).

2-5 **Timelines.** The Prize may be granted every six months being the timelines as follows:

a. Proposal – It takes place on the first quarter of the natural year. The Director ACO OLA and, upon request, the chiefs of the NATO/ACO Legal Offices, propose candidates by filling the form provided in Annex A.

b. Deliberation – Within the second quarter of the natural year and after all the proposals have been received, the Serge Lazareff Prize Panel decides the awardees of the Serge Lazareff Prize, based on the quality of their work, the liaison to the NATO legal activities (for the honorific ones, this liaison is to be related to NATO and SHAPE activities in general) and/or the merits of the candidate.

c. Ceremony – After the panel deliberation, the awardees are to be notified in writing. The ceremonies should take place no later than one month after the candidate has been notified of the selection.

2-6 **Interim Provision for 2017.** Since the Directive was initiated in the summer of 2017, several proposals were identified which did not account for selections made in future years. 2017 Serge Lazareff prizes are to be awarded no later than 31 December 2023<sup>1</sup>.

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<sup>1</sup> This date is subject to the end of the works on the ISAF fuel litigation.

### **CHAPTER 3 – FUNDING**

3-1. **Origin of the Funds.** There are two different fund sources for covering the costs of the prize gift. The source of the funds is to be determined by the membership of the individual to ACO.

- a. If the awardee is a NATO member covering an ACO position, the origin of the funds is the NATO Common Funding under the Military Budget and shall not exceed Established Financial Limit (EFL) A per fiscal year.
- b. If, in the contrary, the awardee is not an ACO member, the Serge Lazareff Prize and its associated costs are considered as a “recognition gift” funded from the Commander’s Representation Fund.
- c. The procurement of recognition gifts must be coordinated with FINAC in accordance with the NATO budget regulations. The Serge Lazareff diplomas/certificates are to be issued by the Reprographic section.

## CHAPTER 4 – CEREMONY AND RECORDS

4-1 **Venue.** In principle, ceremonies are hosted at SHAPE, although ceremonies may take place in other locations at the discretion of the ACO OLA Director based on the audience and awardees.

### 4-2 **Celebration**

a. The Serge Lazareff Prize awardees are invited to SHAPE and sponsored by the OLA. In case of post-mortem awardees, a member of the family is invited to attend.

b. Celebrations are held in accordance with the instructions provided by the Chief Paralegal ACO OLA and by the SHAPE protocol branch depending on the rank of the audience and prize awardees.

c. SACEUR, DSACEUR, COS and/or VCOS may preside over the ceremony when their agendas permit. In this case, the SHAPE protocol branch is to be in charge of the ceremony in accordance with applicable SHAPE Protocol Directives.

4-3 **Prize.** The prize will consist of a commemorative portable or non-portable five-point star with the ACO OLA logo, a diploma on behalf of SACEUR and, when applicable, an interview/mention in the SHAPE Community Life Magazine and/or the NATO Legal Gazette. The permission to wear the prize attached to the uniform, in the case of military, is at the discretion of their nation and in accordance with national rules.

4-4 **Records.** The NATO ACO OLA will maintain intranet and internet records of the awardees.

**PROPOSAL OF CANDIDATE**

Proposal of candidate for the Legal Services - Serge Lazareff Prize year .....	
Candidate (Name, Surname)	
Date of Birth (DD/MM/YY)	
Position held in an ACO Legal Office (if applicable)	
Diplomas (except honorific)	
Proposal of Type and/or Category of SL Prize	
Referrals on the candidate's contribution to NATO's legal position(s), NATO legal works and/or NATO and SHAPE legal activities. (Please explain the candidate's main endeavours and how they contributed to strengthening NATO/ACO legal activities)	