

C O N V E N T I O N

between

THE EUROPEAN INVESTMENT BANK,

(hereinafter called "the Bank")

represented by Mr Philippe Maystadt, President, and Mr Wolfgang Roth,
Vice-President,

of the one part

and

THE STAFF REPRESENTATIVES,

represented by Ms Regan Wylie-Otte, Staff Representative, and
Mr Mateu Turró, Staff Representative,

of the other part

PREAMBLE

- Having regard to the Treaty establishing the European Community, in particular Articles 137 and 141 thereof;
- having regard to the Charter of Fundamental Rights of the European Union, in particular Article 23 thereof;
- having regard to the various Community texts concerning equality of opportunity, in particular the Parliament Resolution of 18 June 1987 regarding the establishment of "Equal Opportunities Committees" and Directive 2002/73/EC of the European Parliament and of the Council of 23 September 2002 amending Council Directive 76/207/EEC on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions;

considering that, in cooperation with the Advisory Group on Equal Opportunities set up in 1984 within the Bank, the Bank and the Staff Representatives have agreed to set up a Joint Committee on Equal Opportunities for Men and Women (COPEC) with the aim of overseeing implementation of the equal opportunities policy for the staff of the Bank in matters of recruitment, career development, training and social welfare infrastructure;

considering that Article 23 of the Convention governing Staff Representation at the European Investment Bank ("the Convention") signed on 12 April 1984, as revised on 1 April 1988, 1 October 1990 and 25 October 1995, provides for the establishment of a Joint Committee on Equal Opportunities;

considering in particular the provisions of Articles 4, 12 and 32 of the Convention;

considering that the terms "Administration", "Bank", "Management Committee", "Staff" and "Staff Representatives" used in the present convention shall have the same definitions as those given in the Convention;

IT IS HEREBY AGREED AS FOLLOWS:

ARTICLE 1 Composition of COPEC

1.1 COPEC shall comprise:

- five members appointed by the Administration,
- five members appointed by the Staff Representatives.

These appointments shall be made in such a way as to ensure as far as possible balanced representation as between men and women.

- 1.2 The posts shall not be remunerated; members' terms of office shall be three years and shall be renewable in accordance with the same procedure as for appointments. If any vacancy arises during a member's term of office, a replacement shall be appointed. If a member who is a Staff Representative ceases to hold that status, he or she may continue to be a member of COPEC until the end of his or her term of office, unless the College of Staff Representatives gives an opinion to the contrary.
- 1.3 The President shall be appointed, on an alternating basis, from among the members appointed by the Administration and from among the members appointed by the Staff Representatives; the appointment of the Vice-President shall similarly alternate between those two groups, but inversely. The term of office of the President and of the Vice-President of COPEC shall be 18 months.
- 1.4 The members of COPEC may not be the subject of discriminatory measures applied by the Bank by reason of the office held by them. In the event of disciplinary measures provided for in Articles 38 and 40 of the Staff Regulations, the Joint Committee shall verify whether or not the acts imputed to the members of COPEC may derive from their legitimate role as COPEC members.
- 1.5 The members of COPEC shall be required to observe secrecy in respect of all facts or information of a confidential nature which come to their knowledge in the performance of their duties.

ARTICLE 2

Powers and duties

- 2.1 COPEC shall oversee the implementation of the equal opportunities policy for the staff of the Bank in relation to career development, training, recruitment and social welfare infrastructure.
- 2.2 COPEC shall propose to the Administration any action and measures conducive to achieving in practice a genuine equal opportunities policy.
- 2.3 COPEC must have at its disposal all information needed for the performance of its duties.
- 2.4 COPEC shall be informed in good time of any proposal affecting personnel policy to be submitted to the Management Committee and shall determine which proposals have a bearing on equal opportunities within the Bank; in such cases, COPEC's opinion must be included in the proposal.
- 2.5 Any matter relating to equal opportunities may be referred to COPEC by members of staff. Where appropriate, COPEC may request the Staff Representatives to initiate the procedure provided for in Section VII, Article 38, of the Convention governing Staff Representation. At the request of a member of staff, COPEC may appoint a representative who will assist the member of staff concerned on any matter which involves a principle affecting equal opportunities.

2.6 COPEC shall evaluate the summary of its activities produced by the Administration of the Bank for inclusion in the Bank's Annual Report.

2.7 COPEC shall draw up a report on its activities each year.

ARTICLE 3 Operation

3.1 COPEC shall meet at least six times a year, when convened by its President. It may also, on the initiative of its President or Vice-President, or at the request of at least two of its full members, hold extraordinary meetings. If the President is unable to attend, the meeting shall be chaired by the Vice-President.

3.2 A member of the Management Committee shall be invited to each meeting.

3.3 A secretary, without voting rights, shall attend the meetings; the secretary shall be responsible for issuing notices to convene meetings, distributing documents and information, and drawing up minutes.

3.4 The President and the Vice-President shall prepare the draft agenda for each meeting in the context of COPEC's annual programme of work. It shall be sent to the members of COPEC at least ten working days before the date set for the meeting.

3.5 The members may propose that further items be added to the agenda. In such a case, COPEC shall decide what course of action to take within a period which it shall determine having regard to the degree of urgency and, if appropriate, by taking a vote.

3.6 Following each meeting of COPEC, minutes shall be drawn up and sent to the members, together with the draft agenda, at least ten working days before the next meeting.

3.7 A copy of the minutes of COPEC's meetings, and any document issued or received by COPEC, shall be made available to the Administration and to the secretariat of the Staff Representatives.

3.8 (a) COPEC may deliberate even if only some of its members are present. However, it may not adopt its opinions unless at least two members representing the Administration and two members representing the Staff are present.

(b) COPEC shall adopt decisions by a simple majority of votes.

- (c) Each member shall have one vote. Subject to the quorum provided for in Article 3.8(a) above, a member may, if unable to attend a COPEC meeting, appoint another member as proxy to exercise his or her voting rights. The proxy must be appointed in writing and for one or more specific items on the agenda.
 - (d) At the request of a member, COPEC may vote by secret ballot.
 - (e) The President shall have a casting vote in the event of a tie. Any such use of a casting vote shall be mentioned in the minutes and in the opinion or proposal delivered by COPEC.
- 3.9 In carrying out its tasks, COPEC may conduct inquiries and surveys among the staff. It may set up joint working groups which will report to it on their work.
- 3.10 To enable it adequately to fulfil its role, COPEC shall have at its disposal:
- (a) permanent premises and a notice board;
 - (b) a secretariat;
 - (c) an annual budget.
- 3.11 The members of COPEC shall be allowed the time necessary for the exercise of their office. Time spent in the performance of that function shall be regarded as working time.

ARTICLE 4

Entry into force / Notice of termination

The present Convention shall supersede and replace the previous Convention signed on 2 June 1994.

It shall enter into force on the day on which it is signed.

Six months' notice of termination may be given. In the event of notice of termination being given, the Convention shall remain in force until a new convention is signed between the parties and for no longer than six months after its expiry.

Each page of each copy of this Convention has been initialled by Mr Philippe Maystadt, President, on behalf of the Bank, and by Ms Regan Wylie-Otte, on behalf of the Staff Representatives.

Thus agreed and signed in two (2) originals in the French language.

European Investment Bank

Staff Representatives

Philippe Maystadt
President

Regan Wylie-Otte
Staff Representative

Wolfgang Roth
Vice-President

Mateu Turró
Staff Representative

Luxembourg, 24 February 2004