



CONVENTION

between

THE EUROPEAN INVESTMENT BANK,
(hereinafter called "the Bank")
represented by Dr Werner Hoyer, President,

of the one part

and

THE STAFF REPRESENTATIVES,
represented by Dr Björn Bronger, Deputy Spokesperson and President of COPEC
of the other part

PREAMBLE

With regard to

- (1) the Treaty on European Union and the Treaty on the Functioning of the European Union;
- (2) the Charter of Fundamental Rights of the European Union, in particular Articles 20 et seq. thereof;
- (3) relevant legal texts of the European Union;
- (4) the case-law of the Court of Justice of the European Union (CJEU);
- (5) the European Pillar of Social Rights dated 17 November 2017, in particular its Principle 3;
- (6) the Bank's Code of Conduct, in particular its section relating to equal opportunities and non-tolerance of discrimination;
- (7) Article 23 of the RP Convention with regard to the set up of a Joint Committee on equal opportunities; and
- (8) the RP Convention, in particular but not limited to, Articles 4, 12 and 32;

the Bank and the Staff Representatives have agreed to set up a Joint Committee on Equal Opportunities (COPEC) with the aim of:

- overseeing and contributing to the development of practices and actions of Equal Opportunities and their implementation which foster equality of opportunities within a diverse and inclusive environment;
- promoting Diversity and Inclusion which entails valuing difference and treating each individual equally and fairly in all matters with regard to, but not limited to, recruitment, career development, training, social welfare infrastructure and facilities;

HEREBY AGREED AS FOLLOWS:

Article 1 Definitions

For the purposes of this Convention:

"Administration" shall mean the services of the Bank responsible for personnel management, as empowered by its President;

"Bank" shall mean the European Investment Bank established by Article 308 of the Treaty on the Functioning of the European Union. The Statute of the European Investment Bank is drawn up as a Protocol (No 5) annexed to the Treaty on European Union and the Treaty on the Functioning of the European Union;

"RP Convention" shall mean the Convention governing Staff Representation at the European Investment Bank, signed on 12 April 1984 and revised on 1 April 1988, 1 October 1990 and 25 October 1995;

"Decision-Making Bodies" shall mean the Management Committee, Board of Directors and Board of Governors;

"COPEC" shall mean le Comité Paritaire pour l'Égalité des Chances / the Joint Committee on Equal Opportunities;

"Equal Opportunity" refers to the right to be treated without discrimination based on any ground such as, but not limited to, gender, racial or ethnic origin, ethnic group or social origin, genetic features, language, religion or belief, political or any other opinion, nationality, membership of a national minority, property, birth, disability, age, sexual orientation, family situation or membership or non-membership in a Joint Committee or College of Staff Representatives.

"Diversity and Inclusion" is a strategic approach that encompasses equality of opportunities and takes account of the differences between people and groups and places a positive value on those differences in order to create a more productive workforce. Inclusion refers to establishing and maintaining a work environment where colleagues are valued and respected and are given the opportunity to contribute to their fullest potential.

"Staff" shall be understood to be all persons working for the Bank;

"Staff Representatives" shall mean the members of the Bank's Staff referred to in Article 24 of the Staff Regulations.

Article 2 COPEC

2.1 Composition of COPEC

COPEC shall consist of twelve members,

- six members appointed by the Administration; and
- six members appointed by the Staff Representatives.

COPEC may decide by agreement of at least nine of its members to invite guests as observers. For the avoidance of doubt, guests will not have any voting right.

COPEC may decide to constitute task forces on specific topics, potentially including external experts on an ad hoc basis.

2.2 Term of office and remuneration of members

The term of office of each member shall be three years; renewals are possible in accordance with the same procedure as for appointments. Appointment of the members selected by the Staff Representatives shall be in accordance with the Rules of Procedures of the College of Staff Representatives. Members selected by the Administration shall be appointed by the Director General of Personnel.

Appointments shall be made to ensure balanced representation of diversity as far as possible.

If any vacancy arises before the expiry of an appointment, a replacement shall be appointed for a period equal to the remainder of the term of office of the departing member. 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.

The posts shall not be remunerated.

COPEC members commit to dedicate a reasonable amount of time and effort to ensure their positive contribution toward COPEC activities. Should a member feel unable to dedicate the appropriate time and effort due to professional or personal circumstances, they shall endeavour to discuss the constraints with peer COPEC members in order to reach a mutually satisfactory solution in a timely manner.

Time spent on COPEC activities shall be taken into account for performance appraisal purposes.

2.3 Appointment of the President and Vice-President

The President shall be appointed, on an alternating basis by the members appointed by the Administration from the same group, and by the members appointed by the College of Staff Representatives from the same group.

The appointment of the Vice-President shall similarly alternate between those two groups, but inversely.

The President and the Vice-President shall jointly represent COPEC.

The term of office of the President and Vice-President shall be 18 months.

2.4 Immunity

COPEC members shall be afforded the time to carry out their duties as members of COPEC. The time devoted to fulfilling their duties shall be deemed working time.

COPEC members may not be the subject of discriminatory or disciplinary measures on the grounds of the mandate exercised by them.

In the event of disciplinary procedures provided for in Articles 38 to 40 of the Staff Regulations I and II, COPEC shall assess whether or not the acts attributed to the respective COPEC members may derive from their legitimate role as COPEC members.

2.5 Confidentiality

COPEC members shall be obliged to respect the confidentiality and privacy of all facts or information of a confidential nature which come to their knowledge in the performance of their duties.

Article 3 Responsibilities

3.1 General

COPEC shall oversee and contribute to the development and implementation of practices and actions to ensure Equal Opportunities and promote Diversity and Inclusion in all matters with regard to, but not limited to, career development, training, recruitment, social welfare infrastructure and facilities.

Within its responsibilities, COPEC:

- raises awareness with regard to Diversity and Inclusion;
- can propose actions and initiatives to the Administration and to the Management Committee for decision to ensure Equal Opportunities and to achieve genuine Diversity and Inclusion in practice;
- is consulted and delivers an opinion as further specified in Article 3.3;
- monitors the managerial selection process with regards to Equal Opportunities and Diversity and Inclusion; and
- contributes to the promotion and implementation of best practices.

In carrying out its responsibilities, COPEC may conduct inquiries and surveys among Staff. It may also set up joint working groups reporting to COPEC on their work.

The Bank will ensure and support the communication of COPEC with Staff at all times, in particular by sending emails and publishing relevant news, articles, opinions and events on the intranet.

3.2 Proposals for actions and initiatives

COPEC may submit a proposed action or measure to the Administration or the

Management Committee for decision conducive (a) to foster Equal Opportunities and/or (b) to ensure genuine Equal Opportunities covering all aspects of Diversity and Inclusion in practice.

3.3 Consultation and submission of opinions

COPEC shall be consulted and deliver an opinion on any proposal affecting Equal Opportunities and Diversity and Inclusion to be submitted to the Management Committee. In such cases, a COPEC opinion shall be included in the respective proposal to the Management Committee.

The proposal and any further information or document deemed necessary shall be made available at least ten working days prior to the date on which the opinion is to be formulated; with the exception of cases where there is mutual agreement with the Bank on a different consultation period.

The Bank shall provide COPEC with any further information and document to deliver its opinion without undue delay. The Bank shall examine all requests for additional information submitted by COPEC and, if unable to accede to such requests, specify its reasons.

3.4 Information

COPEC shall be regularly informed about all meetings of the Decision-Making Bodies or information provided to them with relevance to COPEC's responsibilities. It shall also be informed about any proposal and change intended by the Bank that could have an impact on Equal Opportunities or Diversity.

Upon COPEC request, the Bank shall provide all information needed for the performance of its duties without undue delay. If the Bank is not able to provide the requested information, it shall inform COPEC and specify the reasons without undue delay.

3.5 Supporting members of Staff

Any matter relating to Equal Opportunities or diversity or equality of opportunities may be referred to COPEC by members of Staff. Where appropriate, COPEC may request that the Staff Representatives initiate the procedure provided for in Section VII, Article 38 of the RP Convention. At the request of a member of Staff, a COPEC member may assist the member of Staff concerned on any matter related to Equal Opportunities or diversity or equality of opportunities.

3.6 Report

COPEC shall publish a report on its activities every eighteen month after the end of each Presidency and Vice-Presidency.

Article 4 Meetings

4.1 Meetings

The COPEC President and Vice-President shall ensure that COPEC meets at least six times a year and shall coordinate those meetings. It may also, on the initiative of at least two of its members or its President or Vice- President, hold extraordinary meetings. If the President is unable to attend, the meeting shall be chaired by the Vice-President.

A draft agenda shall be circulated among its members within a reasonable time before the meeting. Members may propose further items to the agenda. In cases where other members object to a proposal on the agenda, COPEC shall decide by vote if and with which urgency the proposal shall be added to the agenda.

COPEC has a quorum if at least two members representing the Administration and two members representing the Staff Representatives are present in the meeting or by phone. For the purpose of reaching quorum, proxies shall not be taken into account.

Subject to the quorum, a member may appoint another member as proxy to exercise his or her voting rights. The proxy must be given in writing.

In cases where a decision cannot be reached by consensus, the decision shall be taken by vote. Any member of COPEC may request that such vote be done by secret ballot. The COPEC Secretariat, as defined below, without voting rights, shall attend the meetings and be responsible for issuing notices to convene meetings, distributing documents and information, and drawing up minutes.

4.2 Minutes of meetings

Following each regular meeting, minutes shall be drawn up and sent to the members for comments and approval.

A copy of the approved minutes and any document issued or received by COPEC shall be made available to the Administration and to the secretariat of the Staff Representatives.

Article 5 Voting

Each member shall have one vote.

Decisions shall be taken by a simple majority of votes, unless otherwise specified in Article 2.1 paragraph 2.

In case of a tie, the President shall have the casting vote. Any such use of a casting vote shall be mentioned in the minutes, email, opinion or proposal, where applicable.



Article 6

Supportive Facilities and Financial Resources

In order to enable COPEC to carry out its responsibilities according to 0, COPEC shall have sufficient supportive facilities and financial resources at its disposal.

6.1 Secretariat

COPEC shall have a permanent secretariat of up to two full-time positions or equivalent to support its activities.

6.2 Annual budget

COPEC shall be provided with an annual budget adapted to any expenses incurred in the performance of its responsibilities. The amount of this budget and the manner of its administration shall be established annually as part of the Bank's general budgetary procedure.

Expenses shall be decided by COPEC within the framework of the above annual budget.

6.3 Consultation of external advisors

COPEC may, at its sole discretion, consult external advisors outside the Bank with respect to specific questions provided that (a) the resulting costs are covered by COPEC's budget and (b) the confidentiality of any information or documents shared with the external consultant is ensured.

6.4 Requisite facilities and equipment

The Bank shall furnish COPEC with the material assistance necessary for the accomplishment of its responsibilities as defined in 0.

The Bank shall, in particular, ensure that COPEC has a place in which to meet.

Article 7

Entry into force / Notice of termination

This Convention shall enter into force on the day of signature.

Six months' notice of termination may be given by either party. 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 the expiry of the notice period.

Each page of each copy of this Convention has been initialled by Dr Werner Hoyer, President, on behalf of the Bank, and by Dr Björn Bronger on behalf of the Staff Representatives and in his capacity as President of COPEC.



Thus agreed and signed in two (2) originals in English language in Luxembourg on 28 March 2019.

European Investment Bank

Staff Representatives

p.p. [Signature]

Dr W. Hoyer
President

[Signature]

Dr B. Bronger
President of COPEC