

DECISION OF THE EUROPEAN CENTRAL BANK

of 9 December 2008

amending the European Central Bank Staff Rules and the Rules for Short-term Employment (ECB/2008/NP20)

THE EXECUTIVE BOARD OF THE EUROPEAN CENTRAL BANK,

Having regard to the Rules of Procedure of the European Central Bank, and in particular Article 21.1 and 21.3 thereof,

Having regard to the Conditions of Employment for Staff of the European Central Bank (hereinafter the 'Conditions of Employment') and the Conditions of Short-Term Employment,

Having regard to Decision ECB/2008/NP19 of 5 December 2008 amending the Conditions of Employment for Staff of the European Central Bank and the Conditions of Short-Term Employment, Having regard to the opinion of the Staff Committee,

Whereas:

- (1) The Conditions of Employment and the Conditions of Short-Term Employment establish the principles and basic elements of the disciplinary procedure.
- (2) Practical experience has shown that some elements of the ECB's internal appeal procedures, including the special dispute procedure for pension matters, need to be adapted to increase their overall effectiveness.
- (3) Simplifying the ECB's administrative processes in relation to the provisions on overtime and structural weekend work contributes to its organisational efficiency and enables, among other things, the implementation of standardised information technology,

HAS DECIDED AS FOLLOWS:

Article 1

Amendments to the European Central Bank Staff Rules

(1) Part 7 on pension of the European Central Bank Staff Rules is replaced by the following:

'Part 7 PENSION

7. Dispute settlement procedures

Any dispute as defined in the pension arrangements for members of staff of the ECB, referred to in Part 7 of the Conditions of Employment, arising between any of the following:

- the Administrator,
- the Oversight Committee,
- the Core Benefit Investment Committee,
- the Flexible Benefit Investment Committee

shall be dealt with in accordance with the procedure laid down in the Terms of Reference of the Oversight Committee, the Core Benefit Investment Committee and/or the Flexible Benefit Investment Committee, as appropriate'.

(2) Part 8 on appeals and disciplinary procedures of the Staff Rules is replaced by the following:

'PART 8 APPEALS AND DISCIPLINARY PROCEDURES

8.1 Administrative review and grievance procedures

The provisions of Article 41 of the Conditions of Employment are applied as follows:

- 8.1.1 A member of staff may ask the Director General Human Resources, Budget and Organisation, or their Deputy Director General, to take a decision relating to them. The member of staff shall be notified of a reasoned decision within two months from such request. If the member of staff has not received a reasoned decision within two months from their request, this shall be deemed to constitute an implied decision rejecting the request, against which an administrative review may be lodged.
- 8.1.2 A member of staff may request an administrative review of a decision within two months from the date on which it was communicated to them. They shall submit their request to the Director General Human Resources, Budget and Organisation.
- 8.1.3 The Director General Human Resources, Budget and Organisation or their Deputy Director General shall notify the member of staff of their decision in writing within two months from the date on which the request for an administrative review was submitted to them.
- 8.1.4 A member of staff who remains dissatisfied with the decision following the administrative review procedure, or who has not received a decision within two months from the Director General Human Resources, Budget and Organisation or their Deputy Director General, may use the grievance procedure set forth below.
- 8.1.5 A member of staff may initiate a grievance procedure within two months from the date on which

- a) the decision taken under the administrative review procedure giving rise to the grievance has been notified to the member of staff; or
- b) the period of two months from the request to the Director General Human Resources, Budget and Organisation or their Deputy Director General expired without such a decision referred to in paragraph a) having been taken.

The member of staff shall submit the request for a grievance procedure to the President together with any relevant documents. The request shall clearly state the reasons for challenging the decision and the relief sought.

The President shall notify the decision to the member of staff within two months from the date on which the request was submitted to them.

8.1.6 Decisions taken by the Executive Board shall be subject to a special appeals procedure. A member of staff may initiate an appeal within two months from the date on which the Executive Board's decision was communicated to them.

The member of staff shall submit the appeal to the President together with any relevant documents. The request shall clearly state the reasons for challenging the decision and the relief sought.

The President shall notify the Executive Board's decision to the member of staff within two months from the date on which the appeal was submitted.

- 8.1.7 The submission of a request for an administrative review, a grievance procedure or an appeals procedure shall not by itself have the effect of suspending the decision in question or any action pursuant to that decision. However, at the member of staff's request, the Director General Human Resources, Budget and Organisation or their Deputy Director General in the case of an administrative review, or the President in the case of a grievance, or the Executive Board in the case of an appeal, may suspend the decision, or any action pursuant to that decision.
- 8.1.8 A member of staff may seek the assistance of a staff representative in the course of an administrative review, grievance procedure or appeals procedure.

8.2 Appeals to the Court of Justice of the European Communities

The provisions of Article 42 of the Conditions of Employment are applied as follows:

- 8.2.1 Appeals to the Court of Justice of the European Communities shall be filed within two months from the date on which:
 - the member of staff concerned is notified of the final decision taken in a grievance or appeals procedure, or
 - the period of two months which applies in the grievance or appeals procedure expires without such a final decision having been taken. Nevertheless, if the final decision in a grievance or appeals procedure is taken after this two-month period but before the

two-month period for filing an appeal to the Court of Justice of the European Communities has expired, the period for filing an appeal shall start to run afresh.

8.3 **Disciplinary procedure**

The provisions of Articles 43, 44 and 45 of the Conditions of Employment are applied as follows:

- 8.3.1 Breach of professional duties shall mean a breach of the obligations laid down in the Statute of the European System of Central Banks and of the European Central Bank, the Conditions of Employment, the Staff Rules, the Code of Conduct of the European Central Bank or any other legal act or internal standard or rule applicable to members of staff.
- 8.3.2 On the basis of a report, which shall state the facts and the circumstances of the breach of professional duties, including any aggravating or extenuating circumstances and the underlying evidence, and the results of the hearing of the member of staff concerned after they have been notified of all evidence in the files, the Executive Board may decide any of the following:
 - to initiate disciplinary proceedings for breach of professional duties,
 - to inform the member of staff that no case can be made against them,
 - not to impose a disciplinary measure, even if there is or appears to have been a breach
 of professional duties.

If the disciplinary measure likely to be imposed is a written warning or a written reprimand, the Director General Human Resources, Budget and Organisation or their Deputy Director General (for members of staff in salary bands A to J), or the member of the Executive Board to whom the Directorate General Human Resources, Budget and Organisation reports (for members of staff in salary bands K or L), may take any of the abovementioned decisions.

Disciplinary proceedings shall be initiated at the latest within five years from the date of the facts occurring and within one year from the date on which those facts were discovered, save in cases of serious misconduct for which a dismissal may be imposed, where the time limit shall be respectively 10 years and one year.

The member of staff subject to the disciplinary proceedings (hereinafter the 'member of staff') shall be informed in writing of the initiation of the disciplinary proceedings and of the allegations made against them.

Disciplinary proceedings not involving the Disciplinary Committee

8.3.3 If a written warning or written reprimand are likely to be imposed, the Director General Human Resources, Budget and Organisation or their Deputy Director General (for members of staff in salary bands A to J), or the member of the Executive Board to whom the Directorate General Human Resources, Budget and Organisation reports (for members of staff in salary bands K or L), shall hear the member of staff concerned before such a disciplinary measure is imposed.

Disciplinary proceedings involving the Disciplinary Committee

- 8.3.4 The imposition of disciplinary measures other than a written warning or a written reprimand shall require the involvement of the Disciplinary Committee.
- 8.3.5 A non-voting member chosen by the Executive Board from outside the ECB shall chair the Disciplinary Committee. It shall be composed of the Director General Human Resources, Budget and Organisation or their Deputy Director General and of two members of staff appointed by the Executive Board. The two members of staff may not belong to the business area of the member of staff. The Executive Board shall establish a list of alternates to replace the members of the Disciplinary Committee.
- 8.3.6 Subject to the approval of the Chair, a member of the Disciplinary Committee may be excused from duty for legitimate reasons and shall withdraw if a conflict of interest exists. Their alternate shall replace them.
- 8.3.7 The deliberations and proceedings of the Disciplinary Committee shall be treated as personal and confidential in accordance with the ECB's internal rules on confidentiality. The members of the Disciplinary Committee shall act in their personal capacity and shall be completely independent in the performance of their duties.
- 8.3.8 The Chair of the Disciplinary Committee shall ensure implementation of decisions taken during the proceedings of the Disciplinary Committee and shall bring all relevant information and documents to the attention of each of its members.
- 8.3.9 A secretary appointed by the Executive Board shall assist the Disciplinary Committee and shall draw up minutes of its meetings.
- 8.3.10The member of staff shall be informed of the composition of the Disciplinary Committee and may object to one of the members of the Disciplinary Committee within the following five days.
- 8.3.11 The report referred to in Article 8.3.2 shall be communicated to the member of staff. On receipt of the report, they shall have the right to obtain their complete personal file and take copies of all documents relevant to the proceedings, including exonerating evidence. They shall have not less than 15 calendar days from receipt of the report to prepare their defence.
- 8.3.12The Disciplinary Committee shall hear the member of staff, who may present observations in writing or orally and be assisted by a person of their choice. They may call witnesses. The member of staff and all witnesses shall sign the minutes or transcripts of interviews formalising their evidence or transmit their comments and/or remarks within 15 calendar days of receipt of the minutes or transcripts. At the member of staff's request, the Disciplinary Committee shall hear the Staff Committee.
- 8.3.13 At the beginning of the hearing, the Disciplinary Committee shall inform the member of staff whether they will record the oral hearings for the purpose of drawing up the minutes. These recordings shall be destroyed within six months from the final decision by the Executive Board unless they are needed for a possible follow-up such as judicial proceedings.

- 8.3.14If the Disciplinary Committee does not consider the information at its disposal as sufficient, it may ask one of its members to carry out further investigations. For this purpose they may take any necessary fact-finding measure such as interviews with members of staff, requests for clarification and for documents and any forensic expertise of underlying evidence presented in the report referred to in Article 8.3.2. In cases of other fact-finding measures, such as checking ECB electronic traffic data and/or accessing electronic files, performing on-the-spot searches, checking ECB telephone traffic data or intercepting business telephone calls made from ECB telephones, the Disciplinary Committee may request such measures to be conducted by those who have established the report referred to in Article 8.3.2. Following these investigations, an additional report shall be established and communicated to the Disciplinary Committee and to the member of staff. They shall have 15 calendar days to update their defence.
- 8.3.15The Disciplinary Committee shall, by majority vote, deliver a final opinion signed by all members on whether the facts are established, whether they constitute a breach of professional duties and on any disciplinary measure. Any member of the Disciplinary Committee may attach a divergent view to the opinion. The Disciplinary Committee shall transmit its final opinion to the Executive Board and to the member of staff within three months from the notification of the initiation of the disciplinary proceedings to the member of staff. If the Disciplinary Committee performs complementary investigations, the time limit shall be five months. It shall in any case be commensurate to the complexity of the case.
- 8.3.16The member of staff may submit their own observations to the Executive Board within 15 days from the transmission of the Disciplinary Committee's final reasoned opinion.
- 8.3.17The Executive Board shall decide on the most appropriate disciplinary measure within one month from the receipt of the Disciplinary Committee's final reasoned opinion and of the observations of the member of staff. It shall give due consideration to the Disciplinary Committee's recommendations but shall not be bound by them.
- 8.3.18The decision imposing a disciplinary measure shall be stored in the personal file of the member of staff. If the Executive Board does not impose any disciplinary measure, the member of staff may request insertion of this decision in their personal file.
- 8.3.19The decision imposing a disciplinary measure shall be removed from the personal file of the member of staff after three years in case of a written warning, after five years in case of a written reprimand and after seven years in any other case.
- 8.3.20 Disciplinary measures may be challenged within two months by way of appeal submitted to the Court of Justice of the European Communities if the Executive Board or a member of the Executive Board has imposed the disciplinary measure, or to the President if the Director General Human Resources, Budget and Organisation or their Deputy Director General has imposed the disciplinary measure.

8.4 Suspension from duties

The provisions of Article 46 of the Conditions of Employment are applied as follows:

- 8.4.1 If the full basic salary is reduced during a period of suspension, the member of staff's contributions to the ECB's medical and dental plan and accident insurance shall be based on their full basic salary.
- 8.4.2 If the Executive Board dismisses a member of staff with effect from the day of suspension, the member of staff shall retain amounts paid to them during the suspension period.'
- (3) Article 5.3.5 is replaced by the following:
 - 'The actual overtime worked shall be compensated.'
- (4) Article 5.4bis is replaced by the following:

'Members of staff to whom the second paragraph of Article 26(a) of the Conditions of Employment does not apply and who, in addition to their normal working week, have to perform weekend work on a structural basis in order to fulfil ongoing business requirements that can only be performed during the weekend, shall receive time compensation on a 1:1 basis for the structural weekend work.

The Directorate General Human Resources, Budget and Organisation shall, in consultation with the relevant business area management, set a maximum to the number of hours which may be worked off the premises and be eligible for compensation.'

Article 2

Amendments to the Rules for Short-term Employment

(1) Part 7 on appeals and disciplinary procedures of the Rules for Short-term Employment is replaced by the following:

'PART 7 APPEALS AND DISCIPLINARY PROCEDURES

7.1 Administrative review and grievance procedures

The provisions of Article 32 of the Conditions of Short-Term Employment are applied as follows:

- 7.1.1 A short-term contract employee may ask the Director General Human Resources, Budget and Organisation, or their Deputy Director General, to take a decision relating to them. The short-term contract employee shall be notified of a reasoned decision within two months from such request. If the short-term contract employee has not received a reasoned decision within two months from their request, this shall be deemed to constitute an implied decision rejecting the request, against which an administrative review may be lodged.
- 7.1.2 A short-term contract employee may request an administrative review of a decision within two months from the date on which it was communicated to them. They shall submit the

- request for an administrative review to the Director General Human Resources, Budget and Organisation.
- 7.1.3 The Director General Human Resources, Budget and Organisation or their Deputy Director General shall notify the short-term contract employee of their decision in writing within two months from the date on which the request for an administrative review was submitted to them.
- 7.1.4 A short-term contract employee who remains dissatisfied with the decision following the administrative review procedure, or who has not received a decision within two months from the Director General Human Resources, Budget and Organisation or their Deputy Director General may use the grievance procedure set forth below.
- 7.1.5 A short-term contract employee may initiate a grievance procedure within two months from the date on which
 - a) the decision taken under the administrative review procedure giving rise to the grievance has been notified to the short-term contract employee; or
 - b) the period of two months from the request to the Director General Human Resources, Budget and Organisation or their Deputy Director General expired without such a reasoned decision referred to in paragraph a) having been taken.

The short-term contract employee shall submit the request for a grievance procedure to the President together with any relevant documents. The request shall clearly state the reasons for challenging the decision and the relief sought.

- The President shall notify the decision to the short-term contract employee within two months from the date on which the request was submitted.
- 7.1.6 Decisions taken by the Executive Board shall be subject to a special appeals procedure. A short-term contract employee may initiate an appeal within two months from the date on which the Executive Board's decision was communicated to them.
 - The short-term contract employee shall submit the appeal to the President together with any relevant documents. The request shall clearly state the reasons for challenging the decision and the relief sought.
 - The President shall notify the Executive Board's decision to the short-term contract employee within two months from the date on which the appeal was submitted.
- 7.1.7 The submission of a request for an administrative review, a grievance procedure or an appeals procedure shall not by itself have the effect of suspending the decision in question or any action pursuant to that decision. However, at the short-term contract employee's request, the Director General Human Resources, Budget and Organisation or their Deputy Director General in the case of an administrative review, or the President in the case of a grievance, or the Executive Board in the case of an appeal, may suspend the decision, or any action pursuant to that decision.

7.1.8 A short-term contract employee may seek the assistance of a staff representative in the course of an administrative review, grievance or appeals procedure.

7.2 Appeals to the Court of Justice of the European Communities

The provisions of Article 33 of the Conditions of Short-Term Employment are applied as follows:

- 7.2.1 Appeals to the Court of Justice of the European Communities shall be filed within two months from the date on which:
 - the short-term contract employee concerned is notified of the final decision taken in a grievance or appeals procedure, or
 - the period of two months which applies in the grievance procedure or appeals procedure expires without such a final decision having been taken. Nevertheless, if the final decision in a grievance or appeals procedure is taken after this two-month period but before the two-month period for filing an appeal to the Court of Justice of the European Communities has expired, the period for filing an appeal shall start to run afresh.

7.3 **Disciplinary procedure**

The provisions of Articles 34, 35 and 36 of the Conditions of Short-Term Employment are applied as follows:

- 7.3.1 Breach of professional duties shall mean a breach of the obligations laid down in the Statute of the European System of Central Banks and of the European Central Bank, the Conditions of Short-Term Employment, the Rules for Short-term Employment, the Code of Conduct of the European Central Bank or any other legal act or internal standard or rule applicable to short-term contract employees.
- 7.3.2 On the basis of a report, which shall state the facts and the circumstances of the breach of professional duties, including any aggravating or extenuating circumstances and the underlying evidence, and the results of the hearing of the short-term contract employee concerned after they have been notified of all evidence in the files, the Executive Board may decide any of the following:
 - to initiate disciplinary proceedings for breach of professional duties,
 - to inform the member of staff that no case can be made against them,
 - not to impose a disciplinary measure, even if there is or appears to have been a breach
 of professional duties.

If the disciplinary measure likely to be imposed is a written warning or a written reprimand, the Director General Human Budget and Organisation or their Deputy Director General (for short-term contract employees in salary bands A to J), or the member of the Executive Board to whom the Directorate General Human Resources, Budget and Organisation reports (for

short-term contract employees in salary bands K or L), may take any of the abovementioned decisions.

Disciplinary proceedings shall be initiated at the latest within five years from the date of the facts occurring and within one year from the date on which those facts were discovered, save in cases of serious misconduct for which a dismissal may be imposed, where the time limit shall be respectively 10 years and one year.

The short-term contract employee subject to the disciplinary proceedings (hereinafter the 'short-term contract employee') shall be informed in writing of the initiation of the disciplinary proceedings and of the allegations made against them.

Disciplinary proceedings not involving the Disciplinary Committee

7.3.3 If the disciplinary measure likely to be imposed is a written reprimand, the Director General Human Resources, Budget and Organisation or their Deputy Director General (for short-term contract employees in salary bands A to J), or the member of the Executive Board to whom the Directorate General Human Resources, Budget and Organisation reports (for short-term contract employees in salary bands K or L), shall hear the short-term contract employee before such a disciplinary measure is imposed.

Disciplinary proceedings involving the Disciplinary Committee

- 7.3.4 The imposition of disciplinary measures other than a written warning or written reprimand shall require the involvement of the Disciplinary Committee.
- 7.3.5 A non-voting member chosen by the Executive Board from outside the ECB shall chair the Disciplinary Committee. It shall be composed of the Director General Human Resources, Budget and Organisation or their Deputy Director General and of two members of staff appointed by the Executive Board. The two members of staff may not belong to the business area of the short-term contract employee. The Executive Board shall establish a list of alternates to replace the members of the Disciplinary Committee.
- 7.3.6 Subject to the approval of the Chair, a member of the Disciplinary Committee may be excused from duty for legitimate reasons and shall withdraw if a conflict of interest exists. Their alternate shall replace them.
- 7.3.7 The deliberations and proceedings of the Disciplinary Committee shall be treated as personal and confidential in accordance with the ECB's rules on confidentiality. The members of the Disciplinary Committee shall act in their personal capacity and shall be completely independent in the performance of their duties.
- 7.3.8 The Chair of the Disciplinary Committee shall ensure implementation of decisions taken during the proceedings of the Disciplinary Committee and shall bring all relevant information and documents to the attention of each of its members.
- 7.3.9 A secretary appointed by the Executive Board shall assist the Disciplinary Committee and shall draw up minutes of its meetings.

- 7.3.10The short-term contract employee shall be informed of the composition of the Disciplinary Committee and may object to one of the members of the Disciplinary Committee within the following five days.
- 7.3.11The report referred to in Article 7.3.2 shall be communicated to the short-term contract employee. On receipt of the report, they shall have the right to obtain their complete personal file and take copies of all documents relevant to the proceedings, including exonerating evidence. They shall have not less than 15 calendar days from receipt of the report to prepare their defence.
- 7.3.12The Disciplinary Committee shall hear the short-term contract employee, who may present observations in writing or orally and be assisted by a person of their choice. They may call witnesses. The short-term contract employee and all witnesses shall sign the minutes or transcripts of interviews formalising their evidence or transmit their comments and/or remarks within 15 calendar days of receipt of the minutes or transcripts. At the short-term contract employee's request, the Disciplinary Committee shall hear the Staff Committee.
- 7.3.13At the beginning of the hearing, the Disciplinary Committee shall inform the short-term contract employee whether they will record the oral hearings for the purpose of drawing up the minutes. These recordings shall be destroyed within six months from the final decision by the Executive Board unless they are needed for a possible follow-up such as judicial proceedings.
- 7.3.14If the Disciplinary Committee does not consider the information at its disposal as sufficient, it may ask one of its members to carry out further investigations. For this purpose they may take any necessary fact-finding measure such as interviews with members of staff, requests for clarification and for documents and any forensic expertise of underlying evidence presented in the report referred to in Article 7.3.2. In cases of other fact-finding measures, such as checking ECB electronic traffic data and/or accessing electronic files, performing on-the-spot searches, checking ECB telephone traffic data or intercepting business telephone calls made from ECB telephones, the Disciplinary Committee may request such measures to be conducted by those who have established the report referred to in Article 7.3.2. Following these investigations, an additional report shall be established and communicated to the Disciplinary Committee and to the short-term contract employee. They shall have 15 calendar days to update their defence.
- 7.3.15The Disciplinary Committee shall, by majority vote, deliver a final reasoned opinion signed by all members on whether the facts are established, whether they constitute a breach of professional duties and on any disciplinary measure. Any member of the Disciplinary Committee may attach a divergent view to the opinion. The Disciplinary Committee shall transmit its final reasoned opinion to the Executive Board and to the member of staff within three months from the notification of the initiation of the disciplinary proceedings to the short-term contract employee. If the Disciplinary Committee performs complementary

- investigations the time limit shall be five months. It shall in any case be commensurate to the complexity of the case.
- 7.3.16The short-term contract employee may submit their own observations to the Executive Board within 15 days from the transmission of the Disciplinary Committee's final reasoned opinion.
- 7.3.17The Executive Board shall decide on the most appropriate disciplinary measure within one month from receipt of the Disciplinary Committee's final reasoned opinion and of the observations of the short-term contract employee. It shall give due consideration to the Disciplinary Committee's recommendations but shall not be bound by them.
- 7.3.18The decision imposing a disciplinary measure shall be stored in the personal file of the short-term contract employee. If the Executive Board does not impose any disciplinary measure, the short-term contract employee may request insertion of this decision in their personal file.
- 7.3.19The decision imposing a disciplinary measure shall be removed from the personal file of the short-term contract employee after three years in case of a written warning, after five years in case of a written reprimand and after seven years in any other case.
- 7.3.20 Disciplinary measures may be challenged within two months by way of appeal submitted to the Court of Justice of the European Communities if the Executive Board or a member of the Executive Board has imposed the disciplinary measure, or to the President if the Director General Human Resources, Budget and Organisation or their Deputy Director General has imposed the disciplinary measure.

7.4 Suspension from duties

The provisions of Article 37 of the Conditions of Short-Term Employment are applied as follows:

- 7.4.1 If the full basic salary is reduced during a period of suspension, the short-term contract employee's contributions to the ECB's medical and dental plan and accident insurance shall be based on their full basic salary.
- 7.4.2 If the Executive Board dismisses a short-term contract employee with effect from the day of suspension, the short-term contract employee shall retain amounts paid to them during the suspension period.'
- (2) Article 5.2.5 is replaced by the following:
 - 'The actual overtime worked shall be compensated.'
- (3) Article 5.3bis is replaced by the following:
 - 'Short-term contract employees, to whom Article 24(b) of the Conditions of Short-term Employment does not apply and who, in addition to their normal working week, have to perform weekend work on a structural basis in order to fulfil ongoing business requirements that can only be performed during the weekend, shall receive time compensation on a 1:1 basis for the structural weekend work.

The Directorate General Human Resources, Budget and Organisation shall, in consultation with the relevant business area management, set a maximum to the number of hours which may be worked off premises and be eligible for compensation.'

Article 3

Other provisions

- 1. Article 5.2.3 of the Staff Rules is deleted.
- 2. Article 5.2.4 of the Staff Rules is renumbered as Article 5.2.3.

Article 4

Entry into force

This Decision shall enter into force on the first day of the month following its communication to staff. Articles 1(3) and 2(2) of this Decision shall apply from 1 March 2009, unless otherwise decided by the Executive Board.

Done at Frankfurt am Main, 9 December 2008.

[signed]

The President of the ECB

Jean-Claude TRICHET