

*Registry's translation,
the French text alone
being authoritative.*

110th Session

Judgment No. 2985

THE ADMINISTRATIVE TRIBUNAL,

Considering the complaint filed by Mr Y. P. against the European Organisation for the Safety of Air Navigation (Eurocontrol Agency) on 18 February 2009, the Agency's reply of 5 June, the complainant's rejoinder of 7 August and Eurocontrol's surrejoinder of 6 November 2009;

Considering the applications to intervene filed by Messrs Hans De Smet, Gino Goossens, Francis Menten and Johnny Swennen and the letters of 5 November and 16 December 2009 in which the Agency stated that it had no objection to these applications;

Considering Article II, paragraph 5, of the Statute of the Tribunal;

Having examined the written submissions and decided not to order hearings, for which neither party has applied;

Considering that the facts of the case and the pleadings may be summed up as follows:

A. The complainant is a Belgian national born in 1956 who worked for the Belgian Air Force and was affiliated to a Belgian statutory pension scheme – the *Office national des pensions* (ONP) – before being recruited by the Agency on 16 October 1992. He became

established in April 1993 and is currently assigned to the Central Flow Management Unit (CFMU) in Brussels.

At the beginning of the nineties, under Article 12 of Annex IV to the Staff Regulations governing officials of the Eurocontrol Agency and Article 5 of Rule of Application No. 28 of the Staff Regulations, which sets out the arrangements for implementing the said Article 12, officials were entitled to request the transfer of their acquired pension rights to the Eurocontrol pension scheme within six months of the date of their establishment, if the regulations or the contract to which they had been subject in their previous post so allowed. The pensionable years to be credited were then calculated by reference to their basic salary at that date. As some officials were unable to apply within the prescribed period, it proved necessary to reopen this application period. To this end, “[e]xceptional temporary provisions having the force of service regulations” were adopted. They were published in Office Notice No. 11/91 of 27 June 1991 and became effective as of 1 January 1991. Article 2 of these provisions stipulated that an established official could request the transfer of his pension rights “within six months of the effective date of the [said] provisions or of the date on which such a transfer [would be] rendered possible, whichever [was] later”. If transfer was not yet allowed under the contract and regulations governing their previous post, the persons concerned could either submit an application as a safeguard, or await the date on which the transfer would become possible. On 8 September 1993 the complainant applied, as a safeguard, for the transfer of the pension rights which he had acquired with the ONP.

The law regulating the transfer of pension rights between Belgian pension schemes and those of institutions governed by public international law was adopted on 10 February 2003. Within the meaning of this law, the term “institution” referred to “Community institutions and bodies placed on the same footing as these institutions for the purposes of applying the staff regulations governing officials and other servants of the European Communities” and to certain organisations devoted to furthering the Communities’ interests. Article 3, paragraph 2, of this law stated, however, that a royal decree

could extend the application of its provisions to other institutions governed by public international law. This law entered into force on 1 January 2002 pursuant to its Article 29.

Information Note to Staff No. I.05/06 of 27 April 2005 announced a reform of the Eurocontrol pension system which was reflected in the establishment of a pension fund. The new provisions of the Staff Regulations concerning pensions, which were brought to the staff's attention by Office Notice No. 11/05 of 20 June 2005, took effect on 1 July 2005. The new version of Article 12, paragraph 1, of Annex IV to the Staff Regulations provided that pensionable years should henceforth be calculated by reference to the official's "basic salary, age and exchange rate at the date of application for a transfer".

The royal decree bringing Eurocontrol within the scope of the law of 10 February 2003 was issued on 25 April 2007 and entered into force on 1 June 2007. It stipulated *inter alia* that officials who had become established before 1 June 2007 should submit their transfer application to the ONP within six months of that date.

On 31 May 2007 the Agency published the new version of Rule of Application No. 28 in Office Notice No. 20/07. Pursuant to Article 12, new paragraph 1, of Annex IV to the Staff Regulations, Article 7, paragraph 2, of the aforementioned rule provided that, for the purpose of calculating the number of pensionable years to be credited, the amount of the annual basic salary was that of the "date on which [the] transfer application [was] received". However, under the terms of paragraph 4 of the above-mentioned notice, officials who had submitted a request for the transfer of their pension rights and whose contract or employment scheme allowed such transfer before the date of publication of the notice "[would] be subject to the former provisions of Article 12 of Annex IV to the Staff Regulations [...] (application of the basic salary, age and exchange rate at the date of establishment)" in cases where the application had been submitted to Eurocontrol. Information Note to Staff No. I.07/05 on the transfer of pension rights between Belgian pension schemes and the Eurocontrol pension scheme was also published on 31 May 2007. Annex IA to this note contained the transfer application form. On 4 June the staff was

informed that applications for the transfer of pension rights acquired with a Belgian pension scheme, which had been submitted before 1 June 2007, would be regarded as premature.

On 7 August 2007 the complainant again requested the transfer of his pension rights. By a memorandum of 25 April 2008 he was sent an estimate of the number of pensionable years which would be credited to him, calculated on the basis of the revised provisions. Although he agreed to the transfer, he lodged an internal complaint on 14 July 2008 in which he contended that, since he had submitted an application as a safeguard in 1993, he had an acquired right to benefit from the provisions in force at that time. On 8 September 2008 he was informed of the actual number of pensionable years which would be credited to him. On 14 October he submitted another internal complaint similar to the previous one, to challenge this decision. The first internal complaint was referred to the Joint Committee for Disputes, which issued its opinion on 12 November. Two of the Committee's members recommended that the internal complaint should be allowed, while the other two recommended its dismissal on the grounds that it was unfounded. By a memorandum of 20 November 2008, which constitutes the impugned decision, the Director General informed the complainant that he had decided to dismiss his internal complaint.

B. The complainant explains that the present version of Article 12 of Annex IV to the Staff Regulations stipulates that pensionable years are calculated by taking into account the official's basic salary, age and the exchange rate at the date of the application for a transfer, whereas in the previous version the date of establishment was taken as the reference point. He emphasises that the new method of calculation is less favourable than the previous one, because if the basic salary – which, together with the annual rate of pension-right accumulation, serves as the divisor – is higher at the time when an official submits his transfer application than at the date on which he became established, the number of pensionable years credited is lower. He adds that in his case the loss suffered is particularly great since he was established in 1993.

Relying on the terms of Office Notice No. 20/07, the complainant argues that officials who submitted an application as a safeguard in accordance with the office notice of 27 June 1991 have been unjustifiably denied the benefit of the former provisions of Article 12 of Annex IV to the Staff Regulations, despite the fact that they followed Eurocontrol's instructions at the time. The complainant considers that, since he requested the transfer of his pension rights in September 1993, he has an acquired right to have his application processed on the basis of the more favourable rules that were then in force. In his opinion, this application is "perfectly valid" and cannot be unilaterally deprived of legal effect without breaching the terms of the above-mentioned office notice. He submits that the principles of non-retroactivity, equal treatment and *tu patere legem quam ipse fecisti* have been infringed and he adds that the "general duty of care and good faith" that an organisation owes to its staff has not been respected in this case. He further considers that, if it were to be held that the new rules did apply to him, the pensionable years to be credited to him should have been determined by reference to the date of his initial transfer application of 8 September 1993, and not that of his renewed application of 7 August 2007.

The complainant asks the Tribunal to set aside the decisions of 25 April, 8 September and 20 November 2008 and to find that his application of 8 September 1993 is "valid". He also asks the Tribunal to find that he must be given the benefit of the rules governing transfers of pension rights in force on 8 September 1993 and to order the Agency to recalculate his pension using the rules in force on that date, with a penalty for default or, subsidiarily, to order it to recalculate his pension "according to the rules applicable after 2005", on the basis of his basic salary, his age and the exchange rate as at the date of his initial transfer application, with a penalty for default. Lastly, he requests an award of costs in the amount of 5,000 euros.

C. In its reply Eurocontrol submits that the complainant's claim to benefit from the provisions in force in 1993 is based on the erroneous assumption that employment conditions must remain "frozen as they were on the date of recruitment, save when they are improved". It

acknowledges that the pension rights acquired by the complainant would have been transferred on more advantageous terms if the former rules had been applied to him, and in this connection it annexes to its submissions a comparative table showing the position with regard to the complainant's pension rights before and after the implementation of the new version of Rule of Application No. 28. However, it explains that the amendments made to this rule and to Article 12 of Annex IV to the Staff Regulations are "legitimate and lawful", because the pension scheme reform of 2005 entailed a "radical alteration" in its funding method.

In the Agency's opinion, by submitting a transfer application as a safeguard, officials were simply protecting themselves from the time bar which they might subsequently have faced. It argues that there is no reason to apply the rules in force until 2005 to the complainant, because at that time he was not entitled to transfer the pension rights he had acquired in Belgium. Officials who submitted an application before 31 May 2007 but after the conclusion of a transfer agreement are not in the same situation as those who, like the complainant, lodged an application as a safeguard before that date in the absence of a transfer agreement. That is why these two categories of officials have been treated differently.

D. In his rejoinder the complainant informs the Tribunal that his second internal complaint has been considered by the Joint Committee for Disputes and dismissed by a memorandum of 25 June 2009. He asks the Tribunal to set aside this decision as well.

On the merits, he presses his pleas. He points out that the comparative table which the Agency annexed to its submissions shows that his financial injury is sizeable. He considers that the completely unsubstantiated budgetary explanations furnished by the Organisation do not justify its breaches of the principles of non-retroactivity, equal treatment and good faith. In connection with the latter, he underlines that, although the reform of the pension scheme took place in 2005, Office Notice No. 20/07 was not published until the eve of the entry into force of the royal decree of 25 April 2007. Moreover, he draws

attention to the fact that the office notice of 27 June 1991 did not by any means limit the effect of an application made as a safeguard to protection against the risk of a time bar.

E. In its surrejoinder the Agency maintains its position. It holds that the office notice of 27 June 1991 was devoid of any suggestion that it undertook to transfer pension rights on the conditions in force at the time.

CONSIDERATIONS

1. Under Article 12 of Annex IV to the Staff Regulations an official who enters the service of Eurocontrol is entitled to have paid to the Agency the updated capital value of the pension rights acquired by him by virtue of his previous activities, “if the regulations or the contract to which he was subject in his previous post so allow”.

Rule of Application No. 28 sets out the arrangements for implementing this article and, in particular, the rules for determining the number of pensionable years to be credited in the Eurocontrol scheme in respect of pension rights transferred from another scheme.

2. The original version of these texts stipulated that pension rights had to be transferred when the official became established. Thus, an official could exercise his/her right to make such a transfer only within six months of the date of establishment, and the pensionable years credited to him/her were calculated by reference to his/her basic salary at that date.

3. According to the above-mentioned terms of Article 12 of Annex IV to the Staff Regulations, the possibility of effecting such a transfer from a national pension scheme was subject to the existence of provisions authorising this transfer in the national law of Eurocontrol Member States. However, the adoption of laws and regulations to this effect has taken place so gradually that, to date, some States have still not passed such legislation.

4. In Belgium, the host country of Eurocontrol's Headquarters and the country of origin of many of the Agency's officials, the negotiations preceding the adoption of national legislation permitting the transfer of pension rights proved to be long and arduous. Indeed, they gave rise to complaints before the Tribunal which were partly aimed at obtaining redress in respect of the Agency's alleged failure to show due diligence in the negotiations. These complaints were dismissed by Judgment 2204.

In the end it was not until 1 June 2007 that such transfers became possible by virtue of the entry into force of a royal decree of 25 April 2007 which, as from 1 June 2007, brought Eurocontrol within the scope of a Belgian law of 10 February 2003 which had already authorised this kind of transfer for officials of the European Communities.

5. The complainant, who joined Eurocontrol on 16 October 1992 and became established on 16 April 1993, had previously worked for the Belgian Air Force. This employment had enabled him to acquire pension rights with the Belgian *Office national des pensions*. On 7 August 2007 he therefore requested the transfer of these rights to the Agency's pension scheme, as Information Note to Staff No. I.07/05 of 31 May 2007 had invited officials to do, if they wished to take advantage of this arrangement.

6. However, during the above-mentioned negotiations, two series of events had taken place, which are of particular relevance to this dispute.

(a) On 17 June 1991 the Permanent Commission of Eurocontrol, acting out of consideration for officials who had not submitted their application for the transfer of pension rights within six months of becoming established or, above all, who had been unable to do so because such transfers had not yet been authorised by the legislation of their country of origin, adopted "[e]xceptional temporary provisions having the force of service regulations" to exempt the persons concerned from the time bar. These provisions, which were subsequently incorporated into the Staff Regulations as Appendix IIIa,

specified that requests could be submitted within six months of the effective date of the provisions or, in the case of officials who in their previous post had been subject to regulations or to a contract which did not permit such a transfer, of the date on which such a transfer became possible.

Office Notice No. 11/91 of 27 June 1991, in which the provisions in question were published, explained *inter alia* that, in the case of officials who were as yet unable to benefit from a transfer owing to the contract or regulations governing their previous post, “[a]pplication may, as a safeguard, be made [...], or the date on which the transfer becomes possible can be awaited”.

The possibility of submitting such an application as a safeguard was likely to be of particular interest to officials who had acquired rights under Belgian pension schemes, since on 21 May 1991 Belgium had adopted a law, the specific purpose of which was to authorise the transfer of these pension rights to “institutions governed by public international law”, and bringing Eurocontrol officials within its scope was contemplated at the time.

Pursuant to this office notice, the complainant submitted his first application for a transfer on 8 September 1993.

However, the arrangements foreseen under the law of 21 May 1991, which were based on a legal subrogation mechanism rather than on the transfer of the actuarial equivalent or the repurchase value of pension rights, were deemed to be financially too disadvantageous by Eurocontrol. The Agency consequently refused to conclude an agreement with Belgium on that basis, with the result that Eurocontrol officials could not benefit from the above-mentioned law and, as stated above, they had to wait until 1 June 2007 before it became possible to transfer their pension rights.

(b) In the meantime, the Permanent Commission of Eurocontrol had adopted a radical reform of the Agency’s pension scheme that became effective as of 1 July 2005. The numerous measures forming part of this reform, which was aimed at restoring the scheme’s

financial viability and which the Tribunal found to be lawful in Judgment 2633, included an amendment of the above-mentioned Article 12 of Annex IV to the Staff Regulations.

Under the new version of this Article 12, the number of pensionable years credited to an official who transferred his pension rights acquired with another scheme was no longer calculated by reference to the officer's basic salary at the date of his establishment, but by reference to his basic salary at the date of his transfer application and to his age and the exchange rate in force on that date.

This amendment, which echoed that made in 2004 by the European Communities to similar provisions on the transfer of pension rights in the Staff Regulations governing their own officials, placed the Agency's officials in a less advantageous position than they had enjoyed under the original texts. The mathematical formula used to determine the number of pensionable years taken into account in the Eurocontrol scheme, and the fact that the persons concerned had generally become established long before it became possible for them to transfer their pension rights, meant that the number of pensionable years which would henceforth be credited to them was often considerably smaller.

The new version of Rule of Application No. 28, which gave effect to this amendment of the Staff Regulations and which was drafted with some delay, was published in Office Notice No. 20/07 on 31 May 2007, on the eve of the entry into force of the royal decree authorising the transfer of pension rights acquired under Belgian schemes. The office notice explained that officials who, before its date of publication, had submitted a transfer request and whose previous contract or employment scheme had allowed such transfer, would be subject to the former provisions of Article 12 of Annex IV to the Staff Regulations.

7. The complainant, who was not in that situation since he could apply for the transfer of his pension rights only as from 1 June 2007, had pensionable years credited to him in accordance with the new provisions of Article 12 and Rule of Application No. 28.

As he nevertheless considered that he was entitled to benefit from the more favourable provisions previously in force, he lodged internal complaints in accordance with the procedure set forth in Article 92 of the Staff Regulations against the decisions by which the Director General had determined those pensionable years, first as an estimate then as a final figure.

The Joint Committee for Disputes issued a divided opinion on each of these decisions. The Director General, concurring with the opinion of two members of this body who held that these decisions were lawful, then dismissed the complainant's internal complaints.

8. The complainant is now impugning all these decisions concerning him.

Four applications to intervene have been submitted by other officials.

9. Unlike the other Eurocontrol officials who have filed complaints against similar decisions, which are the subject of Judgment 2986 also delivered this day, the complainant does not argue that, generally speaking, the Agency was obliged to allow officials who had been unable to apply for the transfer of their pension rights before 1 June 2007 to benefit from the provisions of the former Staff Regulations and Rules of Application.

10. He asserts only that, as far as he is concerned, he could claim this advantage because he had submitted a transfer application as a safeguard before the provisions in question were amended, on the basis of the above-mentioned office notice of 27 June 1991.

Thus, his main claim is that the pensionable years credited to him should be recalculated in accordance with the provisions in force at that date, by reference to his basic salary at the date on which he became established, that is to say on 16 April 1993.

11. He further argues that, even if the new provisions were in fact applicable to him, with the result that his pension should indeed have been calculated by reference to his basic salary on the date of his

application for the transfer, the impugned decisions are no less unlawful, because the application to be taken into account was not that submitted after 1 June 2007, but that which he had already made as a safeguard pursuant to the office notice of 27 June 1991.

He therefore requests subsidiarily that his pensionable years be recalculated by reference to his basic salary and age and the exchange rate at the date of this first application, i.e. on 8 September 1993.

12. As stated earlier, the purpose of the office notice of 27 June 1991 was to publish and explain the arrangements for implementing the provisions of the Staff Regulations adopted on 17 June of the same year which, without altering the condition that the only officials eligible for a transfer of pension rights were those who, in their previous post, were subject to a contract or to regulations which so allowed, authorised those who did not meet these conditions to submit their application within six months of the date on which this transfer became possible.

The office notice also specified with reference to the said provisions that these persons did not necessarily have to await the entry into force of national laws authorising such a transfer before submitting their application, but that they could do so forthwith “as a safeguard”.

13. It was plain from the instructions in this notice that a transfer application thus submitted in advance would be regarded by the Agency as having been validly filed, and not as premature. This would prevent the application from subsequently becoming time-barred if, for example, the person concerned did not confirm it within six months of the date on which the transfer became possible.

14. However, these instructions did not give the person concerned the right to have this application examined, when the time came, in the light of applicable Staff Regulations and relevant Rules of Application in force on the date on which it was lodged.

15. As the Tribunal stated in Judgment 2459, under 9, an administrative authority, when dealing with a claim, must generally base itself on the provisions in force at the time it takes its decision and not on those in force at the time the claim was submitted. Only where this approach is clearly excluded by the new provisions, or where it would result in a breach of the requirements of the principles of good faith, the non-retroactivity of administrative decisions and the protection of acquired rights, will the above rule not apply.

16. In the instant case, the new provisions of Article 12 of Annex IV to the Staff Regulations and Rule of Application No. 28 provide no indication whatsoever that they were intended to cover only applications submitted after their entry into force. Both the actual terms of these provisions and the circumstances in which they were adopted show, on the contrary, that it was their authors' intention that they should apply to officials who had previously been unable to obtain the transfer of their pension rights.

17. The principles of good faith, non-retroactivity and the protection of acquired rights would have been breached only if the office notice of 27 June 1991 had stipulated that transfer applications submitted as a safeguard pursuant to that notice would in due course be examined in the light of the texts in force on the date on which they were filed. Contrary to the complainant's submissions, no such inference may be drawn, even implicitly, from the terms of this notice. The mere fact of authorising Agency officials to submit an application before the condition permitting its granting was met could not be construed as an undertaking that, once this obstacle disappeared, the application in question would be considered without regard to subsequent developments in the legal framework governing pensions.

18. It follows that the complainant has no grounds to contend that the Agency breached its duty to honour a promise which it had made to him, that it disregarded the principle of *tu patere legem quam ipse fecisti*, or that it violated the principle of the non-retroactivity of

administrative decisions. Indeed, since the terms of the above-mentioned office notice did not have the meaning ascribed to them by the complainant as regards the legal rules governing his transfer application, Eurocontrol was entitled to decide on this application in the light of the new provisions without breaking any promises, or breaching a general rule which it had itself defined, or retroactively altering a pre-existent legal situation.

19. Nor has the complainant any grounds for submitting that Eurocontrol breached the principle of equal treatment by specifying that officials who had submitted a transfer application before the amendment of Rule of Application No. 28 would be subject to different rules according to whether or not transfer had been possible when the application was lodged. Consistent precedent has it that this principle merely requires that persons in like situations be treated alike (see, for example, Judgments 2313, under 5, or 2602, under 24). This is plainly not the case of the officials in the two categories in question here, since their situation with regard to the rules to be applied differed in one essential respect.

20. Lastly, it is not correct to say that the Agency failed to comply with the requirements of the principle of good faith and breached its duty of care towards its officials by publishing the amended version of Rule of Application No. 28 just before the entry into force on 1 June 2007 of the royal decree permitting the transfer of pension rights acquired with Belgian pension schemes. While it would certainly have been advisable to have drafted this amendment sooner, from a legal point of view it simply gave effect to the new version of Article 12 of Annex IV to the Staff Regulations, which had been in force since 1 July 2005. In itself, the amendment did not therefore deprive the persons concerned of any legal right, and the duty of care which an international organisation owes to its officials obviously does not mean that, as a matter of principle, it should abstain from making them subject to rules which are unfavourable to them.

21. These considerations lead to the conclusion that the pensionable years credited to the complainant were correctly determined, in accordance with the new provisions applicable at the date of the disputed decisions, by reference to the basic salary received by him at the date of his transfer application and not at the date on which he was established.

22. However, the Tribunal must draw attention to the fact that the transfer application to be taken into account for this purpose was not that filed by the complainant after 1 June 2007 but, as he rightly submits, that which he initially lodged pursuant to the office notice of 27 June 1991.

23. By specifying that officials for whom a transfer of pension rights was not yet possible were nevertheless authorised to apply for such a transfer as a safeguard, this office notice itself gave those officials the guarantee that such applications would be regarded as valid. For this reason, “the date of application for a transfer” which must serve as the reference point for determining the pensionable years to be credited to them, according to the new version of Article 12 of Annex IV to the Staff Regulations, can only be that of the application thus made. By considering, when this transfer finally became possible for persons holding pension rights with Belgian schemes, that the applications submitted by some of them under this arrangement would not be taken into account and that the reference date would be that of a new application which they would have to make, the Agency therefore disregarded the legal effects of their initial application.

24. Admittedly, the office notice of 27 June 1991, whose essential purpose was, as stated earlier, to protect officials against any risk of a time bar, was adopted at a time when the subsequent legal consequences of these transfer applications submitted as a safeguard could not be foreseen. However, since Eurocontrol accepted at the

outset the validity of applications filed in these circumstances, the requirements of the principles of good faith, the non-retroactivity of administrative decisions and the protection of acquired rights resulting from definitively established legal situations prevented the Agency from thereafter refusing to give full effect to these applications.

25. The Tribunal further notes that there was no time limit for presenting applications under the office notice of 27 June 1991. Since their submission was not subject to any express time limit, which would indeed have been fairly nonsensical given that the applications were to be made in order to safeguard a right which might arise at a later date, there was nothing to prevent officials from submitting such applications up until the entry into force on 1 June 2007 of provisions rendering possible the transfer of pension rights acquired with Belgian pension schemes.

26. It follows that the impugned decisions must be set aside.

27. The case shall be referred back to the Agency in order that, as the complainant requests subsidiarily, it determine the pensionable years to be credited to him by reference to his basic salary, his age and the exchange rate in force at the date of his initial application for the transfer of pension rights, i.e. on 8 September 1993.

28. The interveners, who also presented transfer applications as a safeguard pursuant to the office notice of 27 June 1991, are thus in a similar legal situation to that of the complainant. They must therefore be granted the benefit of the rights recognised by this judgment.

29. The complainant has requested that the order to Eurocontrol to recalculate the pensionable years credited to him be accompanied by a penalty for default. In the absence of any grounds for doubting that the Agency will execute this judgment in good faith and with diligence, as is its duty since it has recognised the Tribunal's jurisdiction, there is no reason to order such a penalty.

30. Since the complainant partially succeeds, he is entitled to costs, which the Tribunal sets at 4,000 euros.

DECISION

For the above reasons,

1. The decisions of the Director General of Eurocontrol determining pensionable years which have been impugned by the complainant, and those dismissing his internal complaints, are set aside.
2. The case shall be referred back to the Agency in order that the pensionable years in question be determined by the method prescribed in consideration 27, above.
3. The interveners shall likewise enjoy the rights established in respect of the complainant by this judgment.
4. The Agency shall pay the complainant costs in the amount of 4,000 euros.
5. All other claims are dismissed.

In witness of this judgment, adopted on 11 November 2010, Mr Seydou Ba, Vice-President of the Tribunal, Mr Claude Rouiller, Judge, and Mr Patrick Frydman, Judge, sign below, as do I, Catherine Comtet, Registrar.

Delivered in public in Geneva on 2 February 2011.

Seydou Ba
Claude Rouiller
Patrick Frydman
Catherine Comtet