

DEMONSTRATION



Wednesday 13 December

On 13 and 14 December the Administrative Council of the EPO meets in Munich. The agenda can be found in micado as CA/105/17. SUEPO Munich called for a demonstration in front of the Isar building on the first day of the meeting of the Administrative Council. The aim of the demonstration was to signal to the Council that their governance is needed.

While Mr Battistelli still pretends that “all is well” and tells the Council that he is making good progress with the social dialog, **some 700 colleagues provided living proof of the contrary – see below.**



Mr Ernst, the new chairman of the Administrative Council had been invited to meet the staff in front of the building to see (and hear) for himself what the real situation is. Mr Ernst did not accept the invitation. He apparently preferred to rely on Mr Battistelli’s “alternative facts”.

The same seems to apply to the majority of the delegations in the Council. The disciplinary procedure against the Member of the Boards of Appeal who was kept suspended for 3 years is on the agenda of the meeting as point 1.7. It is “C” point meaning that it will again be discussed behind closed doors. At the time of writing the Board Member has still not been invited. He has also not been informed of what is in the confidential documents that are on the agenda. This means that whatever decision will be taken is again based solely on information provided by Mr Battistelli. This is in gross violation of the principles of due process, as pointed out by the ILO Tribunal in its recent Judgments No. [3958](#) and [3960](#)

In those Judgments the Tribunal the EPO was ordered to reinstate the Member of the Boards of Appeal, lift the house ban imposed upon him, return any EPO property seized before and unblock his UserID with **immediate** effect. Mr Josefsson, President of the Boards, has given him access to the Haar building, but he is still denied access to the other Office buildings. Moreover: contrary to the Tribunal’s orders he has not been provided with a computer or a telephone. Under the circumstances he is still de facto suspended.

With this Mr Battistelli and the Administrative Council once again show a total and utter lack of respect not only for his staff and their rights (“due process”) but also for the Tribunal and the Rule of Law.

SUEPO will continue to denounce such behaviour and organise actions as long as necessary to bring respect for the Rule of Law back to the Office.

SUEPO Munich