



Indignez-vous! When Bush meets Machiavelli

Summary

Staff had great hopes in the arrival of a new President. The impression was upheld by boisterous compliments to staff accompanied with a bonus for the exceptional year 2012. However, 2013 came as a surprise to many with a swift change of tone, aggressive posturing with body-guards in the Administrative Council: we witnessed the attempted suppression of staff freedom of expression blocking of access to e-mail services and cracking-down on Staff Representation combined with a series of harsh reform to control sick-leave, introducing investigation guidelines and capping of promotions.

How could such a "U-turn" happen? Was this a sudden "knee-jerk" reaction à la "enough is enough"¹? Is this the result of an unfortunate and uncontrolled series of events? A form of apparent institutional madness?

The purpose of this article is to show that there is more to these developments than meets the eye: this change of event has little to do with madness and is the result of a Machiavellian grand plan carefully prepared before taking up office and laid out in the [HR roadmap document CA/110/13](#).

In a first step, we will see how, under the ostentatious play of social peace and dialogue, the ground has been prepared, through systematic dismantling of legal rights by both reducing the access to justice and the freedom of association. In a second step, we will see how the President has given himself the means to effectively introduce reforms and enforce them and how these means are being used to tackle key elements of the EPO social package. In a third step, we will look at how such changes can affect the life of individual staff in the EPO, the Office as a whole and the ability for this organisation to fulfil its mission for European public.

We conclude that the responsibility for stopping such developments lie, in fine, on the Administrative Council and the European Nations themselves. However, the individual staff member can do much through solidarity actions to oppose the President's broad attack on staff rights and working conditions. To summarise, SUEPO believes it is time for outrage and for systematic resistance against the creeping authoritarian drift.

Be active: join SUEPO!

¹ [Communiqué No. 26](#)

1. The set up

1.1 Step 1: *Trust me, I'm your friend!*

The first steps as a new president were promising and offered the opportunity for a fresh start. This impression was confirmed through a few but effective pragmatic fire-fighting actions². Broadly advertised by the communication department, offers to discuss all the open issues denied during the former presidency lead to an increasing number of working groups.

The most prominent, the [working group on pensions](#), was supposed to abolish the newly created Defined Contribution Scheme and design a new Unified Pension Scheme exempt from national taxation, at least that is what we thought. Unfortunately after 18 months of intense discussion, it appeared that there had been a unfortunate misunderstanding on the scope of the proposal and the President announced that no further progress could be made³.

Many other examples of misleading Working Groups can be cited⁴ and all of these had in common that they took a long time and eventually ended in something not quite what was expected. With hindsight **the working groups have not resulted in any significant improvements for staff, but they have permitted the President to present them as real attempts at dialogue and have bought him 2-3 years of relative peace, during which he has been able to prepare the ground for harsher reforms.**

To summarise, carrots were dangled in front of Staff long enough for the tools to be sharpened.

1.2 Step 2: *I shall deny you access to justice:*

During this period, staff **access to justice has been systematically dismantled.**

² example: canteen and building in DH or PTHW

³ instead the national tax would be replaced by a second internal tax cashed in by the Office - see SUEPO [publication](#) and the [dossier](#)

⁴ key WG: Investigation Guidelines, Internal Appeal reform, Well Being,

Externally, the President did little to support the finding of a solution to the ILO tribunal increasing legal backlog⁵: With two sessions per year, this means that, *even if no new cases are filed*, it will take at least 15 years just to deal with the current pending cases. Under these conditions, the Organisation does not ensure an adequate minimum protection of fundamental rights, including access to court.

Instead the **President claimed that the backlogs in the appeals system was the fault of the staff and has re-engineered the internal access to justice:**

The **working group on appeals reform was requested by the Staff Representation (SR)**. In this working group we raised 8 major issues. One of these was the request that the initial review undertaken following the filing of an appeal, was done more independently and would address the problem in a more transparent manner, and seek to find a solution if possible. This was the only point taken up by the President, but even this resulted in a distortion of staffs claim.

First, the **Appeal Committee** of the AC has been effectively abolished. Even the freshly constituted Internal Appeal Committee was dissolved in mid-term and all the work it had completed declared null and void⁶. Immediately afterwards, the President reconstituted the committee with a new chairman and new nominees, who's independence, integrity and loyalty are in his view beyond doubt; the procedure has however, raised doubts among staff.

The **Internal Appeal procedure** was allegedly "streamlined"⁷, by limiting the scope of appealable decisions and requiring staff members to go through a supplementary step called "management review". In effect it reduces staff rights, introduces further delays and burdens the already clogged procedure. Another change is with regard to

⁵ see reports: p.4, ILOAT [113th](#) and graphs of the [114th session](#)

⁶ see p.3, "[The Battistelli Years \(part 1\)](#)" - it should also be noted that the President did not follow unanimous decision of the IAC of the previous year

⁷ see "[The bits the President forgot to mention](#)"

transparency: In the past the complainant and the President received the opinion of the appeals committee at the same time, with the new procedure, the complainant will not see the opinion, until the President has taken a final decision. This measure serves no legitimate purpose, but it considerably reduces the transparency of the process. It also removes an important protection against undue influence of the appeals committee.

To summarise, Staff's ability to defend itself against the decisions of the management is considerably reduced or effectively denied.

1.3 Step 3: I shall muzzle staff freedom of speech and ability of SR bodies to function:

The President cracked down on the communication means of the EPO Staff Representation: arguing that both the quantity and the "content" (sic!) of communications made by Staff Representation (SR) bodies was unacceptable, the President decided that "[enough was enough](#)"⁸ and that "as from 3 June 2013, emails sent to more than 50 addressees, in one or several batches, will be allowed only for authorised employees"⁹. Hence, communication from Staff Reps are now banned despite the fact that the duty to maintain contact with its staff is anchored in [Art.34\(1\) Serv.Regs. This measure also applies to SUEPO, and the EPO has blocked all incoming mail from SUEPO servers.](#)

Secondly, **the President has also attempted to impede the Staff Representation** through stricter limitations on SR attendance to meetings (how *many* and *who*)¹⁰, pressure to reduce the time devoted to SR work¹¹ and undue pressure from some line managers to reduce SR activities. It is also clear that the limitation to electronic communication have considerably disrupted internal communication in general and are limiting staffs ability to discuss and exchange their views¹².

⁸ see also ["translation into plain English"](#)

⁹ authorised are only "exchange of information in support of the EPO's mission, goals and objectives" (sic! - [See V4 announcement](#))

¹⁰ [See our newsflash of our last meeting with PD 4.3](#)

¹¹ more details: "[Social dialogue à la sauce Battistelli](#)"

¹² officially "*E-mails sent from domain "suepo.org" [are] blocked*" whatever the number of recipients

Step 4 : I shall limit the right to strike

Last but not least, **the President has limited staff's right to strike:** introduced unilaterally, without any form of discussion with the concerned Unions and in the middle of an Office-wide industrial action¹³, a [new regulation](#) make dramatic changes to the right to strike¹⁴. Consistent with a now clear pattern the President claims he is strengthening the right to strike, but the reality seems to tell a different story. The text was nodded through June Council, and will not only make organisation of strike action harder and less effective, but the threat of disciplinary action will further spread the growing fear and dissuade staff from making use of their right to strike¹⁵.

Even though these elements are in blatant contradiction with international law, the weakening of the means of legal redress has created an "*état de fait*" which will take a long time to be corrected¹⁶ (see point 1. above)

To summarise: with a communication curfew, the attempt to render the SR inoperative and unilateral rules to make strikes much more difficult, the President has shaped a new order in which an absolute ruler is unrestrained by fundamental rights.

For those tempted to think that the above series of events are unrelated, taken out of context and put together by subversive agitators, we advise to read [HR roadmap document CA/110/13](#)¹⁷: therein, one can read how a "*renewed social dialogue*" will be promoted (p.14) and a "*reviewed conflict*

¹³ strike actions started on march 26 have been extended through [ballots](#) held in 4 duty stations with a turn out of 58% and more than 90% in favour

¹⁴ To cite just some elements, strike deductions will be increase from 1/30th to 1/20th, participation will be defined upon presence in the office and registration with an EPO electronic tool. Further, a ballot will be organised by, with 2 staff nominated by and with a quorum defined by the EPO (sic!) - see the [Report of the 250th meeting of the GAC](#)

¹⁵ the actions are declared illegal over the last week end of June and [staff threatened with disciplinary actions.](#)

¹⁶ see [letter to the delegations](#)

¹⁷ PTHW: p.12, collective reward: p.16

*resolution architecture*¹⁸ will be developed (p.13). In effect, the President told us his intentions, it was our naivety that led us and others to believe that the developments would be positive or at least neutral. It is all a matter of small print.

2. The tools in action

2.1 Measures against those who would oppose the President:

Having removed the means to challenge his decisions and created the means to target opposition and resistance the President developed a series of tools to help him introduce and enforce further policies.

First, **the President tightened his grip on feedback and control structures.** Key posts in the EPO structure were filled with loyal staff, usually French nationals recruited from outside the Office¹⁹ ensuring a direct control and discrete feedback.

In parallel, the Audit Committee of the Council was abolished. This Audit Committee was established slightly more than a year earlier with the purpose to strengthen the independence of audit measures including supervision of Internal Audit. Next, the head of Internal Audit was removed and swiftly replaced by another loyal subject. Shortly following this the new head of Internal Audit was tasked with developing an Investigation Unit with Investigation Guidelines which permits targeted investigation of staff on behalf of the President²⁰. These procedures include a practically unrestrained duty to cooperate (i.e. a duty to self incriminate) and such a broad access to information and evidence on the part of IA that the system is more reminiscent of a police state than a modern democracy.

¹⁸ quote: "A culture leading staff automatically to feel it necessary to reach for legal recourse in the event of disagreement does not bfit an organisation like the EPO" and further it explains that the policy will "reduce the grounds for filing an internal appeal"

¹⁹ in [Communiqué 26](#) the President defends himself from nepotism: however, the issue is not number but in which positions these are employed: head of HR, Chief Information Officer (CIO), International cooperation, assistants of VP4 and the President, etc...

²⁰ [EPO becoming a police state](#)

The Investigation guidelines **put in place a means for staff surveillance.** Even if it is argued that this was not their primary purpose, the fact is that the Investigation Guidelines foresee the gathering of evidence on EPO resources, e.g. Computers²¹ without appropriate controls or limits. Combined with existence of a new cyber security, a systematic monitoring policy²², and a wide range of existing technical tools²³, there is now a wide-spread fear amongst EPO employees that they can become at any time and for any reason the target of surveillance and even spying without their knowledge.

The next step was the introduction of a climate of fear and intimidation: the above example was one part of this, the introduction of exaggerated measures for "sick leave control" (see below) is perceived as putting all staff under general suspicion ("Generalverdacht") of abusing the system or not being "in-line" with the official Office Strategy²⁴.

Many anecdotes are known about the autocratic and hot-tempered attitude of the President and his inability to accept criticism, even from his own top-management. The fact that some PDs have been openly and summarily dismissed or sidelined²⁵ feeds the legend. Whilst the details of such stories are rarely known the **mere fact that they exist is a symptom of the fear inspired by the management style of the President.** The fact is that many employees live in fear of becoming the target of arbitrary measures or surveillance. Increasing numbers of staff no longer trust the good faith of the organisation and refuse to use official communication means for sensitive or private information, are transmitted on secure lines. Whether you consider this as paranoia or wise precaution may depend on your personal experience

²¹ see [Circ.342](#), Art.16(2)

²² the EPO CIO is in charge of the [IT security roadmap](#)

²³ example: the EPO [BlueCoat](#) forensic investigation tool - more [details](#)

²⁴ An anecdotal example can be found in [Communiqué 29](#), stating that "*baseless accusations have been actively circulated by members of EPO staff, whose precise identity has not **yet** been established*" [emphasis added]: such statement contains a non-ambiguous threat to outright traitors and potential passive followers that a powerful system is watching them and retaliation is impending.

²⁵ former Head of Internal Audit (see above) and former [Head of HR](#)

and views, but the fact that such distrust exists is alarming in itself?

2.2 The coalition of the willing:

On the other hand, **the President promotes with all available means the single approved worldview:** backed by the Communication Department, an obsequious and uncritical Gazette - and if need be expensive initiatives and networks like CNN - the party line word is spread. Some may consider the communication to reflect an level of charm and persuasion, staff largely see it as manipulative propaganda. In effect concrete issues have become less significant than branding, marketing, PR and image building. The target audience is swamped with information, data and statistics instead of substantive reasoning.²⁶

In essence the President is promoting a management culture based on "functional stupidity"²⁷: staff are actively rewarded for blindly aligning themselves with the views of the President. This will be further reinforced by a new reporting system which promotes "*Identification with the EPO and its goals. visibly supportive of the EPO's strategies, image and reputation*". Managers throughout the Office are enjoined to "*translate, communicate and implement at an operational level the strategies of the EPO*".

The way many **managers communicate the views of the President is symptomatic of the creeping proselytization within the EPO:** for example, the President creates the document [CA 55/13](#) which is then used at VP level²⁸ to promote the wonderful EPO world. This analysis is in turn is promoted at PD level²⁹ In other words, a purely factual

²⁶ see [A Stupidity-Based Theory of Organizations](#)

²⁷ "*Functional stupidity refers to an absence of reflexivity, a refusal to use intellectual capacities in other than myopic ways, and avoidance of justifications*" p.1193.

²⁸ Extract of a VP Committee Meeting: "*Have a look at CA55/13, the social report over 2012: apart from giving a lot of statistics about the staff complement, it reflects the list of social advantages that staff has in the Office. It will be regularly updated. We all have the tendency to quickly forget the good things and consider them granted. Instead, we often focus on negative items*".

²⁹ a individual PD note to directors states: "*the staff survey organised by the StaffReps was discussed. Though, according to the data, essentially all goes well in the substance (we were never in the past in so*

document is actually used to promote the party line internally as well as externally. The main message in this is that staff should not complain but be grateful.

Another illustration can be found in [Communiqué 30](#), in which the President promotes the strike regulations discussed above as "*reinforcing the right to strike*" and "*as best practices from European social democracies*". This idea is then implemented by enjoining managers to sell it to staff in a dedicated message in which the President is "*counting on [the manager's] loyalty to the Office*" to "*communicate*" it further. The fact that such statement is in blunt contradiction to both law and common sense³⁰ **does not prevent the President from demanding obedience from these line-managers who must not only repeat it faithfully like good automatons** but also preach it like eager salesmen.

If you are tempted to think that the above reads more like a conspiracy theory than reality, perhaps you should consider that nearly all of the above is direct implementation of policy statements in the 2011 [HR Roadmap](#)³¹.

To summarise: In an oppressive climate of insecurity the President spreads the EPO doctrine which all subjects and particular managers are expected to follow.

2.3 Now we have reduced the capacity to resist. Let's adapt the social package:

From the [HR roadmap](#), the president has so far addressed the following subjects:

- **Outsourcing** (p.7 - *done*): reducing the staff costs, reduction of permanent employment, hence job stability, in particular for B/C staff

good shape)" [emphasis added]: to put these statement into perspective: the [2013 Staff Survey](#) showed that only 5% of staff trust the President³⁰ the regulations are in contradiction with ILO conventions and case law of the European Court of Human Rights (ECHR).

³¹ See in particular p.10 – the astute reader will notice a constant in the President conception of dialogue: while top-down communication is explained in detail, the document does not mention *any* element of bottom-up communication.

- **"Well-being"** (p.11 - *started*): basically puts in place a sickness control under the heading of well-being (see above)
- **"performance management"** (p.8 - *in progress*): making sure everybody does what they are told (see above)
- **PTHW** (p.12 - *done*): perceived as positive by staff but primarily meant as a cost cutting and performance enhancement measure. (NB: It also reduces solidarity and the ability of organise resistance)
- **"conflict resolution"** (p.13 - *done*): reduce access to justice (see above)
- **"promoting social dialog"** (p.14 - *almost done*): *create the appearance of dialogue whilst at the same time ensure maximum freedom to act for the President* (see above)
- **"United Pension Scheme"** (p.15 - *suspended*): see above
- **collective reward** (p.16: *done*): incentive to follow the plan and a disincentive to resist (see above)

From the above list the following are still open:

- the **pension system** (see above)
- the prolongation of the **Salary method** (coming soon in a theatre near you)
- the **EPO career** system, including reporting and promotions (see below)

A new Career for the EPO

In November 2012, the President expressed his surprise about the problems with the promotion quota. He claimed that this *"show[ed] very clearly the limits of the current career and promotion system at the EPO"*³². A Working Group was quickly established to analyse the issue, brainstorm on solutions and propose a career reform by 2015. But don't think that this was pre-cooked! With hindsight it seems obvious that the quota problem was a convenient means to justify what was foreseen anyway: the Roadmap's "Performance management" project reveals that **already in 2011 the main lines of a career reform were already defined**. This becomes even more obvious, when you

³² see [Communiqué 17](#) and corresponding [Roadmap to Chaos](#) and [Do we need a new career system for the EPO?](#)

realise that only one of the quotas was set by the Council, the other was set by the President, it was therefore is under his authority to change. He is not so shy about taking other decisions, why not this one? A further fact, is that the quotas for 2012 were not full, the EPO administration (conveniently) forgot to take account of those who would retire in 2012, meaning that nearly all could have been promoted.

In other words, in a dialogue with the President, staff is asked to choose the colour.... as long as it is black.

3. The effects

What effect does such a culture have on staff and the European Patent Organisation itself? Faced with such an environment, an individual can basically develop 3 types of coping mechanisms to help him survive:

3.1 Assimilation

According to well established research, an employee confronted with *functional stupidity*, tends to increase his survival chances by entering into *stupidity self-management*, that is by *"putting aside doubts, critiques and other reflexive concerns"*³³. In other words, **the individual enters into the role of follower**.

This is a pragmatic form of *assimilation* which generates a sense of faith and optimism because the follower begins to believe the party line. However, according to the academia, on the long run *"it may clash with the realities of work"*, which *"creates a significant sense of dissonance"*³⁴. Further *"limiting the exercise of cognitive capacities, reduces autonomy, narrows the range of choices (opened up by reflection)"* and **"becomes a source of dissatisfaction over time". It can also lead to mental health problems such as depression and burn out.**

The literature also shows that this is a **risk for knowledge-based organisations: we believe this danger is particularly strong in the EPO**, an entity in which staff are multi-

³³ A stupidity-Based Theory of Organizations, p.1207

³⁴ Idem, p.1208-09

culturally trained, have in general a higher academic education and for a large majority are skilled in critical analysis and making decision based on facts. Put simply they read and listen for content.

At the level of the Office, if unconditional assimilation were to become dominant, the literature advises us that in the short term the organization may become more "efficient": it *"creates a strong system of control that produces highly functional outcomes"*³⁵. However, this theory basically requires trust, that is confidence in leaders to make the right choices. Unfortunately, all staff surveys have shown that **"trust in top management" is the extremely low in the EPO**³⁶. The main reason for this is that the staff are able to see the difference between what the senior management profess, and their actions. They are able for themselves to see that the goals of the management are not in line with the interests of the EPO, the users of the system, or the staff. There is also a learning effect: all past staff surveys have indicated that the longer staff are in the EPO, the less "assimilated" they become³⁷. It seems obvious that **the above described "dissonances" take their toll on the individual's health.**

In more general terms, history has showed that no organisations based on such a blind leader/follower mantra have survived the test of time, even in cultures with intensive ideological "training" or outright dictatorship. **The question is not if such culture is unsustainable, but rather how long it can last?**

To summarise: while assimilation seems to offer a pragmatic self-defence mechanism for the individual, its effectiveness is short-lived as it profoundly contradicts the nature of the the EPO and the professional ethics of its Staff. As a consequence it does not offer a sustainable solution.

3.2 Cynicism

³⁵ A stupidity-Based Theory of Organizations, p.1214

³⁶ the [2013 Staff Survey](#) showed that only 5 % of staff have *much* or *very much* trust in the President, 3% in the MAC, 6% in the VPs

³⁷ see for instance p.27 of the [2013 staff survey](#)

Again at individual level, a large portion of staff are exposed to "job strain"³⁸ or "alienation" (staff survey 2006). As a defensive mechanism, individuals that do not manage to *"edit their experience"*³⁹ sufficiently so that *"it matches the positive vision promoted"* by the establishment, **find an release to their frustration by developing varying forms of cynicism.**

According to the literature, giving vent to one's feeling on one side while keeping to an attitude of cautious passivity on the other side, leads to strong "dissonances" which profoundly affect the individual: symptoms can range from loss of reference, uneasiness, **demoralisation and to eventually to various levels of sickness**⁴⁰.

At the level of the Office, wide-spread cynicism is extremely counter-productive: the lack of motivation felt by the individuals is contagious, it adds-up and has a de-multiplied effect through functional interactions to create a general state of discouragement. On the long run, if a large portion of staff disconnect from the official mantra and live in isolation, **eventually the organisation as a whole will dysfunction.**

Further, it is only a matter of time before the such passivity contaminates the core work of the employee: it is not hard to imagine what **negative effect such a "reduced reflexivity" or "reflexive laziness" would have when dealing with patent applications** and what consequence this can have for the quality of the service offered to the European Public.

To summarise: while "cynicism" may help the individual to cope with the situation, it leads to a lack of motivation and health problems which can contaminate the core work and eventually jeopardize the ability of the EPO to fulfil its mission.

3.3 Resistance

Since the beginning of this year, the staff has increasingly expressed its dissatisfaction with the state of the Office and since March,

³⁸ see [staff survey summary](#)

³⁹ A stupidity-Based Theory of Organizations, p.1209

⁴⁰ as seems to be confirmed by the diverse [reforms](#) to reduce the sickness rates

industrial actions have led to roughly 10000 days being lost to strike⁴¹. In other words, **staff have clearly rejected assimilation or mere cynicism and are adopting a strategy of collective resistance**

It seems that many staff agree that it is "Time for Outrage!"⁴². To paraphrase Stéphane Hessel: in his best-seller book the author asserts that "*indifference is the worst of attitudes*" and he exhorts people to "*look around for topic of indignation*".

Similarly SUEPO believes that as long as the current extreme situation of oppression persists, **resistance offers the only path compatible with the nature of the our staff and the mission of the EPO.**

On the face of it, this path might seem hopeless: as described above, the President has established almost unlimited power and is about to embark on a merciless retaliation against any form of resistance including industrial actions. Any form of individual act showing a lack of "loyalty" towards the goals set by the Office, will also result in severe measures. **In the face of such an asymmetric power, why even try?** First, because history has shown that in asymmetric conflicts it is not always the powerful who win⁴³.

Secondly, in the case of the EPO, it is because we are convinced that the President is simply wrong and staff is right: the President dictates new rules as the situation evolves, requiring the staff to fight on his terms. On the other hand, SUEPO **requires the President to fight on the terms defined by staff: truth, law and ethics!**

There should be no trade-off between staff freedom and its security. Despite the apparent asymmetry, SUEPO believes that staff stand on high moral ground and a solid legal foundation: it is just a matter of time before these powerful fundamental levers will take the EPO back on track.

⁴¹ 6000 official figures according to the "police" published on the intranet for the period march to June

⁴² [Indignez-vous!](#)

⁴³ see "[Why Big Nations Lose Small Wars: the Politics of Asymmetric Conflict](#)", A. Mack

At the level of the Office, despite all pressures and obstructions **staff can protect themselves through collective actions.** For this staff should keep the highest level of co-ordination and organisation possible: it is easy for the President to single out an individual, threatening or sanctioning them. However, this becomes increasingly difficult the more staff participate in these actions. How could the Office declare a strike illegal when several thousand of staff participating?

At individual level, staff should be wary of the asymmetric power and under the present situation **should not attempt unilateral actions which will could result is severe counter-measures.**

However, lack of cooperation and **daily acts of resistance can help oppose the present trend:** For example: the individual should resist becoming the tool of their superior⁴⁴ and of policies which do not reflect their own fundamental values⁴⁵. In other terms, to avoid becoming a *Mitläufer*, individuals should rather remain alert and critical.

Further attempts at institutional brainwashing should be recognised as such and criticised. These should be communicated to other colleagues. In dialogue with immediate managers who attempt "marketing pitches" or plain propaganda should be flagged as such. In other words, signs of ***voraussehlende Gehorsamkeit* should be named and shamed.**

Staff should also refuse to cooperate and make use of *Zivile Ungehorsamkeit*: Civil disobedience and non-violent guerrilla tactics are useful in asymmetric conflicts.

When information becomes one of the key instruments of power: it is a duty for each concerned individual to offer his own alternative and dissenting world view, free of the official norm. Further, actively refusing to follow arbitrary rules that do not follow higher principles of law can take different peaceful forms: one can respectfully but openly disagree, attempt to clog and disrupt an abusive system, for example by filling official requests and formal demands of clarification.

⁴⁴ see the the [Milgram reperiment](#)

⁴⁵ that applies to the present publication

To summarise: despite the apparent asymmetry you can make the difference by helping at individual level and joining the group. Become an active member, influence the decision process and join SUEPO. Participate in actions! And resist the tyranny in any way you can.

Conclusion:

The Member States responsibility

Despite the fact that sickness control guidelines and the strike regulation were criticised in the Council, both were eventually accepted with overwhelming majority. This development has shown that the Delegates of the Member States sitting in the Council do not grasp the issues at hand: it is irrelevant if this is because of the lack of preparation or simply due to their prevailing perspective as managers of their own institution, the fact is that their acts appear to staff as not representing the interests or the duties of the Member States.

Clearly, the ultimate responsibility to ensure protection of fundamental rights in the European Patent Organisations falls on our member states. However, while we wait for the public to grasp this issue, comprehend the failure of the delegates to effectively intervene, SUEPO suggests to take things in our own hands.

The means of action open to staff

With this publication SUEPO has presented an overview of the state of the European Patent Office. We urge individuals to critically review the situation and become conscious of the effect it can have on themselves, their colleagues and the EPO. Ultimately we believe that acting against the trend is not only consistent with our duties towards the EPC and as citizens of Europe; it is also the best means to protect ourselves against the attacks on the EPO, our work, and our conditions. These attacks jeopardise fundamental values shared by all EPO Staff, they also undermine our rights and will have negative effects on our well-being.

"When the people fear the government, there is tyranny.

When the government fears the people, there is liberty.", T. Jefferson.

Join SUEPO!