

The EPO Justice System: *institutionalized injustice?*



HISTORY 2013-2015

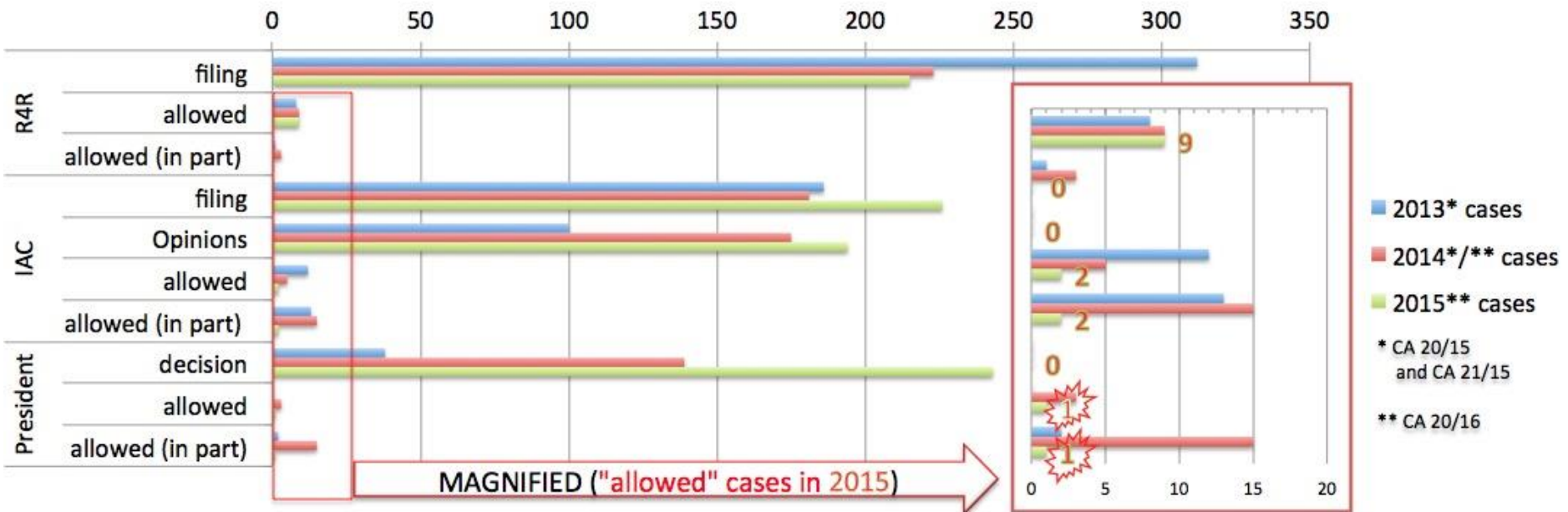
**BASED ON AUDITORS REPORTS
CA 20/15, CA 21/15 AND CA 20/16**

Amended version: October 2016

And the winner is ...



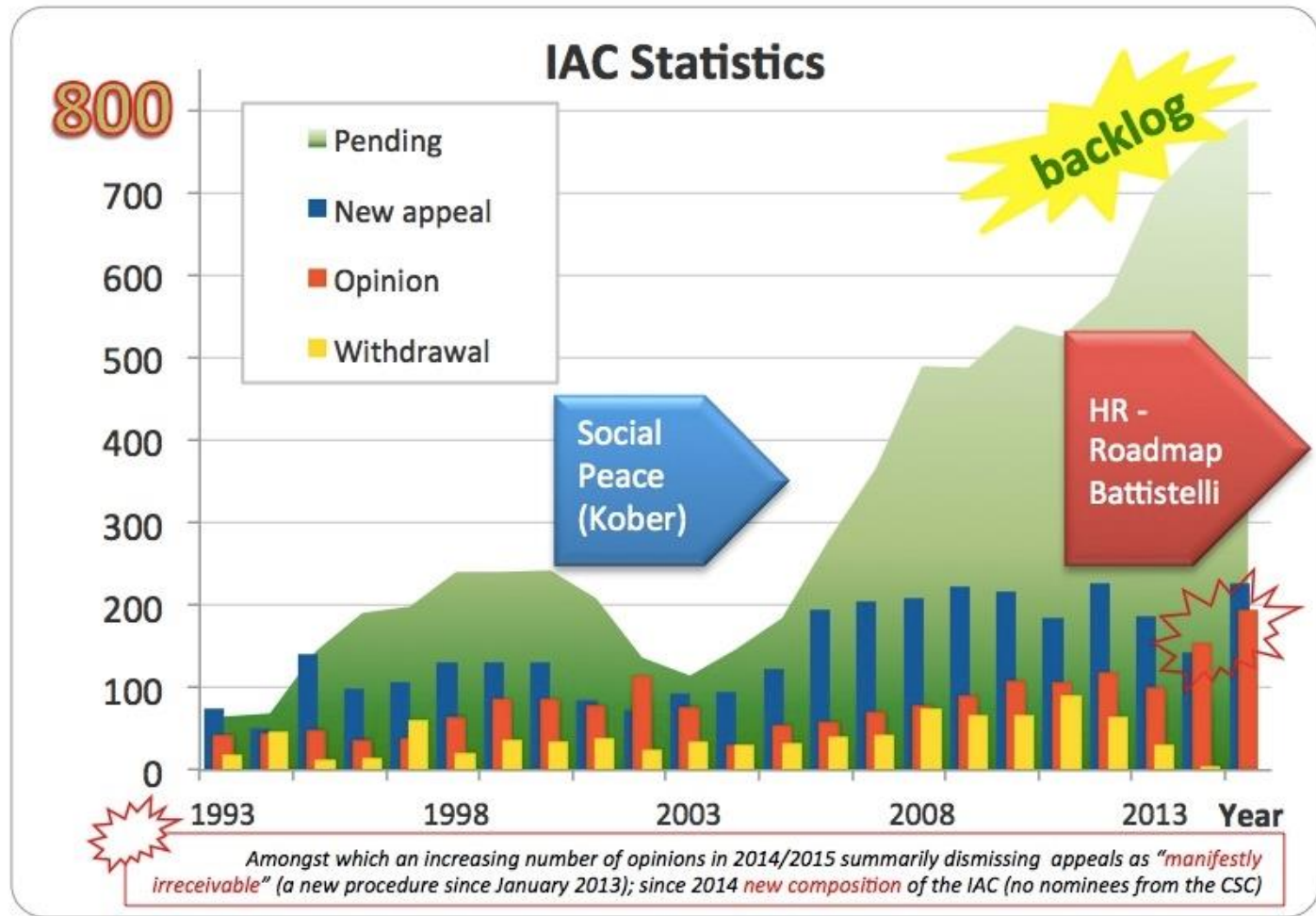
Short history of the EPO Internal (in)Justice system



... not the **staff**

Note: the term "allowed" for the Internal Appeal is misleading since the IAC only issues recommendations. However, the terminology will be used in the present document to be consistent with the Auditors Reports

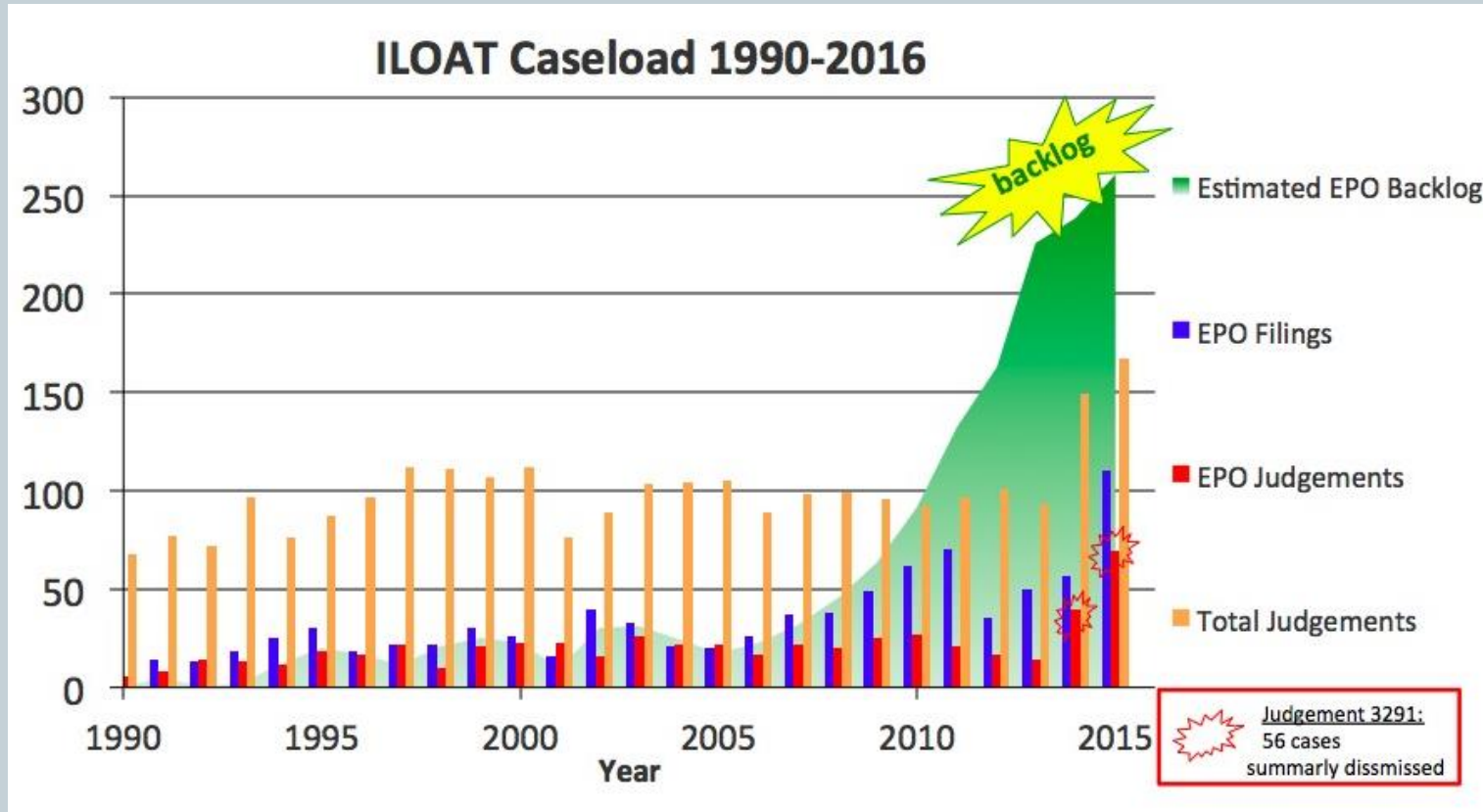
Internal Appeal Backlog



- Remarkable efforts made to “tackle efficiently” the backlog without resolving the problem*.
- **All - but 2 cases - were negative:** i.e. more cases for the ILO Administrative Tribunal

*the backlog figures stated in CA 20/16 show a modest improvement as they include “on-going procedures”

ILOAT Backlog



Here too despite the same remarkable efforts to “tackle efficiently” the caseload, the overall backlog problem remains unresolved* and justice will further be delayed

**following the latest session in March 2016, the situation has further deteriorated*

Summary of results



- Increased “Productivity” of both the IAC* and the President:

	IAC opinions	President decisions
2013	100	38
2014	155	139
2015	194	243

- Clear deterioration in successful appeals for all staff in 2015:

	IAC		President	
	allowed	in part	allowed	in part
2013	12	13	0	2
2014	5	15	3	15
2015	2	2	1	1

- The President’s decisions are now aligned with those of the IAC ... or vice versa?
 - In their last report, the Board of Auditors noted that in **85%** of the cases, the President did not follow the recommendations of the IAC,*
 - In 2015 this is no longer necessary: all case are dismissed or considered irreceivable by the IAC .*

*Please note that in 2014 (partly) and 2015, the IAC had no staff representatives nominated **by the CSC**

Conclusions



- **The Internal Justice system is broken!**

These data show that the current Administration simply tries to win conflicts with its employees rather than successfully resolve the issues behind them.

- **The ILOAT, the first and only instance, is flooded!**

Under the circumstances of the current internal processes, it should not come as a surprise that the Auditors "observe" a growing number of ILOAT files (page 59/16 of CA/20/16).