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ATILO EXTRAORDINARY SESSION ON DECEMBER 6TH, 2017

THE TRIBUNAL CASTIGATES THE EPO - AGAIN

For the second year in a row, the ATILO has held an extraordinary session to hand down seminal decisions concerning the policies of the EPO and its compliance with the Rule of Law.

Last year, the Tribunal demolished the work of the Appeals Committee, which the Battistelli and Bergot Duo had managed to transform into a kangaroo court. This vindicated at least in part the Staff Representation's decision not to have any part in it. This year, the Tribunal put another nail in the coffin of the EPO's pretention that its so-called "internal justice system" is up to scratch.

First, the Tribunal quashed the decision to dismiss a colleague while he was on sick leave. It appears the Tribunal may have decided to hand down this case in the extraordinary session because it will have bearing on a number of complaints against "the same organisation".

Second, the Tribunal dealt with the infamous case of the Board of Appeals Judge who was suspended. You may remember that the President had pushed through ad hominem legislation to keep him suspended with half pay sine die. His suspension was quashed with immediate effect, any pay withheld is to be reimbursed. The Tribunal personally and heavily criticized Battistelli, who having had a personal stake in the matter, had a major conflict of interest and should not have been involved in the decision in the least.

These cases, we should add, are only the tip of the iceberg. More cases may unravel. Our legal team will now analyse in detail the judgments, and we hope to publish information soon.

Nevertheless, the conclusion is clear: Either Battistelli and Bergot are *unwilling* to comply with the most basic rules of procedural and legal propriety, or they do *not realize* what they mean. Either way, isn't it time for our Organisation - starting with the Administrative Council - to reflect on the adequate profile for EPO top managers in the 21st century?

Indirectly, the Tribunal's verdict also rebukes the Administrative Council, whose members (with very few notable exceptions) have been more than placid in their tolerance of Battistelli's abuse. Hopefully the governments of the member states will wake up, smell the coffee, and ensure that their representatives in the Council carry out faithfully their supervisory tasks.