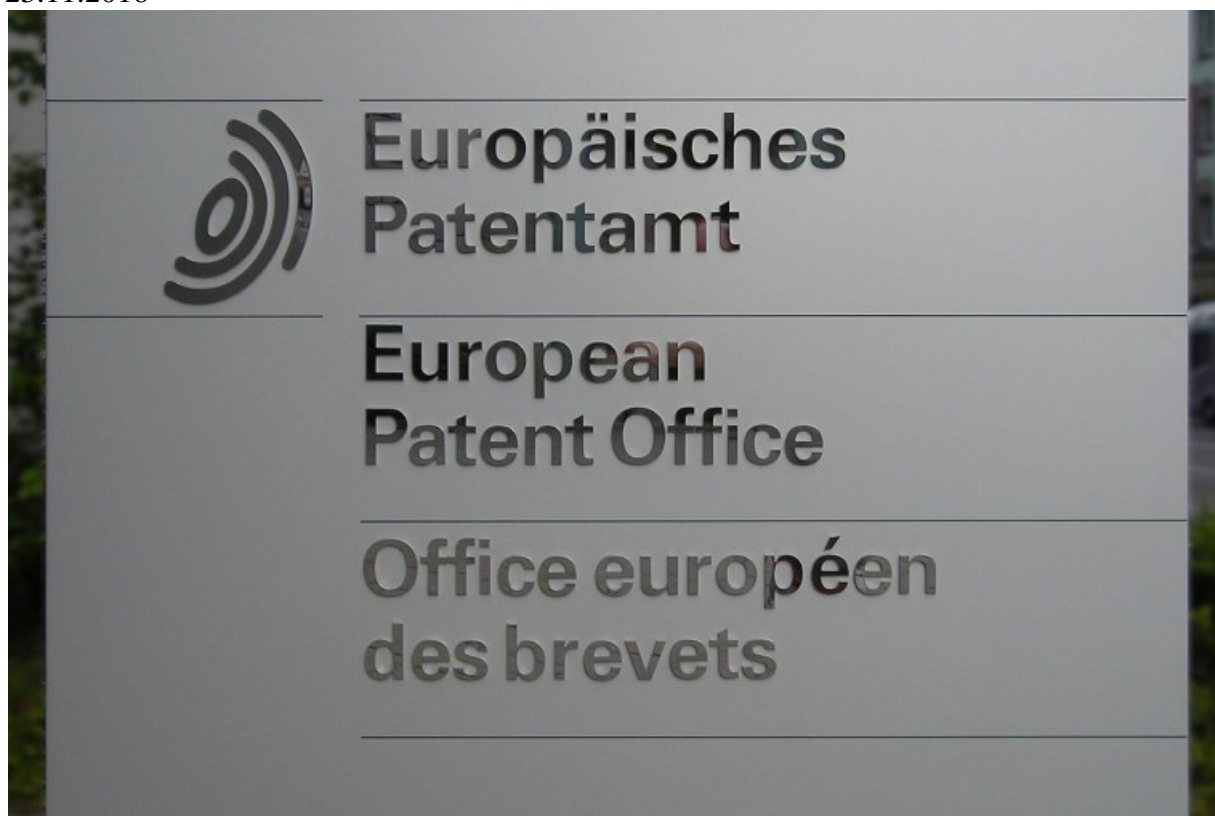


European Patent Office: Should Luxemburg rethink its position?

Latest Developments, Questions in Parliament
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For some years now the European Patent Office (“Office européen des brevets”, EPO) has been locked in a bitter social conflict between the staff (by way of their union) and the management. LSAP Deputy Claudia Dall’Agnol has already tabled a series of questions in Parliament on the issue: No. 338 of 6 June 2014, No. 1018 of 25 March 2015, and No. 2120 of 3 June 2016.

At the centre of the conflict is the EPO President, due to a range of measures he has decided to introduce, and in particular in connection with the in-house staff union. Now it has transpired that some of these were contrary to fundamental human rights.

According to the Minister responsible (Answer to Question No. 2120), the Luxemburg Delegation on the Administrative Council of the EPO is among those who voted to implement the Resolution of 16 March 2016, by which the President had been called upon to apply a number of measures, and, together with the union, seek to bring peace to the social situation.

According to various sources, the EPO President has fired one of the key union members, which was contrary to the original Resolution.

It is in this connection that Claudia Dall'Agnol is tabling another Parliamentary question for the Minister of the Economy, as to whether he can confirm, in the light of these recent developments within the EPO, and if they turn out to be true, whether the Luxemburg Government should not be rethinking its attitude in relation to the EPO President. If that is the case, the LSAP politician is now asking whether the Luxemburg Delegation on the EPO Administrative Council should then intervene in the matter. Finally, Claudia Dall'Agnol also wants to know whether the results of the external investigation into the social climate at the EPO, to which the Minister referred in his Answer to Question No. 2120, were presented as planned on 11 October 2016, and, if so, what conclusions the Minister is drawing from them.

Mr. Mars Di Bartolomeo
President of the Chamber of Deputies
Luxemburg

Luxemburg, le 22 November 2016

Mr. President,

In accordance with Article 80 of the Ruling of the Chamber of Deputies, I would ask you to be good enough to pose the following Parliamentary question to the Minister of the Economy.

For some years now a social conflict has been raging within the European Patent Office (EPO), setting a part of the staff of the EPO and their union on one side against the management of the EPO at Rijswijk (Netherlands) on the other (see my Parliamentary questions No. 338 of 6 June 2014, No. 1018 of 25 March 2015, and No. 2120 of 3 June 2016).

At the centre of the dispute is the President of the EPO, due to various measures which he has decided to introduce over the course of the past few years against the union representing the staff of the Office. Some of these measures are alleged to be contrary to the fundamental rights guaranteed by the European Convention on Human Rights.

According to the Minister (see Answer to my Question No. 2120), the Luxemburg delegation on the Administrative Council of the European Patent Office was among those who supported the resolution of 16 March 2016, calling on the President of the Office to implement certain measures, and requiring him, as well as the unions, to calm the social situation.

It has been reported to me that the President of the EPO has dismissed a key member of the EPO staff union. This decision, however, would be contrary to the resolution referred to above.

In view of this, I would like to pose the following questions to the Minister:

- Can the Minister confirm these recent developments in the matter of the social conflict within the EPO?

- If these new accusations do transpire to be true, should the Luxemburg Government not rethink its position in relation to the person of the President of the EPO? If appropriate, will the Luxemburg delegation on the Administrative Council of the EPO be called upon to intervene in this matter?
- In his answer to my question of 6 June 2016 (No. 2120), the Minister indicated that the social climate within the EPO would be the object of an independent study by an external consultant, the results of which would be presented on 11 October 2016 on the occasion of a “social conference” open to the different representatives of the personnel as well as to the representatives of the Member States. Did this conference take place, and, respectively, were the results of the study presented? If so, what are these results, and what conclusions does the Minister draw from them?

I remain, Mr. President, yours faithfully

Claudia Dall’Agnol
Deputy