



Zentraler Vorstand . Central Executive Committee . Bureau Central

28/06/2016

su16101cp – 0.2.1/0.3.2

Is Battistelli staring into the abyss?

Last week is not one upon which President Battistelli will look back with undiluted pleasure.

First, the Enlarged Board of Appeal decided to close the proceedings concerning the Judge accused of misconduct and in so doing not recommend his release from office. Following public accusations coming allegedly from the Office, the accused had requested a public hearing to clear his name. Although the Enlarged Board had granted his request, Mr Battistelli apparently did not like this turn of events and tried to forbid both the public hearing and the open questioning of key witnesses. You can read publications about this **scandal** in [Juve](#), [The Register](#) and in [IPKAT](#) (which also provides a link to the [full text](#) of the EBoA judgment).

Then second, SUEPO and SUEPO-TH once again summoned the EPO before the Dutch Court. With this **lawsuit**, the unions complain of both severe union harassment and non-compliance with the Council's [resolution CA/26/16](#), as reflected in their [claims](#). On 21 June, a bailiff tried to serve the summons in person on the EPO in Rijswijk, but the EPO refused to accept the papers. Unfortunately for President Battistelli, this does not stop the law from taking due course: the summons is nonetheless considered as served and the package was in any case delivered to the Office by registered mail the following day. The court has set the date and venue for the hearing: 15 July at 9 am in the district court of The Hague. Apparently, despite being given fair notice, the President had not even bothered to alert the Council on this issue. We assume he must have been too busy, so our lawyer has done this service for him...

To summarise: nobbling of EBoA judges and attempts to pervert the course of justice; harassment of unions and of their leaders; contempt for the legal authorities of a host state. The picture that is emerging is of a deranged man who either has misunderstood the concept of "rule of law" or is willfully putting himself above it. Should an organization that delivers juridical products and services for the European public be seen to be led by such a figure?

Quo usque tandem abutere, Benedicte, patientia nostra?

SUEPO Central