

Zentraler Vorstand . Central Executive Committee . Bureau Central

09.06.2015

su15228cl – 3.1/5.1/5.3

To:

Jesper Kongstad

Chairman of the Administrative Council

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Investigation of staff representatives and/or union executives during trilateral talks

Dear Mr. Kongstad,

During our last trilateral meeting, SUEPO representatives informed you that **investigations** have been launched against them by the Administration, at the same time we are engaged in talks on union recognition. We now understand that an external company, **Control Risks**, with a somewhat [controversial reputation](#)¹, has been contracted to conduct these actions – which involve interrogations without any safeguards – all at the initiative of the investigation unit, itself under the direct authority of the President of the Office.

In the [last meeting](#), although you took note of the issue, you declined to comment or act on this serious development. The investigations not only continue, but seem to have been extended to even more staff representatives, some of whom are active participants to the trilateral meetings. We believe such concurrent Office actions – negotiation while investigating – seriously damages any fragile trust that may have been generated by the renewed social dialogue.

The investigations and the manner in which they are being undertaken are intended to have and will clearly have an intimidatory effect not only for those being investigated, but also for all staff involved in staff representation activities. This in turn will have a very negative impact on those seeking solutions to the social conflict, since the threat of investigation will limit their ability to represent freely and frankly the union and staff views.

¹ [Frankfurter Allgemeine Zeitung](#), 2 June 2015: "Control Risks has even made a name for itself in Germany. It is said to be the company that allegedly spied on journalists on behalf of Deutsche Telekom in order to identify contact persons inside the company who were involved in leaking information to external parties. "The selection of CRG by the competent department was made in the course of a procurement procedure," said a spokesman for the EPO. The competent department was the Internal Audit and Oversight department of the EPO whose Director is Mr. John Martin.

We are concerned that if such indiscriminate and unwarranted actions were allowed to continue, they will severely jeopardize the endeavours to find a way of recognizing the Unions and, further down the line, resolve the ongoing social conflict, which we remind you is the worst in the history of the EPO.

We ask you to:

- order the Office to cease and desist from such intimidating actions, and this before further talks on union recognition or other matters pertaining to the social conflict take place;
- retain the services of a jointly selected and truly independent expert to **review and assess the current situation**, whether the context of the current discussions is really conducive to finding appropriate solutions.

Action on your part is now urgent. We would appreciate your **response to our requests before the next Administrative Council** meeting, i.e. by 23 June 2015.

Sincerely yours,

SUEPO Central