

**Question for written answer E-014796/2015**  
**to the Commission**  
Rule 130  
**Ana Gomes (S&D)**

Subject: Re-establishing fundamental rights at the European Patent Office

Has the Commission asked the Member States of the European Patent Office (EPO), and, in particular the two EU Member States in which the seats of the organisation are located, namely the Netherlands (The Hague) and Germany (Munich), for an explanation of the ongoing violations of the fundamental and employment rights of the staff of EPO?

It would seem that the Netherlands are putting their economic interests, i.e. the fact that the seat of the EPO is located on their territory, ahead of the rights of the organisation's staff. The decision by the Netherlands Government to support the EPO in the appeal it has brought before the Netherlands Supreme Court merely confirms this. What view does the Commission take of this matter?

Irrespective of the ruling handed down by the Netherlands Court of Appeal, the EPO is violating not only the fundamental rights of its staff, but also basic principles of the rule of law. The argument concerning the EPO's immunity was considered and explicitly rejected by the Netherlands Court of Appeal. By continuing to invoke its immunity, the EPO is deliberately disregarding a ruling handed down by a court of law.

What action does the Commission plan to take against an international organisation which deliberately places itself above international and national law and violates the rule of law?