



Friday 19 September 2014

Dear Ambassador, Distinguished Delegate,

The three staff federations of the UN Common System, representing 120,000 international civil servants worldwide, would like to express to you their shock and disappointment at the suspension without pay and likely dismissal of the elected President of the WIPO Staff Association, Mr. Moncef Kateb.

The suspension took place on 5 September 2014, when Mr. Kateb was marched out of the building by security and given only a few minutes to collect his personal belongings. WIPO Director-General, Francis Gurry, then convoked the remaining members of the Staff Association to forcefully express his wish that they would now work with him.

WIPO management (see the charge sheet at <http://bit.ly/wipochargesheet>) asserts that this action is being taken because Mr. Kateb previously sat as a member of the Joint Advisory Committee, which adjudicated two staff member's cases, and thereafter acted as an advisor on behalf of those staff members before the WIPO Appeals Board. They allege that he improperly used confidential information pertaining to two colleagues' disciplinary cases, which he was privy to as a member of the JAC to subsequently defend them at the WIPO Appeals Board. For this he has been charged with breach of confidentiality and conflict of interest.

We believe the charges to be groundless. The ILO Administrative Tribunal has already ruled that if the information in question was shared with and therefore taken into consideration by the first body (i.e. the JAC), then the information should have been, in any case, provided to those two former staff members to ensure due process and their opportunity to properly defend themselves before the Appeals Board (see Kateb's defence letter at <http://bit.ly/wipodefenceletter>). Thus, there should have been no "confidential" information for Mr Kateb to share with the staff he advised. Further, as Mr. Kateb had already completed his responsibilities as a member of the JAC, once that case was disposed, there can be no conflict of interest with respect to that role.

We believe that the real reason Mr. Kateb was suspended on the eve of the Assemblies of Member States of WIPO is because he would have used his speaking slot to continue raising inconvenient questions on Mr. Gurry's style of leadership. Mr. Kateb has blown the whistle in the past, including on the shipment of sophisticated IT equipment to the Democratic People's Republic of Korea, and as you may know, Mr. Gurry is currently the subject of a preliminary investigation for two different charges, one for improperly influencing a procurement process, the other for improperly using the Geneva police to obtain the DNA of WIPO staff so as to identify the author of a letter against him.

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Letter sent to all representatives at the Assemblies of Member States of WIPO

cc:

Mr. Francis Gurry, Director-General of WIPO

Executive Heads of United Nations Common System organizations

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Indeed, page 9 of the charge sheet (<http://bit.ly/wipochargesheet>) says as much when it fears that Mr. Kateb "...would attempt to undermine the interests of the Organization by further inciting anti-Administration sentiment amongst staff."

This is not the first time that Mr. Kateb has been the subject of retaliation. Management twice attempted legal or disciplinary cases against him and twice withdrew the charges.

Ambassador, Distinguished Delegate, We are appalled at the attacks by Mr. Gurry on WIPO staff, their elected representatives, and their right to freedom of speech and association, and justice. We also do not believe that staff can be productive when working in an atmosphere of abuse of authority, intimidation and retaliation.

Next week you, as custodians of WIPO, will be meeting in Geneva to take decisions on its future direction. We hope you will call for urgent steps to address WIPO's damaged reputation and restore its organizational integrity. We hope you will reaffirm your belief that staff, not management, should decide who represents them, and will therefore reinstate Mr. Kateb, their legitimately elected representative. We also hope that you can find a new Director-General for WIPO who inspires all Member States and staff, commands trust and respect, and is fully above reproach.

Please accept the assurances of our highest consideration,



Ian Richards
President

Coordinating Committee of
International Staff Unions and
Associations (CCISUA)



Diab El-Tabari
President

Federation of International
Civil Servants' Associations
(FICSA)



Dimitri Samaras
President

United Nations International
Civil Servants Federation
(UNISERV)