



PD 0.6 INTERNAL AUDIT AND OVERSIGHT
D 0.6.1 INTERNAL AUDITING AND INVESTIGATIONS
0.6.1.1 INVESTIGATIVE UNIT

To: [REDACTED] Data protection Officer
From: [REDACTED] Head of Investigative Unit, 0.6.1.1
via: [REDACTED] Director 0.6.1.

Subject: request for opinion on installation of cameras and equipment for investigation into defamation - Art. 16 (8) Circ. 342

Since February of 2013, the EPO has been the subject of a sustained campaign of defamatory and insulting communications against VP4, other senior managers of the Office and possibly Administrative Council Delegates, in the form of normal post and electronic mail.

The Investigative Unit (IU) has strong indications that two workstations within EPO premises were used for transmitting much of the defamatory material. The workstations in question are owned by the Office and are accessible via a generic log-in and they are located in public or semi-public areas of one Office building in Munich. Therefore, it is not possible to identify any users of one of these machines via a User Identification.

In order to obtain possible evidence about the perpetrator(s), there was in IU's view reasonably no less intrusive means than placing the two machines in question under covert surveillance through the installation of cameras and key logging facility for a period strictly limited to 7-11-2014 until 18-12-2014 (i.e. around BFC and AC meetings).

If there is no defamatory material posted from those terminals during the above mentioned timeframe, neither the images nor the data collected will be examined. All material collected which does not pertain to this misconduct activity of defamation will of course be destroyed without analysis.

Due to the uncertainty surrounding the possible identity of the perpetrator(s) of this campaign and the strong convergent indications about multiple persons involved, knowledge of any covert surveillance had to be strictly limited to the Investigative Unit and IM technical support.

For the reasons above mentioned, it is hereby requested from the DPO to give a reasoned opinion whether the above described activities would have been authorised in accordance with Art. 16 (8) und (8) .

[REDACTED]
Head of Investigative Unit 0.6.1.1

7/11/2014

Approved by [REDACTED] Director Internal Auditing and Investigations 0.6.1.

[REDACTED]
7/11/2014

Given the seriousness of the allegations I consider the proposed measures as proportionate

[REDACTED]
8.12.2014