

Lund 14 August 2012

Chancellor of Justice (JK)

Dear Chancellor of Justice (JK),

I am employed at Lund University, Division of Theoretical Philosophy. I am hereby reporting Lund University for violations of my civil rights with regard to Article 6, 10 and 11 of the European Convention of Human Rights. On these grounds I hereby apply for 10,000 SEK in compensation for non-pecuniary damage. Alternatively, the case can be interpreted as involving six different civil rights violations: five concerning Articles 10 and 11, and one concerning Article 6. If this is judged to be the case, I apply for 60,000 SEK in compensation for non-pecuniary damage or for the amount considered appropriate by the JK. The present complaint is related to Professor Erik J. Olsson's previous complaint to the JK (Dnr 4339-12-40).

It has been brought to my attention that certain rules of conduct for my division have been in force since November 2010. I was never informed by Lund University about the existence or nature of these rules. Until recently, only one person in my division, Erik J. Olsson, had reportedly been given the PM (attached) in which the new rules are introduced. These facts were revealed in a newspaper article in Swedish media (Sydsvenskan, June 19, 2012).

The rules in question are the following (p. 2, quoted in Swedish for ease of reference):

"Mellan kollegorna ska ingen form av kontroll, reprimander eller annan oönskad inblandning i den enskildes arbete förekomma."

"Upptäcks missförhållanden ska de rapporteras till institutionsledningen som har ansvaret för att åtgärda dem."

"Endast prefekten har rätt att kalla kollegor till enskilda medarbetarsamtal såvida inte denne delegerat uppgiften."

"Ledningsuppgifter som att bevaka hur den enskildes forskning, doktorandhandledning och undervisning sköts ligger enbart på institutionsledningen."

A prohibition against "ofta upprepad och överdriven kritik av enskilda kollegor".

The rules are said to be valid for everyone in my division. The consequences of not following these rules is said to include being fired.

These rules, moreover, restrict my civil rights. They amount to restrictions of the freedom of speech, of assembly and of information. For instance, the prohibition against often repeated and exaggerated criticism ("ofta upprepade och överdriven kritik") amounts to a restriction of my freedom of speech. I am worried about this rule because it is not specified who is to judge whether my criticism, e.g. of someone else's research, was exaggerated or according to what criteria the evaluation will be made. Since I was not involved in the conflict which apparently motivated the introduction of the new rules,

I see no reason why my civil rights need to be restricted. The new rules therefore violate my civil rights with regard to Article 10 and 11 of the European Convention on grounds of being entirely unmotivated.

Moreover, the fact that Lund University did not inform me about the existence or nature of the new rules meant that I was not in a position to contest the decision in court. I claim therefore that there has been, in addition, a violation of my civil rights with reference to Article 6. By this article, every citizen has a right to contest alleged violations of his or her civil rights in court. A precondition is of course that he or she has been informed about the existence and nature of the restrictions in the first place.

Sincerely,

A handwritten signature in black ink, appearing to read 'Frank Zenker', written in a cursive style.

Frank Zenker

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