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ADMINISTRATIVE PROCEDURES

EUROPEAN COMMISSION

European Public Prosecutor’s Office (EPPO)

Publication of a vacancy for the European Chief Prosecutor — Luxembourg

Temporary Agent AD 15

(2018/C 418 A/01)

European Public Prosecutor’s Office

The European Public Prosecutor’s Office (the EPPO) will be an independent European prosecution service responsible for investigating, prosecuting and bringing to justice the perpetrators of, and accomplices to, criminal offences affecting the financial interests of the EU. The EPPO Regulation (EU) 2017/1939 (1) entered into force on 20 November 2017. In accordance with Article 120 of that Regulation, the EPPO will begin its operations following a decision of the Commission, once it is set up, but not earlier than 3 years from the date of entry into force of the EPPO Regulation.

The period between the entry into force of the EPPO Regulation and the date on which the EPPO will begin its operations will be dedicated to the setting up of the new EU body. In line with Article 20 of the EPPO Regulation, the Commission is responsible for the establishment and initial administrative operation of the EPPO, until the latter has the capacity of implementing its own budget.

In accordance with Article 14(1) of the EPPO Regulation, the European Chief Prosecutor will be appointed for a non-renewable term of seven years.

The position of European Chief Prosecutor

In accordance with Article 11 of the EPPO Regulation, the European Chief Prosecutor will be the Head of the EPPO with the following main duties and responsibilities:

— organise the work of the EPPO, direct its activities, and take decisions in accordance with the EPPO Regulation and the internal rules of procedure of the EPPO,

— represent the EPPO vis-à-vis the institutions of the Union and of the Member States of the European Union, and third parties.

In addition, the European Chief Prosecutor will have the following duties and responsibilities in accordance with the EPPO Regulation:

— make a proposal to the College of the EPPO (the ‘College’) for the appointments to the position of European Delegated Prosecutors and to the position of Administrative Director of the EPPO,

— prepare a proposal for the internal rules of procedure of the EPPO,

— make a proposal to the College to set up Permanent Chambers,

— take part in and chair the meetings of the Permanent Chambers in accordance with the internal rules of procedure of the EPPO,

— prepare and chair regular meetings of the College,

— prepare, within six months after his/her appointment, a proposal for detailed rules on the application of Article 109 of the EPPO Regulation (transparency rules),

— draw up the draft financial rules applicable to the EPPO on the basis of a proposal drawn up by the EPPO’s Administrative Director,

— prepare estimates of the revenue and expenditure of the EPPO for each financial year, corresponding to the calendar year, on the basis of a proposal drawn up by the Administrative Director,

— make proposals for implementing rules and programme documents for adoption by the College in accordance with Article 114 of the EPPO Regulation,

— meet on a regular basis with the President of Eurojust to discuss issues of common concern and, where appropriate, participate in the meetings of the College of Eurojust,

— meet on a regular basis with the heads of other relevant EU bodies, such as Europol and OLAF, and relevant networks of Union (JHA) agencies,

— carry out any other task, as provided in the EPPO Regulation.

**Eligibility criteria**

To be considered for the selection phase, candidates must meet the following minimum requirements by the closing date for applications:

**Nationality:** be a citizen of one of the EU Member States participating in the enhanced cooperation under the EPPO Regulation.

**Professional experience:** be an active member of the public prosecution service or judiciary and have the qualifications required for appointment to the highest prosecutorial or judicial offices in their respective Member States, whose independence is beyond doubt, with relevant practical experience of national legal systems, financial investigations and of international judicial cooperation in criminal matters, obtained at domestic, European or international level.

**Languages:** candidates shall have a thorough knowledge of one of the languages of the Union and a satisfactory knowledge of another language of the Union, as required by Article 12(2)(e) of the Conditions of Employment of other Servants (CEOS) (2).

**Age:** According the Article 14 of the EPPO Regulation, the European Chief Prosecutor is appointed for a non-renewable terms of 7 years. Articles 47(a) CEOS and 52, of the Staff Regulations are also applicable. This means that the European Chief Prosecutor should be able to serve 7 years and retire, at the latest, at the age of 70, on the understanding that if a prolongation beyond the age of 66 years is required this shall be granted automatically by the competent appointing authority. Consequently, candidates should be no more than 63 years of age at the time of the appointment which is expected to take effect on 1 March 2019.

In addition, candidates have to have fulfilled any obligations imposed by the laws concerning military service, produce the appropriate character references as to their suitability for the performance of their duties and be physically fit to perform their duties.

The selected candidate should hold, or be in the position to obtain, a valid security clearance certificate at the level of EU Secret from his/her national security authority.

A personal security clearance is an administrative decision following completion of a security screening conducted by the individual’s competent national security authority in accordance with applicable national security laws and regulations, and certifying that an individual may be allowed to access classified information up to a specified level. Please note that the necessary procedure for obtaining a security clearance can be initiated on request of the employer only, and not by the individual candidate.

Appointment to the post shall only take effect on condition that the selected candidate has obtained a valid security clearance certificate.

Selection criteria

The ideal candidate should:

— have at least 15 years of professional experience as an active member of the public prosecution service or judiciary,

— have at least five years of experience and proven success in a senior management position within a prosecution or judicial authority,

— have at least five years of experience as a public prosecutor responsible for investigations and prosecutions of financial crimes. Relevant track record in prosecuting offences against the financial interests of the EU or major cross-border crimes would represent an additional asset,

— show strong achievements as a leader, manager and communicator, both at strategic and internal management levels,

— be an outstanding and dynamic professional of sound judgement and high conceptual ability with the capacity to develop, communicate and execute a clear strategic vision for achieving the EPPO’s objectives,

— have excellent interpersonal, decision-making, communication and negotiating skills, being able to build trusted working relationships with all stakeholders,

— have the ability to work in a complex multicultural environment and to motivate and develop teams to the best of their potential,

— demonstrate their understanding of and commitment to the independence and guardianship of fundamental rights required in the EPPO’s investigative/prosecutorial role,

— have high ethical standards and personal integrity,

— have an excellent knowledge of the institutional and legal framework of the Union.

Independence and declaration of interests

In accordance with Article 6 of the EPPO Regulation, the European Chief Prosecutor shall act in the interest of the Union as a whole and neither seek nor take instructions from any person external to the EPPO, any Member State of the European Union or any institution, body, office or agency of the Union in the performance of duties under the EPPO Regulation.

Applicants are required to declare their commitment to act independently in the public interest, pursuant to Article 6 of the EPPO Regulation, and to declare any interests which might be considered prejudicial to their independence.

Before taking up duties, the European Chief Prosecutor will be required to sign a declaration of commitment to act independently in the public interest and to declare any personal interests, in particular family or financial, or interests of third parties, which would actually or potentially impair his/her independence in the course of his/her duties and which may thus lead to any actual or potential conflict of interest relevant to that position.

Selection and appointment

The European Chief Prosecutor will be appointed by the European Parliament and the Council by common accord following a selection procedure as set out in Article 14 of the EPPO Regulation.

Article 14(3) of the EPPO Regulation foresees that a selection panel will draw up a shortlist of qualified candidates and transmit the shortlist to the Council and Parliament. The candidates who are not placed on the shortlist by the panel shall be informed of the reasons for this decision.
The selection panel will comprise twelve persons chosen from among former members of the Court of Justice and the Court of Auditors, former national members of Eurojust, members of national supreme courts, high-level prosecutors and lawyers of recognised competence. One of the persons chosen will be proposed by the European Parliament. The members of the selection panel will be appointed by the Council on a proposal by the Commission.

Conditions of employment

The Staff Regulations and the CEOS and the rules adopted by agreement between the institutions of the Union for giving effect to those Staff Regulations and CEOS shall apply to the European Chief Prosecutor. The European Chief Prosecutor will be appointed as Temporary Agent of the EPPO under Article 2(a) of the CEOS. The contract will be concluded for a seven-year period, which may not be extended.

Before taking up duties, the European Chief Prosecutor must undergo a pre-recruitment medical examination to establish that he/she is physically fit to perform his/her duties.

The place of employment will be Luxembourg. During the build-up phase of the EPPO, the European Chief Prosecutor may be required to carry out his/her duties from Brussels.

Equal opportunities

The Union applies an equal opportunities policy. Given the low representation of women in management functions, applications from women would be particularly welcome.

Application procedure

Candidates are required to carefully check before submitting an application whether they meet all the eligibility criteria, particularly concerning the required types of diploma and professional experience as well as their linguistic capacity. Failure to possess any of these eligibility requirements means an automatic exclusion from the selection procedure.

The application can be sent in any of the 24 official languages of the Union (1).

Candidates need a valid e-mail address. This is used to confirm their registration as well as to remain in contact with them during the different stages of the selection process. Any changes to the candidate’s e-mail address made during the selection process should be indicated.

To complete the application, candidates need to send a CV and a letter of motivation to the following e-mail address: EU-EPPO-SELECTION-ECP@ec.europa.eu. Candidates are invited to specify all the EU languages they know and the corresponding level of knowledge according to the Common European Framework of Reference for Languages (2).

Candidates will receive an e-mail confirming that their application has been registered. Please note that in the absence of a confirmation e-mail, the application has not been registered. For more information and/or in case of technical problems, please send an e-mail to: EU-EPPO-SELECTION-ECP@ec.europa.eu

Closing date

The closing date for registration is 14 December 2018 at 12.00 noon Brussels time. Late registrations are not accepted.

Important information for applicants

Applicants are reminded that the work of the selection panel is confidential. It is forbidden for applicants to make direct or indirect contact with members of the selection panel, or for anybody to do so on their behalf. Any request for information must be addressed to: EU-EPPO-SELECTION-ECP@ec.europa.eu.

Protection of personal data

The European Commission ensures that candidates’ personal data are processed as required by Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18 December 2000 on the protection of individuals with regard to the processing of personal data by the EU institutions and bodies and on the free movement of such data (3).

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