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From: Commission services
To: Council

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Information from the Commission

Delegations will find attached the non-paper form the Commission services on the the state of play of the setting up of the European Public Prosecutor's Office (EPPO).

**Non-paper from the Commission services on the state of play of the setting up of the
European Public Prosecutor's Office (EPPO)**

This document presents an update on the preparatory steps taken by the Commission in relation to the establishment process of the EPPO, as provided for by the EPPO Regulation, highlighting the progress made since March 2019.

- **European Chief Prosecutor:** The negotiations between the Council and the European Parliament remain in a deadlock, as both institutions maintain their position in relation to their preferred candidates. The negotiations between the two EU institutions need to resume as soon as possible, in order to ensure the timely appointment of the European Chief Prosecutor who has a key role in the setting up of the EPPO.
- **European Prosecutors:** A majority of Member States have submitted their nominations for the position of European Prosecutor. The remaining Member States are urged to send in their nominations as soon as possible. The Selection Panel set up pursuant to Article 14(3) of Council Regulation (EU) 2017/1939 is currently in the process of hearing the nominated candidates.
- **Transitional rules:** On 20 May 2019, lots were drawn in the Council to determine which European Prosecutors would serve a shorter term of three years in their first term in the EPPO College. The European Prosecutors from the following Member States were drawn: Austria, Cyprus, Greece, Italy, Lithuania, the Netherlands, Portugal and Spain.

- **EPPO internal rules of procedure:** The EPPO Expert Group met on 27-28 May 2019 to discuss a draft preparatory document for the EPPO's internal rules of procedure, as prepared by the Commission services. The document prepared under the Commission's responsibility is a contribution to facilitate the task of the European Chief Prosecutor and does not prejudice the independence and autonomy of the EPPO. The EPPO's internal rules of procedure will be adopted by the EPPO College, on the European Chief Prosecutor's proposal.
- **Case Management System:** The contractor will present a final report in June, which will be discussed at the next EPPO Expert Group meeting on 11-12 July 2019.
- **Budget:** The EPPO's budget for 2019 was adopted and work is on-going to ensure the timely adoption of the draft budget for 2020. The EPPO Expert Group has been consulted on the EPPO budget for 2020 on 21 March 2019.
- **EPPO conditions of employment of European Delegated Prosecutors:** The preparatory document for the conditions of employment of European Delegated Prosecutors was discussed at the Expert Group meeting of 8 April 2019 and the Commission services are currently reflecting on how to accommodate the comments made by some Member States.
