

Luxembourg 9 July 2020
EPPO/LCK/2020/068

To the attention of
Ms Marie Benešová
Minister of Justice
Tereza.Jachova@mzv.cz
By e-mail only

Dear Minister,

Following up to your letter from 7 July 2020, as well as our meeting on 25 February 2020, I would like to confirm that, under the budgetary proposal of the European Commission adopted on 24 June 2020, the European Public Prosecutor's Office (EPPO) will be able to start its operations with 10 full time European Delegated Prosecutors in the Czech Republic.

The EPPO is an independent body responsible for investigating, prosecuting and bringing to justice the perpetrators of, and accomplices to, criminal offences affecting the financial interests of the European Union. The EPPO will begin its operations following a decision of the Commission, once it is set up, but not earlier than on 20 November 2020.

In accordance with Article 17 (1) of Regulation (EU) 2017/1939 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office (hereinafter 'the EPPO Regulation'), upon a proposal by the European Chief Prosecutor, the European Delegated Prosecutors nominated by the Member States will be appointed by the College for a renewable term of five years.

According to Article 13 of the EPPO Regulation, the European Delegated Prosecutors will act on behalf of the EPPO in their respective Member States. They will be responsible for:

- Investigations and prosecutions that they will have initiated, that will have been allocated to them or that they will have taken over using their right of evocation;
- Bringing EPPO cases to judgement;
- Acting in close cooperation by assisting and regularly consulting each other in cross-border cases, as per Article 31 of the EPPO Regulation.

In order to be able to start operations as early as possible, and in line with Article 17 (1) of the EPPO Regulation, I would be grateful if you could make the necessary arrangements so as to select the appropriate number of candidates by 30 September 2020.

Together with a description of the selection process, I would welcome receiving their Curricula vitae and motivation letters in English, without prejudice to the linguistic regime of the EPPO, to be determined in line with Article 21 of the EPPO Regulation. My intention is to ensure a transparent appointment process of the European Delegated Prosecutors and to make an informed proposal to the College.

Please let me recall that, based on Article 17 (2) of the EPPO Regulation, "the European Delegated Prosecutors shall, from the time of their appointment as European Delegated Prosecutors until dismissal, be active members of the public prosecution service or judiciary of the respective Member States which nominated them. Their independence

shall be beyond doubt and they shall possess the necessary qualifications and relevant practical experience of their national legal system.”

In this context, I will be particularly looking at their ethical standards and personal integrity, their track record in prosecuting offences against the financial interests of the EU or financial fraud, as well as at their ability to work on cross border crimes.

Sincerely yours,

(e-signed)

Laura Kövesi

CC:

- JUDr. Pavel Zeman, Prosecutor General
- Richard Sonnenschein (EPPO)
- Milan Jaron (EPPO)