

# DECISION OF THE COLLEGE OF THE EUROPEAN PUBLIC PROSECUTOR'S OFFICE OF 21 APRIL 2021

## LAYING DOWN RULES ON THE PROCEDURE FOR THE APPRAISAL OF THE EUROPEAN DELEGATED PROSECUTORS

The College of the European Public Prosecutor's Office (EPPO),

Having regard to Council Regulation (EU) 2017 /1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ("EPPO") (hereinafter referred to as "the EPPO Regulation"), and in particular Article 17 thereof,

Having regard to Decision of the College of the European Public Prosecutor's Office of 29 September 2020 laying down rules on condition of employment of the European Delegated Prosecutors (hereinafter referred to as "the CEEDP"), and in particular Article 13 thereof

Whereas:

The professional performance of each European Delegated Prosecutor shall be the subject of an appraisal report every second year and, respectively, at the end of their contract. This report shall indicate whether the performance is satisfactory or is not satisfactory. The report may be transmitted to the national authorities for their internal assessment regarding national appraisals, upon their request.

The report mentioned in paragraph 1 shall be adopted by an appraisal committee appointed by the College on a proposal of the European Chief Prosecutor.

The procedure for the appraisal referred to in paragraph 1 shall be laid down by a separate College Decision.

HAS DECIDED AS FOLLOWS:

## Article 1

### *Scope*

This decision lays down rules on the appraisal procedure of the European Delegated Prosecutors, as foreseen in Chapter IV of the CEEDP.

## Article 2

### *Appraisal report*

1. The professional performance of each European Delegated Prosecutor shall be subject of an appraisal report every second year and, respectively, at the end of their contract, as foreseen in Article 13 of the CEEDP.
2. The report shall include an individual qualitative appraisal of the European Delegated Prosecutor's efficiency, ability and conduct in the service and also the evaluation of learning- and training needs.
3. The individual qualitative appraisal shall not include a comparison with the performance of other individual European Delegated Prosecutors.
4. The report shall include a conclusion on whether the European Delegated Prosecutor's professional performance has been satisfactory or not satisfactory.
5. An electronic form of the report shall be developed.

## Article 3

### *Appraisal criteria*

1. When evaluating the efficiency of the European Delegated Prosecutor, the following shall be taken into account *inter alia* and where applicable:
  - a) main achievements during the reference period;
  - b) any difficulties or favourable circumstances he/she has encountered;
  - c) impact of these achievements.
2. When evaluating the ability (professional competences) of the European Delegated Prosecutor, the following shall be taken into account *inter alia* and where applicable:
  - a) analysis and problem-solving capacity;
  - b) prioritising and organising skills;
  - c) decision making skills;
  - d) ability to argue clearly, both orally and in writing;
  - e) competence in the use of modern technology;
  - f) supervisory and leadership skills;
  - g) communication skills;

- h) resilience and ability to work under pressure;
  - i) initiative.
3. When evaluating the conduct of the European Delegated Prosecutor, the following shall be taken into account *inter alia* and where applicable:
- a) cooperation with colleagues and partners;
  - b) integrity and correct behavior
4. During the evaluation, both qualitative and quantitative indicators may be used. Any other circumstances, not listed in paragraphs 1-3, may be taken into account, if needed for the purpose of appraisal or considering the specific tasks of the European Delegated Prosecutor.

## Article 4

### *Appraisal procedure*

1. The appraisal exercise shall be launched by the ECP by publication of an administrative notice, together with the form of the report.
2. Each European Delegated Prosecutor shall submit a self-assessment, which will be entered in the relevant section of the electronic report within 15 working days.
3. Following the self-assessment, the supervising European Prosecutor shall hold a formal dialogue with the Delegated European Prosecutor. During this dialogue, the Delegated European Prosecutor's professional performance during the reporting period is assessed and the learning and training needs will be identified.
4. The supervising European Prosecutor shall draw up the draft of individual appraisal report within 30 working days of the dialogue and transmit it to the Appraisal Committee.
5. If the European Delegated Prosecutor does not submit the self-assessment within the allotted time or does not act on the invitation to take part in the formal dialogue without justified absence, the supervising European Prosecutor may proceed with the next step relevant in the procedure.

## Article 5

### *Establishment and composition of the Appraisal Committee*

1. An Appraisal Committee shall be appointed by the College in order to evaluate the work of European Delegated Prosecutors and adopt the appraisal reports.
2. The Appraisal Committee shall consist of three European Prosecutors.
3. If the Appraisal Committee has follow-up questions regarding the report, they may invite the supervising European Prosecutor to take part in the discussion of the report. The supervising European Prosecutor shall be invited to take part in the discussion of the report, when he/she evaluated the European Delegated Prosecutor's professional performance as not satisfactory. The supervising European Prosecutor does not have the right to vote.



4. If the supervising European Prosecutor is the member of the Appraisal Committee, he/she will recuse from the voting of the appraisal report of the relevant European Delegated Prosecutor.

## Article 6

### *Election of the members of the Appraisal Committee*

1. The European Chief Prosecutor shall invite any interested European Prosecutor to submit his/her application to be a member of the Appraisal Committee. The European Chief Prosecutor sends the list of applicants to the College.
2. The members of the Appraisal Committee shall be elected by the College by secret vote.
3. For each member of the Appraisal Committee, the College shall elect by secret vote an alternate member, who will substitute the respective member in case of objective impossibility to perform his/her duties. Paragraphs 1 and 2 shall apply accordingly.
4. The mandate of the members and the alternate members of the Appraisal Committee is 4 years, without prejudice to the duration of the term in office as European Prosecutors.

## Article 7

### *Organisation of the work of the Appraisal Committee*

1. The Appraisal Committee shall elect its chair.
2. When the chair is replaced by his/her alternate member, the respective meeting shall be chaired by the member most senior in age.
3. The Appraisal Committee shall be assisted by a secretary designated by the Administrative director.
4. The secretary shall draw up minutes of meetings of the Appraisal Committee.
5. The Administrative Director shall ensure that adequate administrative support is provided to the Appraisal Committee.

## Article 8

### *Appeal*

1. If the European Delegated Prosecutor concerned does not agree with the conclusion of the report, he/she has the right to appeal to the European Chief Prosecutor within 10 working days.
2. Assessing the appeal, the European Chief Prosecutor shall hold a dialogue with the European Delegated Prosecutor and may ask for additional information from the supervising European Prosecutor or the Appraisal Committee.
3. The European Chief Prosecutor shall confirm the appraisal report or amend it, giving reasons.





## Article 9

### *Entry into force*

These rules shall enter into force on the date of their adoption by the College of the European Public Prosecutor's Office (EPPO).

Done at Luxembourg on 21 April 2021.

On behalf of the College,

**Laura Codruta KÖVESI**  
European Chief Prosecutor



## ANNEX: APPRAISAL REPORT



EUROPEAN  
PUBLIC  
PROSECUTOR'S  
OFFICE

### APPRAISAL REPORT

#### 1. Personal details

To be completed by the European Delegated Prosecutor.

Personal Details	European Delegated Prosecutor (EDP)	European Prosecutor (EP)
Surname, First Name:		
Personnel Number:		
Function group & grade:		
Job Title:		
Chamber/Unit/Team:		

#### 2. Job content

To be completed by the European Delegated Prosecutor.

<p><b>Key responsibilities</b> (EDP's job description and main tasks)</p>
<p> </p>
<p><b>Agreed objectives for the reference period</b> (the objectives which have been prepared by the supervising EP and discussed with the EDP at the beginning of the reference period)</p>
<p> </p>
<p><b>Additional responsibilities during the reference period (if any)</b></p>
<p> </p>



## APPRAISAL REPORT

### 3. Self-assessment of Efficiency, Ability, Conduct, Learning and Development needs<sup>1</sup>.

To be completed by the European Delegated Prosecutor and submitted to the European Prosecutor.

<p><b>Efficiency</b></p> <p>(Main achievements and any difficulties or favourable circumstances EDP has faced; impact of those achievements etc.)</p>
<p><b>Ability</b></p> <p>(Professional competences of the EDP – e.g. analysis and problem-solving; prioritising and organising; decision-making skills; ability to argue clearly orally and in writing; use of modern technology; supervisory and leadership skills; communication skills; resilience and ability to work under pressure; initiative etc.)</p>
<p><b>Conduct</b></p> <p>(Cooperation with colleagues and partners; integrity and correct behaviour etc.)</p>
<p><b>Learning and training needs</b></p>

### 4. Proposals to the supervisor(s) and management

To be completed by the European Delegated Prosecutor

<p><b>Proposals to the supervisor(s) and management</b></p>
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<sup>1</sup> During the evaluation, both qualitative and quantitative indicators may be used. Any other circumstances, not listed in the report, may be taken into account, if needed for the purpose of appraisal or considering the specific tasks of the European Delegated Prosecutor.





## APPRAISAL REPORT

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5. Date of the formal dialogue:      dd/mm/yyyy

6. Appraisal (following the formal dialogue)  
To be completed by the European Prosecutor.

Efficiency
Ability
Conduct
Learning and Training
General comments on staff member's performance and his/her development areas



## APPRAISAL REPORT

### OVERALL SUMMARY

Please indicate the summary performance of the EDP as a result of the above evaluations.  
To be completed by the European Prosecutor.

#### Overall performance summary

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#### The performance of the European Delegated Prosecutor was

☐ Satisfactory

☐ Unsatisfactory

#### 7. Agreed objectives for the following reporting period

To be completed by the European Prosecutor. The objectives are agreed in relation to the Chamber/Unit/Team requirements and the personal development of the EDP. (An achievable number of objectives is around three with a maximum of five).

No.	Objectives
1	
2	
3	
4	
5	

#### 8. Learning needs/Training map

To be completed by the European Prosecutor.

No.	Learning needs



## APPRAISAL REPORT

### Workflow 1: Satisfactory Performance

**European Prosecutor (sign and submit to the European Delegated Prosecutor)**

Signature of the European Prosecutor

Date:

**Endorsement by the Appraisal Committee (sign and submit to the European Delegated Prosecutor)**

☐ Satisfactory

☐ Unsatisfactory

Comments (if any):

Signature of the Chair of the Appraisal Committee

Date:

**European Delegated Prosecutor:** - In case of A or B, sign and submit to HR  
- In case of C, sign and submit to Appeal Assessor

☐ A. Accept

☐ B. Accept with comments

☐ C. Refuse

Comments (in case of B or C):

Signature of European Delegated Prosecutor

Date:

**Appeal Assessor (sign and submit to HR)**

Date of dialogue with the EDP:

dd/mm/yyyy

☐ Confirms report

☐ Amends report

Reasons (compulsory):





## APPRAISAL REPORT

### Workflow 2: Unsatisfactory Performance

**Appraisal Committee: (comment, sign and submit to the European Delegated Prosecutor)**

☐ Satisfactory

☐ Unsatisfactory

Comments (compulsory):

Signature of European Delegated Prosecutor

Date:

**European Delegated Prosecutor:** - In case of A or B, sign and submit to HR  
- In case of C, sign and submit to Appeal Assessor

☐ A. Accept

☐ B. Accept with comments

☐ C. Refuse

Comments (in case of B or C):

**Appeal Assessor (sign and submit to HR)**

Date of dialogue with the EDP: dd/mm/yyyy

☐ Confirms report

☐ Amends report

Reasons (compulsory):

The personal information included in this form will only be processed for evaluating your efficiency, ability, conduct, learning, and development. The data will be accessible only by duly authorized EPPO staff within the Human Resources. The data controller is the Head of Human Resources and Budget. Your personal information will be archived in your personal file and will be kept for the duration of your employment with EPPO.