



Call for Expression of Interest for Seconded National Expert

Legal expert in prosecution of financial crimes EPPO/2021/SNE/001

Position (business title):	Legal Expert in prosecution of financial crimes
Status:	Seconded National Expert (`SNE`)
Location:	Luxembourg, LUXEMBOURG
Closing date for applications:	<u>17 January 2022; 23:59 (CET)</u> ¹

The EPPO

Under the leadership of the European Chief Prosecutor (`ECP`), the European Public Prosecutor's Office (`the EPPO`) is the first European Union independent Prosecution Office of the European Union. The EPPO is responsible for carrying out criminal investigations and prosecutions into crimes affecting the Union budget in 22 EU Member States as one of the European Union Institutions and Bodies delivering the European Union's Justice System. It became operational on 1 June 2021.

The EPPO working language is English.

National Officials' secondment to the EPPO

To build on competences of national administrations and contribute to a smooth articulation between the central and decentralised components of its organisational model, the EPPO is seeking skilled individuals, employed in one of the 22 participating Member States' judicial and investigative national, regional or local public administration, available to be seconded to the EPPO for fixed-term secondments under the status of Seconded National Experts (`SNE`)².

Candidate SNE should be a legal expert in prosecution of financial crimes.

Most competent candidates will be placed on a reserve list, which the EPPO draws from as specific needs for expertise and knowledge arise.

SNEs functionally report to the Chief European Prosecutor and are delegated to specific tasks during their period of secondment under the supervision of diverse functional areas' leaders.

Duties and Accountabilities

¹ Published on **24 November 2021**

² College Decision No 102/2021 of 20 October 2021 laying down rules on the secondment to the European Public Prosecutor's office (`EPPO`) on National Experts



The selected candidate, under the authority of the European Chief Prosecutor in accordance with Article 98 of the EPPO Regulation, would be tasked with:

- giving legal and operational support to prosecutorial activities of the EPPO, specifically providing legal advice and opinions to the Permanent Chambers in their directing and monitoring role, to the European Prosecutors in their supervising role, and to the European Delegated Prosecutors responsible for the investigations and prosecutions assigned to them;
- supporting the European Prosecutors and the European Delegated Prosecutors in liaising with the prosecutorial and judicial authorities of the Member States in the process of consultation, exchange of information, possible coordination and other interactions in accordance with the EPPO Regulation and the legislation of the Member States;
- analysing case files and information in possession of the EPPO, and drafting prosecutorial requests and decisions;
- identifying and assessing possible developments and issues at legal and operational level and drafting legal opinions, best practices, procedures, rules, decisions and other legal instruments in support of the activity of the Permanent Chambers, of the European Prosecutors and of the European Delegated Prosecutors;
- undertaking other tasks assigned by European Chief Prosecutor or by the supervising person delegated by him/her.

Eligibility and selection requirements

Eligibility Criteria

Applicants will be considered eligible for the selection based on the following formal criteria to be fulfilled by the deadline for applications:

- to be a national of one of the Member States and enjoy the full rights as a citizen;
- to have a thorough knowledge of the working language of the EPPO and satisfactory knowledge of a second European Union language to the extent necessary for the performance of the duties;
- to be employed by a public administration of a member state in accordance with Article 2(1) of the EPPO Regulation – all public services of the Member States of the European Union and central, federal and regional level, including government, prosecution parliamentary and judicial services, the national courts, central banks, as well as the decentralised administrative services of the State and of such authorities;
- to have at least 3 (three) years` full-time experience of administrative, judicial, legal, scientific, technical, advisory or supervisory functions;
- must have worked for his/her employer on a permanent or contractual basis for at least 12 (twelve) months before the secondment and shall remain in service of the employer throughout the period of secondment;
- to have a thorough knowledge of one of the official languages of the EU and of a satisfactory knowledge of another official language of the EU to the extent necessary for the performance of his/her duties.

Applicants who meet the eligibility criteria will be assessed against the following



selection criteria:

Essential criteria

- experience in handling complex criminal cases for financial crimes in the Member State of origin, including, but not limited to organised crime, corruption related offences, fraud against public institutions, cross-border VAT fraud, smuggling of goods;
- knowledge of the national criminal legal framework of the Member State of origin;
- knowledge of the EPPO Regulation and of the PIF Directive;
- knowledge of the EU Legal Framework in criminal matters;
- ability to establish and maintain effective and constructive working relationships with people of different national and/or cultural backgrounds with respect for diversity.

Advantageous criteria

- experience in prosecuting PIF offences;
- experience in managing or conducting cross-border investigations;
- experience in the area of judicial cooperation in criminal matters;
- knowledge of an additional EU language of at least at a level B2³ excluding English and mother tongue.

Interpersonal competencies sought

- pro-active, highly flexible and dynamic working attitude, high sense of initiative, responsibility, discretion and confidentiality;
- critical and creative thinking and excellent analytical and problem solving skills, attention to details;
- strong inter-personal and negotiation skills;
- ability to prioritise and to organise activities/tasks/resources to deliver on several projects in parallel;
- ability to work independently as well as a part of a team, in a multi-cultural environment.

Candidates are invited to read the ANNEX that represents an integral part of this Call of Expressions and provides information on how to complete the application, the steps of the selection process and appeal procedures.

³ cf. Language levels of the Common European Framework of reference:
<https://europass.cedefop.europa.eu/sites/default/files/cefr-en.pdf>

ANNEX TO THE CALL OF EXPRESSION OF INTEREST FOR SECONDED NATIONAL EXPERT (`SNE`) LEGAL EXPERT IN PROSECUTION OF FINANCIAL CRIMES EPPO/2021/SNE/001

1. General conditions for SNE's

SNE's are seconded to the EPPO according to the College Decision No 102/2021 of 20 October 2021 laying down rules on the secondment to the European Public Prosecutor's office (`EPPO`) of National Experts.

SNEs should allow the EPPO to benefit from their high level of their professional knowledge and experience.

The secondment is authorised by the Appointing Authority (Administrative Director) of the EPPO and effected by an exchange of letters between the EPPO and the competent authorities of the Member State concerned. The place of origin and the place of secondment, its initial duration, the duties and responsibilities in line with the call for applications, and the allowances and expenses regime must be indicated in the exchange of letters.

The SNEs employer shall undertake to continue to pay his/her salary, to maintain his/her administrative status throughout the period of the secondment and maintain the level of the remuneration that SNE was receiving at the time of his/her secondment. The SNEs employer shall also continue to be responsible for all his/her social rights, particularly social security and pension rights. The SNE employer will assume the responsibility for expenses incurred abroad in case of sickness or accident.

SNEs shall assist the European Prosecutor. They may not perform middle or senior management duties. Unless a special mandate had been granted by the supervisor of the SNE, the SNE may not undertake commitments on behalf of the EPPO.

The SNE shall carry out the duties and conduct his/her tasks solely within the interests of the EPPO. He/she shall neither seek nor take instruction from any government, authority, organisation nor person outside the EPPO. He/she shall carry out the duties assigned objectively, impartially and in keeping with his/her duties of loyalty to the EU.

The initial period of the secondment may not be less than six months or exceed two years and may be renewed successively up to a total period not exceeding four years. Exceptionally, at the request of the supervisor and where the interests of the EPPO so warrant, the Appointing Authority, may authorise one or more extensions of six months of the secondment for a maximum of two additional years at the end of four-year period. Any extension of the period of secondment shall be the subject of a new exchange of letters between the EPPO and the competent authorities of the Member State concerned.

Unless otherwise provided in the exchange of letters between the EPPO and the competent authorities of the Member State concerned, the SNE shall be entitled, throughout the period of the secondment, to a daily subsistence allowance and a monthly subsistence allowance, applicable to the place of secondment. The SNE shall inform Human Resources Unit of the EPPO of any allowances similar to the subsistence allowances paid by the EPPO received by the SNE and paid from other sources.

Unless otherwise provided in the exchange of letters, the SNE whose place of origin is more than 150 km from the place of the secondment, shall be entitled to reimbursement of the cost of the travel between these two places both at the beginning and end of his/her secondment for himself/herself and for his/her spouse and dependent children, provided that they live with the SNE during the time of secondment.

2. Application procedure and closing date for applications

For applications to be valid, candidates are required to submit:

- duly completed the EPPO Application Form, which can be found on the EPPO website <https://www.eppo.europa.eu/how-to-apply>;
- proof of the National Administration Authorisation – Form 1A (Employer authorisation for SNE applicant), provided on the EPPO website;
- a copy of security clearance (if available).

Candidates are requested to complete their application in the main working language of the EPPO, which is English.

In the Application Form, under 'a) Selection Criteria' in the field of 'II. PROFESSIONAL EXPERIENCE' indicate, giving examples, how you meet each one of the selection criteria (essential and advantageous) listed in this vacancy notice. Please name the criteria you are describing. For any criteria that you would like to leave blank, write 'n/a' next to the number.

Where the EPPO will consider that the nature of the tasks entrusted to the SNE requires particular security precautions, security clearance shall be obtained in accordance with the EPPO relevant rules.

Applications must be sent **by the competent authorities of the Member States or Permanent representations** in accordance with Article 2(1) of the EPPO Regulation **only** to the following e-mail address before the deadline: EU-EPPO-SNE@ec.europa.eu. Please liaise with your Permanent Representation or the competent authorities to ensure that your application meets the deadline.

Applications sent via other channels will not be considered.

The closing date for submission of applications is – **17 January 2022; 23:59 (CET)** (please check the time zones).

The subject of the e-mail should include the Title of the Open Call, Reference No EPPO/2021/SNE/001 and candidate`s surname.

Incomplete applications and applications received by the EPPO after the deadline will be disqualified and treated as non-eligible.

Applicants are strongly advised not to wait until the last day to submit their applications, since heavy internet traffic or fault with the internet connection could lead to difficulties in submission. The EPPO cannot be held responsible for any delay due to such difficulties.

Once the applications have been registered, the senders will receive an acknowledgement message by e-mail confirming the receipt of the application.

Please note that if at any stage of the selection procedure it is established that any of the requested information provided by an applicant is false, the applicant in question will be disqualified.

In case of any queries about the selection process, please contact through the e-mail: EU-EPPO-SNE@ec.europa.eu.

3. Selection procedure

The selection procedure includes the following steps:

- The Selection Board designated by the Appointing Authority (Administrative Director of the EPPO) is set up for the selection procedure;
- After registration, each application is checked to verify whether the applicant meets the eligibility criteria;
- All eligible applications are evaluated by the Selection Board based on the selection criteria defined in the open call;
- The best-qualified applicants, who obtained the highest number of points, are short-listed for an interview, which may be complemented by a written competency test;
- The interview (remotely or face-to face) and written test are conducted in English. In case English is a mother tongue of an applicant, some interview or test questions may be held in language indicated by the applicant on the application form as the 2nd EU language;
- During the interview and the written test, the Selection Board examines the profiles of applicants and scores the applicants in accordance with the selection criteria;
- After the interviews and tests, the Selection Board draws up a non-ranked list of

the most suitable candidates to be included on a reserve list (talent pool) for the position and proposes it to the Appointing Authority. The Selection Board may also propose to the Administrative Director the best suitable applicant to be offered secondment for the position;

- The Appointing Authority chooses from the reserve list an applicant to whom to offer the secondment; The secondment is implemented by an exchange of letters between the Administrative Director of the EPPO and the competent authorities of the Member State;
- An applicant put on the reserve list may also be used for secondment to a similar position depending on the needs of the EPPO and budgetary situation as long as the reserve list is valid;
- The reserve list established for this selection shall be valid until 31 December 2023 (the validity period may be extended);
- Each applicant invited for an interview will be informed whether or not he/she has been placed on the reserve list. Applicants should note that inclusion on a reserve list does not guarantee a secondment by the EPPO.

The Selection Board's work and deliberations are strictly confidential and any contact with its members is strictly forbidden.

Under no circumstances should candidates contact the Selection Board, directly or indirectly, concerning this selection or promote their candidature directly or indirectly through any other means outside the terms of this application and selection processes. The Appointing Authority reserves the right to disqualify any candidate who would disregard this instruction.

The SNE will be asked to declare any potential conflict between his/her family circumstances, in particular the professional activities of close family members or any of his/her own important financial interest or those of close family members, and the proposed duties while on secondment.

All applications are treated fairly. Applicants will be assessed on the basis of their qualifications and in strict compliance with the principle of equal opportunities in order to have the best possible match between the profile of the candidate and the requirements of the job.

4. Equal opportunities

The EPPO applies a policy of equal opportunities and accepts applications without discrimination on any grounds such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation.

5. Privacy Notice

The EPPO processes the personal data submitted by the applicants as part of the application form, in any submitted supporting document at any stage in the selection and recruitment process, and communication related thereto. The purpose of this processing operation is to assess the suitability of candidates for a position at the EPPO and to administer the documentation related to the selection and/or recruitment. This includes also the processing of the submitted data for related administrative aspects, such as e.g. financial reimbursements, calculation of entitlements, etc.

During this processing, the personal data will be made available to selected staff working in Human Resources, Finance & Procurement, and in case of appeals or complaints, the Legal Service. Further, it will be made accessible to the members of the Selection Board, the Appointing Authority and respective supporting staff. Lastly, it may also be shared with other parties in the context and purpose of audits, inspections and internal investigations, be they internal or by supervisory authorities.

The personal data collected for this purpose will be stored for no longer than 3 (three) years following the financial discharge for the year in which the recruitment was finalized, in order to comply with audit obligations, unless ongoing legal proceedings, investigations or audits require their continued storage. Where the process led to employment of a candidate, some of the documentation and personal data contained therein will be carried over into the personnel file and subject to the regime applicable thereto.

The processing is necessary to select and recruit candidates suitable to cover the vacancies of the EPPO and therefore enable it to perform its tasks. The legal basis being implemented and binding on the EPPO's selection and recruitment process are the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Union and their implementing rules. The applicable legal framework for data protection purposes for this processing of administrative personal data is Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 ([OJ L 295 of 21.11.2018](#)).

The applicant has the right at any time to request access to, rectification, restriction or erasure of their personal data. To exercise these rights, request assistance in their exercise or questions thereto, or file a complaint, they may contact the data controller, or the Data Protection Officer of the EPPO. They also have the right to address themselves to the European Data Protection Supervisor to lodge a complaint.

The controller is the EPPO, and for this process coordinated by the Head of Human Resources, and can be contacted by email at EU-EPPO-SNE@ec.europa.eu.

The Data Protection Officer can be reached at EPPO-DPO@epo.europa.eu.

The European Data Protection Supervisor can be contacted at edps@edps.europa.eu.

Appeals

Candidates, who consider that their interests have been prejudiced by any decision related to the selection procedure, may lodge an administrative complaint under Article 90(2) of the Staff Regulations of Officials of the European Union within the time limit provided for, at the following address:

European Public Prosecutor's Office (EPPO)
For the attention of the Administrative Director, Mr Olivier RAMSAYER
Ref.: EPPO/2021/SNE/001, Legal expert in prosecution of financial crimes
11, Avenue John F. Kennedy
1855 Luxembourg
Luxembourg

The complaint must be lodged within 3 (three) months. The time limit for initiating this type of procedure starts to run from the time the candidate is notified of the act adversely affecting him/her.