

# DECISION OF THE COLLEGE OF THE EUROPEAN PUBLIC PROSECUTOR'S OFFICE OF 20 OCTOBER 2021

## ON DECLARATION OF INTERESTS OF THE MEMBERS OF THE COLLEGE AND 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 ('the EPPO'), hereinafter referred to as "the EPPO Regulation", and in particular Articles 9 and 96 thereof,

Having regard to Regulation No 31 (EEC), 11 (EAEC), laying down the Staff Regulations of Officials and the Conditions of Employment of Other Servants of the European Economic Community and the European Community of Atomic Energy, hereinafter referred to as "the Staff Regulations" and, respectively "the CEOS", and in particular to Articles 11 to 17a of the Staff Regulations and Articles 5, 11, 123 to 124 of the CEOS,

Having regard to Decision 001/2020 of the College of the EPPO of 29 September 2020 laying down rules on the conditions of employment of the European Delegated Prosecutors, and in particular Article 5 thereof,

Having regard to Decision 038/2021 of the College of the EPPO of 6 May 2021 establishing the Committee of Ethics for the Members of the College and the European Delegated Prosecutors (hereinafter referred to as "the Committee of Ethics"), hereinafter referred as "the Decision on the Committee of Ethics", and in particular Article 2 thereof,

Having regard to Decision 039/2021 of the College of the EPPO of 6 May 2021 on the Code of Ethics for Members of the College and European Delegated Prosecutors, and in particular point 6 of the Code thereof,

Whereas:

- (1) In the performance of their tasks, public prosecutors are guided by principles, high values and standards in line with the judicial nature of their duties and the high appreciation and trust of society in their professional duties.
- (2) In many of the participating Member States public prosecutors are requested to file declarations of interests.

- (3) It is of utmost importance to have a mechanism to prevent conflicts of interests in place and to demonstrate to the public the absence of any conflict of interests of the European Prosecutors in the performance of their duties.

Has adopted the following decision:

## Article 1

### *Obligation to declare interests*

1. On taking up their duties, members of the College of the EPPO and European Delegated Prosecutors shall submit a declaration of their financial interests, within the meaning of paragraph 2.
2. The declaration shall identify:
  - a) every entity in which the member of the College or the European Delegated Prosecutor has a direct financial interest of at least 10.000 EUR, which might reasonably be perceived as being capable of giving rise to a conflict of interest. To this end, the member of the College shall identify each entity in which he or she has such a financial interest, which may be in the form of a specific financial holding in its capital, in particular, shares, or any other form of financial interest, for example, bonds or investment certificates. This paragraph does not apply to entities in which the member of the College or the European Delegated Prosecutor owns holdings managed on a discretionary basis by a third party.
  - b) the previous professional activities over last five years;
  - c) any volunteer activity or membership over the last five years that may give rise to a conflict of interests;
  - d) the professional activity of his/her spouse, civil partner or cohabiting partner.
3. In the event of changes in the list of entities and activities specified in the declaration within the meaning of paragraph 2 letters a) and d), a new declaration shall be submitted at the earliest opportunity and, at the latest, within two months after the change in question.
4. The declaration referred to in paragraph 2 shall be submitted using the form set out in the Annex to this Decision.
5. The objective of the declarations under paragraphs 2 is to allow the European Chief Prosecutor to ascertain whether a Member of the College or a European Delegated Prosecutor has a personal interest in the outcome of a given EPPO case.

## Article 2

### *Procedure*

1. The declarations of interests shall be sent by the European Prosecutors and the European Delegated Prosecutors to the European Chief Prosecutor. The declarations

of interests of the European Chief Prosecutor shall be addressed to the Deputy European Chief Prosecutors.

2. The European Chief Prosecutor shall take the necessary measures for the appropriate storage of all declarations of interests, in full compliance with the provisions of Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC, by a person designated for this purpose within the Strategy and Executive Office Unit, and shall put them at the disposal of the Committee of Ethics for the performance of its tasks as set out in Article 2 of Decision on the Committee of Ethics.

## Article 3

### *Verification of the declarations*

1. The declarations of interests submitted by the members of the College and the European Delegated Prosecutors may be verified by the European Chief Prosecutor or by the Committee of Ethics, when so requested by the European Chief Prosecutor or by the College. To this end, the Committee of Ethics shall have access to the declarations of interests.
2. In case of delay in filing the declarations of interests, the European Chief Prosecutor shall invite the Member of the College or the European Delegated Prosecutor concerned to submit the declaration and may ask him/her to present clarifications regarding the potential interests and the reasons of the delay. The European Chief Prosecutor may seek advice from the Committee of Ethics.
3. In case of conflict of interests, the European Chief Prosecutor shall propose to the College adequate and proportionate measures, including initiation of disciplinary procedures, where applicable.
4. In application of this Article, the College shall have access, upon request, to the declaration(s) concerned.
5. Where there are grounds to believe that the European Chief Prosecutor might be in one of the situations referred to in paragraphs 2 and 3, the Committee of Ethics may propose to the College adequate and proportionate measures.

## Article 4

### *Transitional provisions*

1. On the date of the entry into force of this Decision, Article 5 of the College Decision 001 of 29 September 2020 laying down rules on the conditions of employment of the European Delegated Prosecutors is repealed. The European Delegated Prosecutors in



- office on this date, shall file, within one month, new declarations of interests in accordance with this Decision.
2. The Members of the College in office on the date of the entry into force of this Decision shall file declaration of interests within one month from this date.

## Article 5

### *Entry into force*

This Decision shall enter into force on the thirtieth day following its adoption by the College.

Done at Luxembourg on 20 October 2021.

**On behalf of the College,**

**Laura Codruta KÖVESI**  
**European Chief Prosecutor**

A handwritten signature in blue ink, likely belonging to Laura Codruta Kövesi, is written over the printed name and title.



EUROPEAN  
PUBLIC  
PROSECUTORS  
OFFICE



## ANNEX

### DECLARATION OF INTERESTS

**SURNAME**

**FIRST NAME:**

**FUNCTION:**

I declare on honour the following information regarding my interests:

- a) I have financial interests, within the meaning of Article 1 of the Decision 103/2021 of 20 October 2021 the College of the EPPO on declaration of the financial interests of the Members of the College and of the European Delegated Prosecutors, in the following entities<sup>1</sup>:**

- b) My previous professional activities over the last five years were the following:<sup>2</sup>**

- c) My volunteer activities that may give rise to a conflict of interest are:<sup>3</sup>**

- d) The professional activity/activities of my spouse, civil partner or cohabiting partner are the following:<sup>4</sup>**

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<sup>1</sup> Please specify, in alphabetical order, the name of each entity (e.g. company/bank/investment fund) and the type of interest (e.g. shares, bonds, investment certificates, deposits, loans etc.) in which you have a direct financial interest within the meaning of Article 1 of the Decision on declaration of financial interest of the Members of the College and of the European Delegated Prosecutors. If there are no such financial interests, specify "N/A (not applicable)." Entities in which the prosecutor owns holdings managed on a discretionary basis by a third party, such as insurance or private pension funds, do not have to be declared.

<sup>2</sup> Please specify any professional activities carried out in the past [five] years prior the start of your term-in-office as member of the College / European Delegated Prosecutor. Indicate the title and nature of the post and the name of the employer.

<sup>3</sup> Declare any volunteer activity which might give rise to a conflict of interest, including but not limited to membership of non-governmental organisations.



I hereby declare that the above information is true and correct and that, in the event of any changes that may occur regarding my interests, I will submit a new declaration.

**Date:**

**Signature:**

Personal data provided in this form are processed and stored by the EPPO in accordance with Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC. For details on the processing, and how to exercise your rights, please see the dedicated privacy notice.

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<sup>4</sup> Declare activities referred to posts held in public or private institutions, foundations, educational institutions, companies or other organisations, liberal professions, consulting activities etc. Indicate the nature of the post and the name of those bodies.