

DECISION OF THE COLLEGE OF THE EUROPEAN PUBLIC PROSECUTOR'S OFFICE OF 28 SEPTEMBER 2022

ESTABLISHING THE ASSET RECOVERY AND MONEY LAUNDERING ADVISORY BOARD OF THE EUROPEAN PUBLIC PROSECUTOR'S OFFICE

The College of the European Public Prosecutor's Office,

Having regard to the 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 Article 9 thereof,

Having regard to Article 6 of the Internal Rules of Procedure of the EPPO,

Whereas:

- (1) An effective and harmonized asset recovery approach, which is in full alignment with the EPPO's mandate and mission, is of critical importance to the EPPO.
- (2) At the very outset of its operations, the EPPO developed and proactively promoted financial investigations throughout the participating Member States. The identification, tracing, seizure and confiscation of proceeds of crime should be consistently pursued by the EPPO as a priority in all of its cases.
- (3) The EPPO also developed operational capacity at the central level in order to assist and complement asset recovery measures and financial investigations carried out by the European Delegated Prosecutors at national level.
- (4) A central body within the EPPO, dedicated to asset recovery and money-laundering issues, would facilitate and streamline the implementation of these strategic objectives, thus guaranteeing a harmonised level of protection of the European Union budget across the participating Member States. It would show the particular commitment of the EPPO in this area, create a dedicated centre of expertise within the EPPO and serve as a contact point *vis-à-vis* relevant external stakeholders.
- (5) In close coordination with the European Chief Prosecutor and the European Prosecutors of any concerned Member State, such an advisory board would also be able to address possible systemic deficiencies in its area of expertise and interact with the relevant stakeholders and counterparts at national level, with the purpose of guaranteeing

consistency and effectiveness to the action of the EPPO, in the interest of justice and of protecting coherently the financial interests of the European Union,

Has adopted the following decision:

Article 1

Establishment of the Asset Recovery and Money Laundering Advisory Board

The College hereby establishes the Asset Recovery and Money Laundering Advisory Board (ARMLAB).

Article 2

Tasks of the ARMLAB

1. In close coordination with the European Chief Prosecutor, the ARMLAB shall take action in order to implement the policy and the strategy established by the College of the EPPO in the field of asset recovery and money laundering.
2. The ARMLAB shall:
 - a) prepare draft proposals for general guidelines of the EPPO in the fields of asset recovery and money laundering;
 - b) promote the sharing of good practices in relation to freezing and confiscation of assets, initiating parallel financial and money laundering investigations, obtaining and using financial intelligence information, while taking into account relevant risks, trends, patterns, and methods;
 - c) engage and represent the EPPO, in close coordination and in line with the delegation given by the European Chief Prosecutor, *vis-à-vis* relevant stakeholders and counterparts; and
 - d) serve as a consultative body in legislative and evaluation procedures on issues concerning asset recovery and money laundering, including preparing relevant proposals or position papers.
3. Upon request, the ARMLAB may provide customized advice to the College, to the Permanent Chambers, to the European Prosecutors, to the European Delegated Prosecutors and to the operational units of the EPPO.
4. In line with the delegation received by the European Chief Prosecutor and in close coordination with the European Prosecutor of any concerned Member State, the ARMLAB may consult with or provide customized advice to law enforcement authorities or other competent authorities of the participating Member States.
5. The ARMLAB may assist the European Chief Prosecutor and the Head of the Operations and College Support Unit in identifying and defining the needs for training of the EPPO's

staff in relation to topics that fall within the ARMLAB's mandate, as well as organizing dedicated training events.

Article 3

Composition and functioning of the ARMLAB

1. The ARMLAB shall consist of three European Prosecutors and one member of the Operations and College Support Unit. Whenever necessary, the European Chief Prosecutor shall invite any interested European Prosecutor to submit his/her application to become a member of the ARMLAB. The Head of the Operations and College Support Unit shall propose its ARMLAB member. The European Chief Prosecutor shall draw up a list of applicants and send the list to the College. The College shall elect the members.
2. The members of the ARMLAB shall elect its chairperson from the European Prosecutors amongst them. In the absence of the chairperson, the next most senior European Prosecutor shall exercise the function.
3. The Administrative Director, the Head of the Operations and College Support Unit and the Head of the Legal Service Sector shall ensure that adequate administrative, operational and legal support is provided to the ARMLAB.
4. The chairperson shall convene regular meetings, and whenever the ARMLAB receives requests for advice or consultancy. The chairperson may invite observers to the meetings.

Article 4

Reporting to the College

1. Every year, the ARMLAB shall draw up and submit to the College an activity report. This report shall account for the ARMLAB's activities during the preceding calendar year. It should also provide an overview of the cases and scenarios encountered, the challenges and solutions found therein, and describe examples of good practices.
2. Whenever necessary, the chairperson may report to the College on any specific point of strategic importance for the EPPO that arises during the ARMLAB's activities.

Article 5

Entry into force

This decision shall enter into force on the day following its adoption.



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Done at Luxembourg on 28 September 2022.

On behalf of the College,

Andrés RITTER

Deputy European Chief Prosecutor



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