



DECISION OF THE COLLEGE OF THE EUROPEAN PUBLIC PROSECUTOR'S OFFICE OF 5 JULY 2023

LAYING DOWN THE RULES APPLICABLE IN A FORMAL PROCEDURE FOR HARASSMENT INVOLVING MEMBERS OF THE COLLEGE OR EUROPEAN DELEGATED PROSECUTORS

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

Having regard to the Treaty on the Functioning of the European Union,

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 Articles 2(4) and 96 thereof,

Having regard to the Decision 047/2023 of the College of the EPPO of 5 July 2023 on the EPPO policy on protecting the dignity of the person and preventing psychological harassment and sexual harassment (hereinafter referred to the "EPPO anti-harassment policy"),

Having regards to the 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,

Considering that:

- Point 7.3 of the EPPO anti-harassment policy allows the alleged victim of harassment to submit a request for assistance to the appointing authority in order to initiate the formal procedure,
- There is a need to specify, in alleged cases of harassment, the reporting line for request of assistance involving European Prosecutors and European Delegated Prosecutors, as their role and functions are different from those of the staff of the EPPO,
- In accordance with Article 96(3) of the EPPO Regulation, the Appointing Authority powers vis-à-vis the European Chief Prosecutor, the European Prosecutors, the European Delegated Prosecutor and the Administrative Director is the College of the EPPO, therefore any request for assistance in a formal procedure for an alleged case of harassment involving Members of the College of the EPPO, European Delegated



Prosecutors and the Administrative Director shall be addressed and evaluated by the College of the EPPO,

- In the preliminary assessment of alleged cases of harassment involving European Prosecutors and European Delegated Prosecutors, it is appropriate to take into consideration the opinion of the Committee of Ethics before an appropriate follow-up is determined,

HAS DECIDED AS FOLLOWS:

Article 1

1. Any request for assistance in a formal procedure for an alleged case of harassment involving the European Chief Prosecutor shall be addressed to the College of the EPPO.
2. Any request of assistance in a formal procedure for an alleged case of harassment involving a European Prosecutor or European Delegated Prosecutor shall be addressed and evaluated by the European Chief Prosecutor on behalf of the College of the EPPO.

Article 2

1. Following a request for assistance received in a formal procedure for an alleged case of harassment involving a European Prosecutor or European Delegated Prosecutor, the European Chief Prosecutor shall seek the opinion of the Committee of Ethics when conducting the preliminary assessment of the information and determine the appropriate follow-up.
2. Access to the preliminary assessment of the alleged case of harassment, and the opinion of the Committee of Ethics for an alleged case of harassment involving a European Prosecutor or European Delegated Prosecutor, shall be given to the alleged harasser and the alleged victim of harassment.

Article 3

This Decision shall take effect on the day following its adoption.

Done at Luxembourg on 5 July 2023.

On behalf of the College,


Laura Codruța KÖVESI
European Chief Prosecutor



