

# DECISION OF THE COLLEGE OF THE EUROPEAN PUBLIC PROSECUTOR'S OFFICE OF 7 FEBRUARY 2024

AMENDING COLLEGE DECISION 097/2021 OF 22 SEPTEMBER 2021 LAYING DOWN RULES ON THE OTHER STAFF PUT AT THE DISPOSAL OF THE EUROPEAN PUBLIC PROSECUTOR'S OFFICE BUT NOT EMPLOYED BY IT, AS AMENDED BY DECISION 035/22 OF 20 JULY 2022

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 98 thereof,

Having regard to Decision of the College of the European Public Prosecutor's Office of 12 October 2020 on the Internal Rules of Procedure of the EPPO (hereinafter referred to as "the IRP"), and in particular Articles 1(2) and 61(2) thereof,

Having regard to the Working Arrangement on cooperation between the EPPO and the European Judicial Training Network (EJTN) of 12 June 2023, in particular Article 5 (long-term training periods at the EPPO),

Whereas:

- a. According to Article 98(1) of the EPPO Regulation, the EPPO may make use, in addition to its own staff, of other persons put at its disposal but not employed by it. These other persons are not in a contractual relationship with EPPO. Their salary shall be paid by their Member States and remain at all times subject to the applicable laws of their respective countries, in particular as regards labour and social laws. In particular, 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 shall not apply to them.
- b. According to Article 5 of the Working Arrangement on cooperation between the EPPO and the European Judicial Training Network (EJTN) of 12 June 2023, the EPPO will host

judges and prosecutors admitted to long-term traineeships programmes ("EJTN trainees") who, when assigned to assist staff of the EPPO with operational duties, should have some limited access to the EPPO's case management system to the extent required to perform the tasks assigned to them;

Trainees

Has adopted the following decision:

## Article 1

### *Amendments*

1. Article 1 of The College Decision 097/2021 laying down rules on the other staff put at the disposal of the European Public Prosecutor's Office but not employed by it, as amended by Decision 035/22 of 20 July 2022, is replaced as follows:

### **'Article 1**

#### **Scope**

1. This decision lays down rules on the tasks and the functional relationship between the EPPO and other staff put at its disposal by the Member States but not employed by it (hereinafter referred to as "other Staff"), irrespective of whether they are put at disposal of the EPPO full-time or part-time.
  2. This decision does not apply to seconded national experts.
  3. This decision applies to the long-term EJTN trainees hosted by the EPPO, as provided for in Article 4 bis of this Decision.'
2. The College Decision 097/2021 laying down rules on the other staff put at the disposal of the European Public Prosecutor's Office but not employed by it, as amended by Decision 035/22 of 20 July 2022, is supplemented by the following new Article:

### **'Article 4 bis**

#### Long-term EJTN trainees at the EPPO

1. Trainees hosted by the EPPO in accordance with Article 5 of the Working Arrangement between the EPPO and the EJTN may be granted access to the CMS under the same terms and conditions as the other staff put at the disposal of the EPPO but not employed by it, with the exception of Article 4(3)(a) of this Decision, which shall not apply.
2. The responsibilities entrusted to the European Prosecutor or to the EDP upon delegation under Article 4(5) of this Decision, shall be assumed by the [Head of Operations Unit].'

Article 2

*Entry into force*

This decision shall enter into force on the date of its adoption.

Done at Luxembourg on 7 February 2024.

**On behalf of the College,**

**Laura Codruța KÖVESI**  
**European Chief Prosecutor**