

**DECISION OF THE COLLEGE OF THE
EUROPEAN PUBLIC PROSECUTOR'S OFFICE**

OF 26 FEBRUARY 2025

**ON THE PERFORMANCE CRITERIA AND THE PROCEDURE FOR
APPRAISAL OF THE EUROPEAN DELEGATED PROSECUTORS,
AND REPLACING AND REPEALING COLLEGE DECISION
030/2021¹**

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

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),² hereinafter referred to as "the EPPO Regulation", and in particular Articles 17 and 114(c) 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 90 and 91 of the Staff Regulations and Article 124 of the CEOS³,

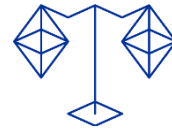
Having regard to the Decision 015/2025 of the College of the EPPO of 12 February 2025 on the Conditions of employment of the European Delegated Prosecutors, and replacing and repealing Decisions 001/2020, 013/2020, 017/2021, 013/2021, 098/2021, 007/2023 and 058/2024 of the College of the EPPO, hereinafter referred to as "the COEEDP", and in particular Article 15 thereof,

Whereas:

¹ Decision 030/2021 of the College of the EPPO of 21 April 2021 laying down rules on the procedure for the appraisal of the European Delegated Prosecutors.

² OJ L 283, 31.10.2017, p. 1–71.

³ 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 Atomic Energy Community (OJ P 045 14.6.1962, p. 1385), and any subsequent amendment thereto.



- (1) Pursuant to Article 114 (c) of the EPPO Regulation, the College, on the proposal of the European Chief Prosecutor, shall, *inter alia*, adopt rules on the performance criteria of the European Delegated Prosecutors.
- (2) According to Article 15 of the COEEDP, the procedure for the appraisal of the European Delegated Prosecutors shall be laid down by a separate College Decision.
- (3) The professional performance of each European Delegated Prosecutor shall be evaluated every second year in an appraisal report, unless an extraordinary appraisal report is needed.
- (4) The appraisal report should indicate whether the performance is assessed highly satisfactory, satisfactory or is unsatisfactory. Upon request of the European Delegated Prosecutor concerned, or with his/her consent upon request of the competent national authorities, the appraisal report should be transmitted to national authorities, , for their internal assessment regarding national appraisals.
- (5) The appraisal report should be adopted by an Appraisal Committee appointed by the College upon proposal of the European Chief Prosecutor.

Has adopted this Decision:

Article 1

Scope

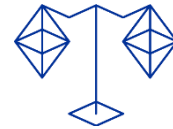
This decision lays down rules on the appraisal procedure of the European Delegated Prosecutors, as provided for in Article 15 of the COEEDP.⁴

Article 2

Appraisal Report

1. The professional performance of each European Delegated Prosecutor shall be the subject of an appraisal report every second year of his/her term.

⁴ Conditions of employment of the European Delegated Prosecutors, and replacing and repealing Decisions 001/2020, 013/2020, 017/2021, 013/2021, 098/2021, 007/2023 and 058/2024 of the College of the EPPO.



2. The report shall include an individual appraisal of the European Delegated Prosecutor's efficiency, ability and conduct in the service according to the performance criteria set out in Article 4 of this Decision, and also the evaluation of learning and training needs.
3. The report shall include a conclusion on whether the European Delegated Prosecutor's professional performance has been highly satisfactory, satisfactory or unsatisfactory.
4. An Appraisal Committee, appointed in accordance with Article 5 of this Decision, shall be responsible for evaluating the professional performance of each European Delegated Prosecutor and shall adopt the respective appraisal report.
5. An electronic form of the appraisal report shall be developed, based on the template provided for in the Annex to this Decision. The latter shall assess the performance criteria provided for in Article 4 of this Decision and it may include any additional information that might be required under the national law of the Member State of the European Delegated Prosecutor concerned.

Article 3

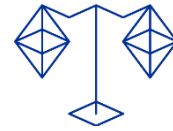
Extraordinary Appraisal Report

- 1, Where it is not possible to acknowledge, in accordance with Article 6 (10), the validity of the appraisal report adopted during the previous ordinary appraisal exercise, an extraordinary appraisal report may be adopted upon reasoned request of the European Prosecutor from the Member State of the European Delegated Prosecutor concerned.
2. Articles 2, 6 and 7 of this Decision shall apply *mutatis mutandis* in this case, with the possibility that the European Chief Prosecutor may decide to shorten the deadlines referred to in Articles 6 and 7 of this Decision.

Article 4

Performance criteria

1. When evaluating the efficiency of the European Delegated Prosecutor, the following shall be taken into account *inter alia* and where applicable:
 - a) main achievements during the reference period;
 - b) any difficulties or favourable circumstances he/she has encountered;
 - c) impact of these achievements.

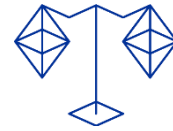


2. When evaluating the ability (professional competences) of the European Delegated Prosecutor, the following shall be taken into account *inter alia* and where applicable:
 - a) analysis and problem-solving capacity;
 - b) prioritising and organising skills;
 - c) decision making skills;
 - d) ability to argue clearly, both orally and in writing;
 - e) competence in the use of modern technology;
 - f) supervisory and leadership skills;
 - g) communication skills;
 - h) resilience and ability to work under pressure;
 - i) initiative.
3. The conduct of the European Delegated Prosecutor shall reflect independence, impartiality and sound judgment in handling cases. When evaluating conduct, the following shall be taken into account *inter alia* and where applicable:
 - a) integrity and ethical behavior;
 - b) work commitment and team spirit;
 - c) cooperation with the supervising European Prosecutor and members of the Central Office and of the decentralised level of the EPPO, as well as with partners from national authorities and EU institutions, bodies, offices and agencies.
4. During the evaluation, both qualitative and quantitative indicators may be used. Any other circumstances, not listed in paragraphs 1-3, may be taken into account, if needed for the purpose of appraisal or considering the specific tasks of the European Delegated Prosecutor.

Article 5

The Appraisal Committee

1. The Appraisal Committee shall consist of five (5) European Prosecutors as members and five (5) European Prosecutors as respective alternate members.
2. The alternate member shall substitute the respective member in case of objective impossibility to perform his/her duties, including abstention of a member to cast his/her vote.

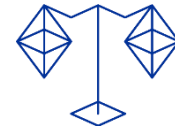


3. The appointment of the members and alternate members of the Appraisal Committee shall be for a mandate of four (4) years, without prejudice of the duration of the term in office as European Prosecutor.
4. The procedure for the appointment of the members and alternate members of the Appraisal Committee shall be the following:
 - a. the European Chief Prosecutor invites any interested European Prosecutor to submit his/her application to be a member or an alternate member of the Appraisal Committee;
 - b. the European Chief Prosecutor sends the list of applicants to the College;
 - c. The College selects with secret vote the members and the respective alternate members and subsequently appoint the members of the Appraisal Committee.
5. The Appraisal Committee shall elect its chair. When the chair is replaced by his/her alternate member, the respective meeting shall be chaired by the member most senior in age.
6. During its activities, the Appraisal Committee shall be assisted by a secretary designated by the Administrative Director. The secretary shall draw up minutes of meetings of the Appraisal Committee. The Administrative Director shall in any case ensure that adequate administrative support is provided to the Appraisal Committee.

Article 6

Appraisal procedure

1. The appraisal exercise shall be launched by the European Chief Prosecutor by publication of an administrative notice, together with the electronic form of the report.
2. Each European Delegated Prosecutor shall submit to the supervising European Prosecutor a self-assessment, which will be entered in the relevant section of the electronic report within fifteen (15) working days. If the European Delegated Prosecutor does not submit a self-assessment within the allotted time, without having been prevented from doing so by a justified absence, the supervising European Prosecutor may immediately proceed to the formal dialogue provided for in paragraph 3.
3. Following the submission of the self-assessment, the supervising European Prosecutor shall, within thirty (30) working days, hold a formal dialogue with the European Delegated Prosecutor, draw up the draft individual appraisal and transmit it immediately to the Appraisal committee.
4. During the formal dialogue, the European Delegated Prosecutor's professional performance during the reporting period shall be assessed, and any learning and training needs shall be identified. If the European Delegated Prosecutor fails to respond to the invitation to participate in the formal dialogue within five (5) working days of receiving it, without having been prevented from doing so by a justified absence, the supervising European Prosecutor may

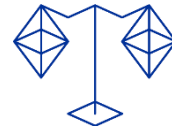


immediately draw up an individual appraisal report as provided for in paragraph 5. When necessary for the preparation to the dialogue, the supervising European Prosecutor may seek clarifications and request additional information from the Permanent Chambers.

5. Following the formal dialogue, the supervising European Prosecutor shall draw up the draft of individual appraisal report of the European Delegated Prosecutor's efficiency, ability and conduct in the service and transmit it to the Appraisal Committee.
6. Upon receipt of the draft appraisal report, the Appraisal Committee shall adopt the report by simple majority vote within fifteen (15) working days. If the supervising European Prosecutor is a member of the Appraisal Committee, he/she shall recuse from voting on the appraisal report of the concerned European Delegated Prosecutor. When necessary for the adoption of an appraisal report indicating satisfactory or unsatisfactory performance, the Appraisal Committee may seek clarifications and request additional information from the supervising European Prosecutor, the Permanent Chambers and/or the concerned European Delegated Prosecutor.
7. After the completion of the procedure provided for in paragraph 6, the appraisal report shall be notified immediately to the concerned European Delegated Prosecutor.
8. Within ten (10) working days of the date on which the European Delegated Prosecutor received the appraisal report, he/she may either accept the report, with or without adding comments in the appropriate section of the electronic form, or refuse to accept the report, stating the reasons for refusal in the appropriate section of the electronic form.
9. If the European Delegated Prosecutor does not refuse to accept the report within the time limit referred to in paragraph 8, the report shall become final.
10. Between two ordinary appraisal exercises, upon reasoned request of the European Delegated Prosecutor concerned, the Appraisal Committee, after consultation of the supervising European Prosecutor, may acknowledge that the last appraisal report remains valid.

Article 7 – Appeal procedure

1. The European Delegated Prosecutor's reasoned refusal to accept the appraisal report, in accordance with Article 6(8), shall automatically result in the referral of the matter to the European Chief Prosecutor as an appeal. The European Delegated Prosecutor may withdraw its appeal at any time.
2. The European Chief Prosecutor shall hold a dialogue with the concerned European Delegated Prosecutor within ten (10) working days of the date of appeal.
3. Within twenty (20) working days of the date of the dialogue referred to in paragraph 2 with the concerned European delegated Prosecutor, the European Chief Prosecutor shall assess the appeal and shall decide to confirm the appraisal report or amend it, giving the reasons.
4. When assessing the appeal, the European Chief Prosecutor may seek additional information from the Appraisal Committee, the supervising European Prosecutor and/or the Permanent Chambers.



5. The decision of the European Chief Prosecutor may not be based on facts which the European Delegated Prosecutor has not yet had an opportunity to comment upon in the course of the appraisal or the appeal procedures, unless he/she is given an opportunity to do so by European Chief Prosecutor in good time.
6. The report shall become final by decision of the European Chief Prosecutor. The European Delegated Prosecutor shall be notified that the decision rendering the report final has been adopted.

Article 8

Other provisions

Articles 90 and 91 of the Staff Regulations shall apply by analogy to the procedure of appraisal of the European Delegated Prosecutors. The period of three (3) months to lodge a complaint, provided for in Article 90(2) of the Staff Regulations, starts to run on notification of the decision referred to in Article 7(6) of this Decision.

Article 9

Replacement and repeal

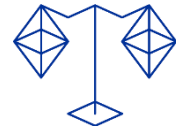
1. On the date of the entry into force of this Decision, the Decision 030/2021 of the College of the EPPO of 21 April 2021 laying down rules on the procedure for the appraisal of the European Delegated Prosecutors is hereby replaced and repealed.
2. References to the decision replaced and repealed according to paragraph 1 shall be construed as references to this Decision.

Article 10

Entry into force

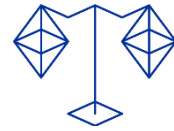
This Decision shall enter into force on the day following that of its adoption.

Done at Luxembourg on 26 February 2025.



On behalf of the College,

Laura Codruța KÖVESI
European Chief Prosecutor



Annex

Appraisal Report Form

1. For the period __DD.MM.YYYY to DD.MM.YYYY
2. Last report date:

Personal details

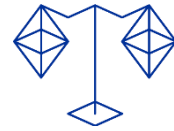
To be completed by the **European Delegated Prosecutor**:

Personal Details	European Delegated Prosecutor (EDP)	Supervising European Prosecutor (EP)
Surname, First Name:		
Member State:		

3. Job content

To be completed by the **European Delegated Prosecutor**.

<p>Key responsibilities (EDP's job description and main tasks)</p>
<p>Objectives for the reference period (as agreed between supervising European Prosecutor and European Delegated Prosecutor)</p>



Additional responsibilities during the reference period (if any)

4. Self-assessment of Efficiency, Ability, Conduct, Learning and Development⁵.

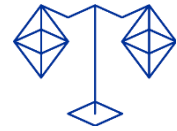
To be completed by the **European Delegated Prosecutor** and submitted to the supervising **European Prosecutor**.

To be completed based on each of the criteria provided for in Article 4 of the Decision.

Efficiency (Article 4 para. 1 of the Decision)
Ability (Article 4 para. 2 of the Decision)
Conduct (Article 4 para. 3 of the Decision)

Learning and Development

⁵ During the evaluation, both qualitative and quantitative indicators may be used. Any other circumstances, not listed in the report, may be taken into account, if needed for the purpose of appraisal or considering the specific tasks of the European Delegated Prosecutor.



5. Proposals to the supervising European Prosecutor

To be completed by the **European Delegated Prosecutor**

Proposals to the supervising European Prosecutor

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6. Date of the formal dialogue:

DD/MM/YYYY

7. Appraisal (following the formal dialogue)

To be completed by the **European Prosecutor** based on each of the criteria provided for in Article 4 of the Decision.

Efficiency (Article 4 para. 1 of the Decision)

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Ability (Article 4 para. 2 of the Decision)

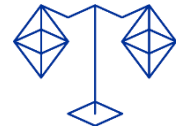
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Conduct (Article 4 para. 3 of the Decision).

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Learning and Development

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OVERALL SUMMARY

Please indicate the summary performance of the EDP as a result of the above evaluations.

To be completed by the supervising **European Prosecutor**.

Overall performance summary and development areas

To be completed by the supervising **European Prosecutor**.

The performance of the European Delegated Prosecutor was:

Highly Satisfactory

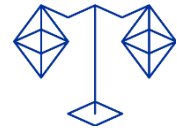
Satisfactory

Unsatisfactory

Any additional information

8.Objectives for the following reporting period (agreed by the supervising European Prosecutor and the European Delegated Prosecutor)

No.	Objectives
1	
2	



3	
4	
5	

9. Learning needs for professional development

To be completed by the European Prosecutor, in agreement with the European Delegated Prosecutor.

No.	Learning needs

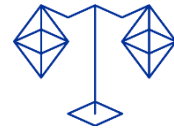
(Electronic) signature of the European Prosecutor:

Decision of the Appraisal Committee:

Validates the rating of the supervising European Prosecutor:

Amends the rating of the supervising European Prosecutor to (add reasons):

- Highly satisfactory**
 Satisfactory
 Unsatisfactory



Reasons / Additional information:

(Electronic) signature of the Chair of the Appraisal Committee:

European Delegated Prosecutor:

Accepts the rating and the report

Comments:

Refuses the rating and the report (add reasons and submit to ECP)

Reasons:

(Electronic) signature:

Appeal Assessor:

Date of the dialogue with the EDP:

DD/MM/YYYY

