

DECISION OF THE COLLEGE OF THE
EUROPEAN PUBLIC PROSECUTOR'S OFFICE
OF 7 MAY 2025

ON THE DISMISSAL OF A EUROPEAN DELEGATED PROSECUTOR
IN THE ITALIAN REPUBLIC

The College of the European Public Prosecutor's Office ('the 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'¹, and in particular Article 17(2) thereof,

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 "CEEDP"), and in particular Article 12(4) thereof,

Whereas:

- (1) Pursuant to Article 17(3) of the EPPO Regulation, the College shall dismiss a European Delegated Prosecutor if it finds that he/she no longer fulfils the requirements set out in paragraph 2, is unable to perform his/her duties, or is guilty of serious misconduct.
- (2) Pursuant to Article 12(4) of the CEEDP, the contract of Employment of a European Delegated Prosecutor shall be terminated by the EPPO without notice if the College, under a reasoned proposal made by the European Chief Prosecutor, finds that the European Delegated Prosecutor no longer fulfils the requirements set out in Article 17(2) of the EPPO Regulation or is unable to perform his/her duties for other reasons.
- (3) Mr Francesco TESTA, European Delegated Prosecutor in the Italian Republic, informed the EPPO on 16 April 2025 that he has been appointed to the position of Deputy National Member of Italy at the European Union Agency for Criminal Justice Cooperation (Eurojust) on 15 April 2025, subject to publication in the Official Bulletin n. 9 of 15 May 2025². On 7 May 2025, Mr Francesco TESTA submitted to the European Chief Prosecutor

¹ OJ L 283 31.10.2017, p. 1.

² Article 10 of the Royal Decree of 30 January 1941, No. 12, provides that magistrates must assume their duties within thirty days from the date of the Official Bulletin publishing the decree of appointment or assignment.

his resignation from the post of European Delegated Prosecutor as of 5 June 2025 and requested the College to shorten the period of notice.

- (4) Acknowledging that, according to Article 12(4) of the CEDDP, the contract of a European Delegated Prosecutor shall be terminated by the College without notice where the European Delegated Prosecutor no longer fulfils the requirements set out in Article 17(2) of the EPPO Regulation or is unable to perform her/his duties.
- (5) Assessing that the appointment of Mr Francesco Testa as Deputy National Member for Italy at Eurojust falls within the scope of Article 12(4) of the CEDDP.
- (6) Considering the proposal made by the European Chief Prosecutor, and the supporting documents.

Has adopted this Decision:

Article 1

Mr. Francesco TESTA is hereby dismissed from his function as European Delegated Prosecutor in the Italian Republic, effective on 1 June 2025.

Article 2

The contract of employment as special adviser of the EPPO concluded with Mr. Francesco TESTA shall be terminated as of the date referred to in Article 1 (last working day as European Delegated Prosecutor 31 May 2025), in accordance with Article 12(4) of the CEDDP, and his term of office as European Delegated Prosecutor of the EPPO is deemed to be concluded on the same date.

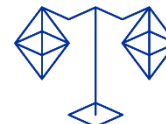
Article 3

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

Done at Luxembourg on 7 May 2025.

On behalf of the College,

Laura Codruța KÖVESI



European Chief Prosecutor