Council of the European Union

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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject:	COUNCIL DECISION appointing the members of the selection panel provided for in Article 14(3) of Regulation (EU) 2017/1939

COUNCIL DECISION (EU) …/…

of …

appointing the members of the selection panel provided for in Article 14(3) of Regulation (EU) 2017/1939

THE COUNCIL OF THE EUROPEAN UNION,

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 ('the EPPO')[1], and in particular Article 14(3) thereof,

Having regard to the proposal from the European Commission,

[1] OJ L 283, 31.10.2017, p. 1.

Whereas:

(1) The European Chief Prosecutor is appointed by the European Parliament and the Council from among candidates selected by the selection panel provided for in Article 14(3) of Regulation (EU) 2017/1939 ('the selection panel'). The European Prosecutors are appointed by the Council from among three qualified candidates nominated by each Member State after the Council has received a reasoned opinion from the selection panel.

(2) Pursuant to Article 3 of Council Implementing Decision (EU) 2019/598[1], the term of office of the European Prosecutors from eight Member States, determined by drawing lots, is to be of three years and is not to be renewable. The term of office of those European Prosecutors will expire in July 2023.

(3) Pursuant to Article 1 of Council Decision (EU) 2018/1275[2], the mandate of the current members of the selection panel expired on 9 October 2022. New members should therefore be appointed.

(4) Pursuant to Article 14(3) of Regulation (EU) 2017/1939, the selection panel is to comprise 12 persons chosen from among former members of the Court of Justice and the Court of Auditors, former national members of Eurojust, members of national supreme courts, high level prosecutors and lawyers of recognised competence.

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1 Council Implementing Decision (EU) 2019/598 of 9 April 2019 on the transitional rules for the appointment of European Prosecutors for and during the first mandate period, provided for in Article 16(4) of Regulation (EU) 2017/1939 (OJ L 103, 12.4.2019, p. 29).

2 Council Decision (EU) 2018/1275 of 18 September 2018 appointing the members of the selection panel provided for in Article 14(3) of Regulation (EU) 2017/1939 (OJ L 238, 21.9.2018, p. 92).

(5) One of the selection panel members is to be proposed by the European Parliament. On 7 June 2022, the European Parliament nominated Ms Margreet FRÖBERG as the selection panel member to be proposed by it.

(6) The Commission took into account the need for geographical balance, gender balance and due representation of the legal systems of the Member States participating in enhanced cooperation on the establishment of the EPPO for the membership of the selection panel.

(7) Among the 11 persons proposed by the Commission, there is one former member of the Court of Justice, one former member of the Court of Auditors, one former national member of Eurojust, six high level prosecutors and two members of national supreme courts, of which six are men and five are women.

(8) The members of the selection panel should therefore be appointed,

HAS ADOPTED THIS DECISION:

Article 1

For a period of four years from … [OJ: please insert the date of entry into force of this Decision], the following persons are appointed as members of the selection panel provided for in Article 14(3) of Regulation (EU) 2017/1939:

Mr Jean-François BOHNERT

Mr Vítor Manuel DA SILVA CALDEIRA

Mr Peter FRANK

Ms Margreet FRÖBERG

Ms Ulrike HABERL-SCHWARZ

Ms María Ángeles GARRIDO LORENZO

Ms Saale LAOS

Mr Ján MAZÁK

Mr Marin MRČELA

Mr Lorenzo SALAZAR

Ms Martine SOLOVIEFF

Ms Tuire TAMMINIEMI.

Article 2

This Decision shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

Done at …,

For the Council
The President