

COUNCIL DECISION (EU) 2023/2098
of 28 September 2023
appointing a European Prosecutor of the European Public Prosecutor's Office

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 16 thereof,

Having regard to Council Implementing Decision (EU) 2018/1696 of 13 July 2018 on the operating rules of the selection panel provided for in Article 14(3) of Regulation (EU) 2017/1939 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO') ⁽²⁾,

Having regard to Council Decision (EU) 2023/133 of 17 January 2023 appointing the members of the selection panel provided for in Article 14(3) of Regulation (EU) 2017/1939 ⁽³⁾,

Having regard to the reasoned opinion and the ranking of the candidates drawn up by the selection panel,

Whereas:

- (1) The EPPO was established by Regulation (EU) 2017/1939.
- (2) The European Prosecutors are to supervise investigations and prosecutions in accordance with Article 12 of Regulation (EU) 2017/1939.
- (3) The mandates of eight European Prosecutors appointed for a non-renewable period of 3 years by Council Implementing Decision (EU) 2020/1117 ⁽⁴⁾ expired on 28 July 2023. To ensure the continuity of functioning of the EPPO College, which consists of the European Chief Prosecutor and one European Prosecutor per participating Member State, it is necessary for the Council to appoint all eight European Prosecutors for those positions which became vacant from 29 July 2023.
- (4) Implementing Decision (EU) 2018/1696 lays down the operating rules of the selection panel provided for in Article 14(3) of Regulation (EU) 2017/1939 (the 'operating rules of the selection panel').
- (5) Pursuant to Article 16(1) of Regulation (EU) 2017/1939, each participating Member State is to nominate three candidates for the position of European Prosecutor from among candidates who are active members of the public prosecution service or judiciary of the relevant Member State, whose independence is beyond doubt and who possess the qualifications required for appointment to high prosecutorial or judicial office in their respective Member States, and who have relevant practical experience of national legal systems, of financial investigations and of international judicial cooperation in criminal matters.
- (6) The Netherlands has nominated its candidates for one of the positions which became vacant from 29 July 2023.

⁽¹⁾ OJ L 283, 31.10.2017, p. 1.

⁽²⁾ OJ L 282, 12.11.2018, p. 8.

⁽³⁾ OJ L 17, 19.1.2023, p. 90.

⁽⁴⁾ Council Implementing Decision (EU) 2020/1117 of 27 July 2020 appointing the European Prosecutors of the European Public Prosecutor's Office (OJ L 244, 29.7.2020, p. 18).

- (7) The selection panel drew up the reasoned opinion and the ranking for each of the candidates nominated by the Netherlands who fulfilled the conditions set out in Article 16(1) of Regulation (EU) 2017/1939 and submitted them to the Council, which received them on 8 September 2023.
- (8) Pursuant to the fourth paragraph of Rule VII.2 of the operating rules of the selection panel, the selection panel ranked the candidates according to their qualifications and experience. The ranking indicates the selection panel's order of preference but is not binding on the Council.
- (9) In accordance with Article 16(2) of Regulation (EU) 2017/1939, after having received the reasoned opinion of the selection panel, the Council is to select and appoint one of the candidates to be the European Prosecutor of the participating Member State in question.
- (10) In accordance with Article 16(3) of Regulation (EU) 2017/1939, the Council, acting by simple majority, is to select and appoint the European Prosecutors for a non-renewable term of 6 years.
- (11) The Council assessed the respective merits of the candidates taking into account the reasoned opinion submitted by the selection panel.
- (12) On the basis of an assessment of the respective merits of the candidates, the Council followed the non-binding order of preference indicated by the selection panel for the candidates nominated by the Netherlands,

HAS ADOPTED THIS DECISION:

Article 1

The following person is hereby appointed European Prosecutor of the EPPO for a non-renewable period of 6 years from 1 November 2023:

— Ms Miranda DE MEIJER ⁽³⁾.

Article 2

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

Done at Brussels, 28 September 2023

For the Council

The President

F. GRANDE-MARLASKA GÓMEZ

⁽³⁾ Nominated by the Netherlands.