

(English version)

**Question for written answer E-001688/26
to the Commission**

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(24 April 2026)

Subject: Concerns regarding the termination of the Bulgarian EPPO selection procedure

In 2025, a national selection procedure for the nomination of Bulgarian candidates for the position of European Prosecutor at the European Public Prosecutor's Office (EPPO) was duly completed by the former government through an open and transparent competition involving multiple candidates and evaluated by an independent panel composed of judges, prosecutors, an academic, and representatives of the Ministry of Justice. The procedure followed the same methodology as the 2020 selection procedure, which was considered to be compliant with EU standards.

The process has advanced to the EU level, with candidate interviews scheduled before the competent selection panel in April. However, the interim government, appointed in February 2026 and tasked with a limited mandate to organise elections, has decided to terminate the procedure without providing clear legal grounds for its decision.

In this context, the Commission is asked:

1. How does it assess the compatibility of such actions with the principles of legal certainty and sincere cooperation, and the independence of the EPPO under Regulation (EU)2017/1939?
2. Could this create a precedent whereby political changes within a Member State undermine ongoing EU procedures?
3. Does the Commission consider that the procedure should continue as planned, given that it is compliant with EU standards and has advanced to the EU level, and if so, what EU measures could ensure the continuity of the current procedure?

Submitted: 24.4.2026

Answer given by Mr McGrath on behalf of the European Commission
(15 June 2026)

The regulation on the European Public Prosecutor's Office (EPPO) ⁽¹⁾ does not establish rules governing the conduct of national procedures for the selection of candidates for the position of European Prosecutor within the Member States.

The Commission has no role in the selection procedure for European Prosecutors, which is carried out in accordance with Article 16 of the EPPO Regulation and the operating rules of the selection panel approved by Council Implementing Decision (EU) 2018/1696 ⁽²⁾.

While the Commission fully commits to its role as guardian of the Treaties, it is the Council, acting by simple majority, which is responsible for the selection and appointment of the European Prosecutors.

The Commission would add that, once the three nominees have been transmitted to the panel by the Member State, for a withdrawal to be effective under EU law, the panel would have to assess whether there were irregularities in the national procedure, including the procedure leading to the withdrawal, which undermine the integrity of the process and the independence of the selected persons.

⁽¹⁾ Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO'), OJ L 283, 31.10.2017, pp. 1-71, <http://data.europa.eu/eli/reg/2017/1939/oj>.

⁽²⁾ https://eur-lex.europa.eu/eli/dec_impl/2018/1696/oj/eng.