

Dear Prosecutor Kovesi,

Allow me first to convey to you my deeply felt congratulations for the start of the EPPO and to express our appreciation for the attention given by the institution you lead to Italy and the experience of the Italian Judiciary, particularly in the investigation and prosecution of financial crimes.

I am glad to inform you that Legislative Decree no. 9 of February 2021 entered into force on 6 February 2021 to adapt our national legal system to the provisions of Council Regulation (EU) 2017/1939 establishing the EPPO.

Under Article 4 of the above-mentioned legislative decree, the Ministry of Justice is the competent authority to reach an agreement determining the number and the functional and territorial division of the European Delegated Prosecutors (EDP), in accordance with the provisions of Article 13, paragraph 2, of the Regulation.

As competent Authority I propose the designation of **20 EDPs , divided between the nine district offices of Rome, Milan, Naples, Bologna, Palermo, Venice, Turin, Bari and Catanzaro.**

The said decision was reached after thorough systemic and organisational considerations in the light of the principle of minimum impact on our existing legal framework.

With regard to the number of European Delegated Prosecutors, we believe that **20 EDP** may be considered as sufficient, at the state of play, to address the expected workload and to ensure a sufficiently widespread presence of the EPPO on the national territory and, at the same time, some proximity of the designated magistrates to the places where the investigation and prosecution activities are conducted, so as to limit the need for burdensome transfers to peripheral judicial offices.

Ms. Laura Kovesi
European Chief Prosecutor

In terms of territorial organisation, given that under Article 9 of Legislative Decree no. 9/2021, and in any case without prejudice to the ordinary rules on the jurisdiction of courts, the European Delegated Prosecutors shall exercise investigative functions throughout the national territory, **nine EDP offices** have been identified; each office shall have at least two magistrates (three in the larger offices), to ensure the office's utmost efficiency, with a territorial competence extended to two or more Court of Appeal districts:

Rome (three EDP), for the districts of Rome, Perugia, Cagliari and L'Aquila;

Milan (three EDP), for the districts of Milan and Brescia;

Naples (two EDP), for the districts of Naples e Salerno;
Bologna (two EDP) for the districts of Bologna, Ancona and Florence;
Palermo (two EDP) for the districts of Palermo Catania, Caltanissetta and Messina;
Venice (two EDP), for the districts of Venice, Trieste e Trento;
Turin (two EDP), for the districts of Turin and Genova;
Bari (two EDP), for the districts of Bari, Lecce and Campobasso;
Catanzaro (two EDP), for the districts of Catanzaro, Reggio Calabria and Potenza.

We have divided the European Delegated Prosecutors in the above manner on the basis of the following parameters: first, the statistical data collected by the Ministry on the occasion of the monitoring carried out to evaluate the proceedings falling under the jurisdiction of the EPPO; second, the number of magistrates working in the offices concerned; third, the distance between the EDP offices and the judicial offices on the territory; last, the people living in the area of the districts.

In accordance with Article 13, paragraph 2, of the Regulation providing for a functional division of the European Delegated Prosecutors, I will shortly put in place a supplementary draft agreement aimed at designating **two additional European Delegated Prosecutors** to be assigned to the Office of the Prosecutor General of the Supreme Court of cassation, accompanied by specific organisational rules. The said supplementary agreement is needed in the light of the exclusive legality review functions conferred by our national legal system to the Court of cassation and of the specific qualification required to the European Delegated Prosecutors to exercise such functions.

I am also pleased to represent that on March 23 the Superior Council of the Judiciary, in plenary session chaired by the President of the Republic purposely to discuss the EPPO, expressed a favourable opinion on the aforementioned proposal.

As to the imminent designation of future European Delegated Prosecutors, as soon as our agreement is considered as reached, the Superior Council of the Judiciary will identify the more suitable qualifications for the function, selecting magistrates under fifty-nine, with at least a third level professional appraisal, as well as with a specific experience in investigations in economic and financial crime and international judicial cooperation.

After having selected the candidates, a list will be drawn up for each office taking account of the candidates' availability, to ensure a prompt appointment of the European Delegated Prosecutors.

On this point I would like to underscore that with a view to cutting the designation time, the Superior Council of the Judiciary has already carried out some steps of the selection procedure by publishing a call for application notice and has approved the circular letter establishing the selection criteria.

I count on your acceptance of this proposal and I thank you for your availability and attention to our national representations.

Hoping to meet you in person as soon as the circumstances will allow it, I wish you all the best in your work.

Rome, 24/03/2021

Marta Cartabia