

Action brought on 23 February 2023 – Stan v European Public Prosecutor’s Office
(Case T-103/23)

Language of the case: Romanian

Parties

Applicant: Victor-Constantin Stan (Bucharest, Romania) (represented by: A. Șandru, lawyer)

Defendant: European Public Prosecutor’s Office

Form of order sought

The applicant claims that the Court should annul the decision of the Permanent Chamber of 9 December 2022, in criminal case No 1.000026/2022 opened by the European Public Prosecutor’s Office (‘the decision of the Permanent Chamber’ or ‘the contested decision’) and subsequent acts, as unlawful and unfounded, by reason of the arguments put forward in the present action, and if necessary declare inapplicable the provisions of the internal rules of procedure of the European Public Prosecutor’s Office which conflict with Council Regulation (EU) 2017/1939 of 12 October 2017.

Pleas in law and main arguments

In support of the action, the applicant submits, in essence, that the decision of the Permanent Chamber No 4, being challenged, was issued in breach of Article 10 of Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor’s Office (‘the EPPO’), which, as regards the composition of the Permanent Chamber, requires there to be two permanent Members in addition to the Chair. The contested decision was issued by a Permanent Chamber comprising only one permanent Member in addition to the Chair and to the supervising European Prosecutor who participated in the decision’s adoption.
