

BOHNERT Jean-François
Prosecutor general – Court of appeal of Reims

Reims, the 8th December 2018

Letter of motivation

The establishment of the European Public Prosecutor's Office represents one of the major steps past 25 years in the building of the area of freedom, security and justice of the European Union.

After the setting up of the liaison magistrates (1993), the European judicial network in criminal matters (1998), Eurojust (2002) and the European arrest warrant (in use since 2004), the European Union has been granted an independent prosecution service for the first time in history. This unique public prosecutor's office gathering 22 Member states in an enhanced corporation, is responsible for **conducting public prosecution in a sovereign and independent manner** in its field of competence, even though this prerogative was until now only granted to national public prosecutor's offices.

As a consequence, the European Chief Prosecutor must be an active member of the public prosecution service, competent in the conduct public prosecution in economic and financial matters, but also an experienced magistrate within European judicial cooperation.

Aged 57, I am currently Prosecutor General to the Court of Appeal of Reims. As such, I manage 35 magistrates of the public prosecutor's office in the region of Champagne-Ardenne. I spent 32 years of my judicial career in the public prosecution service where I exercised all judicial functions at all hierarchic level (I). Simultaneously, I devoted 15 years of my professional life to the European judicial construction, through bilateral and European multilateral cooperation (II). On the basis of my experience in both fields of expertise, I apply for / I put myself forward as a candidate to the position of Chief of the European Public Prosecutor's Office, in accordance with articles 11 and 14 of the Council Regulation (EU) 2017/1939 of 12 October 2017 implementing an enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO').

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I 32 years of career in the French public prosecution service

As described by my *curriculum vitae*, I devoted my entire career to the public prosecutor service office, i.e. 32 years since my graduation from the French *Ecole nationale de la Magistrature* (National School for Judiciary in Bordeaux) in December 1986.

1./ My experience as public prosecutor responsible in investigations and prosecution of financial crimes

As such, I held during 10 years several **senior management positions** at the prosecution service: 4 years as a Deputy Chief Public Prosecutor in Dijon (management of 9 prosecutors, 3 years as a Chief Public Prosecutor in Rouen (13 prosecutors) and finally 3 years as a Prosecutor General in Reims (management of 35 prosecutors, spread out in 4 public prosecution offices and in one general prosecution office). My success in these functions is evidenced by my professional assessments performed by the French ministry of Justice and my successive nominations in higher positions.

After having begun a career dedicated to the conduct of general public prosecution, I soon specialized in the field of **financial offences**: first as a Junior Prosecutor in Strasbourg in charge of fraud related to non-cash means of payment (4 years), then as a Deputy Chief Public Prosecutor in Dijon in charge of economic and financial criminality (frauds, misappropriation of company assets, money laundering, customs and tax offences, etc.) and of the follow-up of activity of the trade tribunal, where I acted as a public prosecutor in trials relating to collective proceedings (bankruptcy and related criminal offences).

These fields of competence brought me to lead investigations carried out by specialised police, gendarmerie and customs departments regarding financial offences. I equally had to write final summaries of charges and indictment in cases lead by investigating judges (*juge d'instruction*) before bringing them to court for final trial. I was then present before court as trial public prosecutor in above mentioned cases. As a Chief Public Prosecutor in Rouen (3 years), I concentrated my work on the specific monitoring of financial investigations in very complex cases. Similarly, my current functions of Prosecutor General in Reims (since 3 years) allow me to supervise closely the economic and financial criminal activities and related investigations being carried out within the Court of Appeal's jurisdiction.

All in all, I have an experience in the field of financial offences of 14 years not including the periods where I worked within the European judicial cooperation (cf. infra) in the same field of expertise, during which I dealt with several cases of fraud against the interest of the European Union, notably under the angle of cross-border crime (VAT carousels).

2./ My experience in management of both human resources and finances

Managing the public prosecutor's office as a Chief Public Prosecutor in Rouen (3 years) and now as a Prosecutor General in Reims made me develop **outstanding decision-making and negotiating skills**. These positions also required **excellent interpersonal skills** not only for the management of human resources but also for the building of **trusted relationships with internal and external stakeholders**. In order to prepare myself for these responsibilities, I followed in 2011-2012 a training on leadership and management organized by the French Ecole nationale de la Magistrature (former *Cycle supérieur d'administration de la justice (CSAJ)* – now CADEJ). I also undertook media-training sessions to enhance my communication skills towards the media. Hence, for 3 years, I was the privileged interlocutor of local and national media in judicial cases of the region Haute-Normandie. This strong achievement still holds true for my current position in the region Champagne-Ardenne.

Concerning the management of human and financial resources, I currently manage 35 prosecutors and 348 staff members (clerks and civil servants) allocated to 19 jurisdictions (diarchic co-management for the staff members shared with the Chief President of the Court of Appeal). As regards finances, I have to manage a budget of 43,7 million euros. These positions require developing and executing clear local strategies, in collaboration with the relevant internal stakeholders (Chief President, Presidents of the district courts, directors of clerk's offices, director of the regional administration of Justice, etc.) and the ministry of Justice. In terms of human management, my constant goal is to create a **climate of mutual confidence** by building **trusted working relationships**. Working in a **dynamic and peaceful environment** motivates my colleagues (magistrates and registry staff) and helps them **developing the best of their potential**.

As I am strongly committed to the principles of **objectivity, independence** and the strict observance of **fundamental rights**, I developed in the past 32 years high **ethical standards** and a **strict personal integrity**, in accordance with the values the French *Conseil supérieur de la magistrature* (National Board for Judiciary) seeks when nominating judges and prosecutors (magistrates).

My experience as a prosecutor specialized in criminal law and criminal procedure combined with my managerial and communication skills gave me the opportunity to conceptualize, develop and execute a **clear strategic vision** of law enforcement as regards public prosecution. Likewise, my professional experience at European level (cf. infra) reinforced **my adaptability, my sense of diplomacy and my negotiation skills**. I would be honoured to put these skills at the disposal of the European Public Prosecutor's Office.

II Over 15 years of experience in European cooperation in criminal matters

I have had so far the great opportunity to spend more than 15 years of my career working for or with institutions of the European Union.

I very soon began to work in a multicultural and multilingual environment in which my knowledge of seven official languages of the European Union is of great value (FR-EN-DE-NL-IT-EL-ES). My European judicial activity led me twice to settle with my family in two European countries – Germany for 9 years and the Netherlands for 5 years, where I managed to adapt very quickly.

I directly participated twice in the establishment of new judicial cross-border instruments: first, in 1998, with the setting up of the position of liaison magistrate in Germany (first located in Bonn, and a year later in Berlin due to the relocation of the German federal capital in 1999) and second, in 2003, with my nomination as a deputy national member for France at Eurojust, which had been established in the Hague a few weeks before my arrival. These two unprecedented experiences in the career of a magistrate and the knowledge I acquired in those years would be of great use and value in the creation of the European Public Prosecutor's Office.

1./ The function of Liaison Magistrate

As a Liaison Magistrate I was mandated at the same time as a magistrate attached to the German judicial authority, and as a diplomat and member of the French embassy, to monitor at high level the legal and judicial bilateral relationships between France and Germany (1998-2003).

This position, oriented towards cooperation as well as representation, required a fine knowledge of the host country. It was also necessary to speak the host country's language perfectly in order to be able not only to personally support and advise the ministers of Justice of both countries, but also to facilitate and accelerate the cooperation between magistrates in criminal and civil cases.

During those 9 years as a liaison magistrate, I had to deal with various sensitive cases investigated by French examining judges (*juges d'instruction*). One of them particularly interested the media: the German-French component of the "ELF Aquitaine" case (misappropriation of company assets, organized fraud, money laundering, corruption, etc.) concerning the buy-back terms of the oil refinery of Leuna (Land of Saxen-Anhalt) by the firm ELF.

This case led, besides to an important coordination and support between the judicial authorities of both countries, to an intense episode of diplomatic activity, especially when we had to negotiate the surrender of one of the accused to the French authorities. The later had been expelled from an Asian country and prevented from taking a direct flight to France. Unfortunately he was not able to take a direct flight to Paris but a connecting flight to Germany. At that moment in time, German authorities were not willing at all to return him to France, since this person was also under prosecution in Germany. Without such cooperation, Germany would probably never have surrendered him, since at that time French authorities were not allowed to authorise his extradition according to existing legislation prior the European arrest warrant.

2./ Member of the European Judicial Network in criminal matters

My participation as member to the European Judicial Network when I was a liaison magistrate and as contact point when I was Deputy Prosecutor General in Bourges gave me the great opportunity to develop my knowledge in judicial cooperation on a multilateral scale and to acquire a solid European judicial culture. This experience will have been a proper gateway to my subsequent position at Eurojust.

3./ The function of deputy National Member for France to Eurojust

During almost 5 years (2003/2007) and from the very beginning of Eurojust's existence, I have lived an incomparable experience in the conduct at European level of criminal investigations referred by national judges and public prosecutors.

I organised and led coordination meetings in sensitive cases concerning cross-boarder organised crime and financial delinquency, a certain number of which affected the Union's financial interest (VAT carousels, intra-community fraud, misappropriation of company assets (committed at national and international level, e.g. by an important Austrian banker). Similarly, I had to arbitrate the execution of competing European arrest warrants in cases where the surrender of the same person was simultaneously requested by several EU countries. In addition, in the emblematic case of the sinking of the "Prestige" oil tanker, I directly participated in the first implementation by Eurojust (November 2005) of a recommendation pursuant to Article 7 of the Eurojust Decision 2002-187-JHA asking one Member state (Spain in this case) to centralise the criminal proceedings before its national jurisdiction and to set up the final trial, leading France to decline jurisdiction in favour of

its neighbour country. The final trial took place in Spain in 2013.

Finally, as a member of the Team "Third States", I negotiated several cooperation agreements on behalf of Eurojust in its relationship with third countries to the European Union (agreements with Switzerland, the Balkans, Russia and Ukraine). The same functions within the "OLAF" Team led to similar experience in negotiating the cooperation agreement between Eurojust and OLAF and to better knowledge of OLAF duties and business. This specific activity required great diplomacy.

In my European career, I did never exclude international cooperation outside of the EU. As stated by my *curriculum vitae*, I participated during the last 10 years in various judicial missions in West Africa, Latin America and Central Asia. In addition to these business trips, I also accomplished numerous teaching missions in training institutions for magistrates in France as well as abroad (Academy for German judges, Public prosecutors' training Institute of Kyrgyzstan, etc). I provided these training sessions in French, German and English.

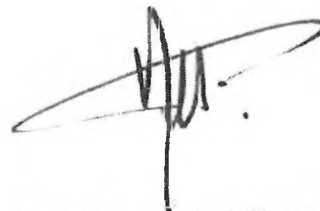
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Based on my strong achievements in pioneer professional situations abroad, I ambition to put my determined commitment as a member of the public prosecution service at the disposal of the European Public Prosecutor's Office, in strict compliance with the independence and personal integrity required by the position of Head of this Office.

The future European Chief Public Prosecutor undoubtedly has the following mission: he shall succeed, for the first time in European history, in establishing a Public Prosecutor's Office within the European judicial framework. Fully committed to act as a public prosecutor in strict independence from national authorities of Member States and from other European institutions, my goal would be to rise the EPPO to majority, to develop its acceptance by Member States and to insert it into a dynamic Area of Freedom, Security and Justice.

However, such a European dynamic should not exclude the active participation of Member States, in full respect with the citizen's rights and remaining sovereignties.

In order to fulfil that challenge, the European Chief Prosecutor shall permanently be driven by the European Union's motto: "*United in diversity*". This would be my ambition as well.



Jean-François BOHNERT

ATTACHMENTS

- declaration of independence
- declaration of interests
- CV "Europass"

DECLARATION

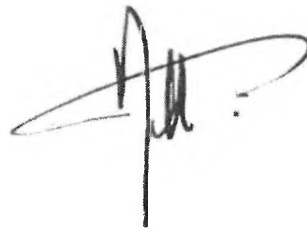
to act independently

pursuant to Article 6
of the EPPO Regulation

* * *

I, the undersigned Jean-François BOHNERT, do declare my commitment to act independently in the interest of the European Union as a whole, as defined by law, and to neither seek nor take instructions from any person external to the EPPO, any Member State of the European Union or any institution, body, office or agency of the Union in the performance of the duties under the EPPO Regulation.

Reims, the 8th December 2018

A handwritten signature in black ink, appearing to read 'J.F. BOHNERT', with a large, sweeping flourish above the name.

Jean-François BOHNERT

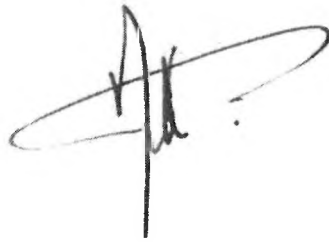
DECLARATION

of interests

* * *

I, the undersigned Jean-François BOHNERT, do declare to have none interests which might be considered prejudicial to my independence within the meaning of the Article 6 of the EPPO Regulation and to be free of any public or private interests which might influence or seem to influence the independent, impartial and fair performance of the Head of EPPO duties.

Reims, the 8th December 2018

A handwritten signature in black ink, appearing to be 'J.F. BOHNERT', with a large, sweeping flourish above the name.

Jean-François BOHNERT

PERSONAL INFORMATION

BOHNERT Jean-François



| Sex Male

| Date of birth 1961 in Strasbourg (67)

| Nationality French

JOB APPLIED FOR

European Chief Prosecutor – Temporary agent AD 15
(Vacancy notice 2018/C 418 A/01)

WORK EXPERIENCE

Since 13th January 2016

Prosecutor General to the Court of Appeal of Reims

Court of Appeal of Reims, 201 rue des Capucins, 51100 Reims

- Management of the regional public prosecution service of Champagne-Ardenne et hierarchical authority for 35 prosecutors et 348 staff members, allocated to 19 jurisdictions (one court of appeal, 4 courts of first instance, 5 courts of instance, 5 labour courts and 4 commercial courts)
- Direct supervisor of the regional public prosecution service and supervisor of the conduct of prosecutions
- Member of the Promotion and Recruitment Commission of the Judiciary (Judiciary recruitment board for judges and prosecutors - *Commission d'avancement des magistrats de l'ordre judiciaire*)
- Member of the college of the *Autorité de la Concurrence* (independent body devoted to rule and decide on anticompetitive practices, since 2016)
- Permanent delegate of the French Prosecutors General to the German Conference of Prosecutors General (since 2016)
- President of the national steering group on merger of criminal jurisdiction (2017)
- President of the Association of French and German Lawyers and Legal Experts (*Association des Juristes Français et Allemands (A.J.F.A.)*) – www.aifa.fr (since January 2002)

From 14th January 2013
To 12th January 2016

Chief Public Prosecutor to the Court of First Instance of Rouen

- Direct supervisor of 13 prosecutors and 80 staff members
- Conduct of investigation and prosecution in the district of the Court of First Instance of Rouen
- Direct supervision of the prosecution service's division in charge of the economic and financial criminality

From 10th January 2011
To 13th January 2013

Deputy Prosecutor General to the Court of Appeal of Bourges

- Supervisor of the district's economic and financial criminality
- Trial prosecutor in criminal and appeal cases
- Member of the European Judicial Network (in criminal and civil matters)
- Contact person of the Ministry of justice for European law
- Contact person in « Human Rights » related matters for the district of the Court of Appeal of Bourges
- Regional inspector (inspection of administrators and judicial agents)
- TRACFIN contact prosecutor

From 31st August 2007
To 9th January 2011

Deputy Chief Public Prosecutor to the Court of First Instance of Dijon

- Single deputy to the head of prosecution office in its administrative and representative functions
- Conduct of bankruptcy proceedings (with the Commercial Court of Dijon and processing of the related criminal cases)
- Supervisory prosecutor for judicial police officers
- Management of the trials scheduling and prosecutors' permanence service
- Trial prosecutor in criminal cases and night/weekend permanence

From 13th March 2003
To 30th August 2007

Deputy National Member of France to EUROJUST in The Hague (along with Mr. de BAYNAST and Mr. FALLETTI as NMs)

- Processing of operational cases (facilitation of legal assistance, organisation and chair of coordination meetings, arbitration on European arrest warrants)
- Chair of the Team "European judicial network - Liaison magistrates"
- Vice-chair of the Team "External relations" (negotiation of cooperation agreements on behalf of EUROJUST with third countries to the EU and representation of EUROJUST at request of its president, Mr. Mike KENNEDY)
- Member of the Team "OLAF" (follow-up of OLAF-EUROJUST activities and negotiation of a cooperation agreement between these two bodies)

From 1st September 1998
To 13th March 2003

Liaison magistrate in Germany (Federal ministry of Justice in Bonn and later in Berlin / head of legal service at the French Embassy in Germany)

- Criminal and civil cooperation (support, facilitation and speeding up of bilateral legal assistance and extradition, civil child abduction cases, parliamentary mediation commission, etc.)
- Legal and judicial advisor to the French Ambassador in Germany

From 15th October 1993
To 31st October 1998

Secondment as Public Prosecutor to the Military Court for French Forces based in Germany (first in Landau and later in Baden-Baden)

- Conduct of public prosecution (investigation and prosecution against French military based in Germany)
- Trial prosecutor in criminal cases
- Secretary of the French-German legal cooperation group created in May 1996 by the French ministry of Justice

From 15th December 1986
To 14th October 1993

Junior Public Prosecutor to the Court of first instance of Strasbourg

- In charge of criminal, economic and financial cases (consumer protection related cases, criminal law concerning frauds related to non-cash means of payment, international criminal law related to the navigation on the Rhine), military criminal cases
- In charge of the direct cooperation with 6 German public prosecutor's offices of the Länder of Baden-Württemberg and Rhineland-Palatinate (Zweibrücken, Landau, Karlsruhe, Baden-Baden, Offenburg et Freiburg), in the framework of international mutual legal assistance (assistance for enforcement and extraditions) and establishment of a German-French cooperation network aimed at facilitating the enforcement of the Schengen Agreement

From 1985 to 1986

Legal trainee at the French *Ecole Nationale de la Magistrature*
(final ranking: 12th out of 231)

EDUCATION AND TRAINING

- 2011 - 2012 **Diploma of advanced degree in justice administration**
Ministry of justice, Paris
Advanced education in human resources and financial management of Courts of appeal and Courts of first instance

- 1997 **Auditor at the Institute for Higher Defence Studies (regional segment)**
Institut des Hautes Etudes de la Défense Nationale (Paris - Strasbourg)

- 1983 **Entrance exam to the French Judiciary School**
(Entry ranking : 21th out of 231)
Ecole Nationale de la Magistrature, Bordeaux

- 1983 **Diploma in German legal terminology**
European Institute for Languages of the University Robert Schuman, Strasbourg

- 1983 **Master's degree in private law (major « Judicial careers»)**
Robert Schuman University, Strasbourg

- 1982 **Bachelor's degree in Law**
Robert Schuman University, Strasbourg

- 1979 **French *Baccalauréat* - scientific major**
College Saint-Etienne, Strasbourg

PERSONAL SKILLS

Mother tongue French

Other languages	UNDERSTANDING		SPEAKING		WRITING
	Listening	Reading	Spoken interaction	Spoken production	
English	C2	C2	C2	C2	C2
German	C2	C2	C2	C2	C2
Dutch	C1	C1	C1	C1	C1
Modern Greek	B2	B2	B2	B2	B2
Italian	B1	B1	B1	B1	B1
Spanish	A2	A2	A2	A2	A2

Communication skills

- Outstanding negotiation skills gained as a liaison magistrate in Germany and as a Deputy National Member to EUROJUST (bilateral and multilateral negotiation of cooperation agreements)
- Excellent communication skills gained as a Chief Public Prosecutor and a Prosecutor General – privileged interlocutor of local and national media for the public prosecution office in Dijon, Bourges, Rouen and Reims

Organisational / managerial skills

- Excellent leadership skills and capacity to create a climate of mutual confidence by building trusted working relationships with internal and external stakeholders (being currently the manager of 35 prosecutors and 348 staff members)
- Outstanding financial management skills (managing currently a budget of 43,7 million euros)

- Job-related skills
- Outstanding capacity to work in a multicultural and multilingual environment (speaking 6 foreign EU languages)
 - Excellent capacity to adapt to a new European professional environment with a pioneer mind-set
 - High conceptual abilities with the capacity to develop, communicate and execute a clear strategic vision for the public prosecution service thanks to experience as a Chief Public Prosecutor in Rouen and a Prosecutor General in Reims

Digital skills

SELF-ASSESSMENT

Information processing	Communication	Content creation	Safety	Problem solving
Proficient user	Proficient user	Independent user	Independent user	Independent user
Excellent command of office suite (Word, Excel, PowerPoint)				

- Military service
- 1984: 12 months, as midship of the French Navy, watchman officer de quart on a ballistic missile submarine
 - Today: reserve officer at the rank of Corvette Captain/Lieutenant Commander (and local assistant to the Admiral Commander of the French Navy of Paris)

Driving licence B

ADDITIONAL INFORMATION

- Teaching activities
- In French language: at the Faculty of Law of the University of Strasbourg (at the *Institut d'Etudes Judiciaires*, from 1988 to 1998, in criminal law and general culture), at the Regional Education Board for Lawyers (*Centre Régional de Formation Professionnelle des Avocats*) of Strasbourg (in criminal law and criminal procedure, from 1988 to 1999), at for the Regional Education Board for judicial experts (*Compagnies Régionales des Experts judiciaires*) since 2007 in Dijon, Bourges, Rouen and Reims) and at the French Judiciary School (*Ecole Nationale de la Magistrature*)
 - In German language: at the Academy for German judges (*Deutsche Richterakademie*) in Trier and Wustrau, in comparative criminal law and criminal procedure law

- Publications
- „*Art. 54 SDÜ im Lichte der nationalen Wiederaufnahmegründe*“, with Pr. Dr. Ollo LAGODNY (in NSIZ 12/2000) – academic article (written in German) on article 54 of the Schengen Agreement, published in the *New review of criminal law* (Munich).
 - “*Presentation of EUROJUST*” (written in German) in the manual of Prof. SCHOMBURG-LAGODNY-GLESS-HACKNER on international mutual legal assistance – key reference manual in this particular field for all German-speaking prosecutors in Germany, Switzerland and Austria (new edition, 2005).

- Recent expertise missions and stays abroad
- October 2016: mission in Kyrgyzstan – presentation of the European and French legal protection regime of personal data in the framework of the fight against cybercrime
 - May 2016: mission in Turkey – presentation on the organisation of French courts of appeal
 - June 2010: expertise mission on criminal procedure law at the Jordan ministry of Justice (Aman)
 - Expertise mission for the UNODC: November 2009 in West Africa (Cape Verde, Senegal, Ghana & Togo) and in January 2010 in Colombia (Bogota), for training of public prosecutors and high police officers in the framework of fight against international drug trafficking
 - October 1996: internship at the Crown Court of London-Southwark (Great-Britain)
 - September 1994: internship at the Public Prosecution Office of Gera (Land of Thüringen)
 - May 1989: internship at the Public Prosecution Office of Offenburg (Land of Baden-Württemberg)

Honours and awards

- Knight in the National Order of the Legion of Honour (December 2017)
- Knight in the National Order of Merit (November 2004)
- *Bundesverdienstkreuz am Bande* („Cross of the Federal Order of Merit of Germany”, 2003)
- Medal of the Voluntary Military Services (2005)
- *Sportabzeichen der Deutschen Bundeswehr* (1997 – „Sports medal of the German Federal Army”)
- Medal of the National Defence (1984)