



EUROPEAN
PUBLIC
PROSECUTOR'S
OFFICE

Protecting EU taxpayers' money from criminals

(ELRA, Brussels, 3rd March 2022)

The mandate of the EPPPO

- The independent prosecution office of the EU.
- Responsible for investigating, prosecuting and bringing to judgment crimes affecting the EU's financial interests.
- Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office. OJ L 283, 31.10.2017



The crimes investigated by EPP

PIF directive

- > 6 July 2019, adopted into national legislations.
- Covers the fight against fraud to the EU's financial interests by means of criminal law.
- Harmonises definitions, sanctions and limitation periods of criminal offences.

Cross-border VAT fraud involving total damages above EUR 10 million.

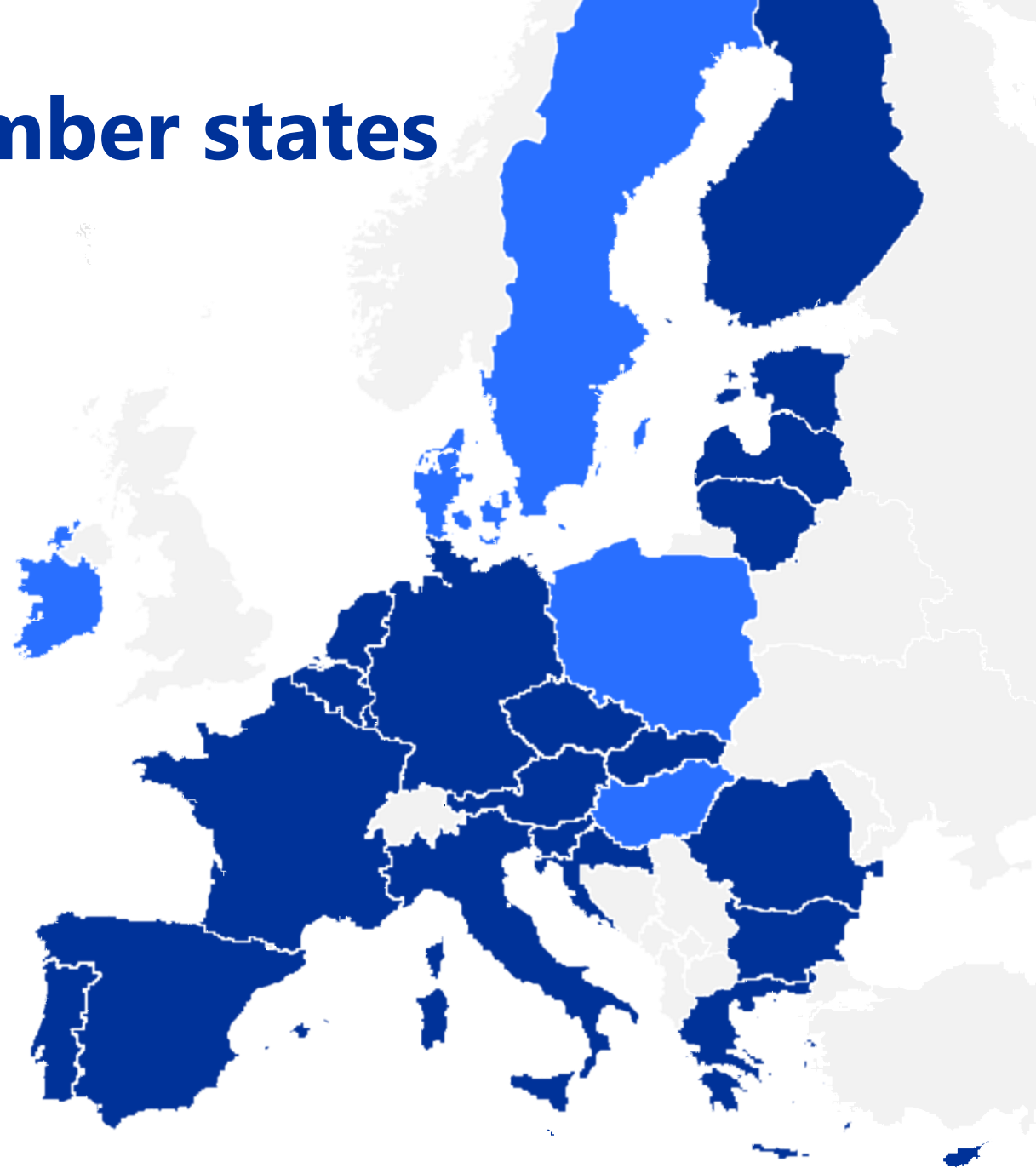
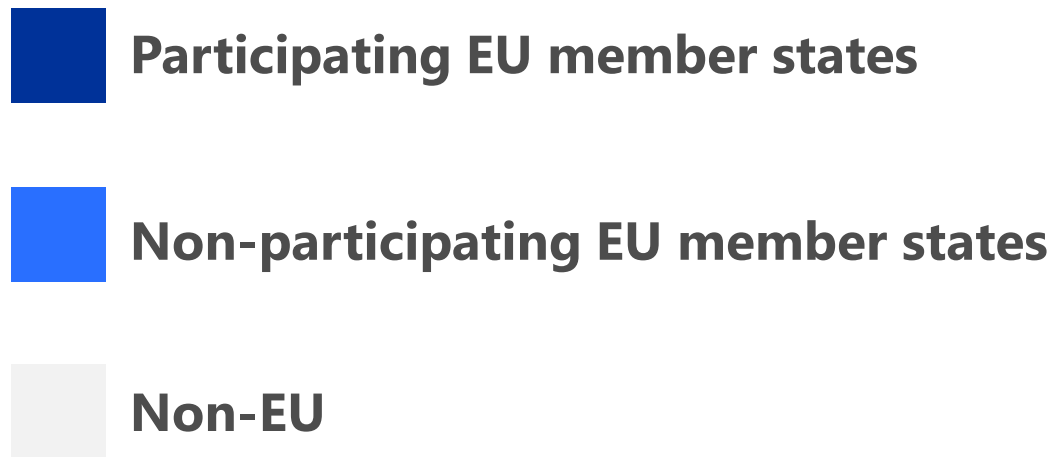
Other types of fraud affecting financial interests of EU.

Corruption that (likely) damages financial interests of EU.

Misappropriation of EU funds or assets by a public official.

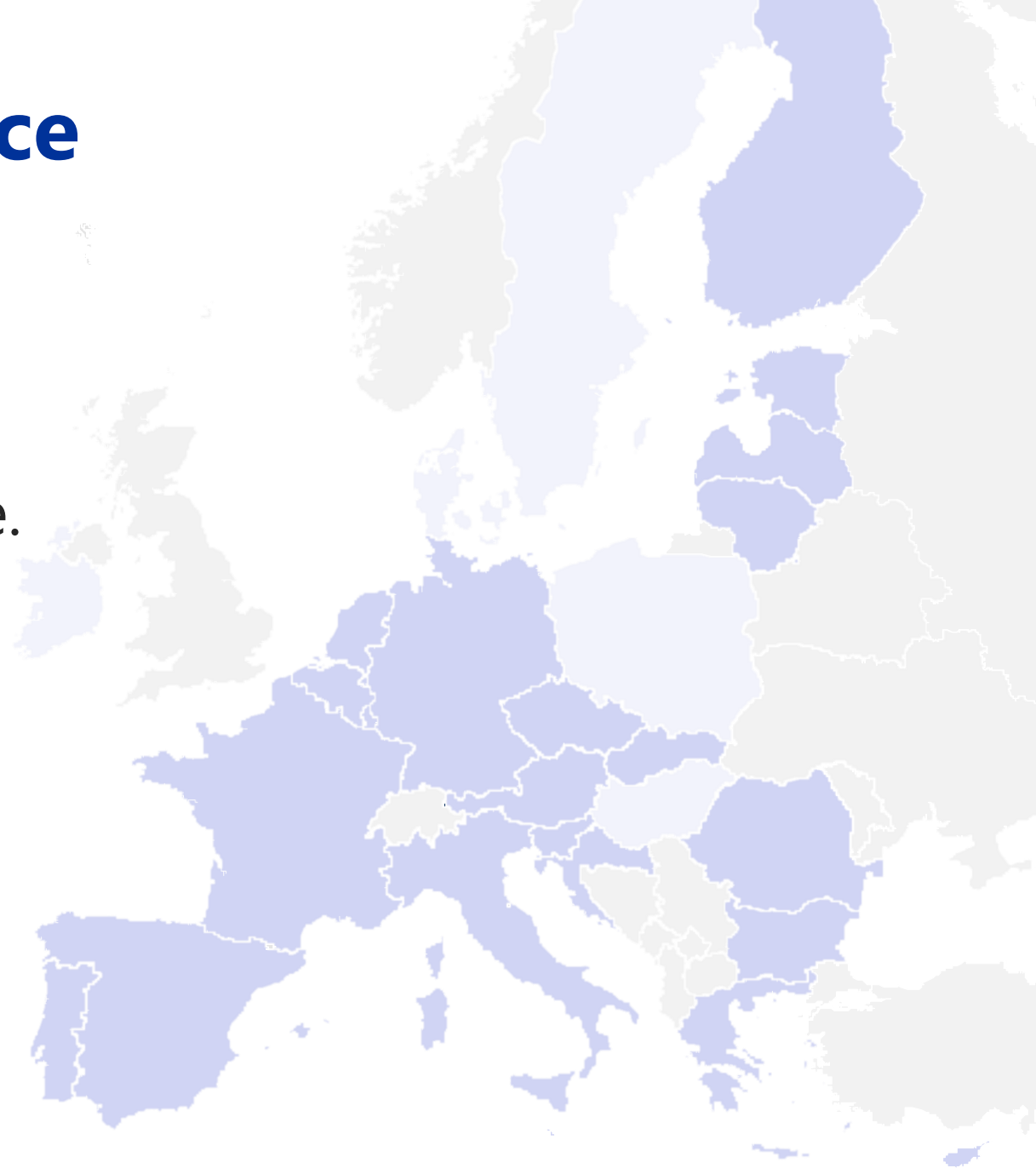
Money laundering & organised crime, and other offences inextricably linked.

Participating EU member states



Territorial competence

- Offences committed, in whole or in part, in a participating Member State.
- Offences committed anywhere by a national of a participating Member State, or by an EU official.



Structure: the College

- Chaired by European Chief Prosecutor
- 1 European Prosecutor per participating EU member state
- Take decisions on strategic matters, including determining the priorities and the investigation and prosecution policy of the EPPO.



Structure: Decentralised level

- Up to 140 European Delegated Prosecutors (EDPs).
 - in charge of EPPPO investigations
 - monitored by 15 Permanent Chambers in Luxembourg, composed of 3 European Prosecutors.
- Full independence from their national authorities. Cases are tried before national courts.



 = number of EDPs

Permanent Chambers

- Novelty for a prosecution office
- Ensure independence
- Monitor and direct the investigations and prosecutions
- 15 Chambers: 3 European Prosecutors + legal support
- Cases are allocated randomly, automatic and alternating



Investigations: how it works

- **Opening** an investigation (initiation or evocation) – principle of **legality**
- **Investigation measures:**
 - Available under national criminal procedural law
 - Common set of investigative measures
- **Procedural rights:**
 - EU Charter of fundamental rights
 - National procedural law / EU procedural rights Directives
- **Cross-border investigations**
 - In participating Member States – single office
 - Elsewhere –judicial cooperation instruments.





Europol

- Working arrangement
- Exchange of information
- Hit/No Hit mechanism

EU Anti-Fraud Office (OLAF)

- Working arrangement
- Avoid duplication
- Maximise recovery of damages
- Support

Eurojust

- Working arrangement
- Judicial cooperation requests
- Non-participating Member States and third countries

National authorities (non-exhaustive)

- Prosecutor generals
- (Specialised) Prosecution offices
- Police
- Customs



THANK YOU

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