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European Public Prosecutor's Office (EPPO)

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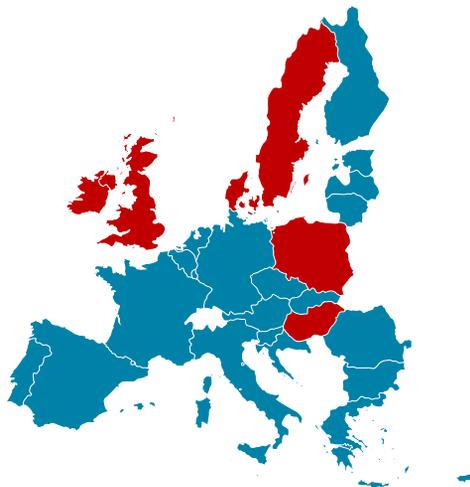
Overview

- 1) EPPO Basics
- 2) Material competence
- 3) Structure
- 4) Investigations and prosecutions
- 5) Procedural rights and judicial review
- 6) Setting-up the EPPO – goal end 2020
- 7) Communication EPPO 12 September 2018

1) EPPO Basics

- **Article 86 TFEU**
- **Independent EU Prosecution Office**
- **Enhanced cooperation: 22 participating MS**
- **Regulation – national law**

EPPO Member States





2) Material competence

- **PIF crimes**: crimes against the EU budget, e.g. fraud, corruption, money laundering or complex VAT carousels (Directive 2017/1371)
- **Organised crime**, if the focus of the criminal activity is to commit a PIF crime
- **Inextricably linked offences**
- **Shared competence** between the EPPO and Member States – EPPO shall not exercise its competence in certain cases



3) Structure

Central Level

- *Headed by the European Chief Prosecutor (ECP)*
- *One European Prosecutor (EP) from each participating MS*
- *ECP and EPs form the College (strategic decisions)*
- *EPs work in Permanent Chambers (operational decisions)*
- *Administrative Director and staff*

Decentralised Level

- *European Delegated Prosecutors (EDPs), based in each participating MS*



4) Investigations and prosecutions

- Conducted by EDPs, relying on national authorities
- Supervised by the central office
- A set of investigative measures that must be made available to the EPPO in all participating Member States (e.g. search of premises, freezing of assets, interception of communications)
- Direct assistance between EDPs in cross-border investigations
- Prosecution and trial in national court (of the MS where the bulk of the offence was committed)



5) Procedural safeguards and judicial review

Procedural safeguards

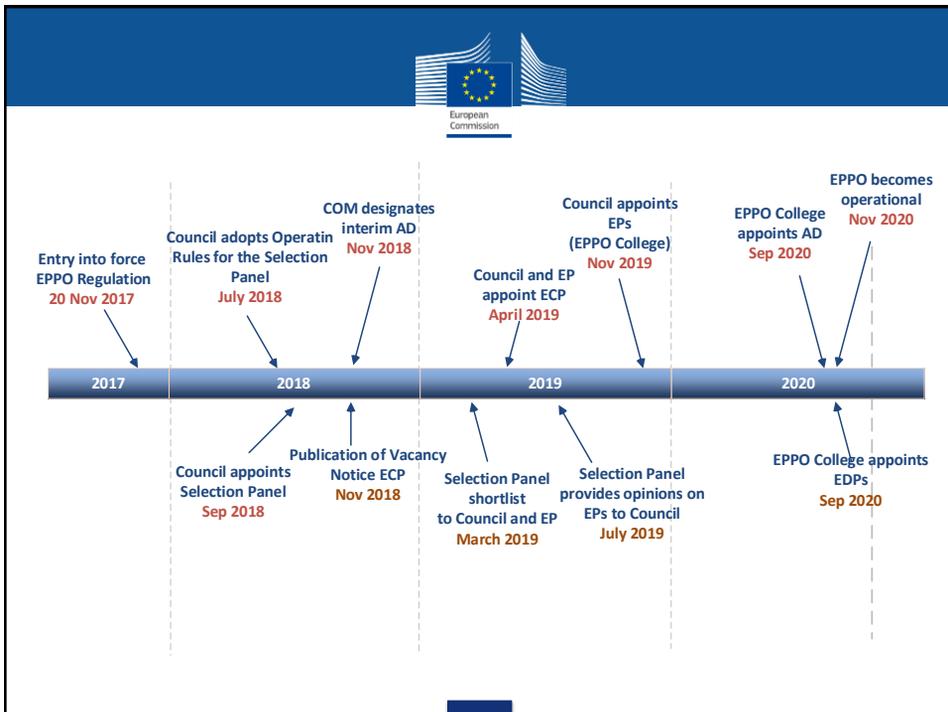
- **EU acquis**
- **National law**
- **Regulation**

Judicial review

- **National courts**
- **ECJ**

6) Setting up the EPPO

- Recruitment
 - ECP, EPs, Central Office staff, iAD/AD
 - EDPs
- Infrastructure
 - CMS Study and CMS development/procurement
 - EPPO premises and HQ agreement
- Budget
 - Budget 2019 approved (4,9 Mio)
 - Procurement (office equipment etc)
- Legal and operational
 - Transitional rules EPs
 - Data Categories
 - IRP and EDP CoE rules



Set-up actions by national authorities

- Implement EU legislation (EPPO Regulation and PIF Directive)
- Respect the EPPO's independence
- Ensure loyal cooperation by national authorities
- Ensure EPs and EDPs have the necessary competences and powers to carry out functions under the EPPO Regulation
- Ensure proper work conditions for EDPs
- Provide adequate resources to investigation bodies
- Etc.

7) Terr Communication Sep. 2018

- **Launch political debate**
- **European Council in Sibiu 9 May 2019**

EPPO Central Office



