2022 discharge: General budget of the EU - European Public Prosecutors Office (the ‘EPPO’)

2023/2139(DEC) - 11/04/2024 - Text adopted by Parliament, single reading

The European Parliament adopted by 489 votes to 87, with 18 abstentions, to grant the Administrative Director of the European Public Prosecutor’s Office discharge in respect of the implementation of the Office’s budget for the financial year 2022.

Members acknowledged the important role of EPPO as an independent Union body and stressed the particular responsibility that this imposes on it towards the other institutions and the public at large in the areas falling within the remit of the legal system. They also recognise the role it plays in contributing to the protection of the financial interests of the Union and, in particular, the budget of the Union.

In its resolution, adopted by 494 votes to 90 with 21 abstentions, Parliament made the following observations:

Members recognised the role of the European Public Prosecutor's Office in contributing to the protection of the financial interests of the Union and, in particular, of the Union budget, as well as the valuable work carried out by the European Public Prosecutor's Office in investigating, prosecuting crimes against the financial interests of the Union and bringing to judgment the perpetrators of, and accomplices to, criminal offences.

Budgetary and financial management

The overall final budget allocated to the EPPO for 2022 was **EUR 51.2 million**, reduced from the initial endowment amounting to EUR 57.1 million, and sensibly increased from the EUR 35.4 million allocated in 2021.

Noting that it is only possible to compare the budgetary performance of the EPPO for the period following its financial autonomy, which began in June 2021, Parliament welcomed the satisfactory level of budget implementation of **98.1 %** of commitment appropriations (against 97.4 % in 2021) and of 76.6% of payment appropriations (compared to 78.2 % in 2021). Members appreciated that the overall execution rate for payments progressed in 2022 with 76.6 % of paid appropriations completed in the final budget, compared to 71 % in 2021.

Parliament observed that it is difficult to estimate the forecast of expenditure for the caseload related to the Recovery and Resilience Facility (RRF) because of the unprecedented implementation mode and sheer volume of resources.

Members reiterated its call to factor in the impact of the deployment of the RRF in the forecast that the EPPO is to communicate to the Commission in the framework of the budgetary procedure.

Members noted that the EPPO currently has an estimated 170 active investigations in over 7 countries involving RRF cases and that the damages in these active investigations is currently estimated at EUR 530 million. Members noted that the EPPO estimates that the number of new active investigations involving recovery and resilience funds will increase as more countries become the recipients of RRF funds. The EPPO is encouraged to plan their budget and capacities accordingly.

The Commission is called on to **review the EPPO budgetary framework** in close cooperation with the EPPO to find adequate ways to support it in its work.

Performance

Parliament observed the increase in crime reports submitted to the EPPO (3 318 in 2022 compared to 2 832 in 2021) and, as a result, the increase in open investigations (865 in 2022 with estimated damages amounting to EUR 9.9 billion, compared to 576 in 2021 with estimated damages amounting to EUR 5.4 billion). Members noted the number of closed cases (251 in 2022 compared to 57 in 2021) and the number of indictments (87 in 2022 compared to 5 in 2021) together with the freezing orders obtained by the EPPO amounted to EUR 359.1 million in 2022 alone (compared to EUR 516 million requested). In 2022, 20 cases were concluded in Court, and it is important that the EPPO reports systematically on the follow-up to these cases in terms of the financial measures adopted (confiscation and/or recovery) to provide a clearer understanding of the impact of the EPPO's actions.

Human resources

Members noted that there was upward trend in the number of staff, increasing from 58 in 2020, to 122 in 2021, to 217 by the end 2022. More legal experts are needed to handle the large number of investigations. Members asked for further capacities to be fulfilled especially considering the backlog and additional RRF-related cases and far-reaching VAT fraud.

At the end of 2022, geographical and gender balance is adequately pursued overall across the 217 members of staff (with 122 men and 95 women). The EPPO having been rendered less attractive than the four other Union institutions operating from Luxembourg, Members highlighted the need for the EPPO to offer attractive salaries to contract and temporary agents, that are competitive with what is on offer in the private sector, including legal services and IT services, in order to attract the best and brightest talent with international experience.

Ethical framework and transparency

Specific rules on conflicts of interest have been established for members of the College of the European Public Prosecutor, Deputy European Public Prosecutors and staff of the operational unit. The EPPO is encouraged to adopt a policy on revolving doors. The resolution emphasised that a whistleblowing and anti-retaliation policy should be formalised as soon as possible to ensure a safe and protected workplace.

Interinstitutional cooperation

Members praised the efforts deployed by the EPPO to engage in intensive cooperation and coordination with partners and stakeholders. They called on the EPPO and OLAF to further progress their dialogue to strengthen their cooperation in consideration of the benefits that would stem from it in terms of sound use of the available resources.

Communication

Parliament praised the EPPO's efforts to enhance internal and external communication and appreciated the intensive actions carried out via social network platforms.

Effect of Russia's war of aggression against Ukraine

Russia's war of aggression against Ukraine impacted the EPPO's general budget implementation, (resulting in a 6.9% indexation in staff remuneration and a general increase of prices in the acquisition of goods and services).

Parliament called on the authorities concerned to adopt a **new agreement in mutual assistance in criminal matters** between the Union and Ukraine to further strengthen cooperation in the specific context of the Ukraine Facility mechanism, in particular for the seizure, confiscation and recovery of assets.

Lastly, taking note of the high rate of corruption and fraud present in Ukraine, both before the current war and at present, Members caution that extra precautions should be taken when cooperating on investigations, in order to protect staff and witnesses.