Supervision Conference: Data protection and criminal justice

The European Public Prosecutor’s Office (EPPO): An overview

Fabio Giuffrida
Brussels, 29 November 2022
What is the EPPO?

- The EPPO was established by Regulation (EU) 2017/1939 and became operational on 1 June 2021.
- The EPPO is the independent public prosecutor’s office of the European Union, responsible for investigating, prosecuting and bringing to judgment crimes affecting the financial interests of the EU (“PIF crimes”) committed after 20/11/17.
- Competence: a) fraud, including cross-border VAT fraud involving a total damage of at least EUR 10 mln; b) money laundering; c) corruption; d) misappropriation; and e) organised crime, if the focus is the commission of PIF crimes.
- Not all Member States participate in the EPPO – Denmark, Hungary, Ireland, Poland and Sweden have not joined.
Structure

• Central Office (Luxembourg)
  • European Chief Prosecutor
  • 22 European Prosecutors
  • College
  • Permanent Chambers
  • Administrative Director and other staff (HR, Data Protection Office, budget, case analysts, financial investigators, etc.)

• Decentralised level (22 MS)
  • At least 2 European Delegated Prosecutors (EDPs) in each MS
How does the EPPO work?

- **Principle of legality**: when there are reasonable grounds to believe that a PIF crime has been committed, the EPPO shall initiate an investigation.

- **Primacy of the EPPO’s competence**: if national authorities start investigations into PIF crimes (or such investigations are ongoing), the EPPO can “evoke” (take over) the case.

- Investigations are carried out by the EDPs in the MS where the crime was committed under the supervision and direction of the Permanent Chamber and, when needed, in cooperation with the EDPs of other Member States.

- The EPPO works in accordance with EU and national law; it relies on national authorities (e.g. police authorities) → judicial review of most EPPO acts lies with national courts.
Thank you for your attention!

Fabio Giuffrida
Fabio.GIUFFRIDA@ec.europa.eu