

2021

ANNUAL

REPORT



EUROPEAN
PUBLIC
PROSECUTOR'S
OFFICE



EPPO 2021 Annual Report

Luxembourg: European Public Prosecutor's Office, 2022

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PDF: ISBN: 978-92-95226-02-9 ISSN: 2529-346X DOI: 10.2927/34796 KJ-NA-29-797-EN-N

Print: ISBN 978-92-76-08806-6 ISSN 1018-5593 DOI:10.2760/473302 KJ-NA-29-797-EN-C



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FOREWORD

On 4 November 2019, as I effectively took up my duties as first European Chief Prosecutor, the European Public Prosecutor's Office (EPPO) had 3 members of staff, and relied heavily on a small task force of European Commission and OLAF officials. Our budget for 2020, when we were expected to start operations, would have allowed us to have only 24 EPPO staff, and to pay the remunerations of 32.25 European Delegated Prosecutors. This was our starting point.

With a budget set at €44.9 million for 2021, allowing us to have 130 EPPO staff, and to pay the remunerations of up to 140 European Delegated Prosecutors, the start of operations became conceivable. However, a lot still needed to be done, very fast, by very few, extremely dedicated and motivated people.

The Council of the European Union appointed the 22 European Prosecutors on 27 July 2020. The College of the EPPO was constituted on 28 September 2020. Its initial focus was on adopting all the decisions allowing the EPPO to become operational as soon as possible, and to function administratively on at least a basic level. Two decisions were of utmost importance in this respect: the Conditions of Employment of the European Delegated Prosecutors¹, allowing the launch of the selection procedures of the candidates in the participating Member States, and the Internal Rules of Procedure², organising the work of the EPPO.

The other prerequisite was the speedy development and successful go live of the Case Management System. This was truly an extraordinary achievement of an outstanding project team set up only in March 2020.

We also needed to have European Delegated Prosecutors in all the participating Member States, not only appointed, but ready to work for the EPPO. It took a lot of convincing in some Member States that European Delegated Prosecutors will have to



work full time for the EPPO, if we want to comply with the highest standards of judicial independence and efficiency.

The participating Member States had to make not only complex and extensive legislative adaptations, but also significant organisational and financial efforts to allow us to operate. The EPPO budget is only a part of the overall cost of the EPPO. National authorities cover the essential part of the costs of our decentralised offices, while Luxembourg also provided us with our Central Office building free of charge.

Finally, we needed to select, recruit, onboard and train the whole Office, basically, in only a few months, and to put everybody immediately to work. This in the specific context of the highly competitive Luxembourg job market, combined with the Covid-19 pandemic.

We did all of this, and much more, and started operations on 1 June 2021.

As we made the decision to declare ourselves ready to start to the European Commission, history will remember that European Delegated Prosecutors were missing in Slovenia. At that moment it became clear that after the euro zone, we have created an EPPO zone, and that there was a gap in it, which had potentially far-reaching consequences.

It became manifest that any interference with our activities in a given participating Member State not only affects EPPO investigations in that Member State, but also all cross-border investigations initiated by the EPPO in other participating Member States that involve that Member State.

We are a systemic part of the overall architecture put in place by the EU to protect its financial interests. We are covering both sides: expenditures as well as revenues. If we are hindered in the exercise of our competence, the protection of the EU budget is at stake. This new reality is also reflected in the role granted to the EPPO in Regulation (EU) 2020/2092 of 16 December 2020 on a general regime of conditionality for the protection of the Union budget.

In the first seven months of operations, we processed 2832 crime reports and opened 576 investigations. By the year's end, we had 515 active investigations for overall estimated damages close to €5.4 billion. As the EPPO requested that €154.3 million be seized, and the seizure of €147 million was granted, there could be no more doubt about our added value.

More importantly, law enforcement actors across the EU started to discover the speed, efficiency and information gains they can expect when working with the EPPO, compared to traditional mutual legal assistance modalities and cross-border coordination methods.

In the coming year, we will be able to step up our cooperation with all the relevant authorities, at national as well as European level. Our message is simple: improving the level of protection of the financial interests of the EU starts with increasing the level of detection of EU fraud. Differences between Member States in this regard have been significant for a long time, and I also count on OLAF's contribution to what clearly needs to be a joint effort.

There is no doubt that the operational start of the EPPO brings about many changes not only in the participating Member States, but also in the EU institutions, bodies, offices and agencies.

It will take time for people to get to know each other's roles, responsibilities and powers precisely, to

adjust their expectations, to solve numerous technical issues. Together, we are identifying shortcomings and analysing all the challenges that come up.

Our operational objectives remain:

- Improved overall investigation rates of offences affecting the EU's financial interests, especially in cross-border investigations targeting organised criminal groups;
- Improved recovery of illicit assets obtained via offences affecting the EU's financial interests.

The EPPO will continue to strengthen its capacity to carry out independent, impartial, high quality investigations and prosecutions with the aim of achieving high rates of success in court, while respecting all the fundamental rights enshrined in the Charter.

The EPPO will continue to develop an adequate operational capacity at the central level, in order to assist and complement asset recovery measures and financial investigations carried out by the European Delegated Prosecutors at national level.

The EPPO will continue its efforts to establish strong relationships with non-participating Member States, and also with the relevant authorities of third countries of particular interest in the investigation and prosecution of cross-border cases falling within its competence, as well as in damage recovery.

The EPPO will continue to reinforce its administrative framework and stabilise the working conditions and career perspectives of its staff.

Finally, the EPPO will continue to analyse the experience gathered, in particular to identify issues hampering the accomplishment of its mission that would need to be addressed by way of legislative changes, be it at national or European level.

Laura Kövesi,
European Chief Prosecutor

LIST OF ABBREVIATIONS

EU Member States

AT	Austria
BE	Belgium
BG	Bulgaria
HR	Croatia
CY	Cyprus
CZ	Czechia
DK	Denmark
EE	Estonia
FI	Finland
FR	France
DE	Germany
EL	Greece
HU	Hungary
IE	Ireland
IT	Italy
LV	Latvia
LT	Lithuania
LU	Luxembourg
MT	Malta
NL	Netherlands
PL	Poland
PT	Portugal
RO	Romania
SK	Slovakia
SI	Slovenia
ES	Spain
SE	Sweden

Other

CMS:	Case Management System
CNA:	Competent national authority
ECR:	EPPO Crime Report
EDP:	European Delegated Prosecutor
EP:	European Prosecutor
IBOAs:	Institutions, bodies, offices and agencies
MS:	Member State
NA:	National authority
NEDPA:	National European Delegated Prosecutor's Assistant
OLAF:	European Anti-Fraud Office
PCs:	Permanent Chambers [of the EPPO]
PIF:	Protection of the financial interests (<i>Protection des intérêts financiers</i>)
VAT:	Value added tax



1

General aspects

Organisation and functioning

The role of the European Public Prosecutor's Office (EPPO) is to improve the level of protection of the financial interests of the European Union (EU). We investigate fraud involving EU funds of over €10 000 and cross-border Value Added Tax (VAT) fraud involving damages above €10 million. Any such fraud committed in the participating Member States after November 2017 falls within our jurisdiction.

We are independent from national governments, the European Commission, and other European institutions, bodies, and agencies. Together with the European Court of Justice, the EPPO represents the justice pillar of the EU. We speak and act on behalf of the European public interest.

We operate as a single office with a decentralised structure. With headquarters in Luxembourg, the EPPO has 35 offices in the participating Member States. In practice, 22 European Prosecutors and the European Chief Prosecutor in Luxembourg oversee investigations initiated by the European Delegated Prosecutors in the participating Member States. In the first phase of our operational deployment, we intend to appoint up to 140 European Delegated Prosecutors. 94 were active in 2021.

Embedded in the national judiciaries, the European Delegated Prosecutors remain independent from national governments and national judicial authorities. They must have at least the same powers and conditions of work as national prosecutors. They can only be given direction with regard to their operational work by the EPPO headquarters, either via the College of the EPPO (in charge of defining the overall prosecutorial policy and the general framework for their work), or via one of the 15 Permanent

Chambers (in charge of taking key decisions in each of the investigations).

Active members of the judiciary in their respective national systems, the European Delegated Prosecutors investigate and prosecute according to national criminal laws and national procedural criminal laws. They bring their cases to judgment before national tribunals. We are operating under 22 different criminal procedural law regimes. We are using different equipment, technologies, working methods and languages. This has never been attempted before.

We are a specialised prosecution office with a mandatory competence. This means that we do not have discretion to investigate only a few significant cases. Whenever we are competent, national authorities have a legal obligation to stand down and let the EPPO do its work.

The EPPO is not an addition, a new layer to improve the coordination of national authorities. As an EU body embedded in the national judiciaries, we are a systemic component of the rule of law in the EU. This is why changes affecting the judiciary of a participating Member State directly affect the EPPO. Developments affecting the EPPO's independence or efficiency in one of the participating Member States have a direct effect on the entire EPPO zone. Failure to cooperate with the EPPO by non-participating Member States has a direct effect on the overall level of protection of the financial interests of the EU. In line with recital 16 of Regulation (EU) 2020/2092 of 16 December 2020 on a general regime of conditionality for the protection of the Union Budget, the EPPO is to report such developments to the European Commission.



2

Operational activity

OVERVIEW

In all the participating Member States, our prosecutors have the same priorities and implement the same prosecutorial policy, as defined by the College of the EPPO. We focus on complex, cross-border investigations into sophisticated economic and financial criminality, in particular where serious organised criminality is involved. Our main objective is to help the Member States recover the damages.

The EPPO started operations on 1 June 2021. Within seven months, we processed a fair part of the backlog of cases opened by national authorities before we became operational, the whole backlog of OLAF investigations and dealt with all the new reports about suspicions of fraud coming from all possible sources. In total, we have received 2832 reports and opened 576 investigations, in which the damage caused to the EU budget was estimated at €5.4 billion.

By 31 December 2021 we had 515 active investigations:

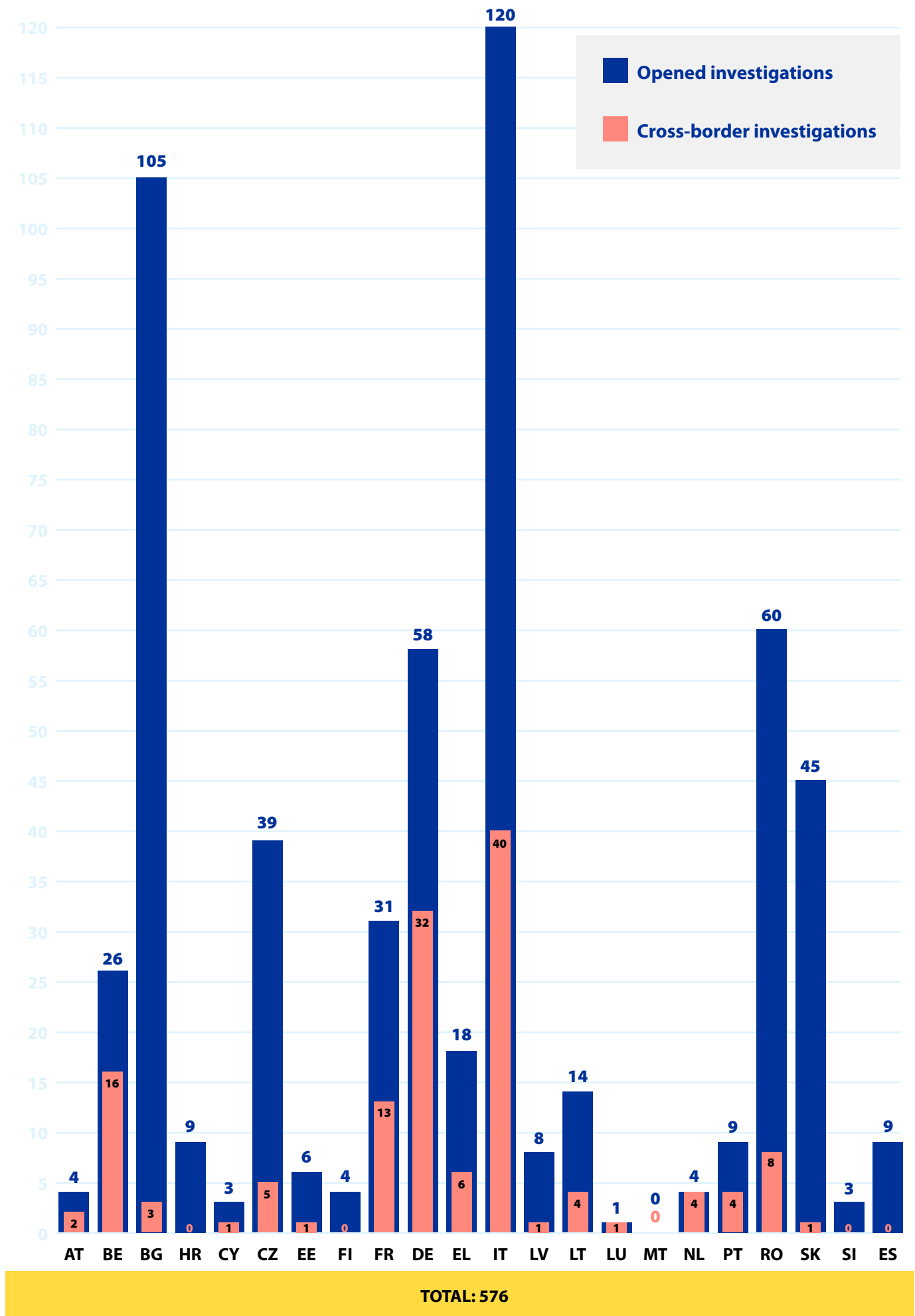
- 17.6% of them were into VAT fraud, for estimated damages of €2.5 billion.
- 27.5% of them had a cross-border dimension (acts either committed on the territory of several countries, or which caused damage to several countries).

After seven months of operations, it has become clear that the level of detection of fraud affecting the financial interests of the EU is suboptimal and varies significantly from Member State to Member State. This is particularly visible on the revenue side of the EU budget, with several Member States failing to detect any serious VAT fraud, as well as surprisingly low numbers of reports concerning customs fraud.

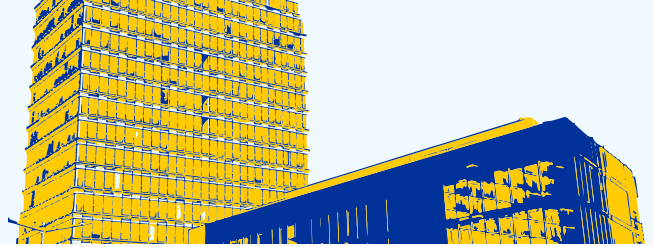


Beyond all the possible objective explanations, the observed discrepancies point at the necessity to systematically step up efforts in this regard. This should also mean a consistent recalibration of the role that Europol, OLAF and Eurojust can play in the fight against fraud affecting the financial interests of the EU.

Finally, the first seven months of operations also amply demonstrated that the EPPO brings a decisive advantage to law enforcement in cross-border investigations. Without cumbersome mutual legal assistance formalities, organising coordinated searches or arrests across borders has been a matter of weeks, instead of months. Unprecedented access to operational information through its Case Management System allowed the EPPO to establish connections between different investigations (and subsequently merge them), to identify more evidence to be secured and assets to be seized. In the first seven months, European Delegated Prosecutors assigned altogether 290 assisting measures to each other.

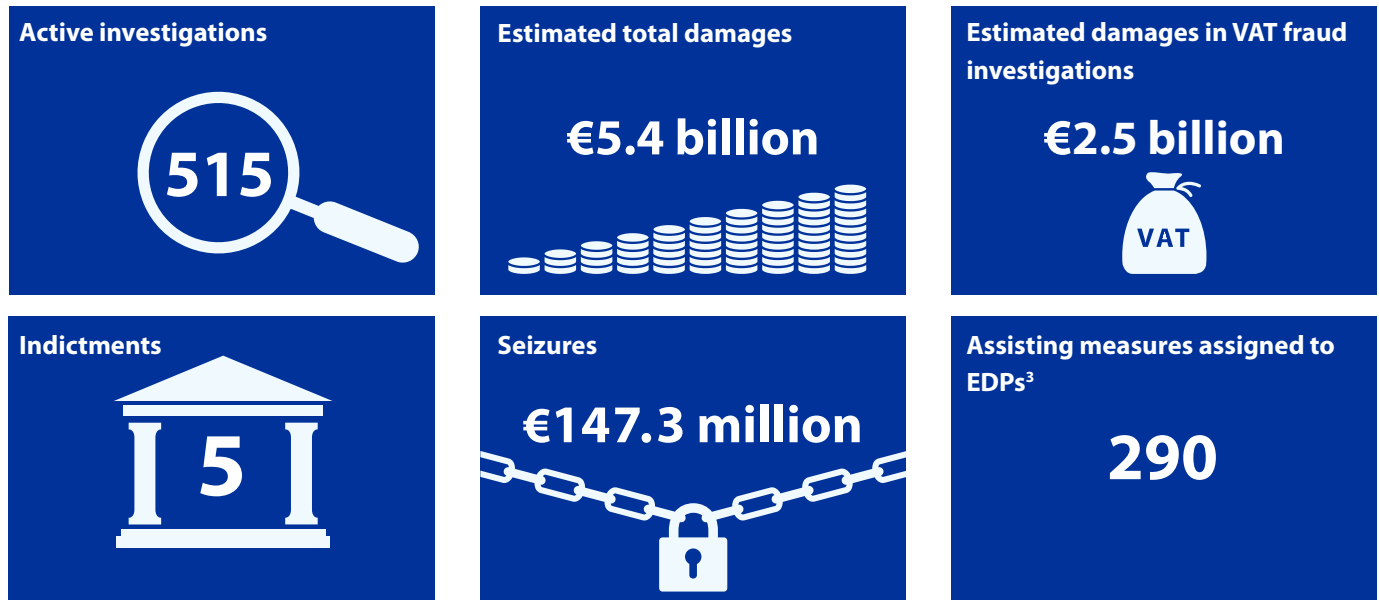


CENTRAL OFFICE



DATA VALID ON 31 DECEMBER 2021

Operational activity



Received reports/complaints

From national authorities	1351
From EU institutions, bodies, organisations and agencies	190
From private parties	1282
<i>Ex officio</i>	9
TOTAL	2832

Opened investigations

Initiate investigation (new case)	298
Evoke investigation (old case)	278
TOTAL	576

Exercise of competence

Decision pending	84
Decision to exercise competence	570
Decision not to exercise competence	956
Referral to national authorities (where competence was exercised)	31

Dismissed cases⁴

Death or winding up	0
Insanity	0
Amnesty	0
Immunity	0
Expiry of statutory limitation to prosecute	0
Case has already been finally disposed of	0
Lack of relevant evidence	3
TOTAL	3



Judicial activity in criminal cases

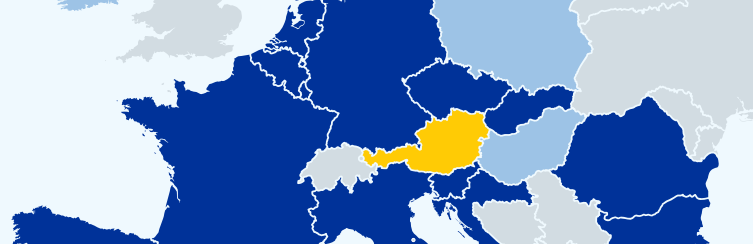
	Ongoing cases in the trial phase	5
	Cases where simplified prosecution procedures were applied	3
	Number of first court decisions	0
	Number of appeals against first court decisions	0
	Number of ongoing cases in the appeal phase	0
	Number of final court decisions	1
	Number of extraordinary legal remedies against court decisions	0
	Convictions	1
	Acquittals	0
	Confiscations	€22 000

Typologies identified in EPPO cases

Number of investigated offences broken down by type

	Non-procurement expenditure fraud	313
	Procurement expenditure fraud	110
	Non-VAT revenue fraud	132
	VAT revenue fraud	173
	Participation in a PIF-focused criminal organisation	30
	Corruption	40
	Misappropriation	34
	Money laundering	47
	Inextricably linked offence	104
	Cross-border investigations	142

AUSTRIA



DATA VALID ON 31 DECEMBER 2021

Operational activity



Received reports/complaints

From national authorities	8
From EU institutions, bodies, organisations and agencies	4
From private parties	0
<i>Ex officio</i>	0
TOTAL	12

Opened investigations

Initiate investigation (new case)	3
Evoke investigation (old case)	1
TOTAL	4

Exercise of competence


Decision pending	0
Decision to exercise competence	4
Decision not to exercise competence	8
Referral to national authorities (where competence was exercised)	0

Dismissed cases

Death or winding up	0
Insanity	0
Amnesty	0
Immunity	0
Expiry of statutory limitation to prosecute	0
Case has already been finally disposed of	0
Lack of relevant evidence	0
TOTAL	0



Judicial activity in criminal cases

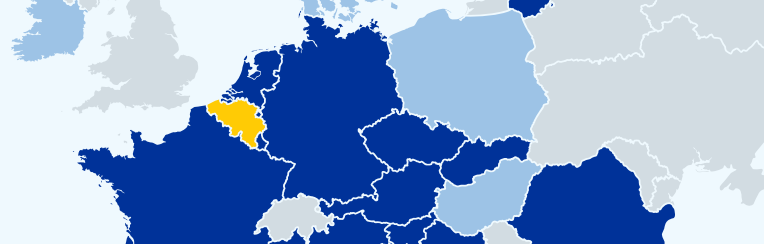
	Ongoing cases in the trial phase	0
	Cases where simplified prosecution procedures were applied	0
	Number of first court decisions	0
	Number of appeals against first court decisions	0
	Number of ongoing cases in the appeal phase	0
	Number of final court decisions	0
	Number of extraordinary legal remedies against court decisions	0
	Convictions	0
	Acquittals	0
	Confiscations	n/a

Typologies identified in EPPO cases

Number of investigated offences broken down by type

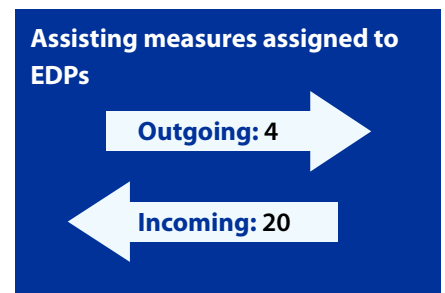
	Non-procurement expenditure fraud	3
	Procurement expenditure fraud	2
	Non-VAT revenue fraud	0
	VAT revenue fraud	0
	Participation in a PIF-focused criminal organisation	0
	Corruption	0
	Misappropriation	0
	Money laundering	0
	Inextricably linked offence	0
	Cross-border investigations	2

BELGIUM



DATA VALID ON 31 DECEMBER 2021

Operational activity



Received reports/complaints

From national authorities	25
From EU institutions, bodies, organisations and agencies	32
From private parties	1
<i>Ex officio</i>	0
TOTAL	58

Opened investigations

Initiate investigation (new case)	18
Evoke investigation (old case)	8
TOTAL	26

Exercise of competence

Decision pending	9
Decision to exercise competence	27
Decision not to exercise competence	22
Referral to national authorities (where competence was exercised)	0

Dismissed cases

Death or winding up	0
Insanity	0
Amnesty	0
Immunity	0
Expiry of statutory limitation to prosecute	0
Case has already been finally disposed of	0
Lack of relevant evidence	0
TOTAL	0



Judicial activity in criminal cases

	Ongoing cases in the trial phase	0
	Cases where simplified prosecution procedures were applied	0
	Number of first court decisions	0
	Number of appeals against first court decisions	0
	Number of ongoing cases in the appeal phase	0
	Number of final court decisions	0
	Number of extraordinary legal remedies against court decisions	0
	Convictions	0
	Acquittals	0
	Confiscations	n/a

Typologies identified in EPPO cases

Number of investigated offences broken down by type

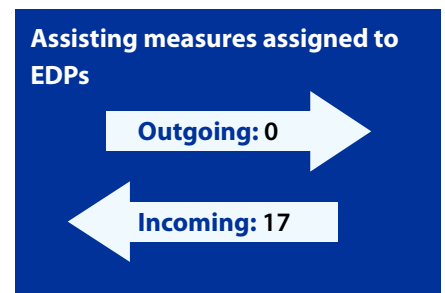
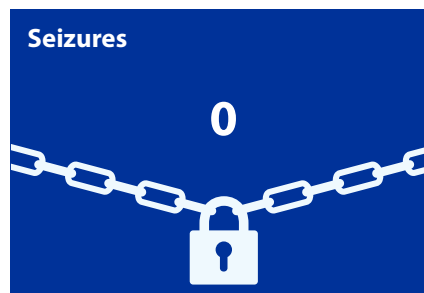
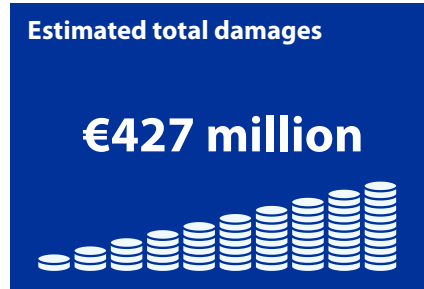
	Non-procurement expenditure fraud	7
	Procurement expenditure fraud	5
	Non-VAT revenue fraud	8
	VAT revenue fraud	4
	Participation in a PIF-focused criminal organisation	0
	Corruption	1
	Misappropriation	5
	Money laundering	0
	Inextricably linked offence	1
	Cross-border investigations	16

BULGARIA



DATA VALID ON 31 DECEMBER 2021

Operational activity



Received reports/complaints

From national authorities	237
From EU institutions, bodies, organisations and agencies	12
From private parties	17
<i>Ex officio</i>	7
TOTAL	273

Opened investigations

Initiate investigation (new case)	49
Evoke investigation (old case)	56
TOTAL	105

Exercise of competence

Decision pending	8
Decision to exercise competence	104
Decision not to exercise competence	161
Referral to national authorities (where competence was exercised)	3

European Delegated Prosecutors (active): 7



National European Delegated Prosecutors' Assistants: 5

Dismissed cases

Death or winding up	0
Insanity	0
Amnesty	0
Immunity	0
Expiry of statutory limitation to prosecute	0
Case has already been finally disposed of	0
Lack of relevant evidence	1
TOTAL	1

Judicial activity in criminal cases

	Ongoing cases in the trial phase	1
	Cases where simplified prosecution procedures were applied	0
	Number of first court decisions	0
	Number of appeals against first court decisions	0
	Number of ongoing cases in the appeal phase	0
	Number of final court decisions	0
	Number of extraordinary legal remedies against court decisions	0
	Convictions	0
	Acquittals	0
	Confiscations	n/a

Typologies identified in EPPO cases

Number of investigated offences broken down by type

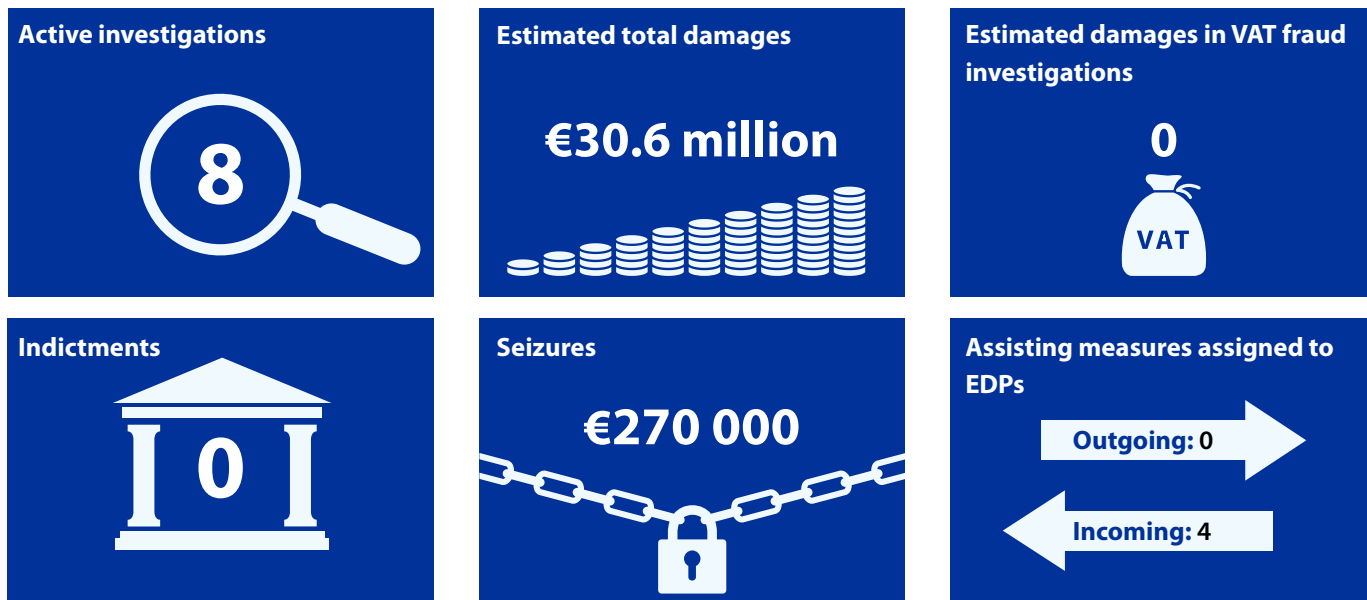
	Non-procurement expenditure fraud	77
	Procurement expenditure fraud	26
	Non-VAT revenue fraud	3
	VAT revenue fraud	1
	Participation in a PIF-focused criminal organisation	1
	Corruption	14
	Misappropriation	6
	Money laundering	3
	Inextricably linked offence	7
	Cross-border investigations	3

CROATIA



DATA VALID ON 31 DECEMBER 2021

Operational activity



Received reports/complaints

From national authorities	16
From EU institutions, bodies, organisations and agencies	8
From private parties	4
<i>Ex officio</i>	0
TOTAL	28

Opened investigations

Initiate investigation (new case)	6
Evoke investigation (old case)	3
TOTAL	9

Exercise of competence

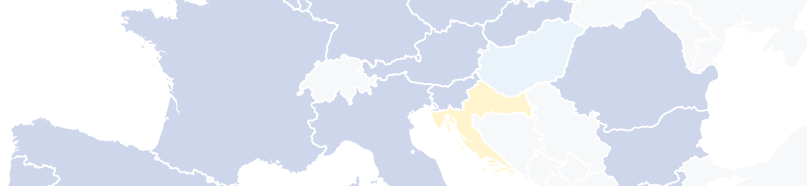
Decision pending	3
Decision to exercise competence	9
Decision not to exercise competence	16
Referral to national authorities (where competence was exercised)	0

Dismissed cases

Death or winding up	0
Insanity	0
Amnesty	0
Immunity	0
Expiry of statutory limitation to prosecute	0
Case has already been finally disposed of	0
Lack of relevant evidence	0
TOTAL	0



Judicial activity in criminal cases



	Ongoing cases in the trial phase	0
	Cases where simplified prosecution procedures were applied	0
	Number of first court decisions	0
	Number of appeals against first court decisions	0
	Number of ongoing cases in the appeal phase	0
	Number of final court decisions	0
	Number of extraordinary legal remedies against court decisions	0
	Convictions	0
	Acquittals	0
	Confiscations	n/a

Typologies identified in EPPO cases

Number of investigated offences broken down by type

	Non-procurement expenditure fraud	4
	Procurement expenditure fraud	3
	Non-VAT revenue fraud	0
	VAT revenue fraud	0
	Participation in a PIF-focused criminal organisation	0
	Corruption	7
	Misappropriation	2
	Money laundering	0
	Inextricably linked offence	0
	Cross-border with third country involvement	0

CYPRUS

DATA VALID ON 31 DECEMBER 2021

Operational activity



Received reports/complaints

From national authorities	3
From EU institutions, bodies, organisations and agencies	2
From private parties	0
<i>Ex officio</i>	0
TOTAL	5

Opened investigations

Initiate investigation (new case)	2
Evoke investigation (old case)	1
TOTAL	3

Exercise of competence

Decision pending	0
Decision to exercise competence	3
Decision not to exercise competence	2
Referral to national authorities (where competence was exercised)	0

European Delegated Prosecutors (active): 1

Dismissed cases

Death or winding up	0
Insanity	0
Amnesty	0
Immunity	0
Expiry of statutory limitation to prosecute	0
Case has already been finally disposed of	0
Lack of relevant evidence	0
TOTAL	0



National European Delegated Prosecutors' Assistants: 0

Judicial activity in criminal cases

	Ongoing cases in the trial phase	0
	Cases where simplified prosecution procedures were applied	0
	Number of first court decisions	0
	Number of appeals against first court decisions	0
	Number of ongoing cases in the appeal phase	0
	Number of final court decisions	0
	Number of extraordinary legal remedies against court decisions	0
	Convictions	0
	Acquittals	0
	Confiscations	n/a

Typologies identified in EPPO cases

Number of investigated offences broken down by type

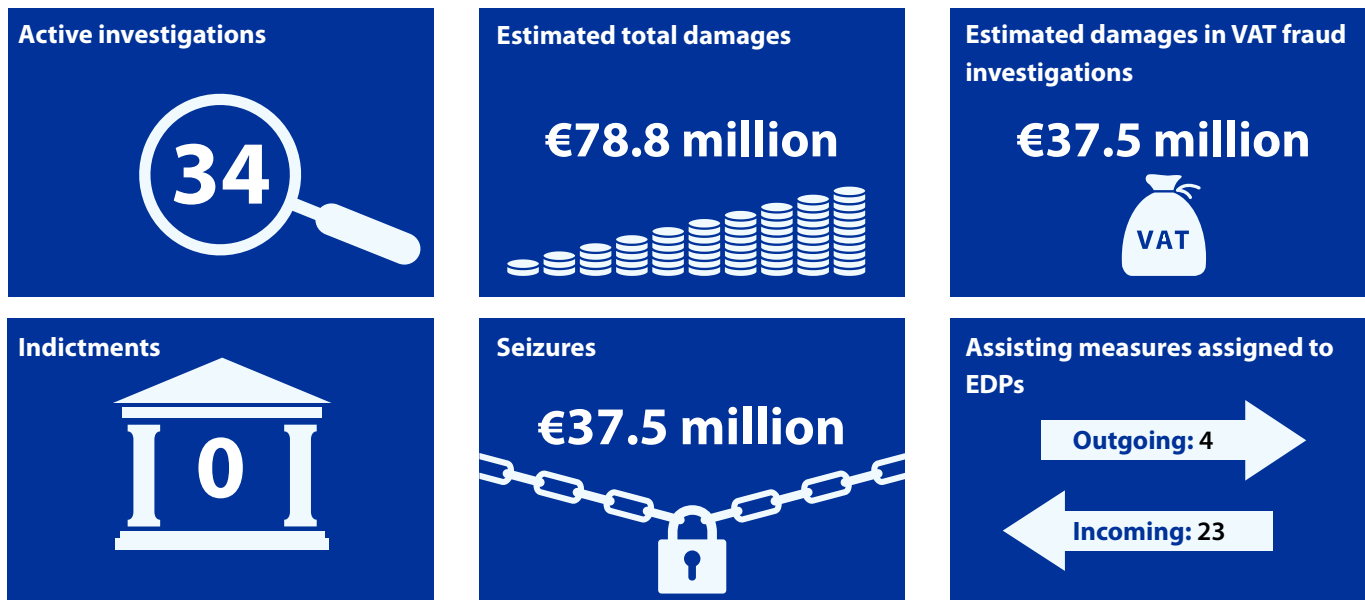
	Non-procurement expenditure fraud	1
	Procurement expenditure fraud	1
	Non-VAT revenue fraud	0
	VAT revenue fraud	0
	Participation in a PIF-focused criminal organisation	0
	Corruption	1
	Misappropriation	1
	Money laundering	0
	Inextricably linked offence	0
	Cross-border investigations	1

CZECHIA



DATA VALID ON 31 DECEMBER 2021

Operational activity



Received reports/complaints

From national authorities	79
From EU institutions, bodies, organisations and agencies	3
From private parties	1
<i>Ex officio</i>	0
TOTAL	83

Opened investigations

Initiate investigation (new case)	17
Evoke investigation (old case)	22
TOTAL	39

Exercise of competence

Decision pending	2
Decision to exercise competence	39
Decision not to exercise competence	42
Referral to national authorities (where competence was exercised)	3

Dismissed cases

Death or winding up	0
Insanity	0
Amnesty	0
Immunity	0
Expiry of statutory limitation to prosecute	0
Case has already been finally disposed of	0
Lack of relevant evidence	1
TOTAL	1

European Delegated Prosecutors (active): 7



National European Delegated Prosecutors' Assistants: 4

Judicial activity in criminal cases

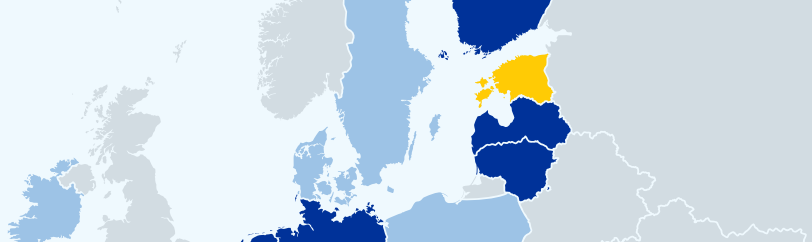
	Ongoing cases in the trial phase	0
	Cases where simplified prosecution procedures were applied	0
	Number of first court decisions	0
	Number of appeals against first court decisions	0
	Number of ongoing cases in the appeal phase	0
	Number of final court decisions	0
	Number of extraordinary legal remedies against court decisions	0
	Convictions	0
	Acquittals	0
	Confiscations	n/a

Typologies identified in EPPO cases

Number of investigated offences broken down by type

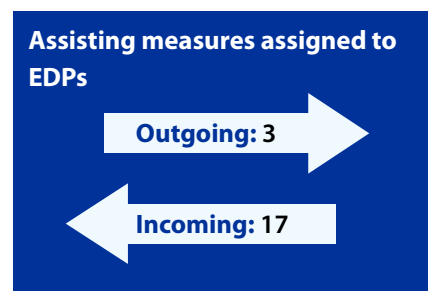
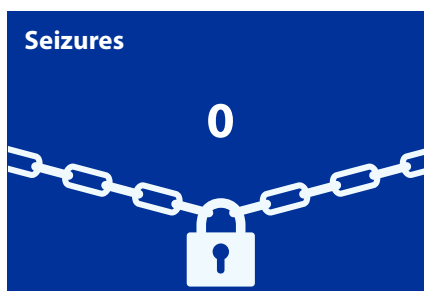
	Non-procurement expenditure fraud	22
	Procurement expenditure fraud	7
	Non-VAT revenue fraud	12
	VAT revenue fraud	5
	Participation in a PIF-focused criminal organisation	0
	Corruption	2
	Misappropriation	0
	Money laundering	2
	Inextricably linked offence	0
	Cross-border investigations	5

ESTONIA



DATA VALID ON 31 DECEMBER 2021

Operational activity



Received reports/complaints

From national authorities	5
From EU institutions, bodies, organisations and agencies	5
From private parties	0
<i>Ex officio</i>	0
TOTAL	10

Opened investigations

Initiate investigation (new case)	2
Evoke investigation (old case)	4
TOTAL	6

Exercise of competence

Decision pending	0
Decision to exercise competence	6
Decision not to exercise competence	4
Referral to national authorities (where competence was exercised)	0



Dismissed cases

Death or winding up	0
Insanity	0
Amnesty	0
Immunity	0
Expiry of statutory limitation to prosecute	0
Case has already been finally disposed of	0
Lack of relevant evidence	0
TOTAL	0

Judicial activity in criminal cases

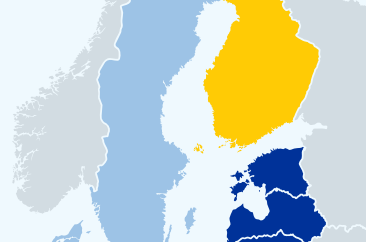
	Ongoing cases in the trial phase	0
	Cases where simplified prosecution procedures were applied	0
	Number of first court decisions	0
	Number of appeals against first court decisions	0
	Number of ongoing cases in the appeal phase	0
	Number of final court decisions	0
	Number of extraordinary legal remedies against court decisions	0
	Convictions	0
	Acquittals	0
	Confiscations	n/a

Typologies identified in EPPO cases

Number of investigated offences broken down by type

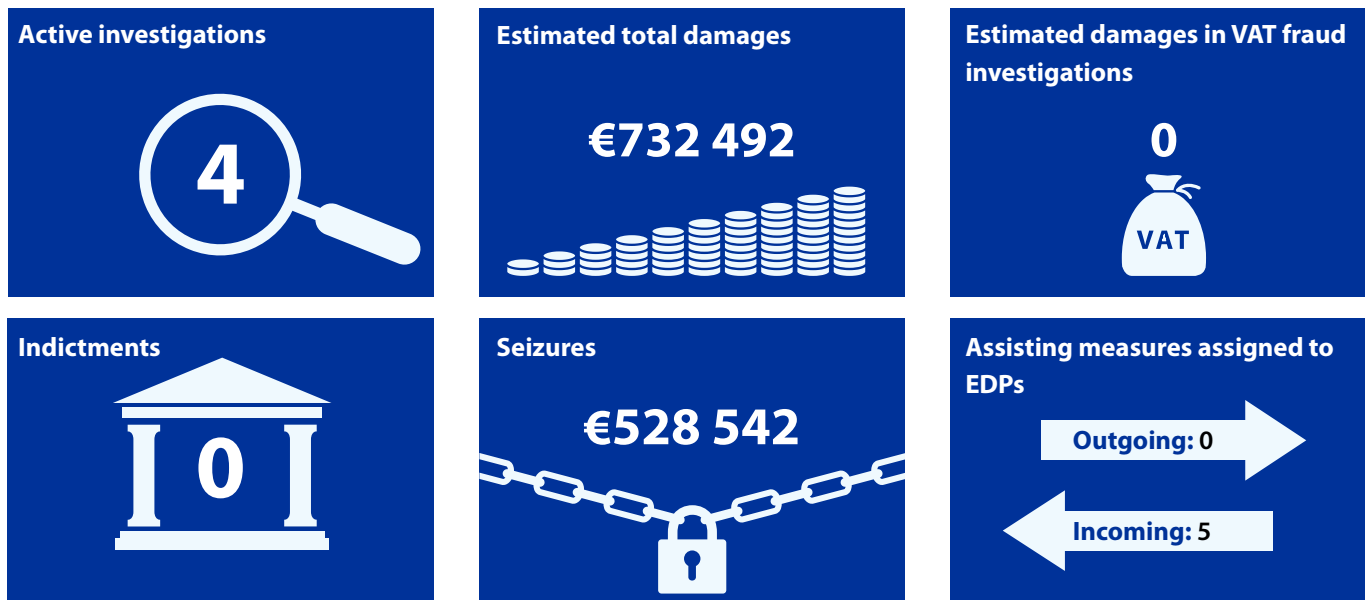
	Non-procurement expenditure fraud	7
	Procurement expenditure fraud	0
	Non-VAT revenue fraud	0
	VAT revenue fraud	0
	Participation in a PIF-focused criminal organisation	0
	Corruption	0
	Misappropriation	1
	Money laundering	0
	Inextricably linked offence	0
	Cross-border investigations	1

FINLAND



DATA VALID ON 31 DECEMBER 2021

Operational activity



Received reports/complaints

From national authorities	5
From EU institutions, bodies, organisations and agencies	0
From private parties	2
<i>Ex officio</i>	0
TOTAL	7

Opened investigations

Initiate investigation (new case)	0
Evoke investigation (old case)	4
TOTAL	4

Exercise of competence

Decision pending	0
Decision to exercise competence	4
Decision not to exercise competence	3
Referral to national authorities (where competence was exercised)	0

Dismissed cases

Death or winding up	0
Insanity	0
Amnesty	0
Immunity	0
Expiry of statutory limitation to prosecute	0
Case has already been finally disposed of	0
Lack of relevant evidence	0
TOTAL	0

European Delegated Prosecutors (active): 1



National European Delegated Prosecutors' Assistants: 1

Judicial activity in criminal cases

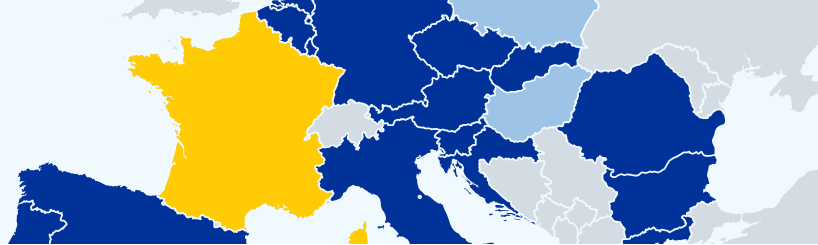
	Ongoing cases in the trial phase	0
	Cases where simplified prosecution procedures were applied	0
	Number of first court decisions	0
	Number of appeals against first court decisions	0
	Number of ongoing cases in the appeal phase	0
	Number of final court decisions	0
	Number of extraordinary legal remedies against court decisions	0
	Convictions	0
	Acquittals	0
	Confiscations	n/a

Typologies identified in EPPO cases

Number of investigated offences broken down by type

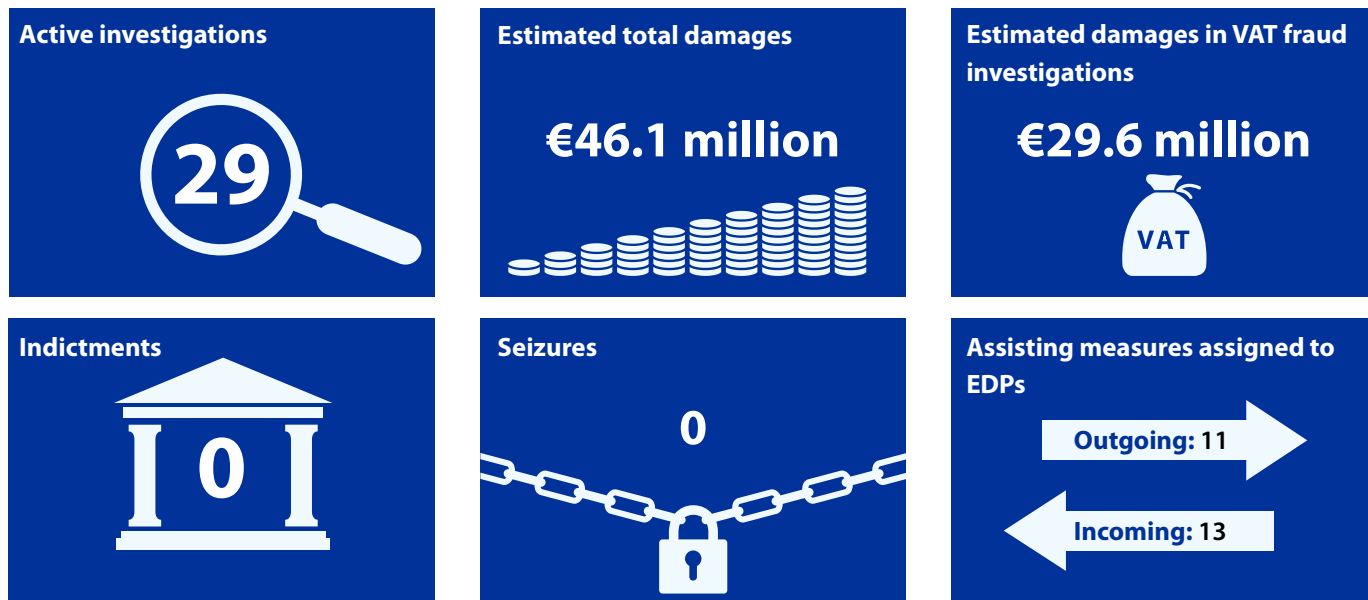
	Non-procurement expenditure fraud	2
	Procurement expenditure fraud	0
	Non-VAT revenue fraud	2
	VAT revenue fraud	0
	Participation in a PIF-focused criminal organisation	0
	Corruption	0
	Misappropriation	0
	Money laundering	0
	Inextricably linked offence	0
	Cross-border investigations	0

FRANCE



DATA VALID ON 31 DECEMBER 2021

Operational activity



Received reports/complaints

From national authorities	25
From EU institutions, bodies, organisations and agencies	19
From private parties	4
<i>Ex officio</i>	0
TOTAL	48

Opened investigations

Initiate investigation (new case)	29
Evoke investigation (old case)	2
TOTAL	31

Exercise of competence

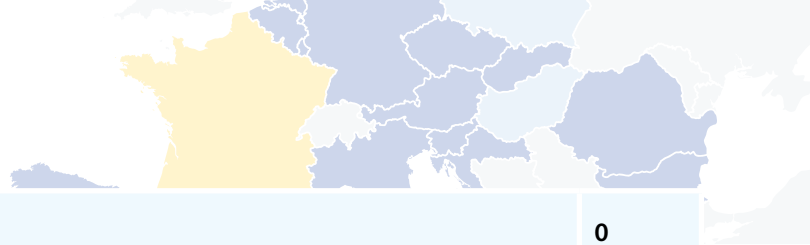
Decision pending	2
Decision to exercise competence	31
Decision not to exercise competence	15
Referral to national authorities (where competence was exercised)	0


Dismissed cases

Death or winding up	0
Insanity	0
Amnesty	0
Immunity	0
Expiry of statutory limitation to prosecute	0
Case has already been finally disposed of	0
Lack of relevant evidence	0
TOTAL	0



Judicial activity in criminal cases



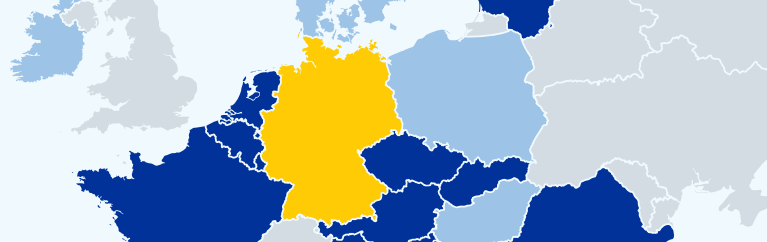
	Ongoing cases in the trial phase	0
	Cases where simplified prosecution procedures were applied	0
	Number of first court decisions	0
	Number of appeals against first court decisions	0
	Number of ongoing cases in the appeal phase	0
	Number of final court decisions	0
	Number of extraordinary legal remedies against court decisions	0
	Convictions	0
	Acquittals	0
	Confiscations	n/a

Typologies identified in EPPO cases

Number of investigated offences broken down by type

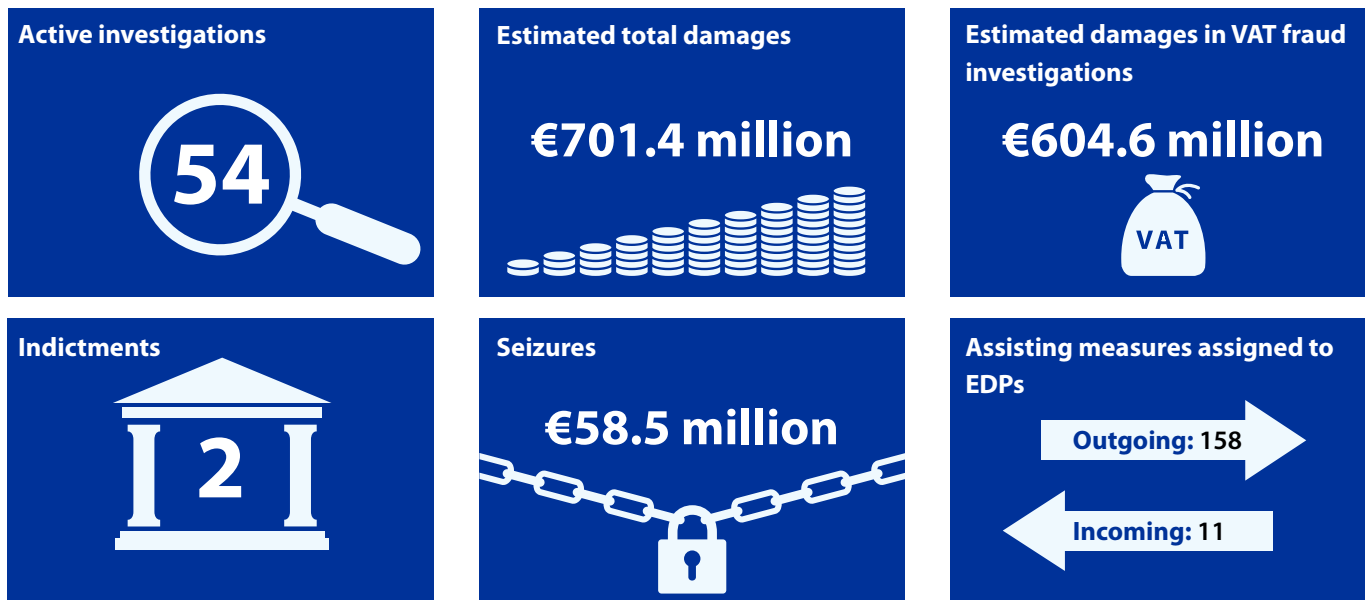
	Non-procurement expenditure fraud	14
	Procurement expenditure fraud	1
	Non-VAT revenue fraud	14
	VAT revenue fraud	3
	Participation in a PIF-focused criminal organisation	0
	Corruption	0
	Misappropriation	4
	Money laundering	4
	Inextricably linked offence	1
	Cross-border investigations	13

GERMANY



DATA VALID ON 31 DECEMBER 2021

Operational activity



Received reports/complaints

From national authorities	82
From EU institutions, bodies, organisations and agencies	8
From private parties	3
<i>Ex officio</i>	0
TOTAL	93

Opened investigations

Initiate investigation (new case)	17
Evoke investigation (old case)	41
TOTAL	58

Exercise of competence

Decision pending	1
Decision to exercise competence	56
Decision not to exercise competence	36
Referral to national authorities (where competence was exercised)	1

Dismissed cases

Death or winding up	0
Insanity	0
Amnesty	0
Immunity	0
Expiry of statutory limitation to prosecute	0
Case has already been finally disposed of	0
Lack of relevant evidence	0
TOTAL	0

European Delegated Prosecutors (active): 11



National European Delegated Prosecutors' Assistants: 7

Judicial activity in criminal cases

	Ongoing cases in the trial phase	2
	Cases where simplified prosecution procedures were applied	0
	Number of first court decisions	0
	Number of appeals against first court decisions	0
	Number of ongoing cases in the appeal phase	0
	Number of final court decisions	0
	Number of extraordinary legal remedies against court decisions	0
	Convictions	0
	Acquittals	0
	Confiscations	n/a

Typologies identified in EPPO cases

Number of investigated offences broken down by type

	Non-procurement expenditure fraud	13
	Procurement expenditure fraud	2
	Non-VAT revenue fraud	16
	VAT revenue fraud	105
	Participation in a PIF-focused criminal organisation	8
	Corruption	0
	Misappropriation	1
	Money laundering	28
	Inextricably linked offence	2
	Cross-border investigations	32

GREECE



DATA VALID ON 31 DECEMBER 2021

Operational activity



Received reports/complaints

From national authorities	17
From EU institutions, bodies, organisations and agencies	22
From private parties	0
<i>Ex officio</i>	0
TOTAL	39

Opened investigations

Initiate investigation (new case)	10
Evoke investigation (old case)	8
TOTAL	18

Exercise of competence


Decision pending	1
Decision to exercise competence	17
Decision not to exercise competence	21
Referral to national authorities (where competence was exercised)	0

Dismissed cases

Death or winding up	0
Insanity	0
Amnesty	0
Immunity	0
Expiry of statutory limitation to prosecute	0
Case has already been finally disposed of	0
Lack of relevant evidence	0
TOTAL	0



Judicial activity in criminal cases

	Ongoing cases in the trial phase	0
	Cases where simplified prosecution procedures were applied	0
	Number of first court decisions	0
	Number of appeals against first court decisions	0
	Number of ongoing cases in the appeal phase	0
	Number of final court decisions	0
	Number of extraordinary legal remedies against court decisions	0
	Convictions	0
	Acquittals	0
	Confiscations	n/a

Typologies identified in EPPO cases

Number of investigated offences broken down by type

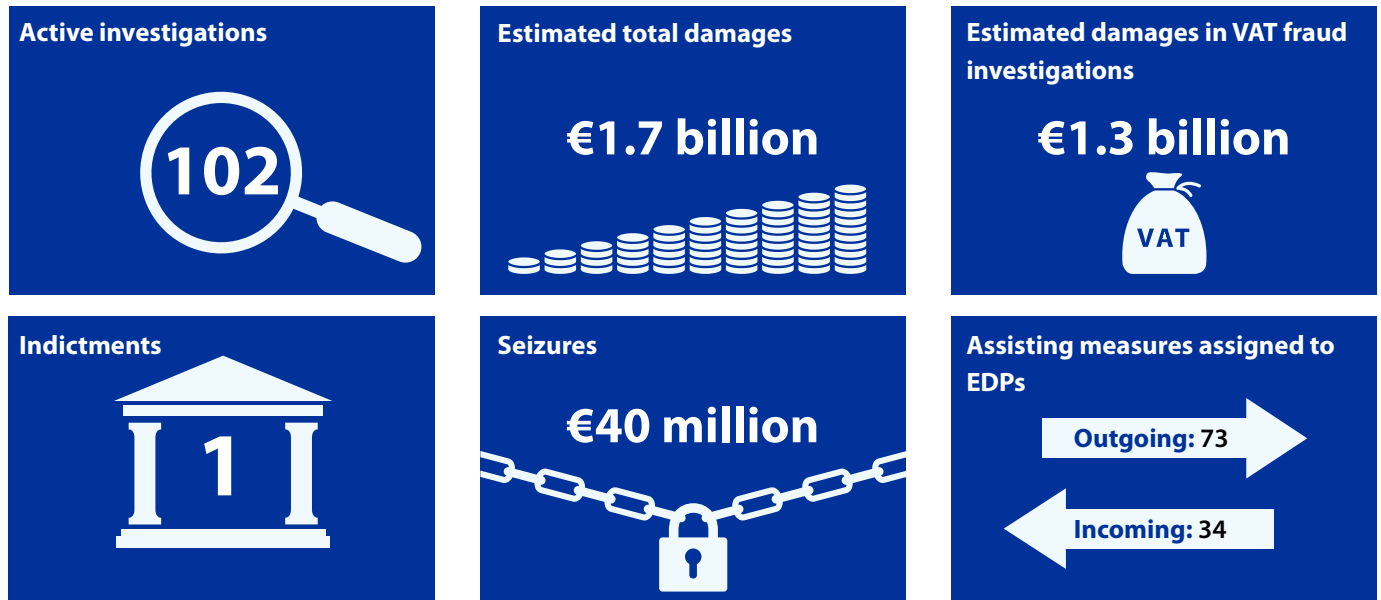
	Non-procurement expenditure fraud	12
	Procurement expenditure fraud	3
	Non-VAT revenue fraud	2
	VAT revenue fraud	0
	Participation in a PIF-focused criminal organisation	0
	Corruption	3
	Misappropriation	2
	Money laundering	1
	Inextricably linked offence	2
	Cross-border investigations	6

ITALY



DATA VALID ON 31 DECEMBER 2021

Operational activity



Received reports/complaints

From national authorities	240
From EU institutions, bodies, organisations and agencies	19
From private parties	3
<i>Ex officio</i>	0
TOTAL	262

Opened investigations

Initiate investigation (new case)	66
Evoke investigation (old case)	54
TOTAL	120

Exercise of competence

Decision pending	9
Decision to exercise competence	119
Decision not to exercise competence	134
Referral to national authorities (where competence was exercised)	10

Dismissed cases

Death or winding up	0
Insanity	0
Amnesty	0
Immunity	0
Expiry of statutory limitation to prosecute	0
Case has already been finally disposed of	0
Lack of relevant evidence	1
TOTAL	1



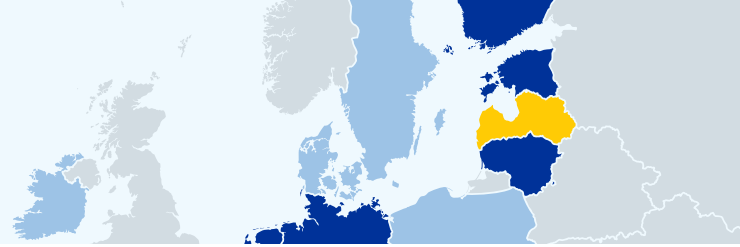
Judicial activity in criminal cases

	Ongoing cases in the trial phase	1
	Cases where simplified prosecution procedures were applied	1
	Number of first court decisions	0
	Number of appeals against first court decisions	0
	Number of ongoing cases in the appeal phase	0
	Number of final court decisions	0
	Number of extraordinary legal remedies against court decisions	0
	Convictions	0
	Acquittals	0
	Confiscations	n/a

Typologies identified in EPPO cases

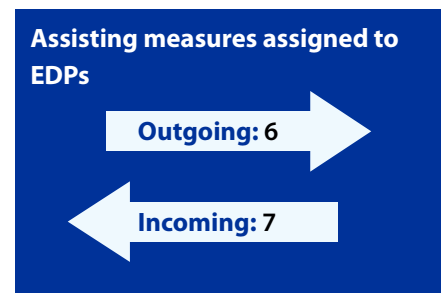
Number of investigated offences broken down by type

	Non-procurement expenditure fraud	60
	Procurement expenditure fraud	9
	Non-VAT revenue fraud	57
	VAT revenue fraud	47
	Participation in a PIF-focused criminal organisation	5
	Corruption	5
	Misappropriation	3
	Money laundering	3
	Inextricably linked offence	34
	Cross-border investigations	40



DATA VALID ON 31 DECEMBER 2021

Operational activity



Received reports/complaints

From national authorities	43
From EU institutions, bodies, organisations and agencies	5
From private parties	1
<i>Ex officio</i>	0
TOTAL	49

Opened investigations

Initiate investigation (new case)	5
Evoke investigation (old case)	3
TOTAL	8

Exercise of competence

Decision pending	1
Decision to exercise competence	8
Decision not to exercise competence	40
Referral to national authorities (where competence was exercised)	0

European Delegated Prosecutors (active): 4



National European Delegated Prosecutors' Assistants: 2

Dismissed cases

Death or winding up	0
Insanity	0
Amnesty	0
Immunity	0
Expiry of statutory limitation to prosecute	0
Case has already been finally disposed of	0
Lack of relevant evidence	0
TOTAL	0

Judicial activity in criminal cases

	Ongoing cases in the trial phase	0
	Cases where simplified prosecution procedures were applied	0
	Number of first court decisions	0
	Number of appeals against first court decisions	0
	Number of ongoing cases in the appeal phase	0
	Number of final court decisions	0
	Number of extraordinary legal remedies against court decisions	0
	Convictions	0
	Acquittals	0
	Confiscations	€22 000

Typologies identified in EPPO cases

Number of investigated offences broken down by type

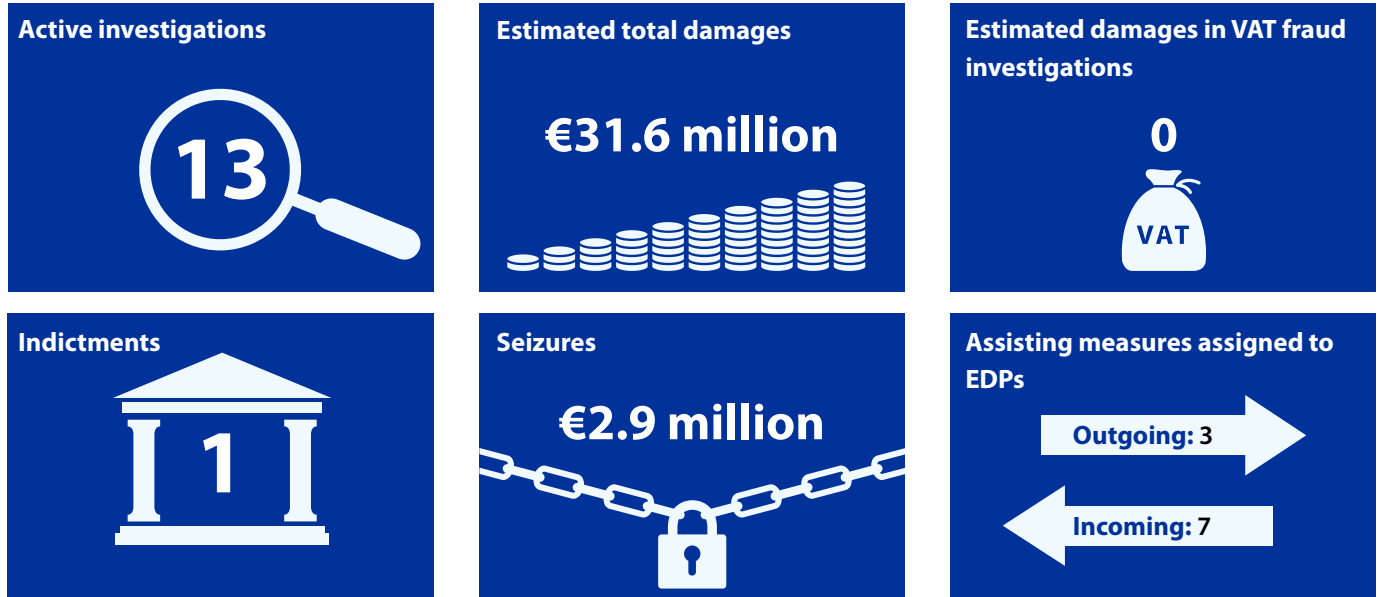
	Non-procurement expenditure fraud	2
	Procurement expenditure fraud	6
	Non-VAT revenue fraud	0
	VAT revenue fraud	1
	Participation in a PIF-focused criminal organisation	0
	Corruption	0
	Misappropriation	0
	Money laundering	0
	Inextricably linked offence	1
	Cross-border investigations	1

LITHUANIA



DATA VALID ON 31 DECEMBER 2021

Operational activity



Received reports/complaints

From national authorities	25
From EU institutions, bodies, organisations and agencies	3
From private parties	1
<i>Ex officio</i>	0
TOTAL	29

Opened investigations

Initiate investigation (new case)	2
Evoke investigation (old case)	12
TOTAL	14

Exercise of competence

Decision pending	0
Decision to exercise competence	13
Decision not to exercise competence	16
Referral to national authorities (where competence was exercised)	0

Dismissed cases⁵

Death or winding up	0
Insanity	0
Amnesty	0
Immunity	0
Expiry of statutory limitation to prosecute	0
Case has already been finally disposed of	0
Lack of relevant evidence	0
TOTAL	0



Judicial activity in criminal cases

	Ongoing cases in the trial phase	1
	Cases where simplified prosecution procedures were applied	0
	Number of first court decisions	0
	Number of appeals against first court decisions	0
	Number of ongoing cases in the appeal phase	0
	Number of final court decisions	0
	Number of extraordinary legal remedies against court decisions	0
	Convictions	0
	Acquittals	0
	Confiscations	n/a

Typologies identified in EPPO cases

Number of investigated offences broken down by type

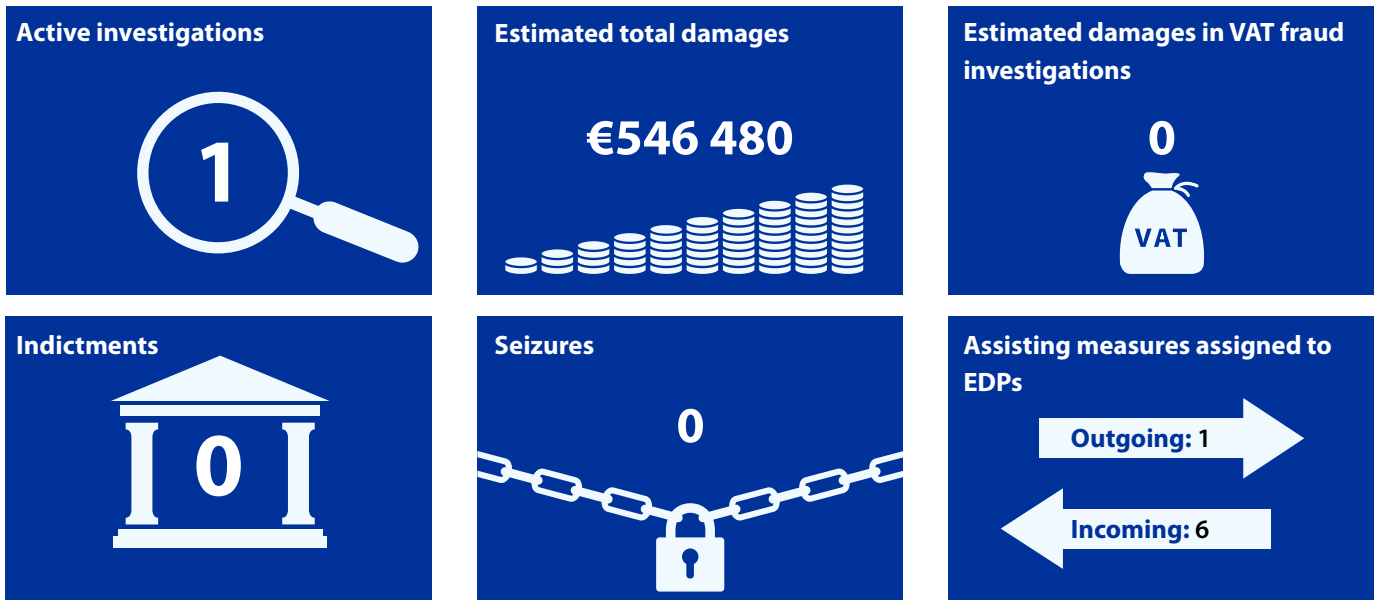
	Non-procurement expenditure fraud	4
	Procurement expenditure fraud	3
	Non-VAT revenue fraud	6
	VAT revenue fraud	0
	Participation in a PIF-focused criminal organisation	8
	Corruption	2
	Misappropriation	1
	Money laundering	1
	Inextricably linked offence	19
	Cross-border investigations	4

LUXEMBOURG



DATA VALID ON 31 DECEMBER 2021

Operational activity



Received reports/complaints

From national authorities	3
From EU institutions, bodies, organisations and agencies	4
From private parties	0
<i>Ex officio</i>	1
TOTAL	8

Opened investigations

Initiate investigation (new case)	1
Evoke investigation (old case)	0
TOTAL	1

Exercise of competence

Decision pending	4
Decision to exercise competence	1
Decision not to exercise competence	3
Referral to national authorities (where competence was exercised)	0

Dismissed cases

Death or winding up	0
Insanity	0
Amnesty	0
Immunity	0
Expiry of statutory limitation to prosecute	0
Case has already been finally disposed of	0
Lack of relevant evidence	0
TOTAL	0



Judicial activity in criminal cases

	Ongoing cases in the trial phase	0
	Cases where simplified prosecution procedures were applied	0
	Number of first court decisions	0
	Number of appeals against first court decisions	0
	Number of ongoing cases in the appeal phase	0
	Number of final court decisions	0
	Number of extraordinary legal remedies against court decisions	0
	Convictions	0
	Acquittals	0
	Confiscations	n/a

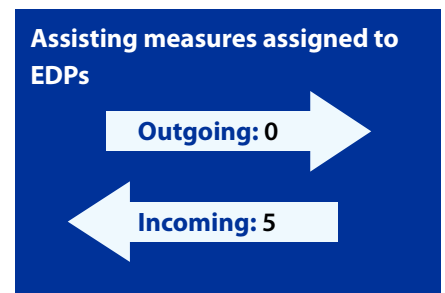
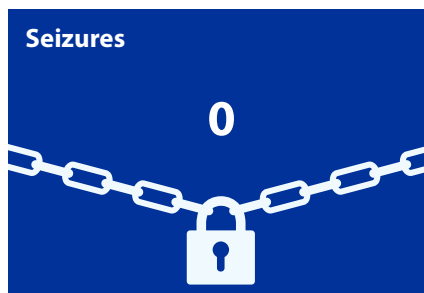
Typologies identified in EPPO cases

Number of investigated offences broken down by type

	Non-procurement expenditure fraud	1
	Procurement expenditure fraud	0
	Non-VAT revenue fraud	0
	VAT revenue fraud	0
	Participation in a PIF-focused criminal organisation	0
	Corruption	0
	Misappropriation	0
	Money laundering	0
	Inextricably linked offence	1
	Cross-border investigations	1

DATA VALID ON 31 DECEMBER 2021

Operational activity



Received reports/complaints

From national authorities	2
From EU institutions, bodies, organisations and agencies	0
From private parties	2
<i>Ex officio</i>	1
TOTAL	5

Opened investigations

Initiate investigation (new case)	0
Evoke investigation (old case)	0
TOTAL	0

Exercise of competence

Decision pending	3
Decision to exercise competence	0
Decision not to exercise competence	2
Referral to national authorities (where competence was exercised)	0

European Delegated Prosecutors (active): 2

Dismissed cases

Death or winding up	0
Insanity	0
Amnesty	0
Immunity	0
Expiry of statutory limitation to prosecute	0
Case has already been finally disposed of	0
Lack of relevant evidence	0
TOTAL	0



National European Delegated Prosecutors' Assistants: 1

Judicial activity in criminal cases

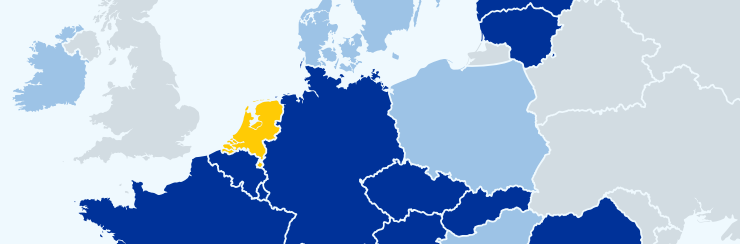
	Ongoing cases in the trial phase	0
	Cases where simplified prosecution procedures were applied	0
	Number of first court decisions	0
	Number of appeals against first court decisions	0
	Number of ongoing cases in the appeal phase	0
	Number of final court decisions	0
	Number of extraordinary legal remedies against court decisions	0
	Convictions	0
	Acquittals	0
	Confiscations	n/a

Typologies identified in EPPO cases

Number of investigated offences broken down by type

	Non-procurement expenditure fraud	0
	Procurement expenditure fraud	0
	Non-VAT revenue fraud	0
	VAT revenue fraud	0
	Participation in a PIF-focused criminal organisation	0
	Corruption	0
	Misappropriation	0
	Money laundering	0
	Inextricably linked offence	0
	Cross-border investigations	0

NETHERLANDS



DATA VALID ON 31 DECEMBER 2021

Operational activity



Received reports/complaints

From national authorities	8
From EU institutions, bodies, organisations and agencies	2
From private parties	0
<i>Ex officio</i>	0
TOTAL	10

Opened investigations

Initiate investigation (new case)	4
Evoke investigation (old case)	0
TOTAL	4

Exercise of competence

Decision pending	0
Decision to exercise competence	4
Decision not to exercise competence	6
Referral to national authorities (where competence was exercised)	0

European Delegated Prosecutors (active): 2

Dismissed cases

Death or winding up	0
Insanity	0
Amnesty	0
Immunity	0
Expiry of statutory limitation to prosecute	0
Case has already been finally disposed of	0
Lack of relevant evidence	0
TOTAL	0



Judicial activity in criminal cases

	Ongoing cases in the trial phase	0
	Cases where simplified prosecution procedures were applied	0
	Number of first court decisions	0
	Number of appeals against first court decisions	0
	Number of ongoing cases in the appeal phase	0
	Number of final court decisions	0
	Number of extraordinary legal remedies against court decisions	0
	Convictions	0
	Acquittals	0
	Confiscations	n/a

Typologies identified in EPPO cases

Number of investigated offences broken down by type

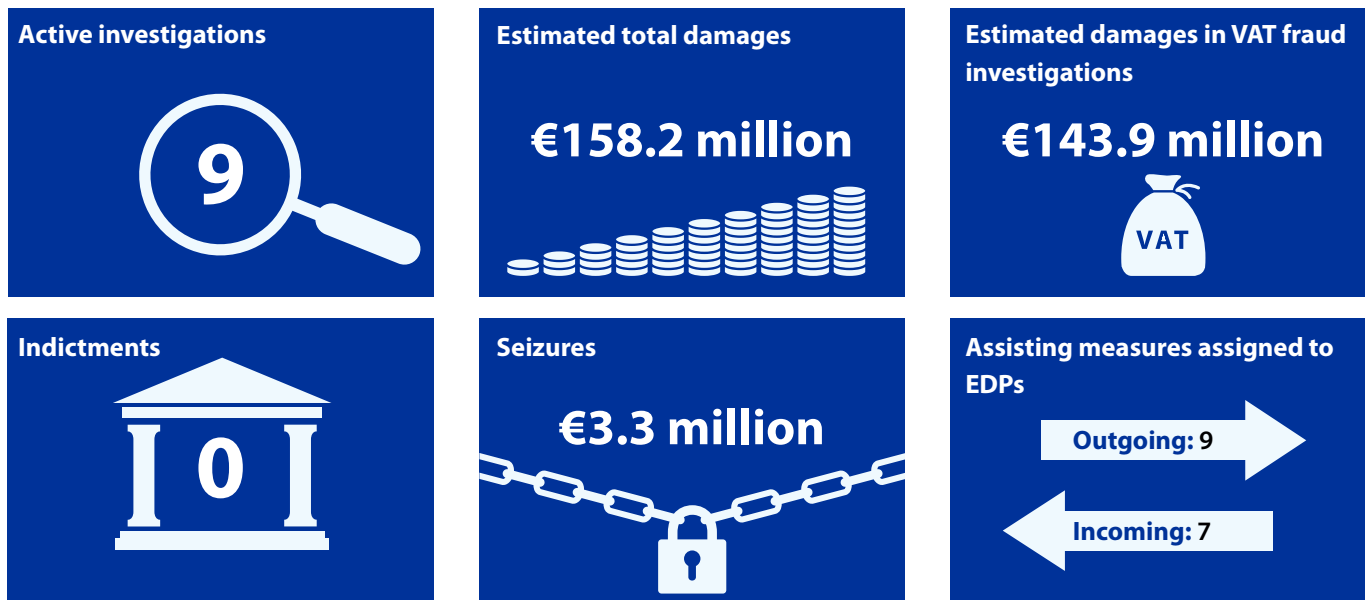
	Non-procurement expenditure fraud	1
	Procurement expenditure fraud	3
	Non-VAT revenue fraud	1
	VAT revenue fraud	2
	Participation in a PIF-focused criminal organisation	1
	Corruption	0
	Misappropriation	0
	Money laundering	0
	Inextricably linked offence	0
	Cross-border investigations	4

PORTUGAL



DATA VALID ON 31 DECEMBER 2021

Operational activity



Received reports/complaints

From national authorities	36
From EU institutions, bodies, organisations and agencies	6
From private parties	4
<i>Ex officio</i>	0
TOTAL	46

Opened investigations

Initiate investigation (new case)	1
Evoke investigation (old case)	8
TOTAL	9

Exercise of competence

Decision pending	1
Decision to exercise competence	9
Decision not to exercise competence	36
Referral to national authorities (where competence was exercised)	0

European Delegated Prosecutors (active): 4

Dismissed cases

Death or winding up	0
Insanity	0
Amnesty	0
Immunity	0
Expiry of statutory limitation to prosecute	0
Case has already been finally disposed of	0
Lack of relevant evidence	0
TOTAL	0



Judicial activity in criminal cases

	Ongoing cases in the trial phase	0
	Cases where simplified prosecution procedures were applied	0
	Number of first court decisions	0
	Number of appeals against first court decisions	0
	Number of ongoing cases in the appeal phase	0
	Number of final court decisions	0
	Number of extraordinary legal remedies against court decisions	0
	Convictions	0
	Acquittals	0
	Confiscations	n/a

Typologies identified in EPPO cases

Number of investigated offences broken down by type

	Non-procurement expenditure fraud	1
	Procurement expenditure fraud	3
	Non-VAT revenue fraud	3
	VAT revenue fraud	1
	Participation in a PIF-focused criminal organisation	0
	Corruption	0
	Misappropriation	0
	Money laundering	2
	Inextricably linked offence	0
	Cross-border investigations	4

ROMANIA



DATA VALID ON 31 DECEMBER 2021

Operational activity



Received reports/complaints

From national authorities	336
From EU institutions, bodies, organisations and agencies	7
From private parties	10
<i>Ex officio</i>	0
TOTAL	353

Opened investigations

Initiate investigation (new case)	26
Evoke investigation (old case)	34
TOTAL	60

Exercise of competence

Decision pending	2
Decision to exercise competence	60
Decision not to exercise competence	291
Referral to national authorities (where competence was exercised)	13


Dismissed cases

Death or winding up	0
Insanity	0
Amnesty	0
Immunity	0
Expiry of statutory limitation to prosecute	0
Case has already been finally disposed of	0
Lack of relevant evidence	0
TOTAL	0




Judicial activity in criminal cases



	Ongoing cases in the trial phase	0
	Cases where simplified prosecution procedures were applied	0
	Number of first court decisions	0
	Number of appeals against first court decisions	0
	Number of ongoing cases in the appeal phase	0
	Number of final court decisions	0
	Number of extraordinary legal remedies against court decisions	0
	Convictions	0
	Acquittals	0
	Confiscations	n/a

Typologies identified in EPPO cases

Number of investigated offences broken down by type

	Non-procurement expenditure fraud	43
	Procurement expenditure fraud	25
	Non-VAT revenue fraud	1
	VAT revenue fraud	0
	Participation in a PIF-focused criminal organisation	3
	Corruption	5
	Misappropriation	5
	Money laundering	2
	Inextricably linked offence	12
	Cross-border investigations	8

SLOVAKIA



DATA VALID ON 31 DECEMBER 2021

Operational activity



Received reports/complaints

From national authorities	77
From EU institutions, bodies, organisations and agencies	11
From private parties	3
<i>Ex officio</i>	0
TOTAL	91

Opened investigations

Initiate investigation (new case)	34
Evoke investigation (old case)	11
TOTAL	45

Exercise of competence

Decision pending	9
Decision to exercise competence	44
Decision not to exercise competence	38
Referral to national authorities (where competence was exercised)	1

Dismissed cases

Death or winding up	0
Insanity	0
Amnesty	0
Immunity	0
Expiry of statutory limitation to prosecute	0
Case has already been finally disposed of	0
Lack of relevant evidence	0
TOTAL	0



Judicial activity in criminal cases

	Ongoing cases in the trial phase	0
	Cases where simplified prosecution procedures were applied	2
	Number of first court decisions	0
	Number of appeals against first court decisions	0
	Number of ongoing cases in the appeal phase	0
	Number of final court decisions	1
	Number of extraordinary legal remedies against court decisions	0
	Convictions	1
	Acquittals	0
	Confiscations	0

Typologies identified in EPPO cases

Number of investigated offences broken down by type

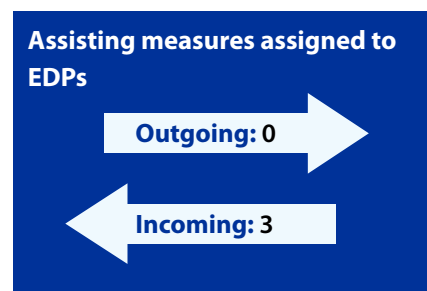
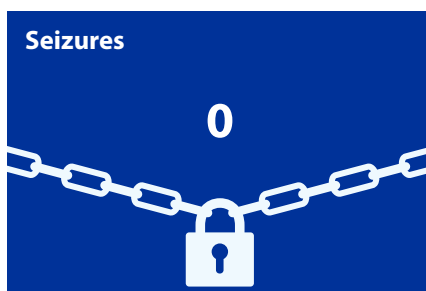
	Non-procurement expenditure fraud	30
	Procurement expenditure fraud	8
	Non-VAT revenue fraud	5
	VAT revenue fraud	2
	Participation in a PIF-focused criminal organisation	3
	Corruption	0
	Misappropriation	3
	Money laundering	0
	Inextricably linked offence	21
	Cross-border investigations	1

SLOVENIA



DATA VALID ON 31 DECEMBER 2021

Operational activity



Received reports/complaints

From national authorities	20
From EU institutions, bodies, organisations and agencies	1
From private parties	0
<i>Ex officio</i>	0
TOTAL	21

Opened investigations

Initiate investigation (new case)	0
Evoke investigation (old case)	3
TOTAL	3

Exercise of competence

Decision pending	0
Decision to exercise competence	3
Decision not to exercise competence	18
Referral to national authorities (where competence was exercised)	0

Dismissed cases

Death or winding up	0
Insanity	0
Amnesty	0
Immunity	0
Expiry of statutory limitation to prosecute	0
Case has already been finally disposed of	0
Lack of relevant evidence	0
TOTAL	0

European Delegated Prosecutors (active): 2



National European Delegated Prosecutors' Assistants: 3

Judicial activity in criminal cases

	Ongoing cases in the trial phase	0
	Cases where simplified prosecution procedures were applied	0
	Number of first court decisions	0
	Number of appeals against first court decisions	0
	Number of ongoing cases in the appeal phase	0
	Number of final court decisions	0
	Number of extraordinary legal remedies against court decisions	0
	Convictions	0
	Acquittals	0
	Confiscations	n/a

Typologies identified in EPPO cases

Number of investigated offences broken down by type

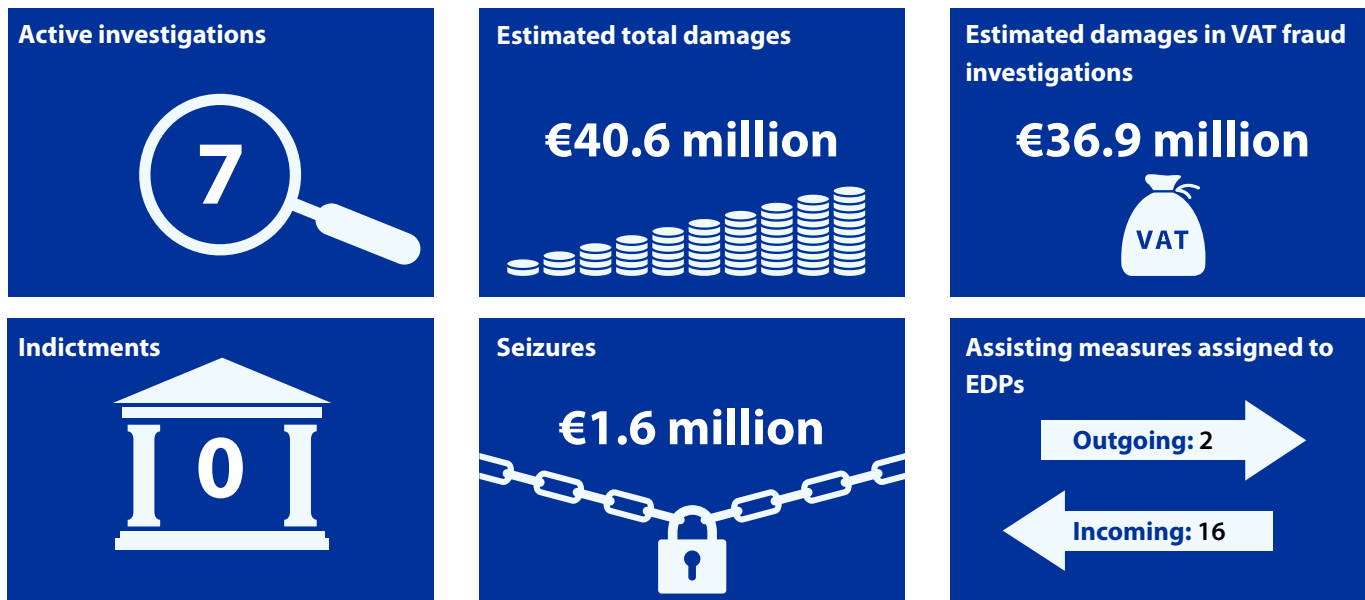
	Non-procurement expenditure fraud	2
	Procurement expenditure fraud	0
	Non-VAT revenue fraud	1
	VAT revenue fraud	0
	Participation in a PIF-focused criminal organisation	0
	Corruption	0
	Misappropriation	0
	Money laundering	0
	Inextricably linked offence	1
	Cross-border investigations	0

SPAIN



DATA VALID ON 31 DECEMBER 2021

Operational activity



Received reports/complaints

From national authorities	59
From EU institutions, bodies, organisations and agencies	17
From private parties	4
<i>Ex officio</i>	0
TOTAL	80

Opened investigations

Initiate investigation (new case)	6
Evoke investigation (old case)	3
TOTAL	9

Exercise of competence

Decision pending	29
Decision to exercise competence	9
Decision not to exercise competence	42
Referral to national authorities (where competence was exercised)	0

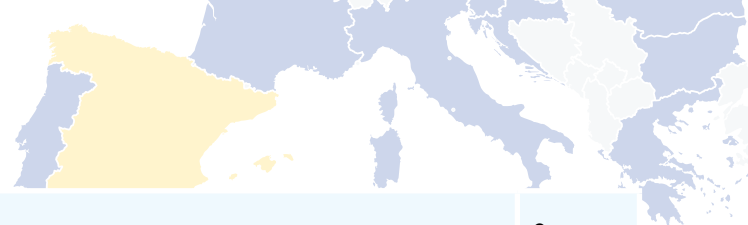
Dismissed cases


Death or winding up	0
Insanity	0
Amnesty	0
Immunity	0
Expiry of statutory limitation to prosecute	0
Case has already been finally disposed of	0
Lack of relevant evidence	0
TOTAL	0

European Delegated Prosecutors (active): 5



Judicial activity in criminal cases



	Ongoing cases in the trial phase	0
	Cases where simplified prosecution procedures were applied	0
	Number of first court decisions	0
	Number of appeals against first court decisions	0
	Number of ongoing cases in the appeal phase	0
	Number of final court decisions	0
	Number of extraordinary legal remedies against court decisions	0
	Convictions	0
	Acquittals	0
	Confiscations	n/a

Typologies identified in EPPO cases

Number of investigated offences broken down by type

	Non-procurement expenditure fraud	7
	Procurement expenditure fraud	3
	Non-VAT revenue fraud	1
	VAT revenue fraud	2
	Participation in a PIF-focused criminal organisation	1
	Corruption	0
	Misappropriation	0
	Money laundering	1
	Inextricably linked offence	2
	Cross-border investigations	0

Typologies identified in our cases

Investigated offences

Non-procurement expenditure fraud

313



Procurement expenditure fraud

110



Non-VAT revenue fraud

132



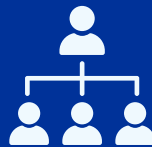
VAT revenue fraud

173



Participation in a PIF-focused criminal organisation

30



Corruption

40



Misappropriation

34



Money laundering

47



Inextricably linked offence

104



Non-procurement expenditure fraud

31.8% of the EPPO investigations concern suspected non-procurement fraud in the form of the use or presentation of false, incorrect or incomplete statements or documents, which has, as its effect, the misappropriation or wrongful retention of funds or assets from the Union budget or budgets managed by the Union, or on its behalf.

This type of fraud is to be found mainly in agricultural subsidies and direct payment, rural development, maritime and fisheries development programmes, infrastructure, human resources development programmes, Covid-19 related recovery funds, training services, construction, research and innovation, local infrastructure development, care services, youth and unemployed integration into the labour market, water infrastructure and support for small to medium-sized enterprises (SMEs).

In the case of agricultural subsidies in particular, the EPPO is investigating fraud based on false, incorrect or incomplete statements, false declara-

tions concerning the size of cultivated land and/or the amount of cattle ('ghost cattle'), as well as the activity of criminal groups submitting false documents for fictitious farming businesses of all kinds.

Modus operandi related to this type of crime:

- Submission of false information regarding eligibility criteria, intentional manipulation of financial statements, inflated additional costs, false statements regarding the payment of experts or subcontractors;
- Requesting reimbursement for services that were not or not fully delivered, specifically in the education sector and care services;
- Proposals for fake projects, including incorrect information about the execution and specific requirements of projects.

Procurement expenditure fraud

11.2% of the EPPO investigations concern suspected procurement expenditure fraud, usually through the use or presentation of false, incorrect or incomplete statements or documents. Forgery is a common inextricably linked offence.

This type of fraud is to be found mainly in construction, waste and wastewater infrastructure subsidies, technology (green waste, recycling) and human resources development programmes.

Modus operandi related to this type of crime:

- Submitting false declarations in public procurement calls, falsely indicating that the suspect meets the requirements of the tender;
- Collusive bidding, rigged specifications, manipulation of bids or conflict of interests in order

to award the tender to a specific economic operator;

- Intentional splitting of the tender by the managing authority into different procedures, permitting the same beneficiaries to avoid evaluation by the European Commission;
- Submission of false information regarding eligibility criteria, collusion with public officials to simulate award procedures, overstating costs for EU reimbursement;
- Provision of false documentation regarding the origin of tendered goods, where the products have not been produced by the tenderer but from cheaper countries, which are not eligible for funding by the EU.

VAT revenue fraud

17.6% of the EPPO investigations concern the most serious forms of VAT fraud, in particular carousel fraud, VAT fraud through missing traders, and VAT fraud committed within a criminal organisation.

This type of fraud is to be found mainly in the automotive sector, electronic devices sector, clothes and merchandise. These types of schemes may involve tens or hundreds of companies acting in several countries, either as buffer traders, brokers or as missing traders.

Modus operandi related to this type of crime:

- Carousel fraud perpetrated by organised crime groups through missing trader companies acting in several Member States. This type of fraud scheme is often linked to money laundering involving the property derived from the VAT fraud scheme;
- Abuse of Customs Procedure 42, where the goods are submitted to the payment of customs fees but are exempt from the payment of import VAT at the border, under the assumption that VAT will be paid in the Member State where the goods are effectively sold;
- False declaration of the origin of goods imported from a third country to avoid anti-dumping duties;
- Use of legitimate VAT documentation for fraudulent purpose in a carousel fraud, in which different companies acting as buffer traders, brokers, missing traders in several countries are involved;
- VAT fraud committed by private persons by using the mechanism of filter companies and so-called 'paper mill' companies, which issue invoices for non-existent operations, in connection with the operation of introducing into the European Union goods produced in third countries. In one of the EPPO cases, 32 'paper companies' (missing traders) have been identified, operating in several Member States.

Non-VAT revenue fraud

13.4% of the EPPO investigations concern non-VAT revenue fraud, in particular customs and anti-dumping duties fraud.

This type of fraud is to be found in trade with a vast array of merchandise, including tobacco, electronics, bicycles, stainless steel products, spare parts or perishable goods.

Modus operandi related to this type of crime:

- Submission of incorrect customs declarations and false invoices in order to avoid customs duties (tobacco) and anti-dumping duties, by undervaluing the imported goods, declaring the wrong producer or declaring the wrong country of origin;
- False import customs declarations regarding the assembly operations performed upon the imported goods (assembled in an EU country or third country from parts originating from China, e.g. bicycles) in order to evade customs duty;
- Seamless stainless steel products imported from China where it is falsely attested that the products were submitted to a processing in another third country in order to consider the product obtained as being of other origin. Processing that was never done in those cases and the technology for the actual transformation was inexistent;
- Import of e-bikes, respectively assembled with bicycle parts, which were submitted to anti-dumping duties via the false declaration of the origin of the goods;
- Several cases concern the import of goods without paying custom fees in violation of the rules protecting the EU Customs Union.

Corruption cases

4% of the EPPO investigations concern active and passive corruption of public officials.

Modus operandi related to this type of crime:

- Bribery of project officials in exchange for either awarding EU funds to specific companies, or for approving ineligible and inflated additional costs in the execution of the projects;
- Public officials awarding EU funds to specific companies and approving the payment of an inflated price, significantly higher than the real value of the contracted IT system;
- High-level public officials in charge of managing the anti-fraud division within an agency managing EU funds in the field of agriculture requesting and receiving bribes for failure to fulfil duties.

Recovery of the proceeds of criminal activity

In the first seven months of operations, 81 recovery actions took place in 12 of the participating Member States (Italy, Belgium, Germany, Romania, Czechia, Croatia, Finland, Latvia, Luxembourg, Spain, Lithuania, Portugal). In total, the EPPO requested more than €154 million to be seized, and the seizure of more than €147 million was granted. This represents over three times the budget of the EPPO in 2021.

The single highest seizure was more than €7 million in monetary instruments. In 4 cases, a total of more than €7 million was recovered before trial. Extended confiscation was requested in two instances, in order to restrain assets towards which some protective

measures had been taken by the criminals in order to avoid confiscation. The EPPO made extensive use of value-based confiscation to enable recovery. The EPPO also made several confiscation requests with the intention to secure possible civil actions.

The main assets seized were bank accounts, followed by real estate properties, vehicles, motorboats as well as shares, cash and luxury items. Criminal merchandise has been seized and removed from the market, effectively depriving the criminals of the benefit of their illicit activities. This includes illicit tobacco for an estimated market value of €17 million, and food products for an estimated market value of €12 million.





3

Activity of the College

Activity of the College

The College of the EPPO is responsible for the general oversight of its activities, for taking decisions on strategic matters, and for general issues arising from individual cases, in particular with a view to ensuring coherence, efficiency and consistency in the prosecution policy of the EPPO throughout the participating Member States.

In 2021, the College of the EPPO met 34 times and adopted 125 decisions⁶.

It established detailed rules for its operational activities to ensure a consistent implementation of its prosecution policy: operational guidelines on investigations; the criteria for evocation of pending cases related to the offences falling into the EPPO's competence and committed after 20 November 2017; the criteria for non-evocation of cases by the European Delegated Prosecutors and criteria for referral of cases to the competent national authorities; as well as the operational procedure for processing crime reports submitted by private parties⁷. The College of the EPPO also decided to set up 15 Permanent Chambers, established their composition and regulated their procedures⁸.

Once the EPPO became operational, the College of the EPPO amended and supplemented some decisions based on the first lessons learned, for instance, as regards the allocation of the cases to the Perma-

nent Chambers, the verification of the information registered to assess the EPPO's competence, and the reallocation of cases and modifications to the Case Management System⁹.

The College of the EPPO adopted specific rules for European Prosecutors and European Delegated Prosecutors, for example regarding their appraisal procedure or their declarations of interest, their Code of Ethics and disciplinary rules¹⁰, complementing the Code of Good Administrative Behaviour and the Code of Ethics for the Members of the College and European Delegated Prosecutors.

The College of the EPPO adopted 42 decisions related to administrative and financial matters, such as the Implementing Rules of the Staff Regulation, the Financial Rules applicable to the EPPO or the learning and development framework.

As appointing authority, the College of the EPPO adopted 56 decisions related to the appointment of the Administrative Director and of the Data Protection Officer, as well as of the European Delegated Prosecutors in 22 participating Member States.

Finally, the College adopted nine working arrangements with IBOAs¹¹ and non-participating Member States¹².

Solemn undertaking at the Court of Justice of the European Union, September 2020





4

Activity of the Permanent Chambers

Activity of the Permanent Chambers

The Permanent Chambers monitor and direct the investigations and prosecutions conducted by the European Delegated Prosecutors, ensure the coordination of investigations and prosecutions in cross-border cases and, by implementing the decisions adopted by the College, ensure coherence, efficiency, and consistency in the EPPO's prosecution policy throughout the participating Member States.

Cases are allocated randomly to the Permanent Chambers immediately after registration. Each of the 15 Permanent Chambers consists of a chairperson and two European Prosecutors, who are its

permanent members. Additionally, the European Prosecutor supervising an investigation or prosecution in an individual case takes part in the deliberations and decision-making of the Permanent Chamber in that individual case.

Each Permanent Chamber relies on administrative and legal support, so as to ensure proper and thorough monitoring of each of the investigations.

Between June and December 2021, the Permanent Chambers held 282 meetings.

Number and type of Permanent Chambers' decisions

Registration and Verification

Decisions instructing the European Delegated Prosecutor to exercise the EPPO's competence	Evocation cases	17
	Initiation cases	12
Agreements not to evoke a case		445
Agreements not to initiate an investigation		231
Decisions taken in accordance with Art. 27(8) and (9) EPPO Regulation ¹³		290
Decisions to reopen an investigation		0

Investigations

Instructions for EDPs		1
Decisions on the review of assisting measures		0
Decisions to merge (non-domestic) cases		2
Decisions to split (non-domestic) cases		0
Permanent Chambers' decisions to reallocate to another European Delegated Prosecutor	in the same Member State	0
	in another Member State	2
Approved requests for exceptionally costly investigative measures		0

Conclusion of cases

Number of termination decisions

Decisions to prosecute before a national court		5
Decisions to apply a simplified prosecution procedure (Art. 22(2)(c) IRP)		3
Decisions to dismiss a case		3
Permanent Chambers' decisions to refer a case	according to Art. 34(1) EPPO Regulation ¹⁴	9
	according to Art. 34(2) EPPO Regulation ¹⁵	4
	according to Art. 34(3) EPPO Regulation ¹⁶	18
Number of cases where national authority did not accept the case (Art. 34 (5) EPPO Reg.)		1

Grounds for dismissal of cases in accordance with Art. 39(1) EPPO Reg. (Art. 22(2)(b) IRP)

Grounds for dismissal	Number of decisions
Death/winding up	0
Insanity	0
Amnesty	0
Immunity	0
Expiry of the national statutory limitation to prosecute	0
Case has already been finally disposed of in relation to the same acts	0
Lack of relevant evidence	3

Court proceedings

Permanent Chambers' decisions to lodge or maintain the appeal	0
Permanent Chambers' decisions to withdraw the appeal	0

Organisational matters

Permanent Chambers' decisions on the request of the EP(s) to conduct the investigation personally	0
Permanent Chambers' decisions to reallocate to another EDP in the same Member State in case of conflict of interest	0
Number of cases reallocated to another Permanent Chamber	25



5

Activity of the Operations and College Support Unit

Activity of the Operations and College Support Unit

The Operations and College Support Unit supports the operational activity of the EPPO throughout the entire life cycle of a case. From the moment information about possible offences is reported to the EPPO, through to the investigation and prosecution phases of the case, until a final decision is adopted.

Beyond its involvement in concrete EPPO investigations, the Operations and College Support Unit also contributes to a consistent implementation of the prosecutorial policy by standardisation and sharing of best practices, policy development, knowledge management, digital development, stakeholder engagement and operational translations. The unit is responsible for the scoping of tools needed for the investigative work of the EPPO, with a view to acquiring professional analytical software and securing access to commercial and public databases.

The unit contributed to the creation of a reporting structure, the definition of operational workflows, the training of the relevant staff in the use of the Case Management System in the run-up to the operational start of the EPPO, and ensured the technical implementation of the working arrangements signed between the EPPO, relevant national authorities and IBOAs.

Finally, the unit provides legal and administrative support to the Permanent Chambers and to the College of the EPPO, in particular by organising and preparing their meetings. It ensures that the deliberations and decisions of the College of the EPPO are properly recorded, and that all approved decisions are formalised and disseminated.

The Operations and College Support Unit is currently composed of two sectors:

- The Registry and Verification Sector is mainly responsible for processing the information reported to the Office pursuant to Article 24 of the EPPO Regulation, for managing the operational aspects of the EPPO's cooperation with its partners and for providing support to the investigations. The sector is divided into 4 teams, with 22 dedicated country desks responsible for processing information reported from each participating Member State, and 2 specialised desks responsible for processing information reported by IBOAs and private parties.
- The European Prosecutors' Support Pool Sector is responsible for providing legal and administrative support to the Permanent Chambers, monitoring the uniformity of the internal practice, managing the translations required by the multilingual nature of the EPPO's operations, as well as providing secretarial assistance to the College and to the European Prosecutors.





Processing of reported information

National authorities and IBOAs

In 2021, the EPPO processed 1351 crime reports from national authorities and 190 crime reports from IBOAs. Sources of the reports include all 22 participating Member States, 4 IBOAs, 3 non-participating Member States and third countries.

By the end of the reporting period, all backlog cases reported to the Office by national authorities were processed within the deadlines foreseen by the EPPO Regulation and Internal Rules of Procedure.

The reporting of information is done via a direct, secure connection (EPPOBox¹⁷) established between the Central Office and the EPPO offices in the participating Member States, as well as the reporting authorities and IBOAs.

Private parties and legal entities

The EPPO processed 1282 complaints from private parties, out of which 525 were duplicates¹⁸. We registered 720 unique complaints¹⁹. 70 were assessed as falling under the EPPO's competence. The rest were manifestly outside our competence, and referred to

national authorities or to IBOAs, deleted/destroyed or returned to sender. The highest number of complaints came from Bulgaria (104), Romania (88), Spain (75), Germany (68) and Croatia (59). The highest number of complaints forming the basis of a potential investigation came from Bulgaria (18), Romania (11) and Croatia (7).

The EPPO has also received 43 private party complaints originating in non-participating Member States: Hungary (28), Poland (9) Ireland (6) and 55 complaints from citizens of third countries.

Specialised support to EPPO investigations

In 2021, human resources and budgetary limitations allowed the EPPO to provide specialised investigative support to European Delegated Prosecutors and European Prosecutors only within the framework of a pilot project. We focused on a few complex cases in situations where appropriate resources at national level were either insufficient or unavailable.

The following table outlines the main types of assignments that were performed under the pilot project.

Requests for specialised support	46
Case area	<ul style="list-style-type: none"> • Complex national cases; • cross-border cases; • VAT carousel fraud cases; • high profile cases involving EU officials; • cases involving persons with immunity; procurement cases, etc.
Crime area (most frequent)	<ul style="list-style-type: none"> • Revenue fraud (VAT and non-VAT related); • Expenditure fraud (procurement and non-procurement related).
Type of task	<ul style="list-style-type: none"> • Assessment of evidence; • Preparation of an investigation plan; • Participation in coordination meetings and action days, both in Luxembourg and abroad; • Participation in investigative measures in situ; • Support to national police forces in cross-border cases; • Collection of documents; • Freezing or seizure of assets; • Analysis of customs, fiscal and financial information; • Open source and commercial database investigation and others.
Outcome of support	<ul style="list-style-type: none"> • Case material assessment; • Financial investigation report; • Analytical report; • Assessment report; • Open source intelligence report; • Translation tasks; • Legal support; • Damages calculation; • Investigative coordination; • Evidence collection and others.



6

Case Management System and IT

Case Management System and IT

The work of the EPPO is carried out in electronic form. In 2021, our focus was on developing the Case Management System and making it ready for the operational start.

For all other IT services, the EPPO relied on the European Commission.

Development of the Case Management System

The Case Management System is a complex set of tools and applications that allows the European Prosecutors, European Delegated Prosecutors and designated EPPO staff to work in compliance with the EPPO Regulation and the Internal Rules of Procedure. It enables the transfer of cases to and from national authorities, the reception and processing of information from other sources (including private parties), automated translation and all of the case-related workflows.

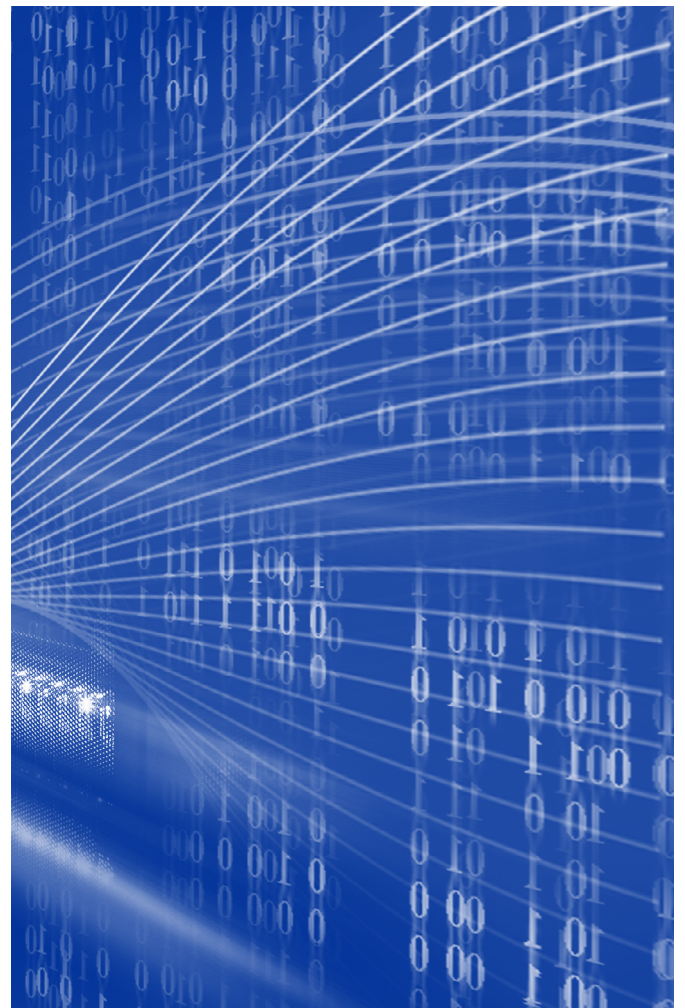
The Case Management System allows the EPPO to operate as a single office, making the case files administered by European Delegated Prosecutors available to the central level for the exercise of its decision-making, monitoring, directional, and supervisory tasks²⁰.

A project team was created in 2020, with the task of delivering the processes, IT tools and systems required for the efficient and secure management of an EPPO case from transfer of information to analysis, storage and referral to national authorities.

In March 2021, the first release version of the Case Management System was deployed in the EPPO production environment, within our own data centre. The Case Management System went live on 1 June 2021. Two major releases followed, in August 2021

and in December 2021. The system has also been updated with minor patches to adapt to requirements stemming from regulatory obligations.

In addition to the Case Management System, we developed and rolled out several IT tools to facilitate and support operations: a platform for secure transfer of information (EPPOBox); crime report forms for the automated import of information; an information exchange tool with other judicial organisations such as Eurojust, Europol and OLAF; and an eTranslation system for the automatic translation of the registered cases.





7

Human resources and staff development

Human resources and staff development

Our focus, throughout 2021, was on recruitment, onboarding and training. In addition, the HR team prepared the adoption by the College of the EPPO of most of the EU Staff Regulations' Implementing Rules. All our activities were affected by the exceptional circumstances of the Covid-19 pandemic, and the necessary adaptations proved particularly challenging for such a young organisation.

Recruitment

Recruitment of statutory staff

By 31 December 2021, the EPPO had organised 20 selection procedures, and had recruited and onboarded 66 new statutory staff compared to 2020 – bringing the total figure to 122 statutory staff members. We received and processed 1246 applications for temporary agent selection proce-

dures and 149 for contract agents, leading to 121 and 40 interviews, respectively.

Recruitment of European Delegated Prosecutors

We recruited 95 European Delegated Prosecutors, with the bulk of onboarding and training taking place in the run-up to the operational start.

According to Article 96(6) of the EPPO Regulation, European Delegated Prosecutors are engaged as Special Advisers and their rights relating to social security, pension and insurance coverage are to be maintained under their respective national schemes. This has given rise to several legal and practical challenges regarding the organisation of their missions, leaves and absences, financial rights and obligations.

Establishment plan and occupancy rate

HUMAN RESOURCES	2021		
	Authorised budget	Actually filled by 31/12/2021	Occupancy rate (%)
Administrators (TA AD)	68	64	94%
Assistants (TA AST)	23	23	100%
Assistants/Secretaries (TA AST/SC)	4	4	100%
Total Temporary Agents (TA)	95	91	96%
Contract Agents (CA)	35	31	87%
TOTAL STAFF	130	122	94%

Staff diversity

Statutory staff by nationality and gender

Nationality	Male	Female	Total
Austria	0	1	1
Belgium	9	4	13
Bulgaria	2	6	8
Croatia	0	1	1
Cyprus	1	1	2
Czechia	1	2	3
Estonia	0	1	1
Finland	1	0	1
France	5	1	6
Germany	4	2	6
Greece	7	8	15
Hungary	1	0	1
Ireland	2	1	3
Italy	13	5	18
Latvia	1	2	3
Lithuania	2	0	2
Luxembourg	1	0	1
Malta	1	1	2
Netherlands	1	1	2
Poland	0	1	1
Portugal	3	0	3
Romania	10	5	15
Slovakia	2	0	2
Slovenia	1	2	3
Spain	4	5	9
TOTAL	72 (59%)	50 (41%)	122

Training and Development

Training activities focused on three main areas: induction training for the European Delegated Prosecutors; EU fraud topics (EU legal framework, case law, main typologies of fraud); and courses for all staff members (ethics principles, safety awareness, data protection).

Specific training on operational matters was also organised under a framework agreement with the consortium composed by the Academy of European Law and the European Judicial Training Network, as well as in cooperation with OLAF.

The average number of training courses followed in 2021 by the EPPO staff was 4.5 for statutory staff and 3 for the European Delegated Prosecutors.

Training of European Delegated Prosecutors

In the first 7 months of operations, the EPPO delivered induction training to 86 new European Delegated Prosecutors in 9 dedicated sessions, and 6 Case Management System training sessions, in order to prepare them for the start of operations. The effort was concentrated in the second quarter, as soon as they had been appointed by the College of the EPPO. In the second semester of 2021, 5 induction and Case Management System training sessions were organised for 11 newly appointed European Delegated Prosecutors.

8

Financial resources and their management

Financial resources and their management

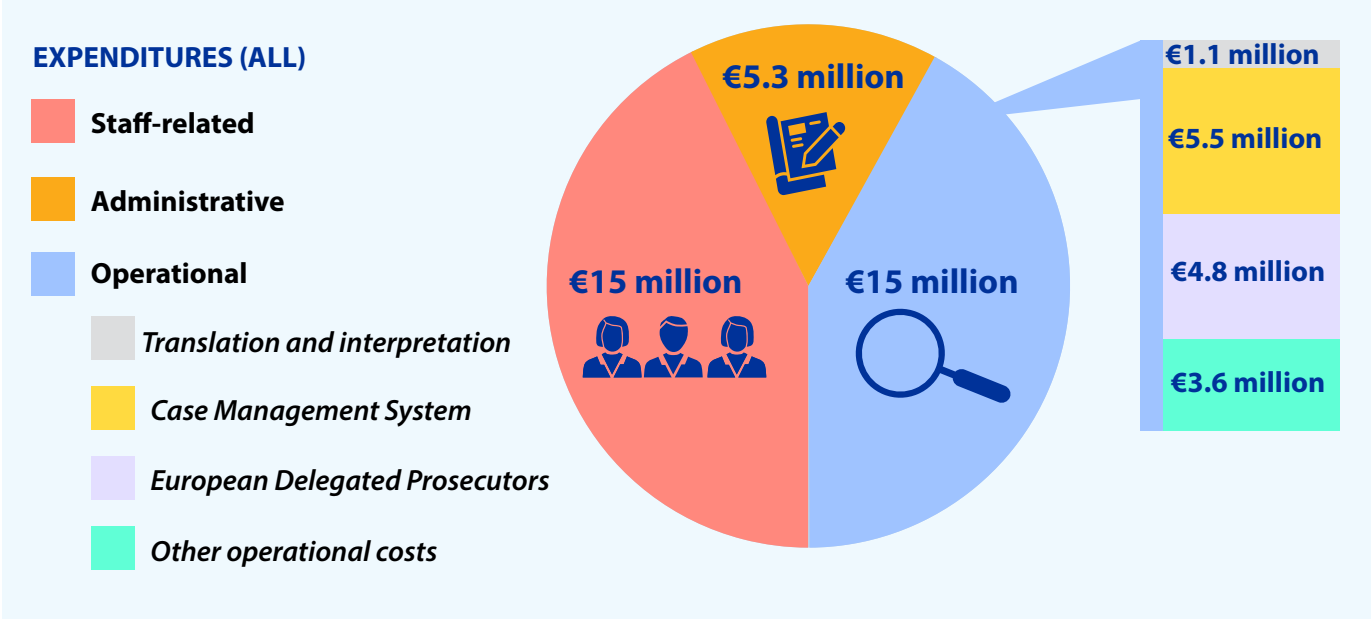
The EPPO achieved financial autonomy from the European Commission on 24 June 2021. As of that date, the EPPO fully manages and implements its own budget in an independent manner.

The budget of the EPPO is financed from the General Budget of the European Union in the form of a subsidy. In 2021, it was €45 million. However, due to delays in the appointment of European

Delegated Prosecutors, and therefore to the operational start of the EPPO, as well as to limitations in the number of staff we were ultimately allowed to hire, the EPPO had to adapt its budget to €35.5 million.

By the year's end, 97% of this budget was committed (€35.3 million) and 71% paid. 26% of 2021 payment appropriations were carried over to 2022.

Breakdown of 2021 committed budget, €35.3 million



Procurement

The EPPO signed 156 contracts under existing inter-institutional framework contracts, for a total amount of more than €10 million. Once financially autonomous, we launched our first substantial Open Call for Tenders for the Provision of Services in the field of Information Systems.

Internal audit capability

Following the EPPO's financial autonomy on 24 June 2021, the European Chief Prosecutor signed

a Mission Charter for the Internal Audit Service, which acts as the EPPO's internal auditor on non-operational matters, in line with Article 79 of the applicable financial rules, until the EPPO has established its own internal audit capability. The EPPO started the selection procedure of an Internal Audit Officer.

Due to the Covid-19 pandemic, the initial assessment by the Internal Audit Service was postponed to 2022.



9

Transparency and relations with the general public and the press

Transparency and relations with the general public and the press

In 2021, the EPPO made 148 documents available to the public through its website.

The EPPO received a total of 16 applications which were registered as public access requests²¹, and replied to them. All of these were initial applications. Out of the total figure of registered public access requests, the EPPO granted full access upon 10 of the applications. No access could be granted under the EPPO's rules in the remaining 6 cases. In 2 cases, the applicant did not identify a specific document. In 1 case, the EPPO did not hold the requested documents. In the other 3 cases, the EPPO refused to grant access to documents based on the reason that the right to access under Article 109(1) of the EPPO Regulation, and hence the EPPO's applicable rules, do not extend to operational information from case files.



Media interest in the EPPO was very high throughout the year. In the run up to the start of operations, the European Chief Prosecutor and European Prosecutors gave more than 100 interviews to journalists from the EU and beyond.

The EPPO organised 4 press conferences: 1 on the start date of operations, and 3 during visits of the European Chief Prosecutor to Bulgaria, Malta and Slovenia. We published 68 news updates on the EPPO's website in 2021. Only a handful of visits from student groups could take place, due to the Covid-19 pandemic.

The corporate website www.eppo.europa.eu was launched in January 2021, under the europa.eu domain. It features as the central information hub with news updates, vacancies, College Decisions and Working Arrangements, as well as general information about the EPPO's mandate, structure and legal framework.

Anyone looking to reach out to the EPPO can do so through contact forms for media requests, general queries and career enquiries, and the possibility to report a crime directly to the EPPO. Reporting a crime is possible via a web form available in 19 EU languages.

The EPPO has official social media accounts on Twitter, LinkedIn, Facebook and YouTube. These channels are used to amplify the news updates published on the website and to engage with the broadest possible public. The number of followers on all platforms combined quadrupled in 2021, reaching almost 20000.



10

Activity of the Legal Service

Activity of the Legal Service

The Legal Service supports the European Chief Prosecutor, the College, the European Prosecutors and the Administrative Director by advising on the interpretation of the legal framework under Union law regulating the activities of the EPPO.

In the phase leading up to the start of operations, it contributed to the adoption by the College of the EPPO of all the necessary decisions, such as the Internal Rules of Procedure, decisions related to the functioning and the composition of the Permanent Chambers, the conditions of employment for European Delegated Prosecutors, the financial rules and internal language arrangements. It also contrib-

uted to the implementing rules to the Staff Regulations, to the ethics and disciplinary framework, and to operational and administrative guidelines.

The Legal Service participated in the negotiation of working arrangements concluded by the EPPO, in accordance with Article 99 of the EPPO Regulation, notably with the European Commission, OLAF, Eurojust and Europol, or authorities of Member States that do not participate in the enhanced cooperation, or of third countries.

The Legal Service also provided advice on the application of the EPPO's legal framework to investigations in the participating Member States. This includes assessing, together with the competent European Prosecutors and European Delegated Prosecutors, circumstances in which the legal framework in the participating Member States may present critical issues of compatibility with Union law, in particular in respect of the EPPO Regulation and of the PIF Directive, which defines the scope of the EPPO's material competence. Moreover, the Legal Service provided legal advice to European Prosecutors and European Delegated Prosecutors on various aspects related to judicial cooperation in criminal matters between the EPPO and third countries and non-participating Member States.

The Legal Service also lends legal support to the European Chief Prosecutor and the College in the representation of the EPPO to external stakeholders, including Union institutions and bodies, authorities in the participating and non-participating Member States, authorities in third countries and international organisations.

Lastly, the Legal Service represents the EPPO in litigation before the Court of Justice of the European Union. In 2021, two cases were lodged before the General Court involving the EPPO, both pending resolution.





11

Data protection

Data protection

The EPPO operates under two distinct data protection regimes, distinguishing between administrative and operational personal data. The EPPO, under given circumstances, operates as, and possesses the competences of, a competent national authority – something without precedent in the European Union framework.

After having adopted the implementing legal framework regarding personal data protection in 2020, the College of the EPPO appointed a Data Protection Officer²² in early 2021. The first half of the year focused on ensuring a compliant imple-

mentation of the Case Management System, as well as on defining the necessary policies, processes and workflows in view of the start of operations on 1 June 2021.

To ensure the creation of a data protection culture as well as a consistency of approach and practices throughout the whole organisation, mandatory trainings on data protection were provided throughout the year on at least a monthly basis, tailored both to the administrative and operational sides, with European Delegated Prosecutors also receiving their own dedicated training.





12

**Relations of the EPPO
with its partners**

Relations of the EPPO with its partners

In line with Article 99 of the EPPO Regulation, the EPPO has established relations with institutions, bodies, offices and agencies of the Union, as well as with relevant authorities of the non-participating Member States, of third countries and with international organisations.

Relations with other institutions, bodies, offices and agencies of the Union

In 2021, the EPPO signed a working agreement with the European Commission, setting out the practical modalities for cooperation. There was a continuous and intense dialogue with the relevant Commission services, and several meetings of the European Chief Prosecutor with the Commissioner for Justice and the Commissioner for Budget and Administration.

The EPPO participated in numerous meetings with the European Council and the European Parliament. These included the joint meeting of the Committees on Civil Liberties, Justice and Home Affairs (LIBE) and on Budgetary Control (CONT), a meeting of the Conference of Presidents of the European Parliament, meetings of the Justice and Home Affairs Council; as well as, at a technical level, meetings of the Coordinating Committee in the area of police and judicial cooperation in criminal matters (CATS), the working party on judicial cooperation in criminal matters (COPEN) and the working party on combating fraud (GAF).

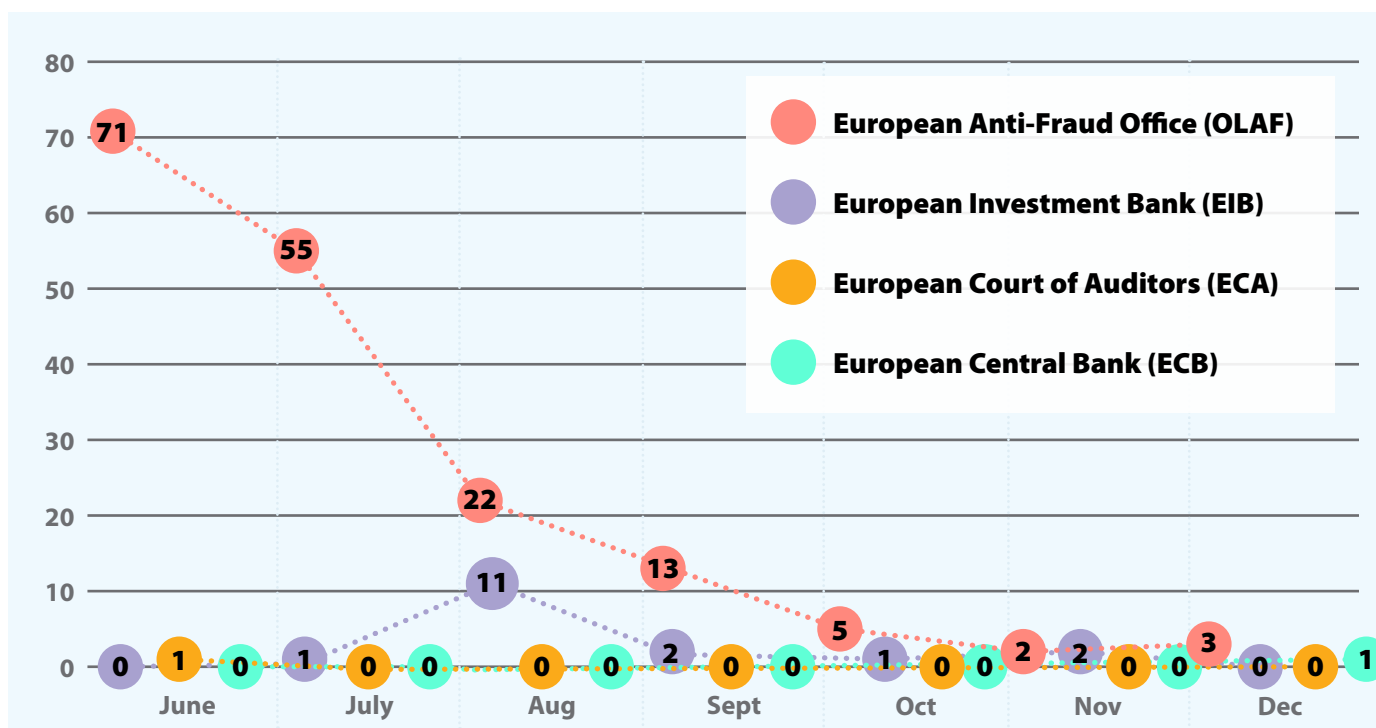
The European Chief Prosecutor also participated in the yearly inter-institutional exchange of views with the European Council, the European Commission and the European Parliament on the performance of OLAF.

Institutions, bodies, offices and agencies: crime reporting statistics

IBOA	ECRs	Exercised competence	Competence not exercised	Pending
European Anti-Fraud Office (OLAF)	171	85	74	12
European Court of Auditors (ECA)	1	1	0	0
European Investment Bank (EIB)	17	2	9	6
European Central Bank (ECB)	1	1	0	0
TOTAL	190	89	83	18

IBOA	Hit/no-hit requests to EPPO	Other communications to EPPO
European Anti-Fraud Office (OLAF)	58	201
European Court of Auditors (ECA)	0	0
European Investment Bank (EIB)	0	9
European Central Bank (ECB)	0	0
TOTAL	58	210

Reports received from IOAs, June–Dec 2021



Relations with non-participating Members States and third countries

The EPPO concluded a working arrangement on cooperation with the Office of the Prosecutor General of Hungary.

The negotiations with a view to concluding a working arrangement with the National Prosecutor's Office of Poland, initiated in November 2020, were finalised at a technical level in October 2021. However, Poland has conditioned the signature of

this working arrangement to a prior approval of an amendment of the Polish Code of Criminal Procedure that would allow recognition of the EPPO as competent authority.

The practical consequence of Poland's refusal to recognise participating Member States' notifications of the EPPO as a competent authority without prior national law modification is that Poland has been consistently rejecting the EPPO's requests for judicial cooperation since the start of its operations. Given that whenever the EPPO is carrying out a criminal

Non-participating Member States	Involvement in EPPO cases
Denmark	2
Hungary	17
Ireland	2
Poland	23
Sweden	4
TOTAL	48

investigation of a cross-border nature, it is unable to obtain evidence located in Poland, the EPPO's ability to counter criminality affecting the Union budget is systematically hindered.

Two rounds of talks on a draft working arrangement with the Department of Justice of Ireland took place in 2021. As the Irish authorities need more time for inter-institutional consultation on certain legal aspects, the negotiations shall resume in 2022.

In November 2020, the EPPO sent a draft working arrangement to the Director of Public Prosecutions of the Kingdom of Denmark. However, the Danish authorities were not ready to engage in negotiations because of the need for internal consultations.

The cooperation in criminal matters with the Kingdom of Sweden runs without difficulties on the basis of the relevant EU acts on judicial cooperation in criminal matters.

As regards third countries, the EPPO initiated negotiations with the aim to conclude working arrangements with the relevant authorities of the United States of America and of Ukraine.

Third country	Involvement in EPPO cases
Albania	1
Bosnia and Herzegovina	1
China	13
Curaçao	1
Democratic Republic of Congo	1
Hong Kong	1
Lebanon	1
Mauritania	1
Republic of Korea	1
Russia	1
Serbia	1
Sri Lanka	1
Switzerland	1
Syrian Arab Republic	1
Thailand	1
Turkey	3
Tunisia	2
Ukraine	1
United Arab Emirates	3
United Kingdom	7
United States	1
Zambia	1
TOTAL	45



Participation in international activities (networks, anti-corruption activities)

Cooperation with the Camden Asset Recovery Inter-agency Network (CARIN)

The EPPO joined CARIN as an observer at the end of 2020. In that capacity, we took part in the CARIN Annual General Meeting in April 2021 as well as the CARIN Steering Group meeting.

Since the start of operations, we sent 5 requests for information concerning third countries to the relevant CARIN contact points.

Engagement with the Financial Action Task Force (FATF)

The EPPO engaged in first discussions with the FATF, aimed at outlining common fields of cooperation and defining the process for a future participation of the EPPO in the FATF, as an observer.

Engagement with the Working Group on Bribery in International Business Transactions of the OECD (WGB)

The EPPO requested to participate in the WGB, as well as in the meetings of the law enforcement officials at the WGB's plenary meeting in October 2021. We expect a decision in early 2022.

NOTES

- 1 College Decision 001/2020 for the Conditions of Employment of the European Delegated Prosecutors.
- 2 College Decision 003/2020 for the Internal Rules of Procedure.
- 3 Possible differences in the overall outgoing and incoming assisting measures depend on the way these are accounted for at national level.
- 4 Excluding one additional case where court proceedings were commenced, in which there were three partial dismissals.
- 5 Excluding one additional case where court proceedings were commenced, in which there were three partial dismissals.
- 6 The decisions of the College are published on the EPPO's website.
- 7 College Decision 029/2021 adopting operational guidelines on investigation, evocation policy and referral of cases.
- 8 College Decision 066/2021 on the functions and procedures of the Permanent Chambers.
- 9 College Decision 085/2021 amending and supplementing the Internal rules of procedure of the EPPO and the Decision on Permanent Chambers ('PCs').
- 10 College Decision 039/2021 on the Code of Ethics for members of the College of the European Public Prosecutor's Office (EPPO) and European Delegated Prosecutors ('EDPs'); College Decision 044/2021 on laying down rules on the disciplinary liability of the European Delegated Prosecutors.
- 11 European Commission, Eurojust, Europol, OLAF, European Court of Auditors, the European Investment Bank and the European Investment Fund.
- 12 Working arrangement with the Office of the Prosecutor General of Hungary.
- 13 Offences which caused or are likely to cause damage to the Union's financial interests of less than €100 000.
- 14 The facts subject to investigation do not constitute a criminal offence for which the EPPO is competent.
- 15 The specific conditions for the exercise of EPPO's competence set out are no longer met.
- 16 General guidelines allowing the Permanent Chambers to refer a case to the competent national authorities for offences which caused or are likely to cause damage to the financial interests of the Union of less than €100 000.
- 17 The EPPOBox is the channel for securely transferring operational information developed by the EPPO and based on the Secure File Transfer Protocol (SFTP). The reporting takes place via a dedicated web portal or through an SFTP client. There were 337 EPPOBox users in 2021.
- 18 Private parties submitted the same report via several reporting channels or they have sent the same complaint multiple times.
- 19 Private parties reports that fall manifestly outside of EPPO's competence are registered in the PP Dossier Application, while private parties reports that may form the basis for an EPPO investigation are registered into the Case Management System.
- 20 Art. 8 paragraph 1, Art. 45 paragraph 2, and recital 47 of the EPPO Regulation.
- 21 In accordance with the principle of transparency and the right for individuals to access documents, citizens of the European Union and any other natural or legal person residing or having a registered office in a Member State have, subject to certain principles, conditions and limits, a right of access to documents produced or held by the EPPO. Access may only be refused in specific, exceptional circumstances. Regulation (EC) No 1049/2001 provides for general rules for access to documents. Implementing rules for access to EPPO documents have been adopted by the College of the EPPO on 21 October 2020 (College Decision 008/2020). In accordance with Article 109(1) of the EPPO Regulation, that right of access to documents does not apply to documents which are part of the case files of the EPPO.
- 22 College Decision 001/2021.



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