



EUROPEAN
PUBLIC
PROSECUTOR'S
OFFICE

EPPO a game changer

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OECD – course on International Cooperation
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Protecting EU
taxpayers' money
from criminals

www

EPPO headquarters

<https://www.youtube.com/watch?v=Df2oxAn9DBQ>



What is Eppo?

While OECD colleagues are studying TAX evasion/Custom duties...MLAT...DTA...& international cooperation in OSTIA...**ADIDAS...is being raided!!**

FINANCIAL TIMES

COMPANIES TECH MARKETS CLIMATE OPINION LEX WORK & CAREERS LIFE & ARTS HTSI

Adidas AG [+ Add to myFT](#)

Adidas headquarters raided for second day in €1bn tax evasion probe

German sportswear giant says long-running investigation unlikely to have 'any significant financial impact'



**Tax evasion
relating to customs duties and
import sales tax
in
Germany and Austria
to the detriment of the EU budget**





1

Mission and tasks

THE EPPO: A GAME-CHANGER

Law:

- ❑ EPPO REGULATION 2017/1939 – establishing EPPO
- ❑ EU Directive 2017/1371 – crimes affecting EU budget

As a supranational prosecution office, the EPPO has an unprecedented capacity to investigate and prosecute financial crime, using its '**helicopter view**'. It can:

- ▶ carry out **investigations across all participating Member States** in a coordinated manner,
- ▶ rapidly **exchange information**,
- ▶ **Art. 31** - ensure the **fast freezing or seizure of assets and, where necessary, request arrests.**





THE EPPO:

- ▶ investigates,
- ▶ prosecutes,
- ▶ brings to judgment the perpetrators of or accomplices to crimes affecting the financial interests of the EU.

CRIMES INVESTIGATED BY THE EPPO*



Expenditure and customs fraud.



VAT fraud involving two or more Member States and total damages of at least €10 million.



Corruption that damages the financial interests of the EU.



Misappropriation of EU funds or assets by a public official.



Money laundering involving property derived from these crimes.



Participation in a criminal organisation with focus on PIF offences.



Any other '**inextricably linked**' offences.

*As provided for in the PIF directive on the fight against fraud to the EU's financial interests by means of criminal law and implemented by national legislations. The directive harmonises definitions, sanctions and limitation periods of criminal offences.

WHICH MEMBER STATES PARTICIPATE IN THE EPPO?

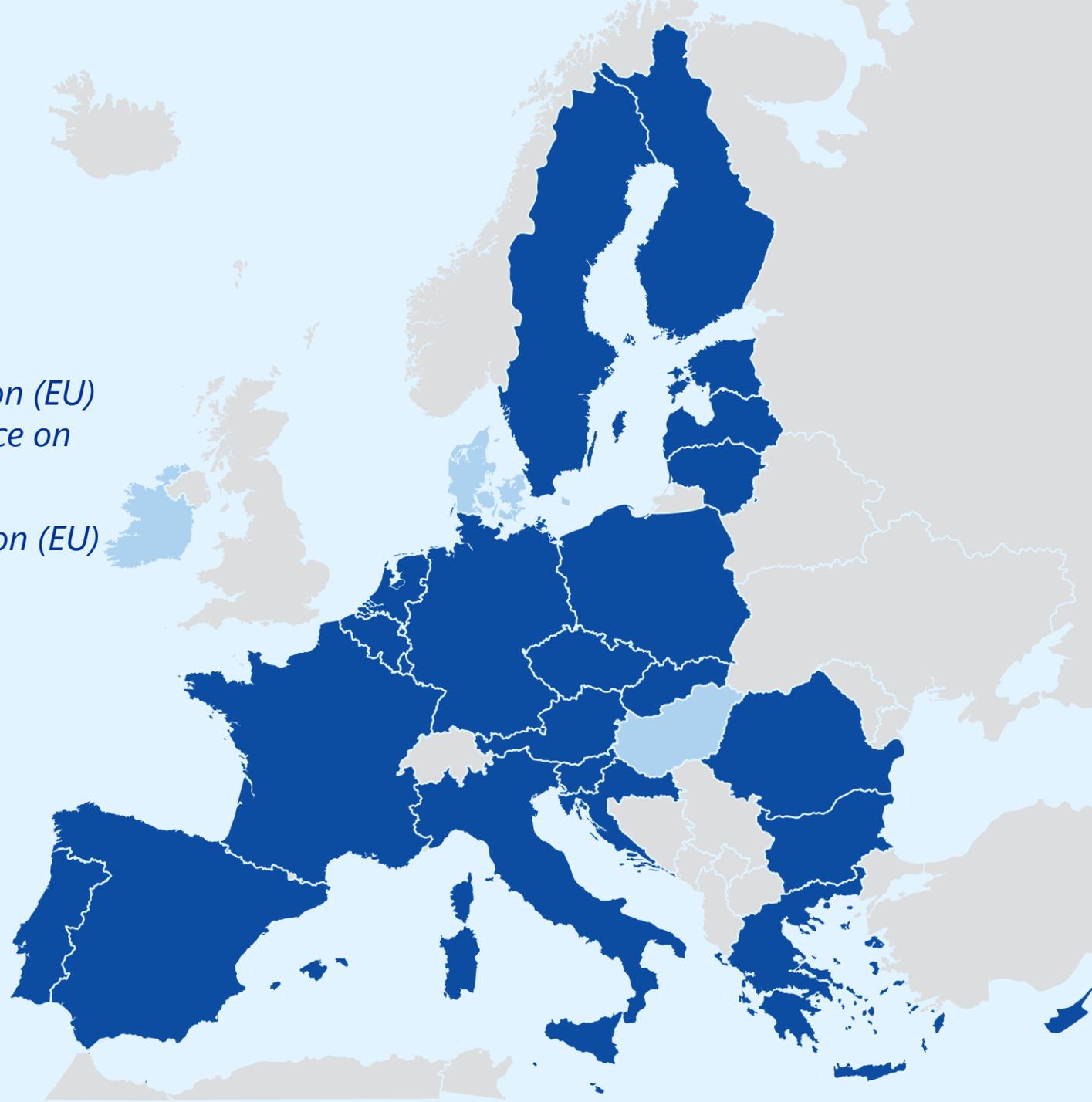
To date, **twenty-four** EU Member States participate in the enhanced cooperation

Poland's participation was confirmed by COM Decision (EU) 2024/807 of 29 February 2024, which entered into force on the twentieth day after publication.

Sweden's participation was confirmed by COM Decision (EU) 2024/1952 of 16 July 2024.

Three EU Member States do not participate:

- **Denmark** does not take part in the AFSJ (Protocol no. 22 to TFEU): it cannot take part in any EU Regulations, unless the Denmark Constitution and the Protocol are amended;
- **Ireland** has an opt in/out to the AFSJ (Protocol no. 21 to TFEU): it may decide to opt-in and join the EPPO
- **Hungary**: sovereign decision not to join yet; may join the EPPO later.



Territorial competence of the EPPO

- ▶ Offences committed in whole or in part **within the territory** of the 24 participating Member States

An offence is considered as having been committed on the territory of BE/LU (where the EU institutions are located) if any constituent element of the offence has taken place on their territory, *for example*:

- ▶ **Damage** takes place in BE/LU (expenditure fraud) (EU funds disbursed from BE/LU)
 - ▶ **False documents** received in BE/LU by an EU body
- ▶ Offences committed **anywhere** outside the combined territories of the participating Member States:
 - ▶ by a national of a participating Member State
 - ▶ by an EU official



2

Structure & functioning

THE EPPO IS COMPOSED OF TWO LEVELS:

- ▶ The central level:
 - ▶ the European Chief Prosecutor,
 - ▶ 22 European Prosecutors, two of whom are appointed by the College as Deputies for the European Chief Prosecutor,
 - ▶ the Administrative Director, and dedicated technical and investigative staff.
- ▶ The decentralised level:
 - ▶ European Delegated Prosecutors located in the participating Member States.



The **central level** supervises the investigations and prosecutions carried out at the **national level**.



College of the EPPO

THE COLLEGE OF THE EPPO

- ▶ Chaired by the European Chief Prosecutor + 22 European Prosecutors (1 per participating Member State)

ROLE:

- ▶ Decision-making on strategic matters
- ▶ Adoption of internal rules of procedure, to ensure coherence and consistency



PERMANENT CHAMBERS

What are they?

- The **Permanent Chambers** monitor and direct the investigations and prosecutions conducted by the EDPs. This ensures the EPPO's independence from national judiciaries.
- Formed by 3 European Prosecutors from a country that is not involved in the investigation.

In practice:

- In practice, the **Permanent Chamber decides**, based on a proposal by the EDP, whether to **prosecute** the case before a national court, to **dismiss** it or opt for **simplified procedures** (e.g. plea bargaining).

EUROPEAN DELEGATED PROSECUTORS:

- EDPs handle investigations and prosecutions in their Member State of origin.
- They work under the supervision of a European Prosecutor from the same Member State, on behalf of the competent Permanent Chamber, which monitors and directs the investigations and prosecutions conducted by the EDPs.
- They shall be granted by their Member State at least the same powers as national prosecutors.
- They remain integrated at an operational level in their national legal system and judicial and prosecution structures.

European Delegated Prosecutors

Active number of European Delegated Prosecutors: 158



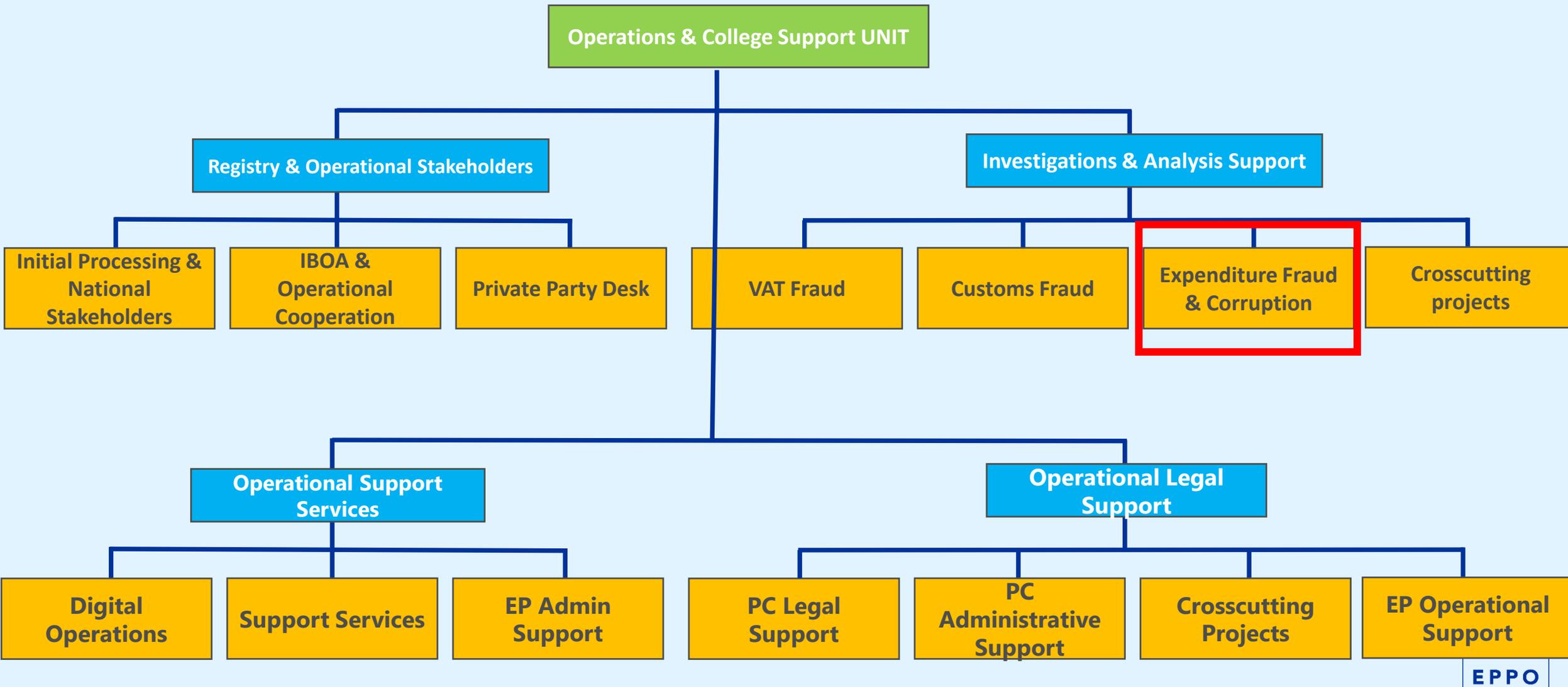
2023



OPERATIONS UNIT
Investigation and Analysis
Support (IAS)



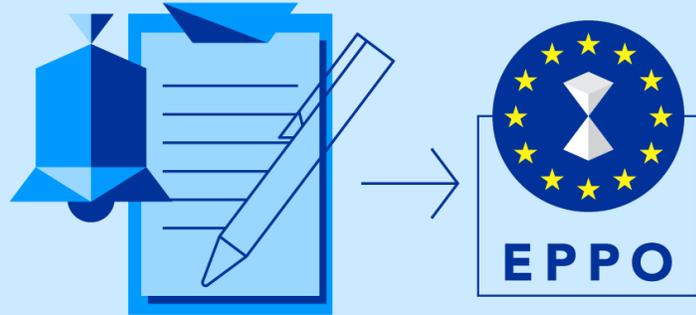
Operations & College Support Unit (2024)



INVESTIGATIONS: HOW IT WORKS



1



Information comes to the EPPO:

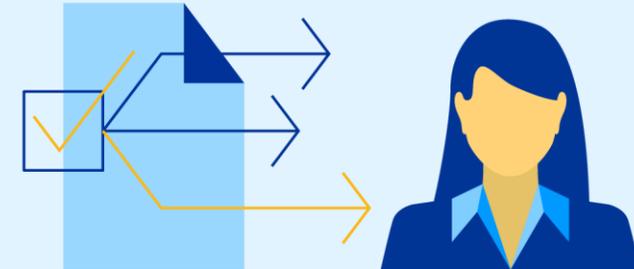
- ▶ From private parties via Report a Crime web form
- ▶ From national authorities and IBOAs

3

If opened, EDP investigates from start to finish

- ▶ Supported by EPPO financial investigators and case analysts
- ▶ Supported by national police, customs, tax services...
- ▶ Monitored by a **Permanent Chamber in Luxembourg**

2



Verification and registration in digital **Case Management System** and assigned to a European Delegated Prosecutor.

4



Case is tried before the national courts.

EPPO CRIME REPORT



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EPPO CRIME REPORT

Use this form to report information about a PIF offence

Reporting Entity			
Name of public institution or authority *			
<input type="text"/>			
Country/HQ *	<input type="text"/>		
Address *	<input type="text"/>		
Tel.	<input type="text"/>	Email	<input type="text"/>
Contact Person			
Name *	<input type="text"/>	Designation *	<input type="text"/>
Tel. *	<input type="text"/>	Email *	<input type="text"/>

Criminal investigation already initiated by national authorities ? *		<input type="radio"/> Yes	<input type="radio"/> No / Don't know
Case reference number *	<input type="text"/>		
Date when national investigation started	<input type="text"/>		

Is there an EDP linked to the case ?		<input type="radio"/> Yes	<input type="radio"/> No
EDP name	<input type="text"/>		

HOW CAN CITIZENS REPORT TO THE EPPO?



1



Private parties report through the EPPO website

2



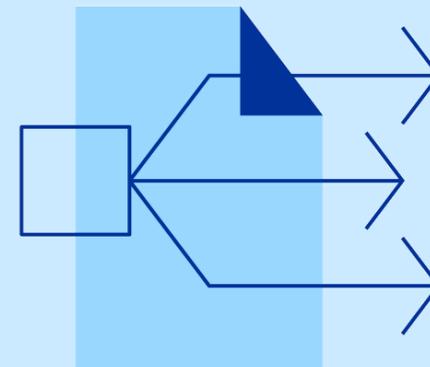
Through the dedicated 'Report a crime' form

3



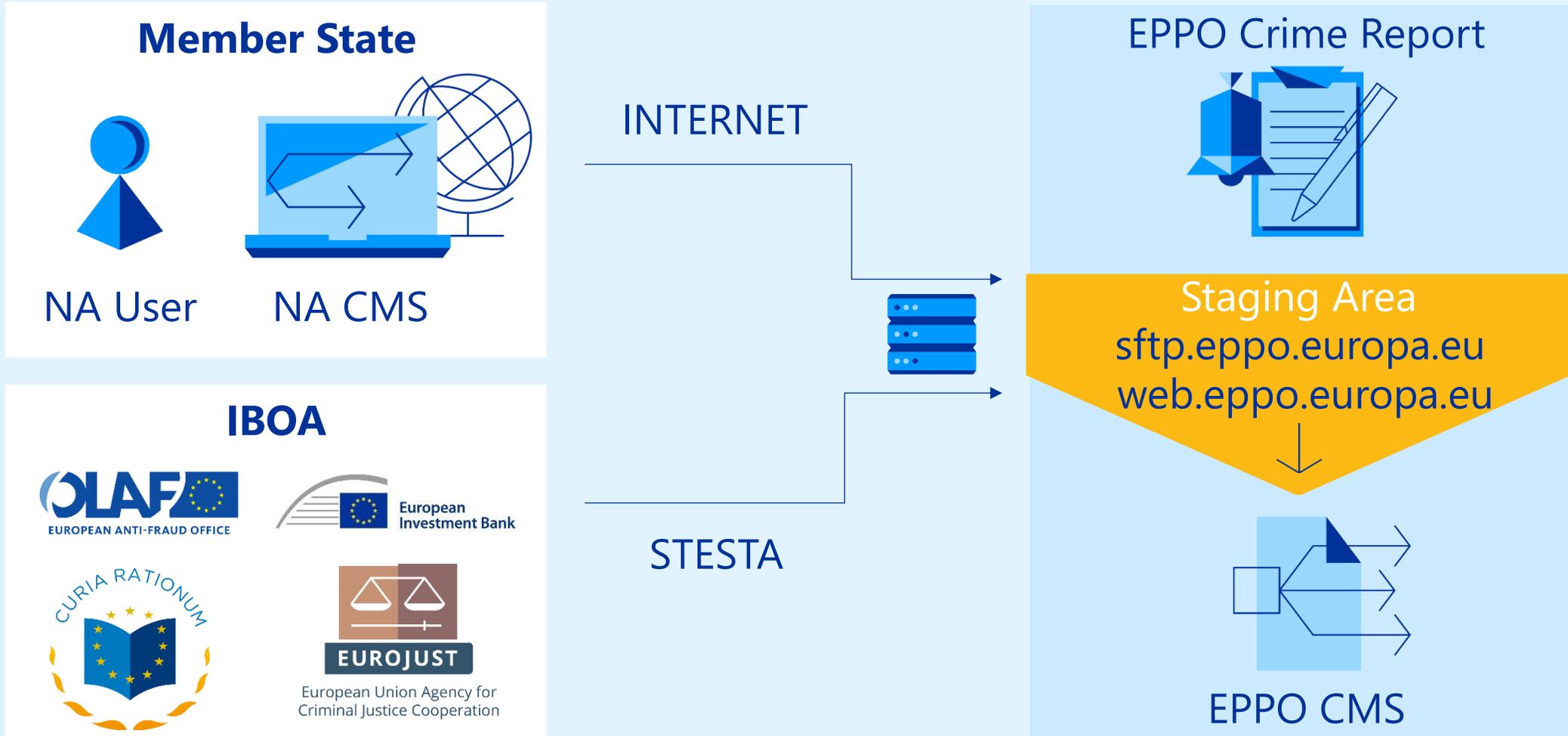
The report can be submitted in 24 different

4



And is submitted to the EPPO's **Case Management System**

CHANNEL - EPPOBOX





Cooperation

EUROPEAN UNION PARTNERS

- ❖ Reporting obligations
- ❖ Access to EU databases
- ❖ Exchange of information
- ❖ Relations with Eurojust, Europol and OLAF governed by EPPO Regulation
- ❖ Working arrangements



- ▶ Secured exchange of information
- ▶ Operational support



- ▶ Hit/No-Hit Mechanism
- ▶ Support possible for Joint Investigation Teams (outside EPPO zone)



European Court of Auditors



- ▶ Hit/No-Hit Mechanism
- ▶ Exchange of information
- ▶ Reception of support
- ▶ Complimentary investigations



Commission européenne

Agreement with the European Commission



European Investment Bank (EIB)



EPPO'S INTERNATIONAL PARTNERS



COOPERATION WITH NON-EU COUNTRIES

- ▶ **Judicial cooperation with non-EU countries** is based either on
 - ▶ agreements concluded by the Union/to which the Union is a Party (*Art. 104 paragraph 3 EPPO Reg.; e.g. EU-UK TCA, United Nations conventions UNTOC, UNCAC*),
 - ▶ international agreements to which the participating Member States are Parties (*Art. 104 paragraph 4 EPPO Reg.; e.g. 1959 Convention on Mutual Legal Assistance*),
 - ▶ the national powers of the EDPs (*Article 104 paragraph 5 EPPO Reg.*),
 - ▶ or reciprocity and international courtesy.
- ▶ **Extradition**, the European Delegated Prosecutor has to request the competent national authority of his/her Member State to issue an extradition request in accordance with applicable treaties/national law.
- ▶ The EPPO has **signed working arrangements** with counterparts in non-participating EU Member States and third countries, in order to facilitate cooperation (*List available on EPPO's website: <https://www.eppo.europa.eu/en/about/international-cooperation>*).



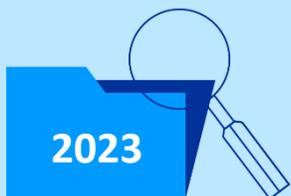


4

EPPO IN NUMBERS

CENTRAL OFFICE - OPERATIONAL ACTIVITY

DATA VALID ON 31 DECEMBER 2023



2023

Opened investigations

1 371



€12.28 billion



Estimated damage

1 927

All active investigations

€19.27 billion

Estimated total damage



of which are active VAT fraud investigations

339

€11.5 billion

Estimated total damage



Active investigations with a cross-border dimension

545

1 097

Decisions to assign measures to assisting EDPs in a different participating Member State

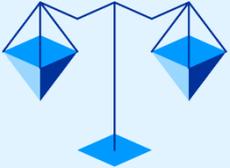


Freezing orders granted in 2023

€1.5 billion

CENTRAL OFFICE - OPERATIONAL ACTIVITY

DATA VALID ON 31 DECEMBER 2023



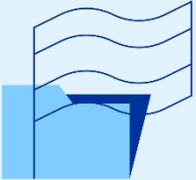
Indictments



Simplified prosecution procedures



Dismissed cases

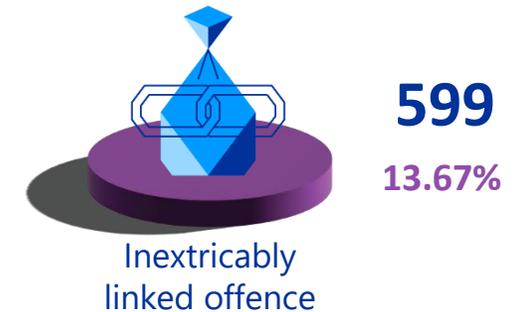


Referrals to national authorities

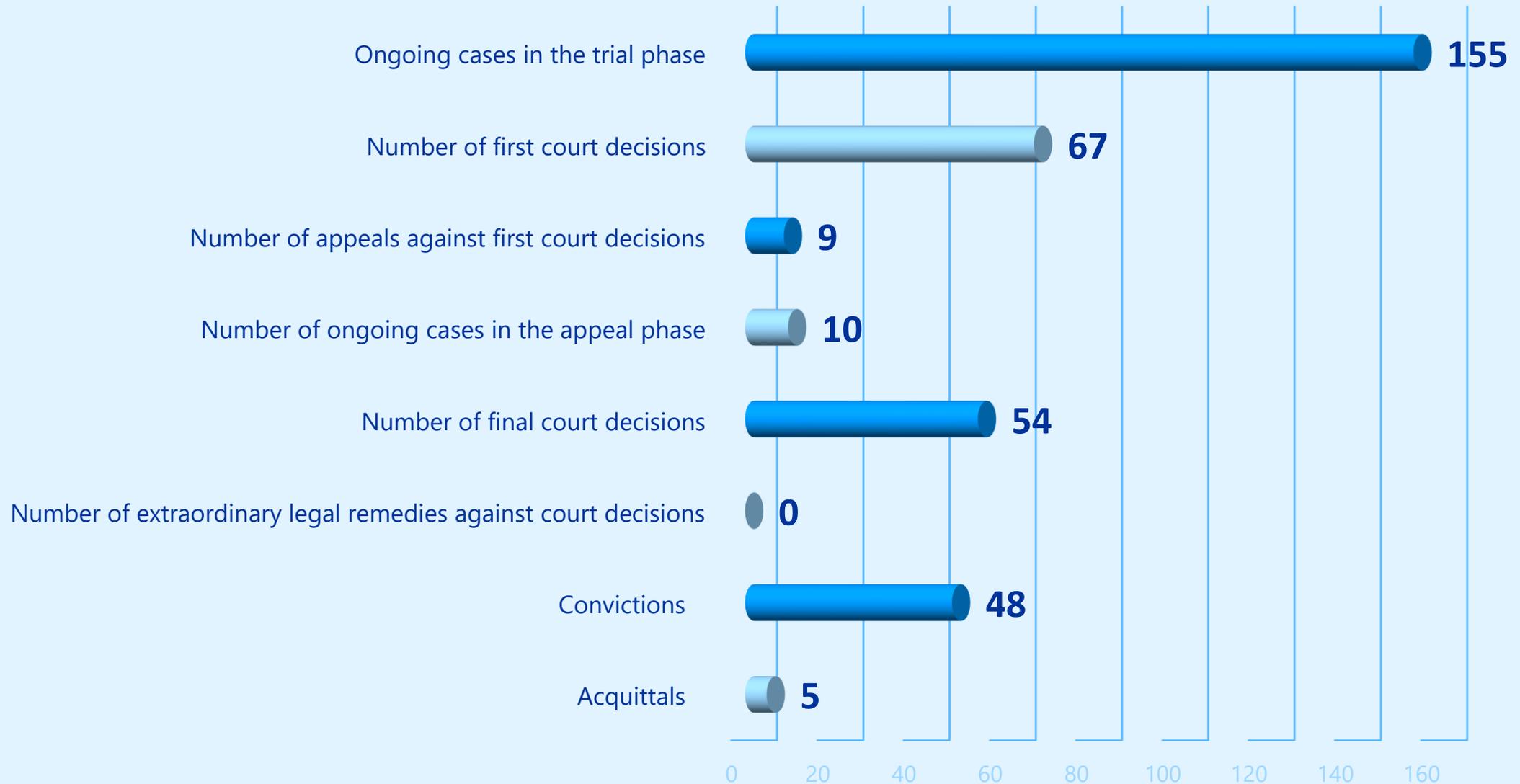


CENTRAL OFFICE - TYPOLOGIES IDENTIFIED IN ACTIVE EPPO CASES

NUMBER OF INVESTIGATED OFFENCES BROKEN DOWN BY TYPE



CENTRAL OFFICE - JUDICIAL ACTIVITY IN CRIMINAL CASES





REPORTS AND COMPLAINTS RECEIVED IN 2023:

- ▶ In 2023, the EPPO processed **4 187 crime reports**
- ▶ **108** from **EU institutions, bodies, offices and agencies**
- ▶ **1 562** from **national authorities**
- ▶ **2 494** from **private parties**



EPPO – Workload increase 2023

- ▶ In 2023 the level of awareness about EPPO increased (2494 crime reports, **29% increase**);
- ▶ Detection of EU fraud by national authorities increased (1562 crime reports, **24% increase**)
- ▶ By end of 2023 EPPO opened 1371 investigations (**58% increase**)
- ▶ Estimated damages in investigation increased from 14.1 to 19.27 bill (**36.7% increase**)
- ▶ **The enhanced level of detection and reflected on EPPO's ability to probe into the NextGenEU and the RRF**

RECEIVED REPORTS/COMPLAINTS

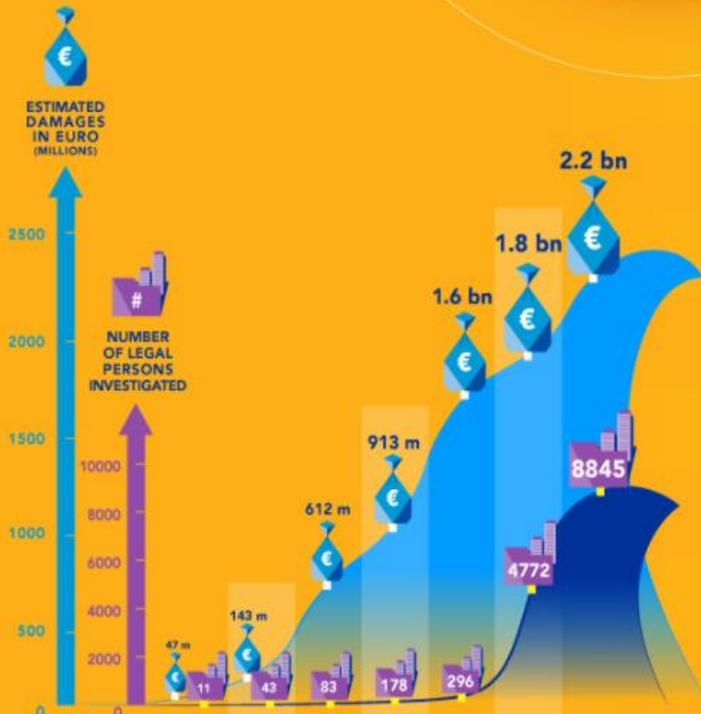
From EU institutions, bodies, offices and agencies	108	From private parties	2 494
From national authorities	1 562	Ex officio	23
TOTAL			4 187



Flagship operations



EPPO flagship operatio



33
EPPO
OFFICES
INVOLVED

30+
PARTNERS
& NATIONAL
AUTHORITIES
INVOLVED



Operation Admiral

modus operandi and scope

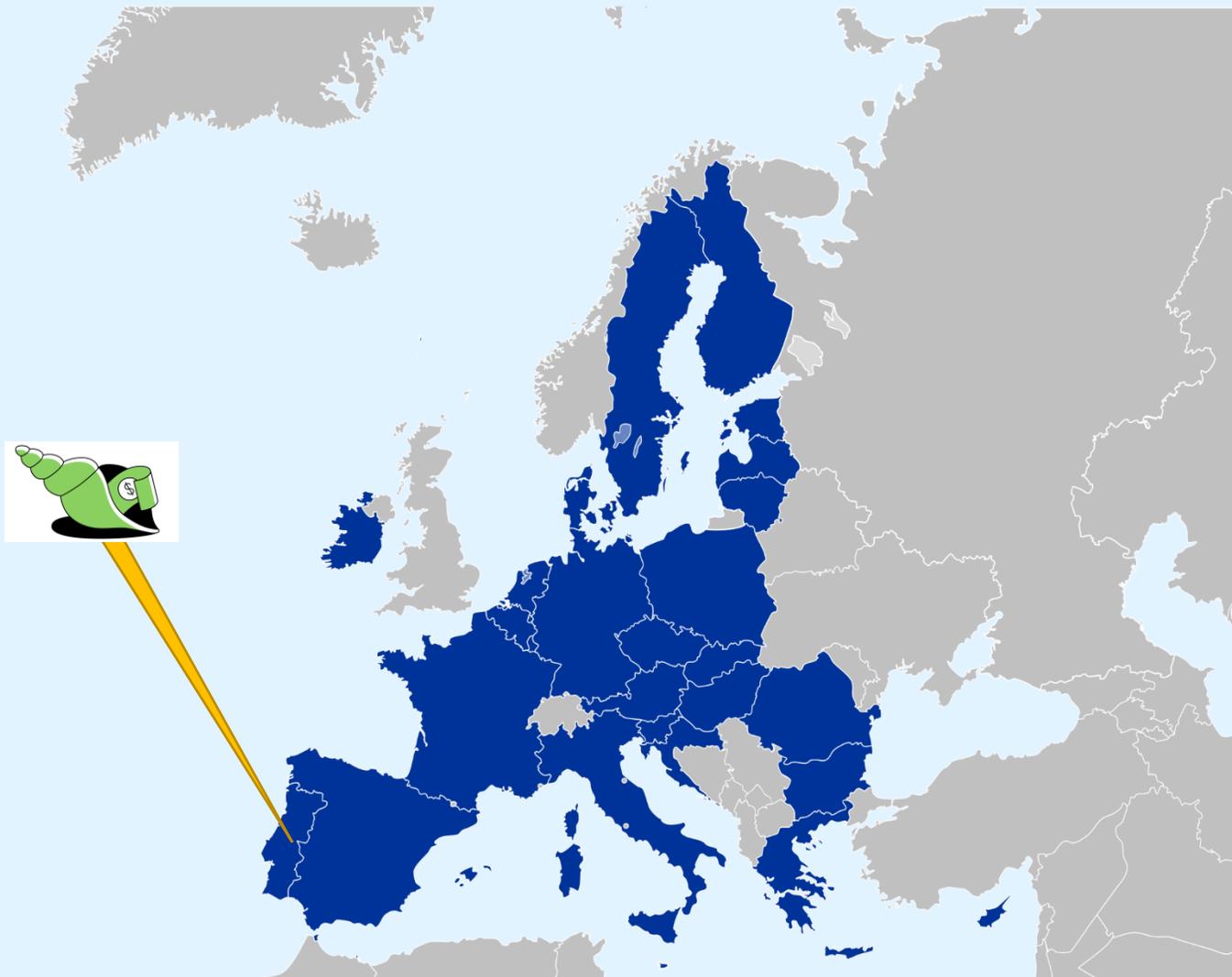


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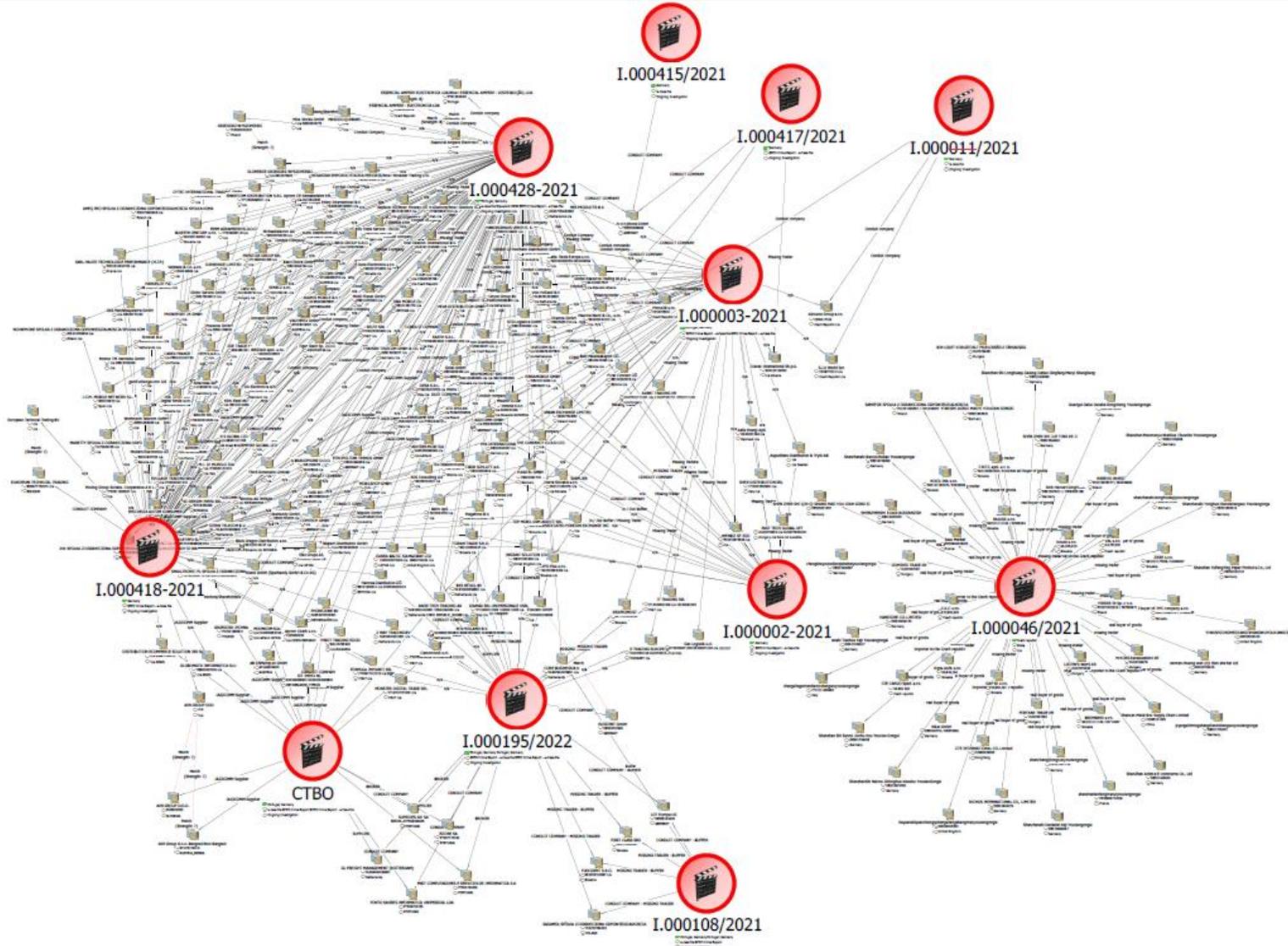
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How it started?



- **One Missing Trader**
- **One strawman**
- **National tax authorities advocated the inexistence of a crime**
- **One tax officer suspected a huge fraud and reported it to the EPPO**

What did we get



International Cooperation



Informal

- ▶ Police, tax and customs
 - ▶ Europol and Interpol
- ▶ FIU
 - ▶ FIU.net and Egmont Group
- ▶ ARO
 - ▶ CARIN and other regional networks

Formal

- ▶ Cross-border investigation
- ▶ European Investigation Order
- ▶ European Arrest Warrant
- ▶ UN Convention Against Transnational Organized Crime (Palermo Convention)
- ▶ UN Convention Against Corruption (UNCAC)



Investigative results

❑ 312 house searches performed

❑ € 67 000 000 seized (so far):

- 529 bank accounts
- Shares of 21 legal persons seized
- 81 real estate properties
- 31 luxury cars
- Over €2.5 million in cash
- 104 luxury watches
- AirPods for an estimated value of €2 millions

❑ 24 arrests in Portugal, Italy and France



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THANK YOU

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