

1 June 2021: EPPO Assumes its Investigatory and Prosecutorial Tasks

News

Thomas Wahl

On 1 June 2021, the European Public Prosecutor's Office (EPPO) started its own investigation procedures. European Chief Prosecutor, *Laura Kövesi*, had proposed 1 June 2021 as the official start date (→ [euclid 1/2021, 15](#)). The corresponding Commission decision was published in the Official Journal of the EU on 28 May 2021 (L 188, 100).

On the occasion of its operational start, the EPPO [launched a video](#) explaining what the start means for citizens, how the EPPO will work, and how persons can report a crime to the new body. The Commission [provided a document](#) with answers to the most important questions on the EPPO's activities.

In a [joint statement](#), Vice-President *Vera Jourová*, Commissioner *Johannes Hahn*, and Commissioner *Didier Reynders* stressed that 1 June 2021 “opens a new chapter in fighting cross-border crime.” They also emphasised that the EPPO will play a pivotal role in observing the correct implementation of the NextGenerationEU, the EU's €750 billion funding programme to boost the economy after the COVID-19 pandemic.

The European Data Protection Supervisor (EDPS), *Wojciech Wiewiórowski*, [stated](#) that the power to investigate and prosecute crimes against the EU's financial interests also presents new challenges for the EDPS' supervision activities. “The body's multi-layered structure and the interplay between the [EPPO Regulation](#) and national provisions implementing the law enforcement directive will require coordination between the EDPS and the national data protection authorities,” he said.

European Chief Prosecutor *Laura Kövesi* [told reporters](#) that the credibility of the EU depends on the EPPO. “Our decisions will directly affect the fundamental rights of European citizens. We're the first really sharp tool to defend the rule of law in the EU,” according to *Kövesi*.

- For the views of the European Chief Prosecutor and the European Prosecutors on the future challenges of the EPPO and their work as well as on the future perspectives of the fight against fraud, see the special issue of [euclid no. 1/2021](#).
- For other articles on the EPPO, see, *inter alia*, the articles in the [special issues](#) euclid 2/2018, euclid 3/2017, and 2/2012.
- [Individual articles](#) have been published in euclid 4/2020, 310; 1/2020, 36; euclid 4/2019, 271; 3/2019, 198 and 205; euclid 1/2019, 66; euclid 4/2017, 193; euclid 1/2017, 25; euclid 2/2016, 94 and 99; and euclid 3-4/2008, 177 et seq.

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The mood has been somewhat marred by the continued lack of European Delegated Prosecutors (EDPs), as Slovenia and Finland have not made appointments. On 4 June 2021, the [EPPO announced](#) that an agreement had been reached with the Finnish side on how to manage timely implementation with regard to the Finnish EDPs. On 5 July 2021, the EPPO College [approved the appointment](#) of one EDP in Finland.

At the end of May 2021, Slovenia decided to stop the procedure for appointing two EDPs and to launch a new call for tender. This led to the resignation of Slovenian Justice Minister *Lilijana Kozlovič*. Slovenia will take over the EU Council Presidency on 1 July 2021. [In a statement on 27 May 2021](#), *Laura Kövesi* sharply criticised the Slovenian situation. She remarked that “the manifest lack of sincere cooperation of the Slovenian authorities with the EPPO seriously undermines the trust in the effective functioning of the management and control systems for EU funds in Slovenia.”

Currently, 22 EU Member States are applying the [EPPO Regulation 2017/1939](#) by way of enhanced cooperation. Sweden has expressed its interest in joining the EPPO in 2022. Only Hungary, Poland, Ireland, and Denmark are not participating or have opted out.

The first cases referred to the EPPO are from Germany and Italy. The [EPPO operational guidelines](#) adopted in April 2021 indicate that a high number of so-called backlog cases must be processed at the start of operational activities. As long as investigations are still ongoing in the respective Member States, the possibility to exercise the right of evocation according to Art. 27 of the EPPO Regulation should only be used if exercise of the EPPO’s competence would bring added value to the continuation of the investigation.

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