

EPPO's Struggle with Slovenia in Next Round



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European Law Forum: Prevention • Investigation • Prosecution

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News

On 27 January 2022, European Chief Prosecutor *Laura Kövesi* voiced concerns over planned amendments to the statute of limitations in the Slovenian criminal law. The comments came when the Slovenian Prosecutor-General visited Kövesi and her two deputies. The EPPO is worried about the hampering of proper fraud investigations should the reform be adopted. Accordingly, Slovenian prosecutors would drastically have less time to investigate and many cases may be immediately and definitely closed. Kövesi said that the new legislation would represent a de facto amnesty for many cases of fraud against the EU budget in Slovenia and it will also have a negative impact on Slovenia's cooperation with other Member States since assisting measures may not be performed in Slovenia.

Kövesi also informed the public that she addressed a letter to the European Commission 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 Regulation is the basis for the EU to interrupt, reduce, terminate or suspend payments from the EU budget to an EU country which does not guarantee the sound financial management of the EU's financial interests due to breaches of the principles of the rule-of-law (→ [euclid 3/2020, 174-176](#)). Recital 16 of that Regulation provides that the Commission must identify breaches of rule-of-law principles through a qualitative assessment, which should take into account relevant information from available sources and recognised institutions, including, *inter alia*, the EPPO. For a similar letter by the EPPO on the situation in Poland → related link.

The European Chief Prosecutor was already in struggle with Slovenia last year since the Slovenian government persistently obstructed the nomination of the Slovenian Delegated Prosecutors, so that the office was paralysed to effectively conduct fraud investigations in Slovenia when it started in June 2021. In November 2021, the EPPO College could finally appoint the Slovenian colleagues, although the Slovenian government upheld some reservations (→ [euclid 4/2021, 209-210](#)).

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