

European Chief Prosecutor: Poland Systematically Refuses Cooperation with EPPO



News

Thomas Wahl

Following the CJEU's judgment on the validity of Regulation 2020/2092, which ensures protection of the EU's financial interests in cases of rule of law breaches (→ related link), and in view of recital 16 of said Regulation, European Chief Prosecutor *Laura Kövesi* informed the European Commission on 16 February 2022 that Poland refuses to cooperate with the EPPO when it comes to investigations of offences against the EU's financial interests that affect Poland. The country is not participating in the scheme of enhanced cooperation on the establishment of the EPPO, but was also reluctant to apply the regular, binding EU instruments on judicial cooperation, e.g. the European Investigation Order, when the EPPO asked for cooperation to investigate PIF crimes affecting Poland. According to Kövesi's letter to the Commission, the EPPO currently has 23 ongoing investigations involving Poland, which is the highest number of any non-participating Member State. Poland also refused to sign a working arrangement with the EPPO, arguing that it must first amend the Polish code of criminal procedure, which would allow recognition of the EPPO as a competent authority. The EPPO is currently unable to collect evidence located in Poland due to this systematic refusal of cooperation.

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