

Overview of Convictions in EPPO Cases: May-September 2023

Thomas Wahl

News

The following provides an overview of court verdicts in EPPO cases in the various participating EU Member States, as far as reported by the EPPO. It covers the period from 1 May to 30 September 2023 and continues the overview in → [eucri](#)m 1/2023, 19.

- 17 August 2023: A [judgment by the the Regional Court in České Budějovice \(Czechia\)](#) becomes final in which two individuals were sentenced to suspended prison terms, a financial penalty and a ban on receiving subsidies. They did not use EU funding for a declared project dedicated to the employment of young people. Furthermore, property obtained with the EU funds was transferred to one of the defendants. The damage of €125,000 was recovered during the EPPO proceedings.
- 26 July 2023: A plea agreement [concludes an EPPO case against the Deputy Mayor of Sibiu \(Romania\)](#). The Mayor agreed with the penalty of two years and three months of imprisonment, suspended for a period of three years. In addition, he will perform community service for a period of 90 days. Investigations revealed that the defendant committed subsidy fraud during his previous position as director of a teacher's training centre. He used and presented several false and inaccurate documents and statements, with the intention to illegally receive funds of around €700,000.
- 18 July 2023: The County Court of Zagreb (Croatia) [convicts a Croatian farm owner](#) for subsidy fraud and forgery of documents. The defendant obtained or claimed subsidies from the European Agricultural Fund for Rural Development (EAFRD) by disguising that he had not the financial means to implement proposed projects. He also hasn't made payments to suppliers, even though he declared them. The defendant was sentenced to 11 months' imprisonment, exchanged for community service and a fine of HRK 200,000 (€26 512). He also paid the damage to the EU and Croatian budget amounting to over €221,000. The sentence was based on a plea bargain.
- 12 June 2023: The Regional Court of Ostrava (Czechia) confirms plea bargains by which [two managers and two companies are convicted](#) for subsidy fraud. EPPO investigations revealed that the managers deceived public authorities as to their criminal records, thus unduly receiving money for a employee-training project from the EU's Social Fund. The managers were sentenced to imprisonment on probation.
- 31 May 2023: The [High Court of Prague confirms a conviction](#) of the Regional Court of Ústí nad Labem (Czechia) of February 2023. The courts convicted a company owner to 30 months of imprisonment with a probationary period of four years and a financial penalty of €8,500. Her company was prohibited from applying for and receiving subsidies for a period of six years. The company owner received over €70,000 from EU funds for leadership training of managers. EPPO investigations by the

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office in České Budějovice revealed that not managers were documented participants, but taxi drivers, who had never attended any training session.

- 10 May 2023: Following an indictment for illegal trade in cigarettes filed in January 2023 by the EPPO in Zagreb (→ [eucrim 1/2023, 22](#)), the [County Court of Zagreb convicts](#) three out of six defendants on the basis of plea bargains. The defendants were found guilty for the illegal trade of cigarettes, tax or customs duty evasion and bribery, committed as part of a criminal organisation. The first and second defendant were sentenced to two years and eleven months of imprisonment, with a partial suspended sentence of one year and five months. The third defendant was sentenced to two years of imprisonment, with a partial suspended sentence of one year. “Partial suspended sentence” means that the remaining prison sentence as indicated will not be served, unless the convicted persons commit another criminal offence within a certain period of time (e.g. five or four years). In addition to the prison sentences, all three defendants are obliged to repay the damages they caused to the Croatian and EU budget (in total €3.07 million). The case involves the smuggling of cigarettes from Dubai to Croatia without paying taxes.

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