



Procedure file

Basic information		
RSP - Resolutions on topical subjects	2016/2750(RSP)	Procedure completed
Resolution on the European Public Prosecutor's Office and Eurojust		
Subject		
7.40.04 Judicial cooperation in criminal matters		
8.70.04 Protecting financial interests of the EU against fraud		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	LIBE Civil Liberties, Justice and Home Affairs		
European Commission	Commission DG	Commissioner	
	Justice and Consumers	JOUROVÁ Věra	

Key events			
04/10/2016	Debate in Parliament		
05/10/2016	Results of vote in Parliament		
05/10/2016	Decision by Parliament	T8-0376/2016	Summary
05/10/2016	End of procedure in Parliament		

Technical information	
Procedure reference	2016/2750(RSP)
Procedure type	RSP - Resolutions on topical subjects
Procedure subtype	Debate or resolution on oral question/interpellation
Legal basis	Rules of Procedure EP 136-p5
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/8/06583

Documentation gateway					
Oral question/interpellation by Parliament		B8-0715/2016	03/10/2016	EP	
Oral question/interpellation by Parliament		B8-0716/2016	03/10/2016	EP	
Motion for a resolution		B8-1054/2016	04/10/2016	EP	
Text adopted by Parliament, single reading		T8-0376/2016	05/10/2016	EP	Summary

Resolution on the European Public Prosecutor's Office and Eurojust

The European Parliament adopted a resolution, tabled by the EPP, S&D, ALDE and Greens/EFA groups, on the European Public Prosecutors Office and Eurojust.

Parliament reaffirmed its longstanding support for the establishment of an efficient and independent European Public Prosecutors Office (EPPO) in order to reduce the current fragmentation of national law enforcement efforts to protect the EU budget, thus strengthening the fight against fraud in the European Union. It recalled that according to a recent study on the VAT gap in the EU-28 Member States, an overwhelming EUR 159.5 billion in value added tax (VAT) revenues was lost across the EU in 2014.

The resolution called on the Council to:

- provide an unambiguous and clear set of competences and proceedings concerning the EPPO based on the [proposed directive](#) on the fight against fraud to the Unions financial interests by means of criminal law (PIF Directive);
- strengthen its efforts to find agreement on the PIF Directive which includes VAT in its scope, and to reopen negotiations with Parliament, in order to enable the EPPO to be established.

Members stressed that the EPPO should have priority competence for offences defined in the PIF Directive. It also expressed deep regret that the Council does not allow the EPPO to be competent in PIF cases where EU funding exceeds EUR 10 000 but does not represent 50 % or more of the co-financing.

Parliament called on the Council to reopen the debate on Articles 17 to 20 of the consolidated text of the [EPPO proposal](#) in order to ensure more clarity and efficiency for the EPPO; calls on the Council to clarify the prosecution competences of the EPPO and the national prosecutors in cases of (a) multiple offences (one organised group committing several crimes, e.g. money laundering and trafficking in human beings) and (b) mixed offences (more than one criminal offence committed in one criminal act, e.g. VAT fraud and money laundering).

Parliament also insisted on the need to:

- ensure that the EPPO should have sufficient investigative measures available to conduct its investigations;
- subject any operational decision affecting third parties taken by the EPPO to judicial review before a competent national court; direct judicial review by the European Court of Justice should be possible;
- ensure the independence of the EPPO, such as a provision allowing derogation from the national link on grounds related to the proper functioning of the office;
- ensure that the protection of the procedural rights of suspected and accused persons must be guaranteed. The regulation should provide for additional rights of defence for EPPO suspects, in particular the right to legal aid, the right to information and access to case materials, and the right to present evidence.

Lastly, recalling the importance of [Eurojusts role](#) in improving the judicial cooperation and coordination of the relevant judicial authorities of the Member States and in supporting investigations involving non-EU countries, Parliament called on the Council to clarify the relations between Eurojust and the EPPO, as well as the EPPOs relation with OLAF, in order to differentiate between their respective roles in the protection of the EUs financial interests.