



EUROPEAN COMMISSION

MEMO

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## European Public Prosecutor's Office: European Parliament confirms its support

The European Parliament has today confirmed its support to the Commission's proposal for a European Public Prosecutor's Office to protect taxpayers' money throughout the EU ([IP/13/709](#)). Members of the European Parliament backed the proposal in a plenary vote with 487 votes for, 161 against and 30 abstentions. The vote on the Parliament's interim report on the European Public Prosecutor's Office follows similar endorsements by the Parliament's Civil Liberties, Justice and Home Affairs Committee (LIBE) ([MEMO/14/124](#)), the Budgetary Control Committee (CONT), and the Legal Affairs Committee ([MEMO/14/102](#)). The Justice Council already held an orientation debate on the key issues on 4 March 2014 in which Ministers showed strong support for the objective of the European Public Prosecutor's Office ([MEMO/14/154](#)). The Parliament's recommendations will have to be taken into account by the Council during the ongoing negotiations.

*"Today's vote by the European Parliament is good news for Europe's taxpayers and bad news for criminals. The European Public Prosecutor's Office will make sure that every case of suspected fraud against the EU budget is followed up so that criminals are brought to justice,"* said Vice-President Viviane Reding, the EU's Justice Commissioner and Algirdas Semeta, the EU Anti-fraud Commissioner. *"This will deter fraudsters who might otherwise get away with their crimes, and it will save taxpayers' money. We would like to thank the European Parliament for its strong and continuous support on this important file. We hope that Ministers will keep up the momentum and move forward with their discussions in the Council."*

In its vote today, the European Parliament confirmed the key elements of the Commission's proposal:

- The European Public Prosecutor's Office should have a **decentralised structure**, integrated into national judicial systems. Delegated European Prosecutors will carry out the investigations and prosecutions in the respective Member State. Their actions will be coordinated at the central level so as to ensure a uniform approach throughout the EU, which is vital particularly in cross-border cases.
- National courts will be entrusted with the **judicial review**, meaning questions on the European Public Prosecutors' acts could be challenged before them.
- At the same time, the proposal ensures **union-wide robust and sound procedural rights** of suspects who will be faced with investigations by the European Public Prosecutor's Office.

**Next steps:** Following today's positive vote of support by the European Parliament, the proposal needs to be unanimously adopted by Member States in the Council. If unanimity cannot be reached in the Council, the Treaties foresee that a group of at least nine Member States may enter into an enhanced cooperation (Article 86 of the Treaty of the Functioning of the European Union [TFEU]). The European Parliament needs to give its consent.

## **Background**

Today, action and conviction rates for fraud offences against EU resources greatly vary across the EU: EU-wide only 45.7% of cases transferred to Member States are followed up by national judicial authorities and the conviction rate of these is on average only 42.3% (see [IP/13/709](#)). This means that many criminals who steal taxpayers' money are getting away with their crimes.

The European Public Prosecutor's Office will make sure that every case involving suspected fraud against the EU budget is followed up and completed, so that criminals know they will be prosecuted and brought to justice. This will have a strong deterrent effect.

The setting up of the European Public Prosecutor's Office is called for by the Lisbon Treaty (Article 86 TFEU). Under the EU Treaties, Denmark will not participate in the European Public Prosecutor's Office. The United Kingdom and Ireland decided not to opt-in under the Treaties and therefore will not participate either.

## **For more information**

Press pack

[http://ec.europa.eu/justice/newsroom/criminal/news/130717\\_en.htm](http://ec.europa.eu/justice/newsroom/criminal/news/130717_en.htm)

European Commission – Criminal law policy:

<http://ec.europa.eu/justice/criminal/criminal-law-policy>

Homepage of Viviane Reding, Vice-President of the European Commission and EU Commissioner for Justice:

<http://ec.europa.eu/reding>

Homepage of Commissioner Algirdas Šemeta:

[http://ec.europa.eu/commission\\_2010-2014/semeta/index\\_en.htm](http://ec.europa.eu/commission_2010-2014/semeta/index_en.htm)