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DRAFT REPORT

on discharge in respect of the implementation of the budget of the European
Public Prosecutor's Office for the financial year 2023
(2024/2029(DEC))

Committee on Budgetary Control

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1. PROPOSAL FOR A EUROPEAN PARLIAMENT DECISION

on discharge in respect of the implementation of the budget of the European Public Prosecutor's Office for the financial year 2023 (2024/2029(DEC))

The European Parliament,

- having regard to the final annual accounts of the European Public Prosecutor's Office for the financial year 2023,
- having regard to the Court of Auditors' annual report on EU agencies for the financial year 2023, together with the agencies' replies¹,
- having regard to the statement of assurance² as to the reliability of the accounts and the legality and regularity of the underlying transactions provided by the Court of Auditors for the financial year 2023, pursuant to Article 287 of the Treaty on the Functioning of the European Union,
- having regard to the Council's recommendation of ... 2025 on discharge to be given to the European Public Prosecutor's Office in respect of the implementation of the budget for the financial year 2023 (00000/2025 – C10-0077/2024),
- having regard to Article 319 of the Treaty on the Functioning of the European Union,
- having regard to Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012³, and in particular Article 70 thereof,
- having regard to Regulation (EU, Euratom) 2024/2509 of the European Parliament and of the Council of 23 September 2024 on the financial rules applicable to the general budget of the Union⁴, and in particular Article 70 thereof,
- having regard to Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO')⁵, and in particular Article 94 thereof,
- having regard to Commission Delegated Regulation (EU) 2019/715 of 18 December 2018 on the framework financial regulation for the bodies set up under the TFEU and

¹ OJ C, C/2024/6332, 24.10.2024, ELI: <http://data.europa.eu/eli/C/2024/6332/oj>.

² OJ C, C/2024/6041, 10.10.2024, ELI: <http://data.europa.eu/eli/C/2024/6041/oj>.

³ OJ L 193, 30.7.2018, p. 1, ELI: <http://data.europa.eu/eli/reg/2018/1046/oj>.

⁴ OJ L, 2024/2509, 26.9.2024, ELI: <http://data.europa.eu/eli/reg/2024/2509/oj>.

⁵ OJ L 283, 31.10.2017, p. 1, ELI: <http://data.europa.eu/eli/reg/2017/1939/oj>.

Euratom Treaty and referred to in Article 70 of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council⁶, and in particular Article 105 thereof,

- having regard to Rule 102 of and Annex V to its Rules of Procedure,
 - having regard the opinion of the Committee on Civil Liberties, Justice and Home Affairs,
 - having regard to the report of the Committee on Budgetary Control (A10-0000/2025),
1. Grants the Administrative Director of the European Public Prosecutor's Office (EPPO) discharge in respect of the implementation of the EPPO's budget for the financial year 2023 / Postpones its decision on granting the Administrative Director of the European Public Prosecutor's Office (EPPO) discharge in respect of the implementation of the EPPO's budget for the financial year 2023;
 2. Sets out its observations in the resolution below;
 3. Instructs its President to forward this decision, and the resolution forming an integral part of it, to the Administrative Director of the European Public Prosecutor's Office, the European Council, the Council, the Commission and the Court of Auditors, and to arrange for their publication in the *Official Journal of the European Union* (L series).

⁶ OJ L 122, 10.5.2019, p. 1, ELI: http://data.europa.eu/eli/reg_del/2019/715/oj.

2. PROPOSAL FOR A EUROPEAN PARLIAMENT DECISION

on the closure of the accounts of the European Public Prosecutor's Office for the financial year 2023 (2024/2029(DEC))

The European Parliament,

- having regard to the final annual accounts of the European Public Prosecutor's Office for the financial year 2023,
- having regard to the Court of Auditors' annual report on EU agencies for the financial year 2023, together with the agencies' replies¹,
- having regard to the statement of assurance² as to the reliability of the accounts and the legality and regularity of the underlying transactions provided by the Court of Auditors for the financial year 2023, pursuant to Article 287 of the Treaty on the Functioning of the European Union,
- having regard to the Council's recommendation of ... 2025 on discharge to be given to the European Public Prosecutor's Office in respect of the implementation of the budget for the financial year 2023 (00000/2025 – C10-0077/2024),
- having regard to Article 319 of the Treaty on the Functioning of the European Union,
- having regard to Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012³, and in particular Article 70 thereof,
- having regard to Regulation (EU, Euratom) 2024/2509 of the European Parliament and of the Council of 23 September 2024 on the financial rules applicable to the general budget of the Union⁴, and in particular Articles 70 thereof,
- having regard to Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO')⁵, and in particular Article 94 thereof,
- having regard to Commission Delegated Regulation (EU) 2019/715 of 18 December 2018 on the framework financial regulation for the bodies set up under the TFEU and Euratom Treaty and referred to in Article 70 of Regulation (EU, Euratom) 2018/1046 of

¹ OJ C, C/2024/6332, 24.10.2024, ELI: <http://data.europa.eu/eli/C/2024/6332/oj>.

² OJ C, C/2024/6041, 10.10.2024, ELI: <http://data.europa.eu/eli/C/2024/6041/oj>.

³ OJ L 193, 30.7.2018, p. 1, ELI: <http://data.europa.eu/eli/reg/2018/1046/oj>.

⁴ OJ L, 2024/2509, 26.9.2024, ELI: <http://data.europa.eu/eli/reg/2024/2509/oj>.

⁵ OJ L 283, 31.10.2017, p. 1, ELI: <http://data.europa.eu/eli/reg/2017/1939/oj>.

the European Parliament and of the Council⁶, and in particular Article 105 thereof,

- having regard to Rule 102 of and Annex V to its Rules of Procedure,
 - having regard to the opinion of the Committee on Legal Affairs,
 - having regard to the opinion of the Committee on Civil Liberties, Justice and Home Affairs,
 - having regard to the report of the Committee on Budgetary Control (A10-0000/2025),
1. Approves the closure of the accounts of the European Public Prosecutor's Office for the financial year 2023 / Postpones the closure of the accounts of the European Public Prosecutor's Office for the financial year 2023;
 2. Instructs its President to forward this decision to the Administrative Director of the European Public Prosecutor's Office, the European Council, the Council, the Commission and the Court of Auditors, and to arrange for its publication in the *Official Journal of the European Union* (L series).

⁶ OJ L 122, 10.5.2019, p. 1, ELI: http://data.europa.eu/eli/reg_del/2019/715/oj.

3. MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

with observations forming an integral part of the decision on discharge in respect of the implementation of the budget of the European Public Prosecutor's Office for the financial year 2023 (2024/2029(DEC))

The European Parliament,

- having regard to its decision on discharge in respect of the implementation of the budget of the European Public Prosecutor's Office for the financial year 2023,
 - having regard to Rule 102 of and Annex V to its Rules of Procedure,
 - having regard to the opinion of the Committee on Civil Liberties, Justice and Home Affairs,
 - having regard to the report of the Committee on Budgetary Control (A10-0000/2025),
- A. whereas the EPPO is the independent public prosecution office of the Union, responsible for investigating and prosecuting crimes against the financial interests of the Union, for significantly enhancing the Union's capacity to safeguard taxpayer funds, and for bringing to judgment the perpetrators of, and accomplices to, criminal offences provided for in Directive (EU) 2017/1371¹ and indicated by Regulation (EU) 2017/1939²;
- B. whereas the competence of the EPPO encompasses several types of fraud, and includes VAT fraud with damages above EUR 10 million, money laundering and corruption;
- C. whereas the EPPO is one of the component of the Union's anti-fraud architecture and, as such, its actions are coordinated with and complementary to those of the other components of the architecture, to achieve streamlined, efficient coordination that enhances the overall effectiveness of the architecture;
- D. whereas the EPPO intervenes when national authorities could investigate and prosecute crimes but where the prerogatives of national authorities stop at the borders of their country, and other organisations like Eurojust, OLAF and Europol do not have the necessary powers to carry out the relevant criminal investigations and prosecutions;
- E. whereas the procedural acts of the EPPO are subject to judicial review by the national courts and the Court of Justice of the European Union (the 'Court of Justice') has, by

¹ Directive (EU) 2017/1371 of the European Parliament and of the Council of 5 July 2017 on the fight against fraud to the Union's financial interests by means of criminal law (OJ L 198, 28.7.2017, p. 29, ELI: <http://data.europa.eu/eli/dir/2017/1371/oj>).

² Council Regulation (EU) 2017/1939 of 12 October 2017, implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO') (OJ L 283, 31.10.2017, p. 1, ELI: <http://data.europa.eu/eli/reg/2017/1939/oj>).

way of preliminary rulings or judicial reviews of those acts, residual power to ensure a consistent application of Union law;

- F. whereas the EPPO is composed of a central level, with its headquarters in Luxembourg, consisting of the European Chief Prosecutor, 22 European Prosecutors (one per participating Member State), the Administrative Director, and a decentralised, national-level consisting of the European delegated prosecutors (EDPs) in the 22 participating Member States;
- G. whereas at the central level the European Chief Prosecutor and the 22 European Prosecutors compose the College of the EPPO (the ‘College’) and supervise the investigations and prosecutions carried out by the EDPs at the national level, who operate with complete independence from their national authorities;
- H. whereas, under Article 93 of Regulation (EU) 2017/1939, the EPPO Administrative Director, acting as the authorising officer of the EPPO, is to implement its budget under its own responsibility and within the limits authorised in the budget and shall send each year to the budgetary authority all information relevant to the findings of any evaluation procedures;
- I. whereas, in accordance with Article 50(2) of the EPPO's Financial Rules, the Accounting Officer of the Commission is also to act as Accounting Officer of the EPPO and is responsible for the preparation of the annual accounts, which are consolidated with those of the Union;
- J. whereas, under the current framework, the final annual accounts are scrutinised by the Court of Auditors (the ‘Court’) and it is with the Council to recommend and to the European Parliament to decide whether to grant discharge to EPPO’s Administrative Director in respect of the implementation of the budget for a given financial year;
- K. whereas the scrutiny over the management of the EPPO resources and related expenditure cannot ignore the examination of operational activities, their consequences and impact and the methods of their execution;
- L. whereas the EPPO has been operating autonomously in the implementation of its budget only since 24 June 2021 and it has started its operational activities, necessitating continuous evaluation to ensure resources align with operational effectiveness, on 1 June 2021, which is also the *dies a quo* for the five-year term indicated in Article 119 of Regulation (EU) 2017/1939 upon reaching which the Commission will have to submit to the European Parliament and to the Council and to national parliaments an evaluation report on the implementation and impact of such Regulation, and on the effectiveness and efficiency of the EPPO and its working practices, together with its conclusions;
- M. whereas, in accordance with Article 119(2) of Regulation (EU) 2017/1939, the Commission is to submit legislative proposals to the European Parliament and to the Council if it concludes that it is necessary to have additional or more detailed rules on the setting up of the EPPO, its functions or the procedure applicable to its activities, including its cross-border investigations;
- 1. Welcomes the positive opinion of the Court on the reliability of the EPPO’s accounts

for the year ended 31 December 2023 and on the legality and regularity of the underlying revenue and payments;

2. Recalls the Parliament's strong support for the establishment of the EPPO; stresses the EPPO's important in the protection of the Union's financial interests and as an essential component of the Union's anti-fraud architecture and of an wider Union system based on integrity, accountability and the sound financial management of resources;
3. Notes that it is possible to compare only the two most recent budgetary and operational performances of the EPPO, for the period 2022 to 2023, following the EPPO's financial autonomy in June 2021; observes that, in that context, the budgetary increases related to the EPPO's activities remain very difficult to estimate because of the EPPO's recent establishment, the unique characteristics of the EPPO and its main activities, the unpredictable level of fraud detection, the wide variety of its cases, its lack of discretion with regard to pursuing prosecutions coupled with its reliance on the resources and procedural constraints of national judicial systems, the lack of a fixed correlation between the number and the costs of investigations, and the magnitude of the Union's financial interests that are to be protected; also observes that it is difficult to estimate the expenditure for the caseload related to the Recovery and Resilience Facility (RRF) because of its unprecedented manner of implementation and high volume of resources;

Budgetary and financial management

4. Notes that the overall final budget allocated to the EPPO for 2023 was EUR 65,9 million, substantially increased (by 14,7 %) from the EUR 51,2 million that was allocated in 2022, while the 2021 budget (EUR 26,2) related to a period prior to the EPPO's financial autonomy; observes that the EPPO's budget includes the reinforcement, granted by the budgetary authority on EPPO's request in June 2023, by EUR 500 000 (the request also included human resources related to essential enhancement of the EPPO's security capacity, leading to the grant of eight additional establishment plan posts); appreciates that no budget was returned in 2023, compared to 10 % (EUR 5,9 million) of the initial budget in 2022 and 21 % (EUR 9,5 million) in 2021;
5. Welcomes the increasing level of budget implementation, that was 99,6 % in 2023 (compared to 98,1 % in 2022 and 97,4 % in 2021); appreciates that the overall execution rate for payments progressed in 2023 reaching 85,3 % (compared to 76,6 % and 71 % in 2022 and 2021) and the average payment time decreased to 17 days (were 23,8 in 2022 and 21,0 in 2021); observes that electronic invoicing module (e-invoicing) was rolled out from June 2023 and it will contribute to further reduce administrative burdens, time-to-payment and the overall processing costs; encourages a further refinement of operational processes to maximise efficiency;
6. Understands that, because the budget endowment requests were only partially met, the EPPO focused its financial resources on the intake of additional EDPs, which has an impact on the EPPO's capacity to lead the increasing number of investigations and prosecutions, on the need to improve the security standing of the organisation and on the maintenance of its case-management System (CMS), which could have negatively affected the management of cross-border investigations;

7. Is aware that, following the achievement of its financial autonomy, in June 2021, the EPPO has prioritised the operational expenditure related to investigation, prosecution and security measures, and that this has resulted in limiting the non-operational expenditure to essential level support services; remarks that, in this context, a total of EUR 28 312 075 was allocated on operational expenditure lines (Title 3), representing 43 % of the EPPO's final budget 2023 (compared to EUR 21 047 346 that is 41 % in 2022); observes that the main cost drivers for these activities were the EDPs' remuneration (51 % of the operational activities compared to 42% in 2022), followed by operational ICT activities like maintenance and development of the EPPO's CMS (19 % compared to 28 % in 2022), and the linguistic services (translation and interpretation related activities) (14 %, the same as in 2022);
8. Notes that the remuneration of the EDPs reached EUR 14,5 (compared to EUR 8,7 million in 2022), and it represents the main operational expenditure because of the increased number of EDPs in place over 2023; acknowledges that the enlargement to Poland and Sweden, which was announced in 2024, did not affect the 2023 expenditure and it will concern the 2024 budget only marginally, due to the late and gradual intake of two European Prosecutors and of number of EDPs which is not possible to anticipate; understands that more solid cost estimation will be possible only in 2025;
9. Observes that costs for missions and operational meetings increased further in 2023 (mission costs were EUR 1 175 000 in 2023 and EUR 980 000 in 2022; operational meeting in 2023 were EUR 659 752 compared to EUR 170 000 in 2022), in line with the increasing level of intensity of investigations;
10. Is aware that the costs for translation services are expected to further increase, in line with the EPPO's increasing caseload, and welcomes both the internal guidance developed on the use of translation services, with a view of reinforcing control over costs and including the recommendation to use machine translation services whenever possible, and the resort of national service providers in the limit allowed by the current Regulation; observes, in that regard, that while Article 107 of Regulation (EU) 2017/1939 provides for translation services required for the administrative functioning of the EPPO at the central level to be provided by the Union's Translation Centre for the Bodies of the European Union, it also provides different handling of operational and urgent matters and empowers EDPs to decide on the arrangements for translations for the purpose of investigations in accordance with applicable national law;
11. Notes that in 2023 the EPPO signed 234 specific contracts under existing framework contracts, for a total of more than EUR 11 million, with a significant increase in the use of EPPO framework contracts (82 specific contracts for a value of more than EUR 6,5 million) due, to a great extent, to the use of the EPPO's framework contract for the Provision of Services in the Field of Information Systems; observes that only one contract, concerning the EPPO's CMS, was awarded via a negotiated procedure without prior publication of a contract notice for reasons of extreme urgency;
12. Observes that carry-over of appropriations from the previous exercise 2022 amounted to EUR 10 969 680 (24,4 % of the EPPO's 2022 final budget), of which 84,8 % was consumed (EUR 9 307 392) and 15,2 % was cancelled (compared to 21,4 % in 2022)

and notes that forecasts indicate another carry-over in 2024, pending completion of the deliverables, for payment appropriations (the carry-over from 2023 to 2024 amounted to EUR 9 392 989); understands that partial cancellation is a consequence of the progressive establishment of the EPPO's administrative practices following the financial autonomy it achieved in 2021; notes that carry-over appropriations cancelled for approved budgets of 2022 and 2023 could be neither used with existing or new contracts nor synchronised with the principle of annuality, while the planning of the corresponding expenses, mainly related to translation, meetings, missions and external contractors, could not be accurate for lack of any historical data and figures and the rapid evolving of the organisation; appreciates that the continuous strengthening of the EPPO's administrative capacity is progressively addressing those issues and that, while a fully estimation cannot be made in advance because of the nature of the EPPO's operational activity, the expected level of cancelled appropriations will diminish in 2024;

13. Notes that in 2023 two budget transfers were adopted by the European Chief Prosecutor, on a proposal drawn up by the Administrative Director, and that they were notified to the College for information, for a total transferred between titles of EUR 1,2 million;
14. Acknowledges the need for adequate budget flexibility, to address unexpected operational needs such as, in 2023, the war in Ukraine, inflationary pressures, or other global challenges and understands that EPPO made use of its Financial Rules by timely reallocation of appropriations via budget amendments (one in June and one in November) and via budget transfers (one in September and one in December);
15. Reiterates its observation on the obsolete 2017 Legislative Financial Statement which is deemed to be no longer fit-for-purpose due to a significantly underestimated workload; recalls its previous resolution, underlining that the absence of a mid-term budgetary review obliges the EPPO to wait until the very end of the budgetary adoption process to have clarity on what resources level it can implement in the subsequent year, and it limits EPPO's capacity to anticipate budget implementation preparatory activities as well as the options that should be made available to achieve maximal flexibility in the development of an organisational infrastructure for a project as innovative as the EPPO; notes that this in particular affects the early launch of recruitment, delaying the progress toward full occupancy among others and the overall absorption capacity of the EPPO;
16. Maintains that the budgetary and human resources allocated to the EPPO are expected to be adequate to allow the efficient and successful carrying out of its mandate and the normal handling of the related administrative procedures; reiterates its call on the Commission to review the EPPO budgetary framework in close cooperation with the EPPO to find adequate ways to support it in its work; recommends the Commission to consider that in the context of a growing number of complex cases, additional resources will be needed and these should not be dependent on the revision of Regulation (EU) 2017/1939 and of the EPPO mandate;
17. Emphasises that the activities of the EPPO contribute to the protection of the Union's financial interests and are also expected to recover amounts from the Union's budget that were not used for its intended purpose due to criminal activities; believes that the

amounts resulting from seizing and confiscating measures adopted by the EDPs in the Member States could, after the deduction of costs incurred by the Member States' authorities to implement those measures, flow back into the Union Budget in accordance with Article 38 of Regulation (EU) 2017/1939; considers that the potential revenue resulting from seizing and confiscating measures should be accounted for in the Union Budget as non-assigned revenue; calls on the Commission to make the necessary arrangements with the relevant national authorities to allow those amounts to enter into the Union Budget;

18. Acknowledges that the EPPO clearly contributes to European added value in terms of coordination and cooperation with the Member States in investigating and prosecuting crimes against the financial interests of the Union and that the EPPO has been achieving the goals set out in Regulation (EU) 2017/1939 in that regard; expects Member States to comply with legal obligations and to report all relevant cases to the EPPO; notes with concern that in several instances Member States have been declaring criminal offences affecting the financial interests of the Union as national cases, which are within the competence of the EPPO; notes that questions of competence between the national authorities and the EDPs have come up in several cases across several countries; is aware that, according to Article 25(6) of Regulation (EU) 2017/1939, cases of disagreement about the EPPO's competences are to be decided by the same national judicial authority who is responsible for determining the competent body for prosecution at national level; regrets that in many participating Member States the procedures in force and the national authorities entrusted with the decisions on such cases regarding conflicts of competence are not set in compliance with Regulation (EU) 2017/1939, stresses that in cases of conflicts of competence between the EPPO and a national prosecution authority, the national authority competent to decide on the attribution of competence could come to a conclusion without requesting a preliminary ruling of the Court of Justice and could, instead adopt a decision that is binding on the EPPO and points out that this is against the spirit of Regulation (EU) 2017/1939, which provides that, in accordance with Article 267 TFEU, the Court of Justice has jurisdiction to give a preliminary ruling on the interpretation of the provision on conflicts of competence between the EPPO and national authorities; believes that the current situation lacks legal clarity; encourages all Member States to work more closely with the EPPO; emphasises that the competence of the EPPO is clearly outlined in Article 22(1) and (2), and in Article 23 of Regulation (EU) 2017/2019, and that all Member States are to comply with that Regulation; notes that when Member States have doubts about the competence of the EPPO in a particular case, there is the possibility of submitting a preliminary question to the Court of Justice for a preliminary ruling pursuant to Article 267 TFEU and Article 42(2), point (c), of Regulation (EU) 2017/1939 ; urges the Commission, where there is a breach of Regulation (EU) 2017/1939, to submit the case to the Court of Justice; notes with concern that the question of competence can cause a halt to the investigation; is concerned about potential loss of evidence when cases are paused; calls on the Commission to collect information regarding cases regarding conflicts of competence for the evaluation report that will be submitted in 2026;
19. Reiterates that Article 91(6) of Regulation (EU) 2017/1939 is to be implemented properly and underlines that the peculiar characteristics of prosecution and investigation expenditure, including the exceptional cases of the EPPO's operational expenditure

governed by that provision, have to be taken into account; understands that, in 2023, a first financing agreement was signed in the framework of a pilot for the reimbursement of claims made under Article 91(6) of Regulation (EU) 2017/1939, to cover exceptionally costly investigation measures carried out at national level on behalf of the EPPO; appreciates that the corresponding payment was audited by the Court during the 2023 audit and was deemed legal and regular;

Internal management, performance and internal control

20. Notes that, during 2023, the College met 22 times and adopted 73 decisions, among which are the anti-fraud strategy 2023-2025, the anti-harassment policy for staff and for members of the College or the EDPs;
21. Acknowledges that the EPPO continued its efforts to set in place a system to monitor efficiency gains and costs savings, and notes that in 2023 launched a review of the budget's and activities' strategic and operational planning and monitoring processes and of the recruitment processes, to gain in speed and acquired competences; points out that, overall, the internal control systems in force are effective;
22. Notes that, to further develop the EPPO's assurance framework, the internal auditor of the EPPO for non-operational matters (IAS) initiated, in 2023, a limited review of the EPPO's building blocks of assurance; believes that this engagement, scheduled to be finalised during the course of 2024, will provide recommendations to build a stronger capacity for the Authorising Officer to issue a credible declaration of assurance;
23. Welcomes the benchmarking exercise carried out by the Internal Audit Capability (IAC) by comparing the deployed human resources of the EPPO with a set of other Union entities and national prosecution offices, against a standardised set of pillars which includes administrative support and operational activities; observes that, in 2023, the IAC tested the internal oversight environment and run the first internal audit as an analysis of the working environment and internal controls of the EPPO's decentralised office in Sofia, Bulgaria;
24. Reiterates its view that IAS and the IAC should coordinate their actions with a view to advising and assisting the EPPO in the establishment of its main core processes and the achievement of its objectives;
25. Notes that the EPPO has developed its own purchase capacity, resulting from its own specifically run procurement processes launched in 2023, and manages its own specific contracts and order forms in implementation of existing framework contracts that were signed in 2023; observes that EPPO continues, in parallel, to operate its purchase capacity through service level agreements with other Union institutions, bodies, offices and agencies, and by joining inter-institutional contracts with various market operators;
26. Is aware that in 2023 the Administrative Director established the minimum standards (assessment criteria) for each of the 17 internal control principles based on the COSO 2013 Control-Integrated Framework and established by the EPPO Internal Control Framework (ICF) as building blocks of the EPPO internal control system; observes that out of 72 compliance criteria, 51 are observed as fulfilled while for 20 some elements are in place but further development is desirable and for one only criterion no

significant implementation has been noted; appreciates that, since its adoption by the College on March 2021, the 71 % of the adopted ICF assessment have been successfully implemented whereas additional effort needs to be done for the full implementation of the remaining 29 %;

27. Notes that, on 1 March 2023, an updated version of the EPPO Anti-fraud Strategy 2023-2025 was adopted setting the objectives to counter fraud at all levels of the organisation in connection with a dedicated action plan which is part of EPPO internal control environment and is monitored on a regular basis; appreciates the annual review of the Anti-Fraud Strategy action plan by the EPPO Internal Control Officer, reporting the results of that review to the Administrative Director;
28. Is aware that, in line with the EPP's financial rules, the EPPO ensures the adequate level of the financial transactions and procurement procedures via ex post controls on financial transactions (payments, commitments and recovery orders) and on procurement procedures for the period 1 January to 31 December 2023;
29. Observes the increase in crime reports submitted to the EPPO (4 187 in 2023 compared to 3 318 in 2022 and 2 832 in 2021) and, as a result, the increase in open investigations (1 371 in 2023 compared to 865 in 2022 and 567 in 2021) and in the estimation of damages (EUR 19,27 billion in 2023 compared to 14,1 billion in 2022 and 5,4 billion in 2021); remarks that reports from private parties (2 494, which is 29 % more than in 2022) and from national authorities (1 562, which is 24 % more than in 2022) represent the biggest share of operational input received, while reports from other Union institutions, bodies, offices and agencies remained very few (108), suggesting that no significant improvement in terms of detection and reporting was achieved from their side; notes that the number of indictments (139 in 2023 compared to 87 in 2022 and 5 in 2021) together with the freezing orders obtained by the EPPO (EUR 1,5 billion compared to EUR 359,1 million in 2022 and EUR 147 million in 2021) are indicative of the growing performance level of the EPPO;
30. Notes that, in 2023, 48 cases concluded with a court conviction (compared to 20 cases in 2022) and that EUR 60 million was the amount confiscated (compared to EUR 2 million in 2021); underlines the importance of a systematic reporting on the follow-up to these cases in terms of the financial measures adopted (confiscation and recovery) to get a clearer understanding of the impact of the EPPO's actions; welcomes the actions undertaken by EPPO and the Commission to streamline their communications and make them adequate to the needs of possible administrative procedures for the adoption of measures to restore the Union's budget affected by financial crimes; reiterates its call on the Commission to assist the EPPO in the monitoring and follow-up activities, in such a way that the EPPO's limited resources are not diverted from their investigative and prosecutorial tasks; encourages the EPPO, where possible and appropriate, to engage in better cooperation with other components of the Union's anti-fraud architecture, such as Eurojust and Europol, or using - via OLAF- the Anti-Fraud Coordination Services established in the Member States to monitor the results of its investigations;
31. Is concerned about the increasing number of EPPO investigations regarding the implementation of Recovery and Resilience Plans (RRPs) (there were 233

investigations at the end of 2023, compared to 15 cases at the end of 2022) and their relevant estimated financial damage (EUR 1,86 billion); stresses that relevant analyses suggest a possible exponential growth of the number of cases of fraud, corruption, double funding and conflict of interest in the next years; calls on the EPPO, the Commission and OLAF to cooperate closely with the aim of minimising as far as possible the impact of such fraudulent misbehaviours on the Union's budget and safeguarding the achievements of the RRF's goals;

32. Understands that the EPPO reacted to Parliament's call for a better monitoring system and enhanced follow-up of investigations and prosecutions by launching a project on digital statistical tools which would allow better use of the data that it processes, and the development of a strategic analysis capacity to identify the patterns of fraud; shares the EPPO's view that the success of those efforts are directly linked to the available resources and calls on the Commission to take these activities and the related costs into consideration for the future proposals on Regulation (EU) 2017/1939 and on budgetary endowments;
33. Appreciates the EPPO's efforts in the setting up key performance indicators (KPIs) for both operational and administrative activities with specific targets due to its peculiar business model; maintains its remark on the need for operational activities to include reference to the amounts seized, confiscated and eventually recovered to the Union's budget, the safeguard of which is ultimately the *raison d'être* of the Union's anti-fraud architecture of which the EPPO is an important component; understands that monitoring and follow-up action, including reporting on the recovery results, are not in the EPPO's remit and require resources and specific prerogatives that are not part of the EPPO's mission; asks the Commission to support the EPPO in identifying indicators linked to the achievement of that essential task, stressing that a better monitoring system, and more data of good granularity and aggregated in cluster per typology of misconduct, sector of interest or geographical area, could allow making more tangible the impact of the EPPO's investigations and allow the identification of patterns of fraud;

Human resources, equality and staff well-being

34. Observes the upward trend in the number of staff, increasing from 58 in 2020, to 122 in 2021, 217 by the end of 2022 and 238 by the end of 2023; is aware that, for 2023, the EPPO requested from the budgetary authority the suppression of 20 contract agent posts and the creation of 20 temporary agent posts, which was granted and implemented by the EPPO in the same year, resulting in the total number of staff remaining unchanged (248, out of with 171 TAs, 48 CAs and 29 SNEs), with a different allocation of posts (191 TAs, 28 CAs and 29 SNEs); points out, however, that following certain security weaknesses identified, the EPPO requested in May 2023 an amending budget and additional posts to enhance the physical, information and cyber security at central and decentralised levels and that out of 21 security posts identified, only eight posts (1 AD 9, 4 AD 6 and 3 AST 3) were granted in November 2023 for further security implementations which was finalised in 2024;
35. Points out that, in 2023, the occupancy rate at the central office was 92,97 %, of which 238 were members of staff compared to 256 budgeted posts; notes that out of 140 posts for the EDPs, 130 were on the post at the end of 2023 and another 10 started at the

beginning of 2024, reaching 00 % of occupancy rate; observes that the EPPO reinforced its capacity to run timely and transparent recruitment procedures by concluding 24 selection procedures in 2023, on-boarding 45 statutory staff members and 8 new European Prosecutors while 35 new EDPs were appointed;

36. Notes that, by December 2023, staff turnover (TAs and CAs) was at 4,62 %³, recording a total of 11 resignations throughout the year, mainly justified by leaving to another institution (four cases) and for more senior positions offered in other Union institutions (seven cases); observes that the main underlying cause for this turnover is the specificity of the Luxembourg labour market, which has a very limited talent pool and small offer of specialised skills;
37. Understands that Luxembourg labour market is very competitive, that the financial conditions offered by the Union administration are not attractive compared to the local market (subject to diverse salary indexations throughout the year), and do not take due account of the high cost of living in Luxembourg, which has become even more difficult because of the inflation rate and increased cost of housing; notes that the EPPO cannot offer the career path for its staff members to become EU Officials and that its posts are therefore even less attractive than those in the four other Union institutions operating from Luxembourg; emphasises that this results either in a very limited number of applications for vacant posts or in the rejection by the selected candidates of the employment offer once received, due to the high cost of living;
38. Acknowledges the Commission's efforts to satisfy EPPO requests for additional posts; believes that the workload perspectives indicates that further resources are needed, especially considering the backlog and additional RRF-related cases and far-reaching VAT fraud and also considering that the administrative and central support functions are expected to grow, in line with the larger operational population; points out the risk of underestimating needs and capacities; remarks that the cost of interim staff and external service providers working intra-muros in 2023 reached EUR 4 235 242; encourages the Commission and the EPPO to find a sustainable long-term solution which allows for continuity, preserves confidentiality and retains built-in competences; appreciates that the EPPO's additional operational needs are exhaustively integrated in the EPPO Single Programming Document 2024-2026 and in EPPO budget requests;
39. Notes that, at the end of 2023, geographical and gender balance was adequately pursued overall across the 238 members of staff (with 137 men and 101 women); maintains that the nationality breakdown of the EPPO population is constantly monitored by those hiring new members of staff, in seeking to ensure balance, especially, in light of the uneven distribution of applicants, and with Italy (34), Romania (33), Greece (26) and Belgium (24) being more represented across the 26 different nationalities; observes, however, that gender distribution amongst the senior management positions (four to one) remains suboptimal and asks to take this aspect into consideration in the framework of the overall diversity strategy;
40. Is aware that the decision to implement a strategy on Diversity and Inclusion was made in

³ According to the Consolidated Annual Activity Report 2023, the turnover rate was 5.9% for temporary and contract agents.

2023, with the development of the strategy to be executed in the course of 2024; encourages the EPPO to progress with its adoption and to periodically launch surveys among its staff, by promoting peer-review with other components of the Union's anti-fraud architecture, such as Eurojust, OLAF and Europol; understands that the EPPO's policy on Diversity & Inclusion will be based on the EU Agencies Network Charter on Diversity & Inclusion, adopted in March 2023, and believes that it will in general encourage diversity to make the workplace more attractive to candidates with specific needs; reiterates its request to the EPPO to adopt its Charter on Diversity and Inclusion without delay, in light of the increase in staff during 2023;

41. Remarks that, including TAs, CAs, SNEs and EDPs, 341 out of 396 staff (compared to 275 out of 332 in 2022) were deployed in investigative activities by the end of 2023 (that is 86,10 % compared to 82,83 % in 2022 and 86 % in 2021) while 55 members of staff (compared to 57 in 2022) were engaged in administrative support and control functions;
42. Maintains that the appointment of EDPs is a shared responsibility of the EPPO and the Member States; stresses that the appointment procedure must always comply with Article 17 of Regulation (EU) 2017/1939 and the principle of national procedural autonomy;
43. Appreciates that, in the course of 2023 and beginning 2024, the number of EDPs reached the initially foreseen number of 140; welcomes the decision to align the remuneration of EDPs with that of EU Officials of equivalent level of responsibility, rather than 80 % of the salary of EU Officials, as originally provided for; takes the view that this decision increases the attractiveness of the EDP's function, paving the way to the recruitment of more experienced national prosecutors whose national salary was higher than the remuneration offered by the EPPO, and in the meantime reduces the administrative burden on the EPPO for the implementation of Article 16(1) of the Conditions of Employment of the EDPs, which provides that, in the case of total net remuneration lower than the national salary, a top-up amount is provided to ensure that the remuneration matches the previous level;
44. Underlines that the selection process for European Prosecutors and EDPs is not managed autonomously by the EPPO, because European Prosecutors are nominated by the Member States and then appointed by the European Council, whereas EDPs are nominated by the Member States and appointed by the College; maintains that the application of qualified candidates to the EDP positions could increase and the process could become more selective by adopting a clear career perspective and more favourable administrative discipline on social security and health insurance coverage; reiterates that the creation of a specific status for EDPs would be consistent with the nature of their judicial function and contribute on making those posts more appealing; calls on the Commission to propose adequate solutions in the event of amending Regulation (EU) 2017/1939;
45. Understands that each Member State is obliged (under Article 96(6) of Regulation (EU) 2017/1939) to put in place arrangements of legislative or administrative nature to maintain the affiliation and coverage of the EDPs, including any contributions to the relevant national social security, pension and insurance schemes, but a number of Member States have not yet fully complied with this obligation; therefore calls on the Commission to propose an effective solution to the social security and health insurance

coverage gap of the EDPs at the revision of Regulation (EU) 2017/1939;

46. Notes that five complaints about the appointment of EDPs were introduced before the Court of Justice until 2023, of which three were closed (either dismissed or withdrawn) and one was dismissed, but an appeal is currently pending before the Court of Justice, and the last action for annulment of the decision of the College rejecting the nomination as EDP of a person nominated by a Member State was admitted in July 2024 on the grounds of a lack of sufficient reasoning in the College's decision and an analysis is on-going on the manner in which the annulment is to be implemented; observes that there are no new complaints before the General Court concerning appointments to the EPPO;
47. Notes that the EPPO's learning and development strategy was launched in 2023, aiming to promote a culture of continuous learning and facilitate the continuous assessment and adaptation of the staff's evolving learning needs, together with the pilot learning needs analysis;
48. Notes, as regards measures and policies in place to safeguard the physical and mental well-being of staff, that in 2023 all measures were subject to revision and consultation by all involved stakeholders (the staff committee, members of staff in general, and management), seeking to find a balance between expectations and reality of the EPPO as a growing and rapidly changing organisation; observes that there the EPPO operates a flexitime scheme and a work-from-home standard scheme, which provides for one day of telework per week as a basis and a maximum of three days per week, plus extensions accepted in light of serious health or family constraints; remarks that current framework also includes 10 days' work from outside the place of employment in a given year, to be used without link to other days of leave; believes that the EPPO's current working conditions allow staff to take advantage of digital solutions by integrating a good level of autonomy in the management of working patterns, facilitating the conciliation of private and work life and promoting team morale and spirit; welcomes the on-going development of a policy on well-being which shall contain a section on well-being for staff benefiting from telework;
49. Highlights that, as suggested by Parliament, in the second semester of 2023 an open consultation on flexible working arrangements took place, and the decisions adopted in 2021 and 2022 underwent an ex post revision; notes that in consideration of the input of all stakeholders, on December 2023 the Administrative Director incorporated updates to the provisions; notes that changes included the enlargement of the notion of 'place of telework' (from 2 to 2,5 hours' time/distance radius around the EPPO's central office), and the introduction of hybrid working arrangements for interim agency staff; observes that no further change was adopted by College decisions, taking into account that the Administrative Director decisions had already enacted the conclusions of the staff consultations;
50. Notes that, following Parliament's calls, a staff satisfaction (engagement) survey is planned in the first quarter of 2025; understands that the EPPO's staff committee has also run a staff priorities survey, and encourages a more intensive dialogue to enhance the work-life conditions;
51. Remarks that no case of burnout or harassment have been reported and that the number of

long-term sick leave is very limited; welcomes the EPPO's awareness of its duty to ensure promotion and preservation of health and wellbeing across staff, as well as the monitoring practices to earn such understanding which take into account untaken annual leave, the carry-over of annual leave and absences, the number of staff on long-term sick leave and the length of the absences; recalls the importance of establishing a clear and structured procedure for reporting cases of harassment by the European Chief Prosecutor and by the European Prosecutors, as well as its divulgation to all the staff;

52. Observes that in early 2023 the EPPO's central office carried out a traineeship pilot and the EPPO legal service sector hosted two trainees followed by two more in March and September 2023 for remunerated, in-person, five-month traineeships; notes that, based on the positive conclusions of the pilot, a traineeship policy was drafted and has been approved in 2024, followed by a first cycle of effective trainees the same year; welcomes the initiative to launch an experimental relationship-building with the local university which could offer interesting perspectives to further develop the early talent programmes for diversity;
53. Welcomes the intense activity of the staff committee, the final adoption of its internal rules of procedure, the launch of the first staff committee open day, the launch of the first EPPO-wide staff survey, the participation of its representatives in the selection procedures, the retroactive revision of all general implementing provisions adopted by the EPPO before the establishment of the staff committee, the submission of input on internal reorganisation, working time and hybrid working, implementing rules and the improvement of working conditions;
54. Understands that the EPPO is progressing towards the finalisation of a business continuity plan, which is included in the Union's administration management standards, and urges the EPPO to adopt it without further delay;

Ethical framework and transparency

55. Understands that the EPPO's ethical framework is being gradually built up; observes that the core values of that ethical framework are clearly set out in codes of conduct, which outline the standards of behaviour expected of employees at all levels; also observes that the ethical framework depends on the EPPO's code of good administrative behaviour, its anti-fraud strategy and a training programme on ethics, which encompasses harassment, whistleblowing, the prevention of conflicts of interest and other ethical issues; notes that the EPPO's staff is not required to attend that training programme;
56. Notes the EPPO's engagement in awareness-raising actions among staff about ethical framework and related matters; encourages the EPPO to make mandatory the attendance of such sessions by European Prosecutors and EDPs at their taking over of duties; believes that internal dialogue needs to be intensified;
57. Notes that no effective cases of conflict of interest were detected in 2023; is aware that, while a structured conflict of interest policy is being developed, dedicated conflict of interest declaration forms have been established and conflict of interest rules are in force for the members of College, the EDPs, the staff members of the operational units, and other sensitive posts;

58. Understands that the EPPO seeks to prevent revolving doors in particular by endorsing the strict application of the provisions of the Staff Regulations, which are set out in all contracts of the EPPO, including ad hoc exit forms that indicate the obligations that apply after termination of engagement; welcomes in this regard the adoption, in 2023, of the Guidelines for the EPPO Staff on Outside Activities and Assignments, which apply to activities that are not considered to relate to hobbies of leisure activities outside the remit of the EPPO;
59. Recalls that the EPPO is to adopt a dedicated whistleblowing and anti-retaliation procedure to integrate the implementing rules to the Staff Regulations adopted by the College (College Decision 2021/077 laying down guidelines on whistleblowing applicable within the EPPO) and to accompany Article 45.12 of the EPPO Financial Rules (establishing the actions to be undertaken in the circumstances); welcomes the initiative of intensifying internal communication on the first network of confidential counsellors and on the anti-harassment provisions and to all National European Delegated Prosecutors' Assistants (NEDPAs) on whistleblowing mechanism for breaches against the EPPO mandate;

Digitalisation, Cybersecurity and data protection

60. Deplores the situation of the EPPO in the area of its IT autonomy, which is adversely affected by the decision of the Commission's Directorate-General for Digital Services ('DG Digital Services', formerly DIGIT) to discontinue the provision of digital workplace services; points out that EPPO IT autonomy requires additional human and financial resources which so far have not been granted because of the limitation imposed by the overall available budgetary resources in the concerned lines; regrets that, on grounds of the risks to its operational activities, the EPPO had to establish its own digital service capacity to accommodate the additional human resources that it was granted in light of the participation of Poland and Sweden;
61. Notes that the EPPO's initial approach was to prioritise resources on the setting and working of essential digital services linked to its operational activities, such as its case-management system, while acknowledging that the EPPO's digital services, which, at least in part, diverge from those of the Commission, would have needed, in the mid-term, a tailored approach; observes that the interruption of service by the Commission occurs in the crucial phase of the consolidation of the EPPO's establishment;
62. Understands that, in 2023, the EPPO's IT, Security and Corporate Services unit continued the implementation of two major programmes: the IT Autonomy Programme, to offer a complete catalogue of administrative IT services fully managed internally, and the EPPO's CMS programme, to further develop the digitalisation of the organisation in its core business area; acknowledges that in 2023 the EPPO continued to prepare to gradually transition from a digital workplace provided by DG Digital Services to an EPPO-owned and operated solution; is aware that the resources needed to implement this change, although were included in the EPPO's budget request for 2023, were not granted by the budgetary authority; notes that following DG Digital Service's announcement, the EPPO started negotiation to seek a solution which has not yet been achieved;

63. Appreciates that Commission has temporarily extended the provision of IT services until June 2025 but maintains that the outsourcing of those services is a suboptimal solution in the current situation; understands that not only security and confidentiality-related arguments, but also purely financial aspects, suggest to reconsider the decision, because the outsourcing would appear much more costly than the in-house solution, and the adoption of the latter, after DG Digital Services cease providing their services, would be managed by the EPPO; stresses that, to implement the preferable in-house solution, the complex administrative aspects, the EPPO lack of experience and the decentralised configuration of the EPPO with EDPs and NEDPAs in several locations across the Union, will require a more relevant budget and a lengthy transition period;
64. Reiterates its call on DG Digital Services to not interrupt its support to the EPPO until such a time as the EPPO has its own reliable IT system; deems it to be essential to avoid loss of data and to keep the EPPO fully operational in the transition between IT services providers; maintains that clear communication and operational coordination on the transition is to be ensured involving the highest decision-making levels of the Commission and the EPPO; asks the Commission and the EPPO to agree upon a gradual passage of competences for a smooth and continuous transition in the period after the extension, which could be extended beyond June 2025;
65. Observes that EPPO's requests for permanent additional posts to fill the gap stemming from the discontinuation of DG Digital Services were refused, in January 2023, when EPPO requested 45 establishment plan, and at the end of February 2024, when a request for an amending budget 2024 for EUR 2,98 million and 37 established plan posts was also rejected; notes that the solution of recruiting intra-muros contractors could be a part of an interim solution to address DG Digital Service's discontinuation, but while that approach would offer immediate operational continuity, it should not be conceived as a definitive solution for the EPPO, taking into account the extremely sensitive nature of its activities and the need to ensure continuity and reliability of its digital services, as well as the highest level of security of its IT infrastructure, systems and equipment; shares the view that the rejection of the EPPO's budgetary requests is indicative of differences in the assessment of the problem, which has an adverse impact on the EPPO's operational activities and represents a potential reputational risk for the Union in the case it results in weakening the EPPO's operational capacity;
66. Understands that each EDP has to use any national and the EPPO's CMS, which are different data bases governed by different access rights; believes that this situation increases the daily complexity in the data management; is also aware that to make it possible the processing and exchange of information between the central services of the EDPs and the EPPO, all the casefiles need to be digitalised by the EDPs using national digital tools and in compliance with national law; appreciates, in this regard, the formal creation of the NEDPA status in the official organisation chart which allows granting access to NEDPAs (staff of the national office) directly to the EPPO's CMS, like that unburdening the EDPs of administrative tasks and creating the basis for more accuracy and consistency of case data between the two case-management systems; takes the view that the way towards integration between the EPPO's CMS and national case-management systems would be facilitated by appropriate revision of regulation and that these steps would increase the effectiveness of EPPO investigations; notes, however, that such integration could be primarily a matter of compatible technological solutions

used in the different Member States and linked to the actual level of digitalisation of judiciary proceedings in those Member States; observes that the burden of the inherent costs is currently shared, with the national budget covering the costs of the equipment needed for interaction with the national case-management systems, and the EPPO budget covering hardware and the setting of a digital working environment that is secured to the same standard as EPPO central office staff and which is considered part of the operational communication costs provided for by Regulation (EU) 2017/1939;

67. Understands that interoperability is material to achieving efficient data exchange and cooperation and that in order to adopt minimum common data exchange agreements and the implementation of judicial interoperability tools, an e-CODEX EPPO Use Case Project, initiated in 2023, involved several workshops with the e-CODEX Consortium to align on technical and functional requirements; regrets that, after several workshops with e-CODEX Consortium, the project was paused to allow the transition to the new e-CODEX programme manager, eu-LISA, and due to lack of EPPO resources with expertise in this area; calls on the Commission to act as a facilitator for further progressing in the project and to factor also those actions in the EPPO's budgetary needs estimate;
68. Is aware of the increased threat to the EPPO's IT structural integrity stemming from the aggressiveness of organised crime, combatted by the EPPO, and resulting in the need to step up physical and digital security; notes that in 2023 the EPPO focused on enhancing its security governance; appreciates the EPPO decision to create a dedicated unit to address cyber and physical security; observes that the EPPO prepared a framework including new processes, roles and responsibilities and policies to increase the security of the digital systems used for the handling of operational and administrative data; understands that several risk assessments were carried out to assess the security framework of the digital systems which suggested the implementation of additional technical and governance measures to enhance the EPPO's security environment; remarks that the policy framework was improved in the circumstance, with a security strategy and global information security policy proposed in 2023 and formally approved and adopted in 2024;
69. Observes that the EPPO completed, in 2023, the set-up of security contact points in all participating Member States to enhance cooperation on security matters for staff and EPPO offices located in those Member States; welcomes the service level agreement is in place with CERT-EU that provides support and monitoring for specific services for incident response-related matters; underlines that the deployed system to assess risk and to report incidents is well structured and training is provided effectively; appreciates the external assessment performed for physical security whose findings translated in a roadmap for improvement by the host country;
70. Praises the significant progress made in 2023 towards the implementation of a backup data centre and the deployment of an associated disaster recovery scenario; appreciates, in that regard, the EPPO's development of its own case-management ecosystem the components of which are all hosted in the EPPO data centre and managed by the EPPO's staff, guaranteeing the EPPO control, retention and ownership of systems and data processed;

71. Acknowledges the EPPO's need for up-to-date equipment, cybersecurity and IT systems to deal with increasingly complicated crimes frequently involving digital elements and digital methodologies; supports the EPPO in its request for resources to be allocated to protecting its cybersecurity;
72. Stresses that the nature of the EPPO's activities entails the need for specific oversight and dedicated attention to the protection of personal data; takes the view that the EPPO and the EDPS should engage in a continuous dialogue to ensure the usability of the data for the investigation and prosecution and, at the same time, respect for the protection of personal data; understands that the requirements relating to data protection handling stems from Regulation (EU) 2017/1939 and from Regulation (EU) 2018/1725⁴ and that those requirements are complemented and implemented by College decisions, adopted after consulting the EDPS; appreciates the decision to provide mandatory training for all members of staff, including dedicated protection training prodromic to the access to the EPPO's CMS;

Buildings and security

73. Observes that thanks to the lease agreement by which Luxembourg authorities provide rent free the building currently hosting the EPPO's headquarters (the TOB building), the costs are limited to a service charge fee of EUR 716 724 per year; notes that in 2023 EUR 248 103 were paid to the same Luxembourg authorities for security installations in the two additional floors (9 and 10) delivered to the EPPO in Q1 2023;
74. Welcomes, having regard to physical security, the allocation - with amending budget 2023 and the budget 2024 - of the resources needed to have a proportionate capacity to deliver enhanced security services (21 additional posts to enhance its security capability) and the EPPO's efforts towards the continuous improvement and efficiency alignment of the physical security processes; maintains the proper functioning of the EPPO implies that prosecutors and staff have to be protected to be able to pursue their mission to its full extent, without threats, influence or pressure;

Environment and sustainability

75. Believes that the Luxembourg authorities providing the EPPO's headquarters should consider their sustainability and energetic performance, where possible by undertaking specific actions for renewable energy such as the installation of solar panels, CO₂ offsetting and adopting the Eco-Management and Audit Scheme to evaluate, report, improve organisations' environmental performance and to save energy; invites the Commission to explore if the dialogue with the local host can be facilitated with a view to pursuing the optimisation of resource usage;
76. Notes that the EPPO's central office is integrated in the Luxembourg network of free

⁴ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39, ELI: <http://data.europa.eu/eli/reg/2018/1725/oj>).

public transport making it easily reachable through low environmental impact means, at no cost for staff and visitors and that the central office underground car park provides a dedicated zone for bike parking; understands that exchanges are ongoing concerning the installation of charging stations for e-vehicles in the same underground car park;

Interinstitutional cooperation

77. Maintains that the EPPO's role as one of the major operational components of the Union's anti-fraud architecture can be effectively pursued only with intense cooperation and coordination with its partners and stakeholders; encourages the EPPO to continue its efforts of communication and coordination with the several partners, whose action has been designed to be reciprocally complementary;
78. Welcomes the initiatives launched by OLAF and the EPPO to intensify the operational dialogue and develop trust and share knowledge amongst the involved actors; appreciates the first international conference allowing exchange of views between EPPO prosecutors and OLAF investigators, hosted by Parliament in 2024, and believes it to be an example for the way forward; emphasises that the revision of the regulatory frameworks of OLAF and EPPO provides the opportunity to reconsider many aspects of their working together in the light of the experiences earned in those first years of EPPO operational activity, and having specific regard to the opening of complementary OLAF investigations and administrative investigations in support of the EPPO; stresses that the dialogue and cooperation need to be not only endorsed as a spontaneous initiative, but made more effective by the setting of an inter-institutional, well-disciplined forum which is to create the opportunity of mutual and synergistic collaboration in the execution the EPPO's and OLAF's mandates, with a view to optimising the efficiency and efficacy of the available resources in action;
79. Expects that the working group established with the Commission, and the meetings on the implementation of the Commission-EPPO Working Arrangement, will ensure that EPPO notifications for the purpose of administrative recovery, as provided for by Article 103(2), point (c), of Regulation (EU) 2017/1939 will duly and effectively enable the Commission to maximise recovery to the Union budget, while complying with the confidentiality and proper conduct of the investigative actions; stresses that, in this specific regard, no feedback has been yet provided by either party, preventing the legislators from earning a comprehensive understanding of the underlying issues and urges the EPPO and the Commission to adopt an agreed upon form of reporting to Parliament; understands that this could require appropriate development of the EPPO's CMS, and asks the Commission to prioritise the allocation of resources to the EPPO to meet that need;
80. Welcomes the strengthened cooperation with Europol; observes that the ODIN (Operational Digital Infrastructure Network) programme would enable to exploit fully the amount of data collected by EPPO in its investigations (more than 1000 terabytes and growing); notes that, in that framework, EPPO has identified possible crimes outside its competence, including organised crime, drug trafficking, illicit cigarette production, investment fraud, illegal gambling and prostitution (non-PIF offences), and others which have resulted in the transmission of several files as key evidence to ongoing national investigations and that 28 new cases have been initiated by national prosecution

offices to further investigate those non-PIF offences, which are outside EPPO remit; understands that for this and other analyses, however, cooperation with Europol suffers from limitations stemming from national procedural criminal law and accessibility of the EPPO data owned; considers that while cooperation with Europol needs to be even further enhanced, it cannot fully substitute the development of the EPPO internal analytical platform, which remains material to a fast interpretation of the data collected during its investigations and the setting of operational strategies in cross-border cases requiring access to the EPPO's entire CMS;

81. Is concerned about the increasing number of cases concerning the RRF; appreciates the timely information provided to the Commission and to the relevant Parliament Committees on this matter; believes that the large number of active cases involving RRF funds justifies an intensification of the exchanges held with, in particular, the Recovery and Resilience Task Force, with the aim of identifying possible oversight or control gaps or fraud patterns and to allow the Commission to keep up to date its performance monitoring mechanisms and to enforce the reduction and recovery measures recently designed; reiterates that RRF funds are Union and not national funds and are under the jurisdiction of the EPPO and encourages the Commission and other Union's bodies and authorities to increase the detection efforts and report to the EPPO every relevant situation;
82. Notes that, in 2023, the EPPO continued to rely on inter-institutional contracts and bilateral agreements (SLAs) to purchase goods and services at a lower cost; observes that, at the end of 2023, the EPPO had 80 active membership in inter-institutional framework contracts and 22 service-level agreement or other bilateral agreements with other Union's entities with the aim of maximising budgetary savings from the contractual instruments in place, in line with the principles of sound financial management;
83. Strongly welcomes the participation of Poland and Sweden in the EPPO; is aware that this will have an impact on the EPPO's budgetary needs, and supports EPPO request aiming to equip the EPPO with the necessary resources to take advantage of the participation of Poland and Sweden to its operational activities;
84. Observes that, in 2023, no major improvement towards participation into the EPPO has occurred with the Irish authorities; reminds that their refusal to cooperate with the EPPO in executing several requests for mutual legal assistance sent by the EDPs had resulted in the EPPO reporting the situation to the Commission in accordance with Regulation (EU, Euratom) 2020/2092⁵; appreciated the following decision of the Irish authorities to amend their domestic legislation providing the legal framework for mutual legal assistance to the EPPO and underlines that from 1 November 2023 it provides mutual legal assistance to the EPPO based on this unilateral recognition; notes that no exchanges occurred with the Irish inter-agency working group established to examine Ireland's potential future participation in the EPPO; urges the Commission, the EPPO and the Irish authorities to engage in a constructive dialogue

⁵ Regulation (EU, Euratom) 2020/2092 of the European Parliament and of the Council of 16 December 2020 on a general regime of conditionality for the protection of the Union budget (OJ L 433I, 22.12.2020, p. 1, ELI: <http://data.europa.eu/eli/reg/2020/2092/oj>).

to find an effective way of cooperation;

85. Maintains that any lack of cooperation with the EPPO by any of the Member States, whether or not they are participating in the enhanced cooperation that established the EPPO, creates niches of immunity and privilege that make the defence of the financial interests of the Union uneven and inefficient at best; reiterates its call on the Commission and the Member States concerned to make any possible effort to integrate the current scenario with the few but still very important missing components, promoting the extension of the participation in the EPPO by the other still non-participating Member States in such a way that strengthens the effectiveness of the protection of the Union and national budgets;

Communication

86. Observes that the EPPO engages in continuous efforts to enhance internal and external communication; appreciates the actions carried out via social network platforms and encourages the EPPO to maintain its proactive and transparent approach;
87. Believes that explanations about the EPPO's interventions and operations and about their background, when reported in the media and posted on social networks, would contribute to reinforcing the reputation of the institutions amongst citizens and raise awareness in taxpayers about the complexity of the protection of the Union's financial interests;
88. Maintains that proper and accurate communication from the EPPO would also increase the involvement of civil society and increase submission of potential investigative input; understands that the EPPO asks to have the reporting option included in every standard presentation for external audiences or at conferences and seminars, when possible and appropriate; notes that, in 2023, the EPPO's corporate website underwent a complete redesign, with the primary focus on enhancing accessibility and user-friendliness, and that the option to report a crime is now prominently displayed at the top of every webpage together with a banner highlighting this feature in the homepage;
89. Observes that the level of the EPPO's resources that are devoted to communication are limited, and that, in view of the need to establish the EPPO's digital autonomy, management of the EPPO website will have to be brought in-house, requiring additional resources, after DG Digital Services cease providing that service; underlines that the increasing volume and the sensitivity of EPPO investigations calls for attention in exchanges with the media, journalists, citizens and academia; reiterates its call on the EPPO to clearly strike the best possible balance between transparency and public interest on the one hand and confidentiality and proper conduct of the investigation on the other, and to ensure the neutrality of its communications about its activities;

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90. Believes that the working arrangements with the Ukrainian competent authorities could effectively enhance the level of protection of the Union's financial interests following the relevant commitments undertaken to support Ukraine and its population;

is aware that transmission of evidence has occurred in execution of mutual legal assistance requests and welcomes the perspective of activating a joint task force with the Ukrainian authorities to coordinate investigations; reminds the Commission and other Union institutions bodies, offices and agencies of the importance of detection and timely submission of investigative input to the EPPO.