

(English version)

**Question for written answer E-000851/25
to the Commission
Christine Anderson (ESN)
(26 February 2025)**

Subject: Operational independence of the European Public Prosecutor's Office from the Commission

The European Public Prosecutor's Office (EPPO) was established to function as an independent body of the EU, tasked with investigating and prosecuting offences affecting the EU's financial interests. However, recent reports have raised concerns about potential challenges to its operational independence, particularly concerning staffing, information technology (IT) infrastructure and budgetary autonomy.

Notably, in May 2024, the EPPO threatened legal action against the Commission over budgetary constraints, indicating that such financial limitations could impede its investigative operations ⁽¹⁾.

Additionally, analyses have highlighted that the EPPO's hybrid structure and current legal framework may present challenges, potentially affecting its independence and efficiency ⁽²⁾.

In light of this:

1. Staffing autonomy: How is it ensured that the EPPO maintains full autonomy over its staffing decisions, including the recruitment, appointment and management of its personnel, to prevent undue influence from external entities, such as the Commission?
2. Independence of IT infrastructure: What guarantees can the Commission provide to ensure that the EPPO's IT systems and data management infrastructure are developed, maintained and operated independently, thereby ensuring confidentiality and security?
3. Budgetary control: Given the recent disputes over budget allocations, what steps is the Commission taking to provide the EPPO with sufficient financial resources and autonomy, so as to enable it to fulfil its mandate effectively without financial constraints that could hinder its operations?

Submitted: 26.2.2025

**Answer given by Mr McGrath on behalf of the European Commission
(23 May 2025)**

The European Public Prosecutor's Office (EPPO) is independent from the Commission and all EU institutions, bodies, offices and agencies, as well as from the Member States.

The Commission and other external entities are not involved in the recruitment, appointment and management of the EPPO's staff, except for the cases provided for by Regulation (EU) 2017/1939 ⁽¹⁾, such as the appointment of the European Chief Prosecutor, which is done by common accord of the European Parliament and the Council.

The Commission has been working intensively with the EPPO to achieve the EPPO's IT independence from the Commission. As soon as the EPPO will achieve such independence, the EPPO will be disconnected from the Commission's IT infrastructure.

The Commission emphasises that the provision of IT Digital Workplace services to the EPPO until its IT independence does not affect the EPPO's full responsibility and exclusive control on its IT systems.

The Commission has constantly supported the availability of sufficient financial and human resources for the EPPO since its setting up.

The 2025 EPPO budget amounts to EUR 85.9 million, which is more than 12 million above the annually updated financial programming.

Moreover, the EPPO was originally due to reach its full size at 115 staff in 2023 and operate thereafter under stable staffing. In 2025, the EPPO has however a staff number of 307, not counting the European Delegated Prosecutors.

¹ Braun, E., 'EU prosecutors threaten to sue Commission in spending spat', *Politico*, 13 May 2024, https://www.politico.eu/article/eppo-threaten-sue-european-commission-spending-spat-ursula-von-der-leyen-pfizer-laura-codruta-kovesi/?utm_source=chatgpt.com.

² Herrnfeld, H.-H., 'The EPPO's Hybrid Structure and Legal Framework', *eu crim*, 24 October 2018, https://eu crim.eu/articles/the-eppos-hybrid-structure-and-legal-framework/?utm_source=chatgpt.com.

⁽¹⁾ 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. 1-71.

All EU institutions, bodies, offices and agencies need to operate within the limits of the Multiannual Financial Framework (MFF) and in line with the stable staffing and sound financial management principles.

The Commission underlines that the EPPO's budget is ultimately decided by the European Parliament and the Council as Budgetary Authority.
