

(English version)

Question for written answer E-000987/25
to the Commission
Giuseppe Antoci (The Left)
(6 March 2025)

Subject: The OPEKEPE case in Greece: tackling CAP fund fraud and the effectiveness of prevention measures

A spate of cases of CAP fund fraud — particularly the wrongful subsidy claims ⁽¹⁾ submitted by a number of parties in Greece ⁽²⁾ — has raised major concerns about the effectiveness of certain Member States' fraud control and prevention measures.

DG AGRI has clarified that the land for which CAP funding is requested must be available to the funding beneficiary in accordance with national law. However, despite the European Court of Auditors ⁽³⁾ recommending improving and standardising the collection, sharing and analysis of data, including through the use of digital tools, there are still discrepancies in how irregularities and fraud are monitored and combated.

The European Public Prosecutor's Office has, as a result, opened a number of investigations, proof that a more coordinated and structured approach is needed to tackle fraud. This state of affairs casts doubt on the EU's ability to protect its financial interests and on the effectiveness of the measures currently in place ⁽⁴⁾.

In view of the above:

⁽¹⁾ ARES(2024)3169116: https://www.agronews.gr/files/CEB-2024-050-GR-L304LT_LFLT.pdf.

⁽²⁾ <https://www.politico.eu/article/greece-farmers-european-union-o-pekepe-pastureland-cap-common-agricultural-policy-2/>.

⁽³⁾ https://www.eca.europa.eu/Lists/ECADocuments/SR22_14/SR_CAP_Fraud_en.pdf.

⁽⁴⁾ PIF2023, COM(2024)0318 final — 'The financial amounts linked to these cases have varied more due to a limited number of individual cases with high financial impact, and increased to EUR 585.8 million in 2023 (+103% compared to 2022).

1. What is the Commission's opinion on granting OLAF, EPPO and ECA direct access to IT tools like Arachne?
2. In the Commission's opinion, how effective would the Antoci Protocol be as a preventive anti-fraud tool at European level?
3. What steps will the Commission take to enhance both the use of new technologies — including AI — and coordination between OLAF, EPPO and national authorities as part of efforts to prevent fraud and recover the proceeds of these activities?

Submitted: 6.3.2025

Answer given by Executive Vice-President Mînzatu on behalf of the European Commission
(12 May 2025)

1. The Commission recognises the benefits of granting the European Anti-Fraud Office (OLAF), the European Public Prosecutor's Office (EPPO) and the European Court of Auditors access to information technology tools like Arachne for fraud detection, investigation and prosecution. Arachne's Charter and privacy statements specify conditions to access personal data, ensuring access serves the public interest. Balancing data analysis and sharing with data privacy, security and legal compliance is crucial.
2. The Antoci protocol targets the misappropriation of the Common Agricultural Policy (CAP) funds linked to organised crime in Italy requiring certification from relevant local authorities. Extending it to all CAP funding or other areas requires careful consideration of the EU's limited criminal law competence and the differences across Member States.
3. The Commission supports using new technologies to protect the EU's financial interests, complying with safeguards. Article 36(6) of the Financial Regulation ⁽⁵⁾ provides a legal basis for a modernised data-mining and risk-scoring tool ⁽⁶⁾, emphasising interoperability and artificial intelligence (AI). Co-designing activities with Member States are crucial, leading to the set-up of a Group of Experts on the tool's design ⁽⁷⁾. The antifraud working group from the Member States Learning Network collaborates with the Commission on Arachne for CAP funds. OLAF's Anti-Fraud Information System offers tools and databases to national authorities for protecting EU finances. OLAF and Member States are intensifying exchanges on harnessing new technologies' anti-fraud potential. European anti-fraud actors are examining AI's role in protecting the EU budget, in line with the AI Act ⁽⁸⁾ and the Apply AI Strategy. The Commission is also evaluating options to enhance the EPPO's use of new technologies ⁽⁹⁾.

⁽⁵⁾ 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 Union: <https://eur-lex.europa.eu/eli/reg/2024/2509/oj/eng>.

⁽⁶⁾ A working group, consisting of the Commission departments and agencies, was established in 2022.

⁽⁷⁾ Commission Decision C(2024)7889.

⁽⁸⁾ Regulation (EU) 2024/1689 of the European Parliament and of the Council of 13 June 2024 laying down harmonised rules on artificial intelligence and amending Regulations (EC) No 300/2008, (EU) No 167/2013, (EU) No 168/2013, (EU) 2018/858, (EU) 2018/1139 and (EU) 2019/2144 and Directives 2014/90/EU, (EU) 2016/797 and (EU) 2020/1828 (Artificial Intelligence Act) — <https://eur-lex.europa.eu/eli/reg/2024/1689/oj/eng>.

⁽⁹⁾ 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 — <https://eur-lex.europa.eu/eli/reg/2017/1939/oj/eng>. In the context of the forthcoming evaluation of the EPPO Regulation and the possible proposal to amend it, the Commission will look into options to enhance both the use of new technologies by the EPPO and the coordination between the EPPO and other relevant partners to step up the fight against fraud affecting the Union's financial interests and the recovery of misused EU funds.