(English version)

Question for written answer E-003241/25
to the Commission
Raquel García Hermida-Van Der Walle (Renew)
(14 August 2025)

Subject: National law hindering the tasks of the European Public Prosecutor's Office

During an investigation conducted by the European Public Prosecutor's Office (EPPO) into an alleged organised fraud scheme involving EU agricultural funds and corruption by public officials in Greece, information has emerged concerning the possible involvement of two former ministers in aiding and instigating the misappropriation of such funds while in office. According to Greek law, only the national parliament can authorise the investigation and prosecution of (former) ministers, which makes it impossible for the EPPO to fully carry out its tasks ([1]). Up until now, the Greek Parliament has not authorised the investigation and prosecution of these former ministers, leading to possible impunity, with the statute of limitations for one minister's alleged criminal conduct expiring in October ([2]).

1. When does the Commission aim to publish its evaluation of the EPPO Regulation ([3])? During his confirmation hearing, Commissioner Michael McGrath committed to 'accelerate the ongoing evaluation', instead of publishing it only by 1 June 2026 ([4]).

2. Does the Commission agree that national law should not result in the absence of any meaningful investigation into the possible criminal liability of (former) ministers, and that the EPPO should be fully able to carry out its tasks?

3. If so, will the Commission address this matter in its future proposal for a renewed EPPO Regulation, in the sense that national parliaments can no longer block any meaningful criminal investigation into the possible criminal liability of (former) ministers?

Submitted: 14.8.2025

Answer given by Mr McGrath on behalf of the European Commission
(26 September 2025)

The Commission is currently evaluating the implementation of the regulation establishing the European Public Prosecutor's Office (EPPO) ([1]), as provided for in Article 119(1) thereof. The evaluation aims to assess whether the EPPO Regulation is achieving its intended purpose in an effective manner; it will also consider the coherence, relevance, EU added value as well as the efficiency of the EPPO and its working practices ([2]). To the extent possible and without prejudice to the Better Regulation's requirements, the Commission will endeavour to adopt the evaluation report before 1 June 2026.

Following a study commissioned in 2022 ([3]), the Commission engaged in bilateral exchanges with Member States on the implementation of the EPPO Regulation. In this context, the Commission services requested clarifications from the Greek authorities on the matter raised by the Honourable Member. The Commission is carefully assessing the Greek authorities' reply in order to decide on the appropriate follow-up.

At this stage, the Commission cannot comment on any possible future proposal to amend the regulation, as the evaluation is ongoing and will need to be followed up by an impact assessment.

In its 2025 Rule of Law Report country chapter for Greece ([4]), the Commission reported that efforts are under way to ensure that the judiciary is more involved in overseeing the immunity regime for members of the Government.

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1 [1]https://www.eppo.europa.eu/en/media/news/alleged-misuse-eu-agricultural-funds-eppo-submits-information-to-hellenic-parliament.
2 [2]https://www.politico.eu/article/greece-mitsotakis-farm-funds-fraud-eppo-opekepe-agriculture-farmer-pasture/.
3 [3]Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO').
4 [4]https://hearings.elections.europa.eu/documents/mcgrath/mcgrath_writtenquestionsandanswers_en.pdf.
([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, pp. 1-71.
([2]) https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/14308-European-Public-Prosecutors-Office-EPPO-evaluation_en.
([3]) https://www.europarl.europa.eu/thinktank/en/events/details/study-presentation-compatibility-of-nati/20240118EOT08142.
([4]) SWD(2025) 908 final https://commission.europa.eu/document/download/f2eb4e57-317a-4be4-8baa-b667c9f801d9_en?filename=12_1_63944_coun_chap_greece_en.pdf.