

**Question for written answer E-009690/2013
to the Commission**
Rule 117
Mario Borghezio (NI)

Subject: Establishment and powers of the European Public Prosecutor's Office

It is estimated that each year the Union loses at least EUR 500 million in revenue and expenditure due to presumed cases of fraud. In order not to allow those who rob European taxpayers to go unpunished, the Commission has proposed setting up a new European Public Prosecutor's Office.

The new European Public Prosecutor would have the task of bridging existing gaps between the criminal justice systems of EU countries – whose powers stop at national borders – and EU bodies, which do not have the power to conduct criminal investigations.

The Public Prosecutor's Office will be incorporated into national legal systems and will have 'European Delegated Prosecutors', who will carry out investigations and will initiate prosecutions in the relevant Member State, making use of national staff and applying national laws. A single European Public Prosecutor will ensure that the individual delegated prosecutors take a uniform approach in all countries.

Does the Commission not agree that with the establishment of a European Public Prosecutor the principles of subsidiarity, conferral and proportionality (Article 5, TEU), as strengthened by the Treaty of Lisbon, will no longer be complied with?

It would appear that, with the establishment of the European Public Prosecutor, the current Anti-Fraud Office, OLAF, will be weakened and will no longer be responsible for administrative investigations in cases of fraud against the Union, or of further crimes which damage the financial interests of the EU.

Why does the Commission, rather than set up yet another European body with the risk of overlapping responsibilities and powers, not reinforce the existing OLAF and make it responsible for the tasks that have been allocated to the European Public Prosecutor?