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*Committee on Civil Liberties, Justice and Home Affairs  
The Chair*

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18.4.2024

Mr Johan Van Overtveldt  
Chair  
Committee on Budgets  
BRUSSELS

Subject: Opinion on Draft Amending Budget No 3 for the year 2024 (DAB 3/2024)  
(2024/0090(BUD))

Dear Mr Chair,

Under the procedure referred to above, the Committee on Civil Liberties, Justice and Home Affairs has been asked to submit an opinion to your committee. At its meeting of 15 April 2024, the committee decided to send the opinion in the form of a letter.

The Committee on Civil Liberties, Justice and Home Affairs considered the matter at its meeting of 18 April 2024. At that meeting<sup>1</sup>, it decided to call on the Committee on Budgets, as the committee responsible, to incorporate the following suggestions into its motion for a resolution.

Yours sincerely,

Juan Fernando López Aguilar

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<sup>1</sup> The following were present for the final vote: Juan Fernando López Aguilar (Chair and rapporteur for opinion), Maite Pagazaurtundúa (Vice-Chair), Pietro Bartolo (Vice-Chair), Malik Azmani, Theresa Bielowski, Vladimír Bilčík, Karolin Braunsberger-Reinhold, Patrick Breyer, Annika Bruna, Clare Daly, Gwendoline Delbos-Corfield, Lucia Ďuriš Nicholsonová, Nicolaus Fest, Sylvie Guillaume, Evin Incir, Sophia in 't Veld, Marina Kaljurand, Assita Kanko, Fabienne Keller, Łukasz Kohut, Moritz Körner, Jeroen Lenaers, Erik Marquardt, Javier Moreno Sánchez, Philippe Olivier, Birgit Sippel, Sara Skyttedal, Tineke Strik, Tomas Tobé, Jana Toom, Milan Uhrík, Miguel Urbán Crespo, Tom Vandenkendelaere, Javier Zarzalejos (and Vasco BECKER-WEINBERG, Jakop G. Dalunde, Ana Miguel DOS SANTOS, Włodzimierz Karpiński, Marian-Jean Marinescu, Alin Mituța, Thomas Rudner, Laurence Sailliet (for pursuant to Rule 209(7)).

## SUGGESTIONS

1. Support that the Commission's Draft Amending Budget 3/2024 increases the budget line of the European Public Prosecutor's Office ('the EPPO') to reflect the need for increased financing following the Commission decision confirming the participation of Poland in the enhanced cooperation on the establishment of the EPPO that was adopted on 29 February 2024, as well as the expected participation of Sweden; regrets at the same time that this is not sufficient to enable the EPPO to deal diligently either with its increasing workload mainly because of enlargement of the EPPO, nor with EPPO's administrative and IT challenges;
2. Highlights that the operational workload of the EPPO has constantly increased since the start of its operations; highlights the importance to secure the EPPO with funding that is proportionate to its growing operational workload;
3. Stresses that the EPPO's tasks are proportionate to the number of active investigations and cases in the trial phase, which is very likely to increase in the next years as the levels of detection and reporting are improving; notes that investigations are often unpredictable and can require unexpected additional costs;
4. Expresses strong concerns that in case the EPPO does not have enough resources to conduct investigations, collect evidence and submit it in courts, justice will not be served and rule of law not applied in an appropriate manner;
5. Stresses that the resources allocated to the EPPO do not only contribute to the protection of the financial interests of the EU, but also strengthen the rule of law and justice by being a benchmark for judicial independence and by fighting against corruption and organised crime;
6. Emphasises that since the start of its operation, the EPPO has proven to be the most efficient body to protect the budget of the EU, and expresses therefore its disappointment that the Commission seems reluctant to propose sufficient resources;
7. Urges the Commission to engage immediately and constructively with the EPPO in order to re-assess its needs to meet the operational workload, as announced by the Commission in 2021<sup>1</sup>, and to table both a further Amending Budget 2024 and a Draft 2025 Budget, enabling the EPPO to function adequately; calls in particular on the Commission to delay the application of its decision to stop providing Digital Workplace Services to the EPPO until additional human and financial resources are granted in order to enable it to securely ensure the EPPO's IT independence;
8. Notes that the appropriation is intended to cover the EPPO's recruitment and staff-related expenditure, buildings (including building security), infrastructure and administrative information technology-related expenditures; further notes the Commission's proposal to mobilise the Flexibility Instrument in line with Article 12 of Regulation (EU, Euratom) 2020/2093 in the absence of margins and room for

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<sup>1</sup> Commission Amending Letter 1/2022 (COM(2021) 642 final)

redeployment under sub-heading 2b;

9. Emphasises that EPPO is an independent body of the EU, established through the concept of enhanced cooperation in criminal matters responsible for investigating, prosecuting and bringing to judgment crimes against the financial interests of the Union; recalls the utmost importance to ensure the full independence of the European Delegated Prosecutors as they directly carry out the proceedings in their respective Member States;
10. Notes that the independence of the EPPO is also linked to the allocation of financial resources that are sufficient to fulfil its mandate and to the necessary budgetary autonomy to manage them; stresses that adequate financing of the EPPO lies with both the EU and with each participating Member State;
11. Recalls the exceptional results achieved by the EPPO in the fight against crimes affecting the financial interests of the Union; notes that the scale of fraud affecting the financial interests of the EU, in particular on the revenue side of the budget, can only be explained by the heavy involvement of serious organised crime groups; reiterates that proper funding of the EPPO allows it to generate large scale savings to the Union budget by enabling the recovery of proceeds of crimes already committed and preventing further losses which would result from continuous criminal activity; stresses that ensuring support to the EPPO's work in defending the Union financial interests is also crucial to counter the growth and expansion of serious organised crime groups; calls for significantly more resources for EPPO to reinforce independence and operational capacity to fulfil its mandate;

**ANNEX: ENTITIES OR PERSONS  
FROM WHOM THE RAPPORTEUR HAS RECEIVED INPUT**

Pursuant to Article 8 of Annex I to the Rules of Procedure, the rapporteur has received input from the following entities or persons in the preparation of the opinion, until the adoption thereof in committee:

<b>Entity and/or person</b>
European Public Prosecutors Office

The list above is drawn up under the exclusive responsibility of the rapporteur.