

# European Public Prosecutor's Office: The Netherlands becomes 21st country to join common efforts to protect EU budget against fraud

Today, the European Commission confirmed the Netherlands as the 21<sup>st</sup> EU-Member State to join the European Public Prosecutor's Office (EPP0) which will play a key role in fighting crimes against the EU budget such as fraud, corruption, money laundering or serious cross-border VAT fraud above €10 million. It will be operational by the end of 2020 in all participating Member States.

Commissioner for Justice, Gender Equality and Consumers, Vera **Jourová**, said: *"Crime knows no borders, therefore we have to work together to fight it. I welcome the Netherlands today as a new member of the European Public Prosecutor's Office. The more EU countries join, the broader the reach of the EPP0, and the more money can be recovered. This is why I urge all remaining Member States to join this essential network in the fight against fraud and corruption, so that we can ensure that every cent of the EU budget is spent to the benefit of our citizens."*

Member States that have not yet chosen to participate in the European Public Prosecutor's Office can join at any time after the adoption of the Regulation, if they wish to do so. On 14 June 2018, **Malta** notified the Commission of its intention to participate. The Commission is examining this notification in line with the procedure set out in Article 331 TFEU and is expected to take a decision shortly. The following EU countries are already participating to the EPP0: Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Estonia, Finland, France, Germany, Greece, Italy, Latvia, Lithuania, Luxembourg, Portugal, Romania, Slovakia, Spain and Slovenia.

## **Composition of the EPP0 Selection Panel**

Today the Commission has also proposed to the Council of the European Union a list of candidates for the EPP0's Selection Panel. The Selection Panel will consist of twelve members, expected to take up their function in October 2018. The candidates selected will all have worked as former members of the Court of Justice and the Court of Auditors, as national members of Eurojust, members of national supreme courts or as high level prosecutors and lawyers. The Commission's selection is based on geographical balance, gender balance and due representation of the legal systems of the Member States participating in the European Public Prosecutor's Office. The Selection Panel will be responsible for drawing up a shortlist of candidates for the position of European Chief Prosecutor, assessing the qualifications of candidates before the appointment by the Council.

## **Background**

Every year at least €50 billion of revenue from VAT is lost from national budgets all over Europe through cross-border fraud. This is why, in 2013, the Commission proposed, under the leadership of former Commissioner for Justice, Fundamental rights and Citizenship Viviane Reding, to set up a European Public Prosecutor's Office. This was then [taken forward in June 2017 by 20 Member States](#) through the enhanced cooperation mechanism.

The EPP0 will ensure that crimes affecting the EU budget – including fraud, corruption, money laundering and cross-border VAT fraud – can be more effectively and swiftly investigated across the EU. It will overcome the current shortcomings and tackle fraud involving EU funds of over €10,000 as well as complex cross-border VAT fraud cases, involving damage above €10 million. To do so, the EPP0 will work hand in hand with national law enforcement authorities and closely cooperate with other EU bodies, such as Eurojust and Europol. [In May 2018, the Commission proposed new rules for the European Anti-Fraud Office \(OLAF\) to become a close partner of the European Public Prosecutor's Office as well.](#)

The Commission decision on the Netherlands' participation in the European Public Prosecutor's Office will become applicable 20 days after its publication in the Official Journal.

#### **EPP0 Structure:**

## EUROPEAN PUBLIC PROSECUTOR'S OFFICE

### STRATEGY



#### **European Chief Prosecutor** (supported by 2 Deputies)

- > Heading the EPPO, organising the work.
- > Contacts EU, EU countries and third parties.



#### **College of Prosecutors**

(one European Prosecutor per participating country)

- > Decision-making on strategic matters to ensure coherence, consistency and efficiency within and between cases.
- > Adoption of internal rules of procedure.

### OPERATIONS



#### **Permanent Chambers**

(3 members: 2 European Prosecutors and chaired by the Chief Prosecutor, one of the Deputies, or another European Prosecutor)

- > Monitor and direct the investigations and prosecutions by the European Delegated Prosecutors (EDPs).
- > Operational decisions: bringing a case to judgment, dismissing a case, applying simplified procedure, refer case to national authorities, instruct EDPs to initiate investigation or exercise right of evocation.
- > European Prosecutor from the EU countries concerned supervises the EDP on behalf of the Permanent Chamber.



#### **European Delegated Prosecutors (EDPs)**

(at least two prosecutors per participating country)

- > Responsible for investigating, prosecuting and bringing to judgment cases falling within EPPO's competence.

### For more information

[MEMO: Frequently Asked Questions on the European Public Prosecutor's Office](#)

[Infographic on enhanced cooperation](#)

[Commission Decision confirming the participation of the Netherlands in the enhanced cooperation on the establishment of the EPPO](#)

[Proposal for a Council Implementing Decision appointing the members of the panel provided for in Art.14\(3\) of Regulation \(EU\) 2017/1939](#)

[Press release: Commission proposes new rules for OLAF as a close partner of the European Public Prosecutor's Office](#)

Website: [European Public Prosecutor's Office](#)

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# Frequently Asked Questions on the European Public Prosecutor's Office

On [8 June 2017](#), [20 EU Member States reached a political agreement on the establishment of a new European Public Prosecutor's Office under enhanced cooperation](#). The Regulation establishing the European Public Prosecutor's Office was adopted by the Justice and Home Affairs Council of 12 October 2017 and entered into force on 20 November 2017.

Today, the Netherlands has become the 21<sup>st</sup> Member State to participate in the EPPO.

## **What is the European Public Prosecutor's Office?**

The European Public Prosecutor's Office will be an independent and decentralised prosecution office of the European Union with competence for investigating, prosecuting and bringing to justice crimes against the EU budget, such as fraud, corruption or cross-border VAT fraud above 10 million euros.

The European Public Prosecutor's Office will operate as a single office across participating Member States and will combine European and national law-enforcement efforts in a unified, seamless and efficient approach.

## **Why do we need a European Public Prosecutor's Office?**

Today, the EU's financial interests are not sufficiently protected and cross-border VAT fraud constitutes an important loss for national budgets.

Firstly, the existing EU bodies – OLAF (the European Anti-Fraud Office), Eurojust (the European Agency for criminal justice cooperation) and Europol (the European Police Office) – cannot conduct criminal investigations or prosecute fraud cases. OLAF can only refer the results of its administrative investigations to the competent national authorities which then decide independently whether or not to initiate criminal proceedings based on OLAF's findings.

Secondly, national law enforcement efforts are fragmented across Member States, which do not always take the action required to tackle crimes against the EU budget. Today, only around 50% of the judicial recommendations transferred by OLAF to the national prosecution authorities lead to an indictment. The indictment rates vary considerably among Member States.

Thirdly, the low number of prosecutions is accompanied by low recovery rates of amounts lost to fraud. Fraudsters targeting the EU budget or setting up complex VAT fraud, costing every year at least €50 billion of revenues to national budgets, know that they have a good chance of keeping the proceeds

of their crimes, banking on a lack of consistent enforcement efforts in the EU.

### **What will be the key features of the European Public Prosecutor's Office?**

The European Public Prosecutor's Office will be an independent and highly specialised prosecution office. Prosecutors of the Office will carry out their investigations across all participating Member States in a coordinated manner, rapidly exchanging information and joining efforts to ensure coordinated investigations, fast freezing or seizure of assets and, where necessary, request the arrest of suspected criminals, all this within a common European investigation and prosecution strategy.

The European Public Prosecutor's Office will draw on Member States' capacities and will pool expertise in areas such as crime analysis, tax, accounting, or IT, and guarantee smooth communication channels without any language barriers. The European Public Prosecutor's Office investigators will operate through smooth procedures as a single office, going beyond the more time-consuming and complicated *ad hoc* cooperation between different national authorities on a case-by-case basis.

Moreover, the European Public Prosecutor's Office will have the "big picture" of the situation and thus more easily detect and follow up on fraud and other crimes.

### **What will the structure of the European Public Prosecutor's Office look like?**

The European Public Prosecutor's Office will have an Office built on two levels: the central level and the national level. The central level will consist of the European Chief Prosecutor, 21 European Prosecutors (one per participating Member State), two of whom as Deputies for the European Chief Prosecutor, the Administrative Director and dedicated technical and investigative staff. The decentralised level will consist of European Delegated Prosecutors who will be located in the participating Member States. The central level will supervise the investigations and prosecutions carried out at the national level.

### **How will the European Delegated Prosecutors work?**

The European Delegated Prosecutors will be part of the European Public Prosecutor's Office. As a rule, it will be the European Delegated Prosecutors who will carry out the investigation and prosecution in their Member States, working hand-in-hand with national law enforcement bodies and applying national law. Their actions will be coordinated by a central office headed by the European Chief Prosecutor who will ensure coherence and efficiency throughout participating Member States.

This decentralised structure makes national expertise directly accessible to the European Public Prosecutor's Office, such as in-depth knowledge of the national judicial system, knowledge of local language, integration into the local prosecution structure, practice in handling local court cases, etc.

The European Delegated Prosecutors may continue their functions as national

prosecutors (wearing a 'double-hat'). However, when acting under the mandate of the European Public Prosecutor's Office, the Delegated Prosecutors will be fully independent of their national prosecution authorities.

### **How will the Prosecutors in the European Public Prosecutor's Office be selected?**

The European Chief Prosecutor and the European Prosecutors will be selected by a selection panel. For this reason, the Commission proposed on 31 July 2018, a Council Implementing Decision for the appointment of the members of the panel. The selection panel's main task will be to draw up a shortlist of candidates for the position of European Chief Prosecutor and to assess the qualifications of candidates for European Prosecutors before their appointment by the Council.

Twelve people will sit on the panel. They will all have worked as former members of the Court of Justice and the Court of Auditors, former national members of Eurojust, members of national supreme courts or high level prosecutors and lawyers. As regards the composition of the panel, the Commission has taken on board the need for geographical balance, gender balance and due representation of the legal systems of the Member States participating in the European Public Prosecutor's Office.

Following the adoption of this proposal, the Council is expected to discuss and adopt the Council Implementing Decision appointing the members of the selection panel. On that basis, the selection panel is envisaged to take up its functions in October 2018. The selection panel is expected to carry out its tasks in selecting the European Chief Prosecutor and European Prosecutors until late 2019.

### **What is the legal basis for the European Public Prosecutor's Office?**

The Lisbon Treaty puts particular emphasis on combating serious financial and economic crimes with a cross-border dimension. The legal basis and the rules for the set-up of the European Public Prosecutor's Office are laid down in Article 86 of the Treaty on the Functioning of the European Union (TFEU) which states:

*"In order to combat crimes affecting the financial interests of the Union, the Council, by means of regulation adopted in accordance with a special legislative procedure, may establish a European Public Prosecutor's Office from Eurojust."*

Article 86 of the TFEU also foresees the possibility of establishing the European Public Prosecutor's Office under enhanced cooperation, if a group of at least 9 European Member States wishes to do so.

The EPP0 will be competent for offences affecting the Union budget, as defined in the Directive on the fight against fraud to the Union's financial interests by means of criminal law (PIF Directive), which was adopted on 5 July 2017.

### **What is enhanced cooperation and does establishing the European Public**

## **Prosecutor's Office under enhanced cooperation make sense?**

Enhanced cooperation is a procedure whereby a minimum of nine Member States agree to move ahead and establish a closer cooperation in a specific area. This procedure has been applied in the fields of divorce law, patents and property regimes.

With the European Public Prosecutor's Office, 20 Member States want to join forces and strengthen the protection of the Union's financial interests.

The European Public Prosecutor's Office will be a key actor in fighting crimes against the EU budget. This will be a major step forward for the protection of the EU financial interests.

The non-participating Member States will always be able to join the European Public Prosecutor's Office at a later stage.

## **Which Member States will be part of the European Public Prosecutor's Office?**

On 8 June 2017, 20 European Member States reached a general approach on the establishment of the European Public Prosecutor's Office under enhanced cooperation. Council Regulation (EU) 2017/1939 establishing the European Public Prosecutor's Office under enhanced cooperation was adopted by the Justice and Home Affairs Council of 12 October 2017 and entered into force on 20 November 2017. The Member States participating from the entry into force of the Regulation are: Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Estonia, Finland, France, Germany, Greece, Italy, Latvia, Lithuania, Luxembourg, Portugal, Romania, Slovakia, Spain and Slovenia.

On 1 August 2018, the Netherlands became the 21<sup>st</sup> Member State to participate in the European Public Prosecutor's Office. On 14 June 2018, Malta notified its intention to participate in the enhanced cooperation.

At this stage, not all Member States wish to participate in the European Public Prosecutor's Office, but these non-participating Member States may join at any time after the adoption of the Regulation.

## **Why shouldn't fraud be combated directly by the Member States?**

Currently, only national authorities can conduct criminal investigations and prosecute fraud against the Union's financial interests. But their powers stop at national borders. Crimes against the EU budget are often complex. They involve several actors, complicated and elaborate fraud schemes, various countries and different national jurisdictions. Moreover, successful investigations of fraud require an in-depth understanding of the relevant legal and administrative framework.

Effective cooperation between Member States is difficult due to the different criminal law systems, unclear jurisdiction, time-consuming legal assistance procedures, language problems, lack of resources and varying priorities.

This may result in fraud against the EU budget being regarded nationally as time- and personnel-consuming. As a result, such fraud may not be tackled at

all or cases might be dropped as soon as difficulties appear. In some cases, national authorities may decide to only investigate 'their' national part of a crime, disregarding the potentially much wider implications of a fraud scheme.

### **What will change under the European Public Prosecutor's Office?**

The European Public Prosecutor's Office will operate as a single office across the participating Member States and will not need to rely upon traditional instruments of EU law for cooperation among judicial authorities of different Member States.

It will pool expertise and experience and operate as a single office across all participating Member States. It will be able to act quickly across national borders, without the need for lengthy judicial cooperation proceedings. It will also allow for a common prosecution policy, putting an end to the current fragmented approach.

The European Public Prosecutor's Office will overcome the current shortcomings and tackle fraud involving EU funds of over €10,000 as well as complex cross-border VAT fraud cases, involving damage above €10 million.

The European Public Prosecutor's Office is expected to lead to more successful prosecutions and a better recovery of the defrauded money.

### **How will the independence of the European Public Prosecutor's Office be ensured?**

Firstly, the Regulation stipulates that the staff of the European Public Prosecutor's Office shall act in the interest of the Union as a whole and **neither seek nor take instructions** from any outside instance. This ensures that Union institutions, bodies, offices or agencies and the Member States respect the independence of the European Public Prosecutor's Office and do not seek to influence it in the exercise of its tasks.

Secondly, the European Public Prosecutor's Office will be **structurally independent** because it will not be integrated into another institution or service of the EU.

Thirdly, the **appointment** of the European Chief Prosecutor will take place following an open call for candidates and will be made by the European Parliament and the Council. A panel composed of former members of the Court of Justice, members of national supreme courts, national public prosecution services and/or lawyers of recognised competence will help shortlist the candidates. The term of office is limited to seven years and is not renewable thereby ensuring that the European Chief Prosecutor will not be guided by considerations seeking re-appointment. The European Chief Prosecutor can be **dismissed** only by a decision of the Court of Justice, following an application by the European Parliament, the Council or the Commission.

Fourthly, with regard to the European Delegated Prosecutors, the Regulation ensures that the national prosecutors appointed to work for the European Public Prosecutor's Office shall be completely independent from national

prosecution authorities.

### **What about the procedural rights of suspected persons?**

It is important to strengthen the legal safeguards that protect individuals and companies affected by investigations or prosecutions in the European Union. The Regulation includes a robust and comprehensive set of procedural safeguards, which will ensure that the rights of suspects and other persons involved in the investigations of the European Public Prosecutor's Office are protected both by existing EU legislation and by national defence rights.

The Regulation ensures that the suspected person has all rights granted by EU legislation and the Charter of Fundamental Rights of the European Union. These rights are listed explicitly, and include the rights to:

- interpretation and translation,
- information and access to the case materials,
- access to a lawyer and to communicate with and have third persons informed in case of detention,
- remain silent and to be presumed innocent,
- legal aid,
- present evidence, appoint experts and hear witnesses.

In addition, the suspected person has the defence rights granted by the national law governing the procedure.

### **What will Eurojust's role be once the European Public Prosecutor's Office is set up?**

Eurojust helps national investigating and prosecuting authorities cooperate and coordinate in around 1500 cross-border cases a year. It has helped to build mutual trust and to bridge the EU's wide variety of legal systems and traditions. Eurojust, however, has no competence to conduct criminal investigations or to prosecute fraud cases. In 2013, the Commission proposed a reform of Eurojust with the aim of further improving its overall functioning and to enable its College and National Members to focus on their operational tasks, i.e. to coordinate and encourage cooperation between the national judicial authorities in the fight against cross-border crime.

The reformed Eurojust will support the European Public Prosecutor's Office in the fight against fraud against the EU budget. It will assist in ensuring coordination of the investigations of the European Public Prosecutor's Office with the investigative authorities of the Member States that do not participate in setting up the Office. Eurojust may provide support and resources of its administration to the European Public Prosecutor's Office. The details of this arrangement will be laid down in an agreement between the European Public Prosecutor's Office and Eurojust.

### **What will be OLAF's role once the European Public Prosecutor is set up?**

OLAF will remain responsible for *administrative* investigations into irregularities, including fraud, affecting the EU's financial interests and serious misconduct of EU staff.

As not all Member States participate in the European Public Prosecutor's Office, OLAF will continue with its administrative investigations in relation to non-participating Member States in the same way as it does today.

In the participating Member States, in areas which fall under the competence of the EPP0, the EPP0 and OLAF will need to establish and maintain a close cooperation aimed at ensuring the complementarity of their mandates, and avoiding duplication. In this regard, OLAF will not open any administrative investigations parallel to an investigation conducted by the EPP0 into the same facts. In such cases, the EPP0 may request OLAF to support or complement the EPP0's activity. Conversely, in cases where the EPP0 is not conducting an investigation, OLAF will retain its power to start an administrative investigation on its own initiative, in close consultation with the EPP0, and the EPP0 will be able to provide relevant information to OLAF for it to consider appropriate administrative action.

On 23 May 2018, the [Commission proposed to amend Regulation \(EU, Euratom\) 883/2013 concerning investigations conducted by OLAF](#), aimed at ensuring that OLAF becomes a close and reliable partner of the EPP0, and that it continues to conduct administrative investigations to complement the EPP0's work.

A close cooperation between the EPP0 and OLAF –and the continued activities of OLAF within its mandate – will allow a significant improvement in the protection of the Union's financial interests.

**Will the European Public Prosecutors' Office start arresting people with its own police force?**

No. Only national authorities will be able to arrest people for offences within the European Public Prosecutor's Office competence. The European Delegated Prosecutors will carry out the investigations and prosecutions in the participating Member States hand in hand with the national police and law enforcement agencies. The European Public Prosecutor's Office will only be allowed to request the judicial authorities to arrest a suspect if it considers that this is absolutely necessary for its investigation and if less intrusive measures cannot achieve the same objective. Such requests will be assessed and authorised on the basis of national law by the competent national judicial authorities.

**Where will the European Public Prosecutor's Office have its seat?**

The Office will have its seat in Luxembourg.

**When will the European Public Prosecutor's Office start its operations?**

Following the entry into force of the Regulation establishing the European Public Prosecutor's Office on 20 November 2017, the work on setting up the Office has begun. It is envisaged that following a build-up phase of three years, the European Public Prosecutor's Office could take up its functions at the end of 2020.

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## Statement by First Vice-President Timmermans and Commissioner Jourová ahead of Roma Holocaust Memorial Day on 2 August

*“Ahead of the Roma Holocaust Memorial Day, we honour the memory of the hundreds of thousands of Roma victims of the Holocaust.*

*Around 500,000 Roma from all over Europe were killed by the Nazis and their collaborators, representing at least a quarter of their total population at that time. The dehumanisation of the Roma and other minorities was the first step in facilitating these heinous crimes. We must remember this today and defend forcefully and passionately our shared European values of equality and non-discrimination.*

*The Roma are forgotten victims of the Holocaust for many Europeans. Remembering their historical persecution reminds us of the need to tackle the challenges which they still face today and which are too often overlooked. Seven decades on, Sinti and Roma still face hatred, violence, discrimination and racism on a daily basis. And many still do not have access to basic necessities such as decent housing, education and healthcare.*

*It is the duty of all EU Member States to ensure effective policies for the remembrance of historical atrocities, to safeguard and preserve historic sites, and to promote education and research in this field. And it is the duty of each and every one of us in the EU to treat our fellow citizens with dignity and respect, in particular the most vulnerable ones in our society.”*

### **Background**

Every year on 2 August, the European Commission pays tribute to the memory of the Roma victims of the Holocaust and reaffirms its unwavering commitment to counter antigypsyism, antisemitism, racism, and other forms of intolerance.

In May 1944, the Nazis started to plan the “Final Solution” for the “Gypsy Family Camp” in Auschwitz. The initial date for the liquidation of the “Gypsy camp” was planned for 16 May 1944. When the SS tried to force the prisoners out of the barracks they faced a rebellion of Roma men, women and children, armed with nothing but sticks, tools and stones, and eventually the SS had to withdraw. Then, on 2 August 1944, the order came again and some 3000 Roma men, women, and children were exterminated in the gas chambers of Auschwitz-Birkenau. An estimated 19,000 of the 23,000 Roma sent to Auschwitz died there.

This year on 2 August, European Commission officials will join a group of

Roma Holocaust survivors and young Roma people in the former concentration camp of Auschwitz-Birkenau in Poland. This commemoration, organised by the Central Council of German Sinti and Roma, together with the Association of Roma in Poland, brings together 300 young Roma and non-Roma from 20 European countries to raise awareness on the Roma Holocaust.

The EU has long stressed the need for better Roma integration. The European institutions and every EU country have a joint responsibility to improve the living conditions and integration of the Roma. In 2011, the European Commission called for [national strategies for Roma integration](#). The 2017 midterm review took stock of the progress since the launch of the EU framework (see [press release](#)).

### **For more information**

[European Union Agency for Fundamental Rights' report: A persisting concern: anti-Gypsyism as a barrier to Roma inclusion.](#)

[Press Release on the number of Roma facing life like people in the world's poorer countries](#)

[Infographic on barriers to Roma inclusion](#)

[Press release on the evaluation of the EU Framework for National Roma Integration Strategies up to 2020](#)

[The European Platform for Roma Inclusion](#)

[ROMACT programme for local authorities](#)

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## **Daily News 01 / 08 / 2018**

### **Follow-up to the EU-U.S. Joint Statement of 25 July: Imports of U.S. soybeans increase by over 280%**

Today the European Commission has published the [latest figures](#) on EU imports of soybeans, showing an increase of 283% in imports of soybeans from the U.S., bringing the EU's total share of imports of U.S. soybeans to 37%, up from 9% one year ago. President Juncker has now put in place a bi-monthly reporting mechanism on the evolution of trade in soybeans from the U.S. to the EU. This is the first concrete follow-up to the [EU-U.S. Joint Statement](#) agreed in Washington between Commission President Juncker and U.S. President Trump. *"The European Union can import more soybeans from the U.S. and this is happening as we speak,"* President Juncker said today. *"This is a win-win situation for European and American citizens."* EU Commissioner for Agriculture, Phil Hogan, said: *"The European Union and the United States have been longstanding partners and there is room to further strengthen our trade*

*relationship. We expressed our willingness to import more soybeans from the United States and this is already happening. European and American farmers have much to gain by working together.”* The EU needs soya in Europe as a source of protein to feed our animals, including chicken, pigs and cattle, as well as for milk production. The EU currently imports about 30 million tonnes per year because it cannot produce sufficient quantities. U.S. prices for both soybeans and soymeal are currently the most competitive on the market and therefore a very attractive feed option for European importers and users. A [press release](#) is online with more information. (For more information: Mina Andreeva – Tel.: +32 229 91382; Enrico Brivio – Tel.: +32 229 56172; Clémence Robin –Tel.: +32 229 52509; Kinga Malinowska – Tel.: + 32 229 51383)

### **Migration: Commission supports improving reception conditions in Greece with extra €37.5 million**

Today, the European Commission has awarded an additional €37.5 million in emergency assistance under the Asylum, Migration and Integration Fund (AMIF) to improve reception conditions for migrants in Greece. The Greek authorities will receive €31.1 million to support the provisional services offered to migrants, including: healthcare, interpretation and food, and to improve the infrastructure of the Reception and Identification Centre of Fylakio in the Evros region in Northern Greece. The extra funding will also contribute to the creation of additional accommodation spaces within existing and new sites in mainland Greece. A further €6.4 million has been awarded to the International Organisation for Migration (IOM) to improve reception conditions and to provide site management support to selected sites on the mainland. Dimitris **Avramopoulos**, Commissioner for Migration, Home Affairs and Citizenship said: *“The Commission is doing everything in its power to support all Member States facing migratory pressures – whether that is in the Eastern, Central or Western Mediterranean. Migration is a European challenge and we need a European solution, where no Member State is left alone. Greece has been on the frontline since 2015 and while the situation has greatly improved since the EU-Turkey Statement, we continue to assist the country with the challenges it is still facing. The Commission’s political, operational and financial support for Greece remains tangible and uninterrupted.”* Today’s funding decision comes on top of more than €1.6 billion of funding support awarded by the Commission since 2015 to address migration challenges in Greece. Under the Asylum, Migration and Integration Fund (AMIF) and the Internal Security Fund (ISF), Greece has been awarded €456.5 million in emergency funding, in addition to €561 million already awarded under these funds for the Greek national programme 2014-2020. (For more information: Natasha Bertaud – Tel.: +32 229 67456; Kasia Kolanko – Tel.: +32 229 63444)

### **European Public Prosecutor’s Office: The Netherlands becomes 21<sup>st</sup> country to join common efforts to protect EU budget against fraud**

Today, the European Commission confirmed the Netherlands as the 21<sup>st</sup> EU-Member State to join the European Public Prosecutor’s Office (EPPO) which will play a key role in fighting crimes against the EU budget such as fraud, corruption, money laundering or serious cross-border VAT fraud above €10 million. It will be operational by the end of 2020 in all participating

Member States. EU Commissioner for Justice, Gender Equality and Consumers, Vera **Jourová**, said: *“Crime knows no borders, therefore we have to work together to fight it. I welcome the Netherlands today as a new member of the European Public Prosecutor’s Office. The more EU countries join, the broader the reach of the EPP0, and the more money can be recovered. This is why I urge all remaining Member States to join this essential network in the fight against fraud and corruption, so that we can ensure that every cent of the EU budget is spent to the benefit of our citizens.”* Member States that have not yet chosen to participate in the European Public Prosecutor’s Office can join at any time after the adoption of the Regulation, if they wish to do so. On 14 June 2018, Malta notified the Commission of its intention to participate. The Commission is examining this notification in line with the procedure set out in Article 331 TFEU and is expected to take a decision shortly. The following EU countries are already participating to the EPP0: Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Estonia, Finland, France, Germany, Greece, Italy, Latvia, Lithuania, Luxembourg, Portugal, Romania, Slovakia, Spain and Slovenia. The full press release is available [here](#), and a memo with more information [here](#). (For more information: Nathalie Vandystadt – Tel.: +32 229 67083; Sara Soumillion – Tel.: + 32 229 67094)

### **Commission report shows that Member States are stepping up measures to protect marine environment**

A new Commission report shows that Member States have made considerable efforts to address pressures on the marine environment. Despite this, the measures are not yet sufficient to achieve good, healthy and productive seas by 2020. The report published today on the implementation of the EU [Marine Strategy Framework Directive](#) assesses the measures put in place by Member States to achieve ‘good environmental status’ by 2020. Under the Directive, EU Member States are required to set up six-year strategies through which they assess their waters. This concept is defined by measures conserving biodiversity and tackling pressures like overfishing, seabed damage, marine litter and contaminants. Karmenu **Vella**, Commissioner for Environment, Maritime Affairs and Fisheries, said: *“Oceans and seas are essential to the well-being of our planet, and we cannot compromise on their protection. This is why the EU has one of the most ambitious marine environment policies in the world. Over the last years, Member States have put a lot of effort to ensure that the seas’ resources are used and managed sustainably, relying a lot on regional cooperation. Unfortunately, despite these efforts, the measures taken so far are not yet sufficient to achieve good, healthy and productive seas by 2020. I therefore urge Member States to take heed of the recommendations made by the Commission to move a step closer to achieving this goal.”* More details [here](#). (For more information: Enrico Brivio – Tel.: + 32 229 56172; Iris Petsa – Tel.: +32 229 93321)

### **State aid: Commission approves German support scheme for electricity self-suppliers using efficient cogeneration**

The European Commission has endorsed under EU State aid rules German plans to reduce renewable energy surcharges for electricity users producing their own electricity using highly efficient cogeneration plants. Today’s Commission decision follows an agreement in principle reached on 7 March 2018 between

Commissioner for Competition, Margrethe Vestager, and the German Minister for Economic Affairs and Energy, Peter Altmaier. The German Renewable Energy Act (“Erneuerbare Energien Gesetz” – EEG) provides support for the production of renewable electricity. This support is financed through a surcharge, the ‘EEG-surcharge’, imposed since August 2014 on all electricity users, including users producing their own electricity (self-suppliers). Germany grants reductions to users generating their own electricity by using cogeneration, i.e. combined heat and power (CHP). The Commission has assessed this support measure under EU State aid rules, in particular the [2014 Guidelines on State aid for environmental protection and energy](#), which allow support to cogeneration installations on condition that the support is necessary to trigger the investment and does not lead to overcompensation. The German support scheme takes account of several criteria, which influence the self-supplier’s profitability: the electro-intensity of the sector in which they are active (in line with the [Guidelines](#)), the installed electrical capacity and the number of running hours of the installation. Based on these criteria, the scheme defines several categories of installations and grants an appropriate level of reduction in EEG surcharge. For installations that entered into operation between August 2014 and December 2017, the Commission in 2014 approved an adjustment plan notified by Germany, ensuring an annual increase of the EEG surcharge until 2017. Under the measure approved today a transitional regime will apply for an additional year 2018, before the same surcharge mechanism applies as for all other installations, in line with the [Guidelines](#). On this basis, the Commission concluded that the German support scheme is designed to prevent overcompensation of self-suppliers using highly efficient cogeneration and is in line with EU State aid rules, while any distortion of competition caused by the public support is minimised. A full press release is available in [DE](#), [EN](#) and [FR](#) (For more information: Ricardo Cardoso – Tel.: +32 229 80100; Giulia Astuti – Tel: +32 229 55344).

### **Concentrations: la Commission autorise la création de CA CF – Bankia Consumer Finance par CA Consumer Finance et Bankia**

La Commission européenne a approuvé, en vertu du règlement européen sur les concentrations, la création d’une entreprise commune de plein exercice, CA CF – Bankia Consumer Finance, basée en Espagne, par CA Consumer Finance S.A. (“CACF”), basée en France, et Bankia S.A., basée en Espagne. L’entreprise commune offrira une gamme de services financiers destinés aux particuliers exclusivement en Espagne, via des canaux de distribution non bancaires, notamment par téléphone, internet ou au sein de magasins tiers. CACF, filiale de Crédit Agricole S.A. (France), est spécialisée dans les crédits à la consommation à travers 19 pays principalement européens. Bankia, filiale de BFA Tenedora de Acciones S.A.U. (Espagne), est un fournisseur de services financiers et assurantiels en Espagne. La Commission a conclu que l’acquisition envisagée ne soulèverait pas de problème de concurrence compte tenu de son impact très limité sur la structure du marché espagnol. L’opération a été examinée dans le cadre de la procédure simplifiée du contrôle des concentrations. De plus amples informations sont disponibles sur le site internet [concurrence](#) de la Commission, dans le [registre public](#) des

affaires sous le numéro d'affaire [M.8999](#). (Pour plus d'informations: Ricardo Cardoso – Tel.: +32 229 80100; Giulia Astuti – +32 229 55344).

## STATEMENTS

### **Statement by First Vice-President Timmermans and Commissioner Jourová ahead of Roma Holocaust Memorial Day on 2 August**

*“Ahead of the Roma Holocaust Memorial Day, we honour the memory of the hundreds of thousands of Roma victims of the Holocaust. Around 500,000 Roma from all over Europe were killed by the Nazis and their collaborators, representing at least a quarter of their total population at that time. The dehumanisation of the Roma and other minorities was the first step in facilitating these heinous crimes. We must remember this today and defend forcefully and passionately our shared European values of equality and non-discrimination. The Roma are forgotten victims of the Holocaust for many Europeans. Remembering their historical persecution reminds us of the need to tackle the challenges which they still face today and which are too often overlooked. Seven decades on, Sinti and Roma still face hatred, violence, discrimination and racism on a daily basis. And many still do not have access to basic necessities such as decent housing, education and healthcare. It is the duty of all EU Member States to ensure effective policies for the remembrance of historical atrocities, to safeguard and preserve historic sites, and to promote education and research in this field. And it is the duty of each and every one of us in the EU to treat our fellow citizens with dignity and respect, in particular the most vulnerable ones in our society.”* The full statement can be found [online](#). (For more information: Nathalie Vandystadt – Tel.: +32 229 67083; Tim McPhie – Tel.: +32 229 58602; Sara Soumillion – Tel.: + 32 229 67094)

## ANNOUNCEMENTS

### **High Representative/Vice-President Federica Mogherini on official visit to Asia and Oceania**

From 3 to 8 August 2018, Federica **Mogherini**, High Representative of the European Union for Foreign Affairs and Security Policy/Vice-President of the European Commission, will travel to Singapore, the Republic of Korea, New Zealand and Australia. In Singapore on 3-4 August, the High Representative/Vice-President will co-chair the annual Post-Ministerial Conference between the European Union and the Association of Southeast Asian Nations (ASEAN), just three months after EU Foreign Ministers [decided to enhance EU security cooperation in and with Asia](#). Federica Mogherini will also represent the European Union in the ASEAN Regional Forum (ARF), where discussions are expected to focus on regional and global challenges, including maritime security, nuclear proliferation, climate change, and disaster management. While in Singapore, Federica Mogherini will [deliver a](#)

[public lecture on \*The European Union as a global actor\*](#) and will have a number of bilateral meetings with Ministers from both Singapore, including Prime Minister Lee Hsien Loong, and other ARF members. High Representative Mogherini will visit the Republic of Korea on 5-6 August for meetings, *inter alia*, with Prime Minister Lee Nak-yeon, with Foreign Minister Kang Kyung-wha, with whom she will speak to the press, and Minister of Unification Cho Myung-gyun. The European Union continues to work towards the complete, verifiable and irreversible denuclearisation of the Korean Peninsula, in full coordination with the Korean government and other international partners, as well as for long-lasting peace and reconciliation. Federica Mogherini will then travel to Wellington on 7 August and to Sydney on 8 August, on which further details will follow. Coverage of all parts of the visit will be provided by [EbS](#). The websites of the respective EU Delegations contain more information on EU relations with [Singapore](#), [ASEAN](#), the [Republic of Korea](#), [New Zealand](#) and [Australia](#). Detailed information on the [EU's policy vis-à-vis the DPRK](#) and how it [engages with ASEAN](#) is also available in dedicated factsheets. (For more information: Maja Kocijančič – Tel.: +32 229 86570; Judith Hebekeuser – Tel.: +32 229 52656)

[Upcoming events](#) of the European Commission (ex-Top News)

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## **State aid: Commission approves German support scheme for electricity self-suppliers using efficient cogeneration**

Today's Commission decision follows an agreement in principle reached on 7 May 2018 between Commissioner for Competition, Margrethe Vestager, and the German Minister for Economic Affairs and Energy, Peter Altmaier.

The German Renewable Energy Act ("Erneuerbare Energien Gesetz" – EEG) provides support for the production of renewable electricity. This support is financed through a surcharge, the 'EEG-surcharge', imposed since August 2014 on all electricity users, including users producing their own electricity (self-suppliers). Germany grants reductions to users generating their own electricity by using cogeneration, i.e. combined heat and power (CHP).

The Commission has assessed this support measure under EU State aid rules, in particular the [2014 Guidelines on State aid for environmental protection and energy](#). These rules allow support to cogeneration installations on condition that the support is necessary to trigger the investment and does not lead to overcompensation.

The German support scheme takes account of several criteria, which influence the self-supplier's profitability: the electro-intensity of the sector in which they are active (in line with the [Guidelines](#)), the installed electrical

capacity and the number of running hours of the installation. Based on these criteria, the scheme defines several categories of installations and grants an appropriate level of reduction in EEG surcharge.

For installations that entered into operation between August 2014 and December 2017, the Commission in 2014 approved an adjustment plan notified by Germany, ensuring an annual increase of the EEG surcharge until 2017. Under the measure approved today a transitional regime will apply for an additional year 2018, before the same surcharge mechanism applies as for all other installations, in line with the [Guidelines](#).

On this basis, the Commission concluded that the German support scheme is designed to prevent overcompensation of self-suppliers using highly efficient cogeneration and is in line with EU State aid rules, while any distortion of competition caused by the public support is minimised.

## **Background**

[In 2014](#) the Commission approved under EU State aid rules the reductions for cogeneration installations used for self-supply of electricity for a transitory period (until 31 December 2017), based on Germany's commitment to re-notify the reductions for the period after 2018 and ensure their compliance with State aid rules.

The non-confidential version of the decision will be made available under the case number [SA.49522](#) in the [State Aid Register](#) on the [DG Competition](#) website once any confidentiality issues have been resolved. New publications of state aid decisions on the internet and in the Official Journal are listed in the [State Aid Weekly e-News](#).