

Appointment procedure for the European Chief Prosecutor

Answers to the written questions – Andrés Ritter

1) Could you please describe the reasons of your application for the position of European Chief Prosecutor and why you consider yourself suitable for it?

I am applying for the position of European Chief Prosecutor because I am deeply committed to the EPPO's mission and firmly believe in its potential to provide an effective criminal justice response to fraud and corruption affecting the Union's financial interests. Having served for more than five years as a European Prosecutor and as Deputy European Chief Prosecutor, I am eager to build on the experience and insight acquired and further contribute to its development. As the EPPO moves beyond its start-up phase into a period requiring consolidation, innovation, and resilient leadership, I feel prepared to guide it through the challenges ahead.

My professional career has equipped me with the expertise and leadership the role demands. Over three decades as a prosecutor and more than 10 years leading prosecution offices - including service as Chief of the Rostock Public Prosecutor's Office for Economic Crime, Cybercrime, and State Security with the supervision of up to 130 staff - have shaped my ability to manage complex investigations, lead large teams, and ensure organisational coherence. My earlier work also at the European Commission further deepened my experience in international judicial cooperation and institutional coordination. These roles have taught me to lead with balance, clarity, and purpose - qualities essential for directing a multinational organisation like the EPPO.

As Deputy European Chief Prosecutor, I have already played an active role in shaping the EPPO's long-term strategy, prosecution policy, and institutional outreach. Representing the Office before the European Parliament, the Council, the Commission, national authorities, and international partners has strengthened my understanding of the EPPO's place in the broader European and global landscape.

I am motivated to take the EPPO into its next phase with both continuity and renewed momentum. Having been part of its construction from the very beginning, I am ready to consolidate achievements, strengthen our operational maturity, and foster the EPPO's effectiveness and international standing. With a clear strategic vision, proven leadership, and unwavering dedication to integrity and independence, I am willing to meet the responsibilities as European Chief Prosecutor and guide the Office further towards its full potential.

2) Could you please present your vision for the future of the European Public Prosecutor's Office (EPPO) you would lead as the European Chief Prosecutor, including potential challenges you anticipate and your priorities for this independent Union body? How do you envisage the EPPO addressing criminal activities such as laundering of money from VAT fraud, or the involvement of organised crime groups - which are instrumental to fraud against the EU budget and often discovered when investigating the latter crime - while staying within EPPO's mandate?

My vision for the future of the EPPO is that of an impactful team player in the protection of the EU's financial interests, a trusted partner for law enforcement and judiciaries within and beyond the Union, and a recognised benchmark for efficiency in combatting complex, cross-border financial crime.

Over the next seven years, the EPPO must address three main types of challenges to fulfil its mission and serve the EU citizens:

- **operational** challenges arising from the evolving methods of organised crime groups engaged in EU Fraud and their adaptation to a new EU antifraud architecture involving the EPPO.
- **legal** challenges stemming from the - often not seamless - interaction between the national and European legal frameworks.
- **resource and structural** challenges particularly linked to budget constraints and the diversity of material conditions of work in the different national judicial systems.

First, the EPPO must remain capable of rapidly identifying new criminal trends and adapting its tools and methods accordingly. I intend to foster a culture of continuous improvement and technological adaptation throughout the organisation, to continue developing EPPO's analytical capacities, in close cooperation with Europol, but also in synergy with OLAF and all the relevant national authorities, each with its own expertise. I would continue optimizing EPPO's investigative and coordination capacity, under the strategic steer of the EPPO's College. The EPPO was created to overcome fragmentation and to promote an EU-wide view and action on criminal phenomena within its remit gathering information and data which had not been sufficiently interconnected before.

Second, the EPPO will need to keep the ability to contribute to shaping different applicable legal frameworks, both at EU and national levels. I intend to deepen the dialogue with all the relevant Commission services, as well as the European co-legislators and relevant national authorities, in full respect of their respective prerogatives, as well as to increase EPPO's participation in academic reflections on possible future evolutions, to the extent compatible with the independence of the Office and its operational priorities.

Third, the EPPO must remain agile and cost-efficient. While budgetary reinforcement will be required under the new multi-annual financial framework to manage an ever-expanding workload and ensure EPPO's capacity to administer justice properly, its further development must remain aligned with the strategic priority of effectively confronting the most serious criminal phenomena within its mandate.

Considering the poly-criminal nature of the activity of organised crime groups and their interconnections via specialised "service-providers", I am convinced that the EPPO will have

a considerable impact in combating organised crime and money laundering in the EU, even within its current mandate. The key to success is in a close cooperation with the national authorities in charge of the fight against organised crime groups, Europol, Eurojust and AMLA.

It would involve the establishment of automatic hit-no-hit systems, standard procedures to combine and analyse information, joint teams, and strategic coordination. The EPPO brings in unprecedented cross-border action capabilities and the ability to collect, swiftly and with the required judicial safeguards, large amounts of evidence and valuable operational information. I intend to continue convincing all the relevant stakeholders of the shared interest to assign dedicated and specialized police, tax and customs investigators in support of EPPO cases.

In this vision, the EPPO stands as a central pillar of the EU's anti-fraud architecture—linking national data to EU-wide analytical systems, coordinating seamlessly with national and European partners, and helping raise common standards for the protection of the Union's financial interests. We need to build a community of purpose.

3) How could the effectiveness of EPPO be enhanced? What elements would need be improved in order to ensure thorough investigations of complex transnational cases of financial crime falling in the remit of EPPO, as well as their effective follow up before national courts? How would you strengthen coordination and cooperation between the central and decentralised levels of the EPPO and with national authorities? Given the complexities of cross-border investigations, that can involve multiple criminal jurisdictions functioning in different manners, what steps would you foresee to ensure that the procedural rights of individual suspects or accused persons, as protected under Union law, are ensured throughout the EPPO investigation and prosecution?

The EPPO's effectiveness stems from the synergy between its central operational support, its unique case management system, its extensive database access, and its prosecutorial capacity to mobilise – and when necessary direct – all the competent authorities in different participating Member States. Having demonstrated what it can achieve, the EPPO must now deliver this level of performance consistently.

Enhancing effectiveness requires strengthening the EPPO's central operational support - through improved equipment, sustainable staffing, and calibrated procedures - while further optimising workflows. This also entails further improving the case management system by automatizing some of its processes, streamlining EPPO's access to all relevant databases, and closing critical resource gaps at national level, particularly the availability of well-trained customs, tax, and police investigators, as well as administrative and legal assistants to guarantee accurate and comprehensive data entry. Investments in modern IT and AI tools, and in the capacity to process in a data protection compliant and secure way the vast quantities of data - in the meantime *petabytes* of data - collected during investigations, are essential. As noted, Europol could very much play an essential role in analysing big data.

Additional gains in efficiency will result from improved internal coordination and information-sharing, enabling a consistent implementation of the prosecutorial policy and of the strategic orientations set by the College of the EPPO across all the Permanent Chambers.

A rigorous respect for procedural rules under EU and national law - ensuring the protection of suspects' and accused persons' rights - is a fundamental obligation for all prosecutors. The EPPO's unique structure, in particular the role assigned to its Permanent Chambers in supervising and directing the key stages of each EPPO investigation, provides additional safeguards by design. Adjusting the support capacity allocated to Permanent Chambers to an increasing workload is therefore crucial to maintain the highest standards.

Despite the EPPO's full commitment to guaranteeing the rights set out in Article 41 of the EPPO Regulation, it cannot, under its legal framework, harmonise very diverging national rules -for instance on access of the defendants to the case file or on admissibility of evidence - and must apply the law of the Member State in which the case is being handled. Given the implications of such divergences for legal certainty and security, it is in the interest of the EPPO as judicial authority and I would strongly support initiatives to further approximate national criminal procedural laws, going beyond the six procedural rights directives of the Stockholm Roadmap. Articles 82(2) or 86(3) TFEU could serve as appropriate legal bases for such reforms.

4) The effective recovery to the Union's budget of the mismanaged resources which are the target of criminal misconducts investigated by EPPO (either funds affected by fraud or revenue not collected) is a crucial indicator of EPPO's success. At present, the recovery of seized and confiscated assets for the Union's budget is not in the EPPO's remit. How would you address this situation and facilitate the pursuit of results which would make EPPO's success more tangible? Please refer to both the current regulatory framework and to possible provisions which in your opinion could be considered in the upcoming revision of the concerned regulations.

As long as criminal organisations keep the proceeds of their activity, they continue to rig the economy and subvert the rule of law. When it comes to effectively confronting organised crime groups involved in EU fraud, the EPPO's work essentially consists in identifying and disrupting the financial flows underlying their activity with a view to dismantling them completely by means of criminal law. This is why the EPPO considers putting the responsible services in a position to effectively recover the mismanaged resources to the EU's and national budgets as one of its priorities, and why EPPO's operational success can also be seen in the overall financial impact of its work.

With respect to the EU budget, the most evident financial impact of EPPO's work can be seen in the area of customs fraud. In the Calypso investigation, the EPPO uncovered damage in unpaid customs and anti-dumping duties of 350 million EUR. For reference, the 2024 Annual PIF report mentions a damage of 84 million EUR for fraudulent irregularities affecting customs for the whole EU. So far, the EPPO itself seized assets worth more than 270 million EUR in this investigation. Simultaneously, the dismantling of the targeted organised crime group had a direct deterrent effect, as an increase in collected revenue from both duties and VAT on imported goods was confirmed by the responsible national authority in the aftermath of EPPO's action.

To maximise EPPO's contribution in this area, I would continue to engage with national tax and customs authorities, the Commission, OLAF, and, in the future, also with the European Customs Authority with a view to ensuring quick reporting of suspicions of customs and VAT fraud to the EPPO. Considering the level of involvement of dangerous organised crime groups in this kind of fraud, we need to continue explaining the threats they pose to EU's internal security as well as to the integrity of the single market and change the established practice to deal with VAT and customs fraud mainly by administrative means.

As regards expenditure fraud, within the current legal framework, I support the Commission's aim to streamline and systematize the administrative follow up to EPPO notifications under article 103(2) of the EPPO Regulation. A comprehensive mapping of all the national authorities acting in the course of EPPO investigations as well as an overview of the administrative follow-up given to judgments in EPPO cases by the competent national authorities would also be useful.

In the framework of the upcoming revision of the EPPO Regulation, I see merit in adjusting Article 4 (which currently provides that EPPO is competent only until the case "has been finally disposed of"), and Article 38 (to clarify how the EU's financial rights are to be protected when assets are confiscated). However, in many Member States, national prosecutors do not have a role in the execution of the judgements, which means that European Delegated Prosecutors would need to be granted additional powers compared to national prosecutors.

More widely, the EPPO could contribute with knowledge and expertise, in particular when it comes to further improving the legal framework governing the freezing and seizing of criminal assets across the EU. As Europol reported, the confiscation of criminal assets in the EU remains a very small percentage of the proceeds of crime.

Furthermore, the entire mechanism of recovery under the Financial Regulation 2024/2509, in particular Articles 101-106, is entirely based on an administrative procedure involving the authorising and accounting officers (at EU level) and/or Member States, which has however no established link to underlying criminal proceedings. Thus, there is currently no defined system in place that ensures the EU can recover assets obtained through fraud in parallel with the criminal investigation or use the victim-compensation mechanisms available in national criminal law, particularly by filing a civil claim within the criminal proceedings. This precludes the Union from recovering its losses by drawing directly on the assets frozen during criminal investigations.

Under the current legal framework, the final recovery of lost funds does not fall within the EPPO's mandate. As a result, the EU does not directly benefit from the EPPO's efforts to secure assets. After a final conviction, these assets are confiscated through ordinary national procedures and flow to the Member States, meaning that - at least initially - the funds do not return to the EU budget where they are owed.