

WRITTEN ANSWERS TO THE LIBE COMMITTEE

1) I am applying for the position of European Chief Prosecutor as I am deeply convinced of the crucial role the European Prosecutor's Office plays not just in protecting the financial interests of the European Union, but also in advancing a fairer Europe and fostering the progressive integration of the diverse criminal procedural systems of the Member States.

I have served as a prosecutor since the outset of my career, always interpreting my mandate with commitment, motivation, and profound respect for all parties involved—suspects, witnesses, defence counsel and colleagues.

Over the years, I have refined the ability to analyse a wide range of complex and atypical legal issues, to devise innovative and effective solutions, to investigate and prosecute highly sophisticated criminal conduct. My deep theoretical and practical knowledge of international cooperation instruments and national criminal legislation enables me to confront and seek timely solutions to the legal challenges inherent in special or sensitive assignments, even under pressing deadlines.

I have also acquired considerable expertise in the IT field, having served as District IT referent for the Piemonte Region, collaborating with the Ministry of Justice on software development and implementation for case-file management.

In my professional experience, I dealt with cross border investigation on several occasions, by asking for the aid and the intervention of Eurojust, in order to coordinate the investigations with other European Judicial Authorities. I also took part in a Joint investigation team in a cross-border case with Germany. Furthermore, I attended an exchange program before Eurojust organized by the European Judicial Training Network (EJTN), working for six months as a member of the Italian desk.

I believe that the gist of prosecutorial work is to simplify complexity: that means not only clearly delineate the count of crimes committed by the suspects, so that the indictment is understandable at first glance by all the actors of the criminal proceeding, but also to present the hypothesis to be proved to the Court in a logical, effective and orderly fashion. This is even more essential when dealing with economic crimes affecting the EU financial interests, which can be exceptionally complex and murky.

Throughout my professional experience, I have always worked “on the ground”, directly involving myself in investigative and prosecutorial work.

This experience has allowed me to build the essential skills that prosecutors must have in order to carry out their activities while simultaneously obtaining managerial and leadership skills by coordinating the work of a large group.

In my capacity as European Delegated Prosecutor, I have deepened and broadened these abilities even more.

I witnessed the establishment of EPPO's decentralised offices in Italy, applied the principle of the “*single office*” from the first investigative acts and employed the innovative legal tools introduced by the Regulation with the awareness—and, indeed, the sense of responsibility—of taking part in a transformative process that has already reshaped European criminal cooperation.

The added value I can bring to the EPPO has its roots in my professional history: the experience of a civil servant who has always been fully aware of the needs that prosecutors and investigators face in their daily activities, combined with leadership skills and a systemic view of the complex issues that a supranational prosecutor office has to deal with.

2. More than four years of operational activities have demonstrated that the assumption stating that EPPO would only have to face organized crime from time to time is groundless.

Nearly all cross-border investigations reveal the presence of organised criminal structures—particularly in VAT fraud and customs-related offences. The fight against organised crime therefore constitutes the EPPO’s central challenge, as it threatens the rule of law, undermines the legal economy and poses systemic risks to the Union’s financial interests.

In this perspective, I propose the following lines of action:

Firstly, I would reinforce the principle of the “single office” enshrined in Article 8 of the Regulation. This provision is the core and spirit of EPPO, ensuring that every investigation—regardless of its territorial starting point—is treated as a shared endeavour at every level of the institution.

This requires not only cooperation, but joint assessment and decision-making from the earliest stages, taking into account the diversity of national legal systems and coordinating investigative strategies accordingly.

Although EPPO has implemented this principle effectively in its initial phase, significant room for improvement remains. Key steps include:

- a) arrangement of inter-regional meetings between EDPs, focused on general questions arising from the main cross-border cases dealt by the office. The aim is to share the knowledge and expertise of the different juridical systems and practises so that all European Delegated Prosecutors are aware of the peculiarities of each national system and can develop best practises accordingly. For instance, German and Italian EDPs worked jointly on several cases concerning VAT fraud in the field of car trading and electronic goods, and they had the opportunity to share their experiences in a two-day meeting for the analysis of the legal and practical issues in the case.

This strategy will facilitate the setting up of common case investigative plans and enhance the effectiveness of parallel investigation. It will also enable the detection of possible legal issues pertaining to the admissibility of evidence in the trial phase;

- b) Development of enhanced technical and IT tools—including E-CODEX, EU SEND, and E-EDES—to streamline communication and data exchange among European Delegated Prosecutors, law-enforcement authorities, EPPO’s Central Office, Europol, and other EU agencies. Secure video-communication systems for strategic discussions are equally essential, in compliance with data protection rules and security needs;

Secondly, I would enhance the central office's capability to provide investigative support to the European Delegated Prosecutors, particularly in the field of data analysis.—given that approximately 85% of criminal investigations now depend on access to digital information (as stated by the European Commission in the “Protect EU Plan”). This is particularly important in countries where EDPs face a lack of resources in terms of specialised investigators

Considering this data and the points highlighted in the EU Commission’s *White paper*” on revising the Anti-Fraud architecture, it is essential to reach an adequate balance between the improvement of the Central Office capabilities and the use of resources that are already available at the EU level, within other agencies’ expertise and mandate. I am thinking in particular of the role that Europol and Olaf could play in making EPPO more effective.

Thirdly, I would support extending EPPO’s remit to areas intrinsically linked to economic and financial crime, including the circumvention of EU sanctions under Regulation 833/2014 and Council Decisions 512/2014 and 1744/2014 and the environmental crimes related to the illegal trafficking of waste, often based on complex cross-invoicing between companies located in several Member States and the consequent flow of money.

Finally, the most relevant investigations handled by EPPO, such as “Admiral”, “Moby Dick” and “Calypso” cases- to name but a few -, have revealed the involvement of organized criminal groups and in some circumstances even mafia groups.

This means that EPPO must establish a relationship with all the specialised national authorities that deal with organised crime and financial or corruption offences.

Apart from Italy, I am referring to Romania, Croatia, Spain and France. The negotiation of a working arrangements is the way to be followed, aimed at exchanging information at the early beginning of the investigation in order to avoid conflict of competence and assess, case by case, EPPO's competence and set up investigations in a coordinated manner, considering national authorities as investigative partners

Therefore, EPPO must establish a fruitful dialogue and relationship with the national authorities in charge of tackling organized crime, so to be able to investigate in an efficient way within its remit of competence, coordinating its activities with them in a continuous exchange of information in order to respond to these threatens in the most effective way possible, in the interests of the European citizens.

3) Beyond the measures mentioned above, several additional actions would enhance the effectiveness of EPPO investigations:

- a) improving interoperability between EPPO’s Case Management System and national IT systems, to reduce manual data entry and duplication;
- b) ensuring that European Delegated Prosecutors and relevant law-enforcement bodies working on EPPO’s cases have access to EU and national databases, pursuant to Article 43 of the EPPO Regulation;
- c) fostering coordination among different investigative bodies in the Member States, through dedicated working arrangements;

- d) promoting common investigative plans and prosecutorial strategies in cross-border cases;
- e) strengthening the capacity of the central office to treat and analyse huge sets of digital data, through a responsible use A.I. tools in compliance with the European A.I. Act and the national legislation;
- f) increasing the number of EDPs to address improved detection of PIF offences and the growing workload linked to the fact that cases have reached the trial phase
- g) enhancing EDP training on the structure and functioning of EU funds to anticipate fraud schemes;
- h) strengthening the skills of national law-enforcement bodies through training programmes organised by EPPO's Academy, building on the successful cooperation with the Guardia di Finanza's Financial School.

Coming to the relation between the central office and the decentralized offices, it is necessary to modify the content of monitoring activities depending on the seriousness and complexity of the case. Some cases have a national nature and are relatively simple; it could result in a waste of resources to approach these cases with the same efforts required for complex cross-border investigation. Therefore, I propose the adoption of a system for weighing the complexity of proceedings, in order to differentiate the efforts, put in place at the central level. To implement this idea, I suggest making use of the possibility to delegate the decision-making powers from the Permanent Chambers to the supervising European Prosecutors, as established by art 10 of EPPO's Regulation.

It is also necessary to implement the role of the so called "Case support officer", appointed by the Central office of EPPO to the investigations, to support the European Delegated Prosecutor in charge of the case. This figure must become the "alter ego" of the handling EDP in the interactions with the other agencies and actors of the EU anti-fraud architecture and provide a support to the decentralized offices when requiring mutual legal assistance with third countries and non-participating Member states.

The role and mandate of EPPO has raised the question of the effectiveness of defensive's rights in cross-border investigations involving several jurisdictions. The current legal framework does not address the issue of multiple defence representation – the so called "*dual or multiple defense*" - in EPPO's investigations, when investigative measures produce effects vis a vis third parties in several Member States.

To mitigate the lack of specific provisions, as a Chief Prosecutor I would promote the following steps:

- a) adoption best practices among EDPs for overcoming the hurdles deriving from the different levels in which defensive rights have been implemented in the legislations of the participating member states;
- b) guidelines ensuring effective compliance with Directive 2016/343, particularly regarding the right to information in relation to the EPPO's Case Management System;
- c) ensuring that the principle of "single office" could also have beneficial impacts on the defensive rights, by streamlining the communication between suspect's

lawyers and the EDPS involved in different member states and the exercise of defensive rights;

- d) Strict adherence to the principle of impartiality (Art. 4(4) EPPO Regulation), ensuring the active pursuit of exculpatory evidence on the initiative of EDPs.

4) I consider it essential to extend the procedural competence in Article 4 of the Regulation to include the execution of confiscation orders following final judgment. Competence should also be extended to:

- to the insolvency proceedings and bankruptcy offences, insofar as the state of insolvency is linked or stems from a PIF offence;
- non-conviction-based confiscation procedures connected to EPPO cases.

These changes in the legal framework would contribute to reduce the gap between the value of freezing orders granted by judges (2,4 billion, as stated in EPPO's Annual report) and the value of assets actually seized by EPPO (849 million).

Within the existing legal framework, however, EPPO must take the following steps to enhance asset recovery:

- a) taking into consideration the specificities of each national system, promoting the adoption of arrangements with the national authorities in charge of the execution of confiscation, putting at their disposal the knowledge of the case, the network of contact points of the EPPO in each member state and in third countries and the resources available at Central office, so to put in practice the principle of "*sincere cooperation*" established by art. 5(6) of Eppo regulation;
- b) coordinating EPPO's activities with the role and competence of OLAF, through the application of "complementary investigation", with the aim of allowing OLAF to adopt precautionary administrative measures to protect the EU's financial interests. The same strategy can be applied with reference to other European IBOAs, such as, for instance, the European Investment Bank, entitled to take administrative actions to recover the money;
- c) Depending on the kind of EU funds involved in the case, promoting the intervention of the national managing authorities or of EU institution themselves as civil party in the ongoing EPPO's case. In case assets have been seized, in fact, the active participation in the criminal procedure would facilitate the restoration the damages to the EU budget even before the final confiscation of the assets.

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