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Draft amending budget No 3/2024: Reinforcing the European Public Prosecutor's Office following the accession of Poland and the expected participation of Sweden

European Parliament resolution of 25 April 2024 on the Council position on Draft amending budget No 3 to the general budget 2024 reinforcing the European Public Prosecutor's Office following the accession of Poland and the expected participation of Sweden (08805/2024 – C9-0147/2024 – 2024/0090(BUD))

(C/2025/3796)

The European Parliament,

— having regard to Article 314 of the Treaty on the Functioning of the European Union,

— having regard to Article 106a of the Treaty establishing the European Atomic Energy Community,

— having regard to Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 ([1]), and in particular Article 44 thereof,

— having regard to the general budget of the European Union for the financial year 2024, as definitively adopted on 22 November 2023 ([2]),

— having regard to Council Regulation (EU, Euratom) 2020/2093 of 17 December 2020 laying down the multiannual financial framework for the years 2021-2027 ([3]) ('MFF Regulation'),

— having regard to the Interinstitutional Agreement of 16 December 2020 between the European Parliament, the Council of the European Union and the European Commission on budgetary discipline, on cooperation in budgetary matters and on sound financial management, as well as on new own resources, including a roadmap towards the introduction of new own resources ([4]),

— having regard to Council Decision (EU, Euratom) 2020/2053 of 14 December 2020 on the system of own resources of the European Union and repealing Decision 2014/335/EU, Euratom ([5]),

— having regard to Draft amending budget No 3/2024, which the Commission adopted on 9 April 2024 (COM(2024) 0090),

— having regard to the position on Draft amending budget No 3/2024, which the Council adopted on 22 April 2024 and forwarded to Parliament on the same day (08805/2024 – C9-0147/2024),

— having regard to Rules 94 and 96 of its Rules of Procedure,

— having regard to the letter from the Committee on Civil Liberties, Justice and Home Affairs,

— having regard to the report of the Committee on Budgets (A9-0179/2024),

A. whereas, following Poland's 5 January 2024 notification of its intention to participate in the enhanced cooperation on the European Public Prosecutor's Office (EPPO), the Commission adopted a corresponding implementing decision on 29 February 2024 confirming Poland's participation;

B. whereas, on 26 January 2024, the Swedish government put forward draft legislation that would pave the way for Sweden's participation in the EPPO, which is expected to be confirmed later in 2024;

([1]) OJ L 193, 30.7.2018, p. 1.
([2]) OJ L, 2024/207, 22.02.2024, ELI: http://data.europa.eu/eli/budget/2024/207/oj.
([3]) OJ L 433 I, 22.12.2020, p. 11.
([4]) OJ L 433 I, 22.12.2020, p. 28.
([5]) OJ L 424, 15.12.2020, p. 1.

C. whereas Draft amending budget No 3/2024 therefore reinforces the EPPO's 2024 budget with an additional EUR 3,6 million in commitment and payment appropriations and an additional 20 establishment plan posts;

D. whereas, in the absence of any margin in Heading 2b (Resilience and Values), the Commission proposes to cover the additional costs by mobilising the Flexibility Instrument;

1. Warmly welcomes Poland's accession to the EPPO and Sweden's expected participation, which would take the number of participating Member States to 24; notes that, with this enlargement, the EPPO will also be in a position to investigate and prosecute offences affecting the Union's financial interests committed in those Member States, thus better protecting the Union's interests and its budget and helping to uphold the rule of law;

2. Underlines the need to provide the EPPO with additional financial and human resources, including to cover the recruitment of European Prosecutors, the necessary support functions and related operational and salary expenditure; welcomes the fact, therefore, that the Commission heeded Parliament's call in proposing a corresponding draft amending budget with due urgency;

3. Understands that the Commission will no longer provide the EPPO with digital workplace services from 2025; notes that the EPPO has repeatedly requested the necessary additional financial and human resources to make the transition to full IT independence and ensure the security of its IT system;

4. Regrets the fact that Draft amending budget No 3/2024 does not provide the resources necessary to ensure that the EPPO is fully equipped to pursue effectively its investigations, can manage its growing operational workload and has sufficient resources to prepare for full and secure IT systems autonomy as of 2025; calls on the Commission to include the necessary additional resources, as set out in Decision 016/2024 of the College of the European Public Prosecutor's Office of 21 February 2024, in a future draft amending budget and to provide IT services until such time as the EPPO has the necessary resources to become IT-independent;

5. Underlines the importance of ensuring that the EPPO enjoys full independence, which depends on budgetary autonomy and thus adequate resources; notes that the possibility for the EPPO to make use of administrative support from Eurojust under Article 100 of its founding regulation has not materialised; recalls that, in Amending Letter 1/2022, the Commission committed to an assessment of the EPPO's staffing situation by the end of 2023; calls on the Commission to transmit the results of that staffing review to the budgetary authority without delay so that it can factor them into its work for the 2025 budget;

6. Approves the Council position on Draft amending budget No 3/2024;

7. Instructs its President to declare that Amending budget No 2/2024 has been definitively adopted and arrange for its publication in the *Official Journal of the European Union*;

8. Instructs its President to forward this resolution to the Council, the Commission and the national parliaments.