

## **Discussion Paper for the Third Plenary of the High-Level Forum on the Future of EU Criminal Justice**

### ***EU agencies and bodies: The future of the EU Anti-fraud Architecture***

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#### **Introduction**

The mission letter to Commissioner Serafin tasks him to lead a review of the overall anti-fraud architecture linked to the EU's financial interests, which must 'take into account the results of relevant ongoing evaluations and build on the work of Europol and the EPPO'. The mission letter further entrusts him with the task to oversee and reinforce where necessary the preventive anti-fraud actions of the Commission. At the same time, the mission letter to Commissioner McGrath tasks him to 'look at how to enhance the complementarity between EPPO and OLAF', 'to step up cooperation between Europol and Eurojust', to 'develop a clear EU approach to anti-corruption' and, working closely with Commissioner Serafin, to 'ensure that EU funding can be dedicated to national measures on fighting corruption and protecting the EU's financial interests'. The Commission's efforts to counter fraud and other illegal activities affecting the EU financial interests will be closely coordinated with and complementary to other relevant future initiatives, including the EU Anti-Corruption Strategy<sup>1</sup>.

During the second plenary of the High-Level Forum on 20-21 May 2025, participants discussed the future of the main Justice and Home Affairs EU agencies and bodies, notably Eurojust, Europol and the EPPO. The discussions revealed support for the possible future revision of their respective founding Regulations and provided useful suggestions for the evaluation processes. Participants highlighted the need to further enhance cooperation among these agencies and bodies, and to ensure coherence and consistency in their respective roles and responsibilities to maximise their synergies and avoid overlaps.

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<sup>1</sup> To enhance the synergies between anti-corruption and anti-fraud efforts and measures, the Commission intends to develop a comprehensive EU Strategy against Corruption to foster integrity, strengthen coordination and mainstream measures to prevent and fight corruption into EU policies. The Anti-corruption Strategy will be complementary to and coherent with the work on the future of the EU Anti-fraud Architecture. Furthermore, out of the spectrum of fraud not (only) affecting the financial interests of the EU, certain aspects such as online crime are reflected in the ProtectEU Strategy. In that respect, the Commission is planning to present an action plan to combat online fraud targeting individuals, businesses, local authorities, etc, focusing on prevention measures, more effective law enforcement action, support and protection of victims, and assistance in recovering their funds. This action plan will be aligned with the AFA.

## **The Anti-fraud Architecture (AFA) review**

Against this background, in the first half of 2025 the Commission launched reflections on the review of the Anti-fraud Architecture (AFA), involving the main actors at EU level, notably the EPPO, OLAF, Eurojust and Europol. On 16 July 2025, the Commission adopted a White Paper<sup>2</sup> that seeks to prepare the review of the Anti-fraud Architecture by launching a broad reflection around several key questions that could be explored in the upcoming review. As mentioned in the White Paper, the outcome of the AFA review will be presented in a Commission Communication in 2026, which will be accompanied by possible legislative proposals. The AFA review will be carried out based on a holistic approach. It will map the roles and responsibilities of key AFA actors, address loopholes that can be detrimental to the Union's financial interests and promote synergies and thus ensure efficiency at every stage of the anti-fraud cycle, i.e. prevention, detection, investigation, prosecution, and correction/recovery.

Efforts should focus, first, on strengthening anti-fraud prevention and improving detection of fraud, corruption and irregularities, including by reaping the benefits of AI and new IT tools, which can help AFA actors to analyse large amounts of data and exchange them at early stages, and by further enhancing information exchange among the AFA actors.

Second, the complementarity and coordination between OLAF and the EPPO should be enhanced to avoid duplication and ensure a fully-fledged protection of the Union's financial interests, while leveraging Eurojust and Europol's operational and analytical capacities to support cross-border investigation and prosecution, including to the EPPO. Strengthening investigation and prosecution capabilities at the EU and national level – including by stepping up, also in this context, the use of the most advanced IT and AI tools – is of the essence, since transnational fraud, including VAT fraud, has rapidly increased in the last years. There is also growing evidence of the key role of organised crime in fraud schemes, and, conversely, of the important role of fraud and corruption in financing other forms of serious and organised crime, including terrorism.

Third, the recovery of EU funds must be improved, both on the expenditure and the revenue side, and reflections should continue on how to ensure that the Union obtains compensation for the damage its budget has suffered.

Finally, AFA actors currently have their own set of obligations to report on their anti-fraud activities. The lack of a consistent approach to such reporting may hamper a clear overall picture of how the protection of the EU's financial interests is ensured by the different actions throughout the AFA.

In a nutshell, the AFA review, taking into account feedback received as well as the results of the relevant evaluations and building on the work of all AFA actors, will consider these actors'

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<sup>2</sup> COM(2025) 546 final, White Paper for the Anti-fraud Architecture Review, Brussels, 16.7.2025, available [here](#).

mandates and working methods and ways to ensure a better integrated AFA, which also increases in line with such distinctive mandates.

At the third plenary of the High-Level Forum, we invite participants to share their views on the future of the AFA, with particular attention to improving coordination among the different actors and ensuring the effective use of data and technology, thus providing fresh momentum to the entire anti-fraud cycle.

**Questions for discussion:**

- How could the effectiveness of investigation and prosecution of fraud and other criminal offences affecting the Union’s financial interests (‘PIF crimes’) be improved at national and EU level? For example, could the use of new technologies, including AI, as well as enhanced information exchange be leveraged to increase the efficiency of AFA actors?
- What are the current challenges faced by national authorities when cooperating with OLAF and the EPPO? How could these be addressed at operational or legislative level? How could cooperation and information exchange between OLAF, the EPPO Eurojust and Europol be enhanced?
- What practical or legislative steps could enhance the effectiveness of the recovery of misspent or wrongly paid funds to the EU budget, particularly in cases involving cross-border fraud and when assets are confiscated at the end of criminal proceedings triggered by the EPPO’s investigations?

***Annex: White Paper for the Anti-fraud Architecture Review***