

Brussels, 27/11/2018
Ares(2018)

Dear Mr Reinsalu,

Dear Urmas

I would like to thank you for your letter. Let me express my gratitude and appreciation for your personal support for the initiative put forward by the European Commission to extend the powers of the European Public Prosecutor's Office to cross-border terrorist offences.

As you rightfully point out, the establishment of the European Public Prosecutor's Office is a great step towards a more efficient fight against serious crime. The adoption of the Regulation implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office is an important achievement and a milestone in the area of freedom, security and justice in the European Union.

Crimes affecting the Union budget are often linked to serious crimes with a cross-border dimension, including cross-border financial crimes, such as money laundering. These crimes pose serious threats to the security of the EU and its citizens. According to Article 4(1) of Directive 2017/1371 on the fight against fraud to the Union's financial interests by means of criminal law, money laundering offences, as far as they concern proceeds related to the financial interests of the Union, already fall under the competence of the European Public Prosecutor's Office. Moreover, Article 22(3) of Regulation 2017/1939 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office, also foresees that the European Public Prosecutor's Office shall be competent for offences which are inextricably linked to crimes affecting the Union budget, which may, depending on the circumstances of each case, include wider money laundering offences.

Furthermore, as you rightly pointed out, Article 86(4) of the Treaty on the Functioning of the European Union allows for the extension of the competences of the European Public Prosecutor's Office beyond crimes affecting the Union's financial interests. On this basis, the competences of the European Public Prosecutor's Office could be broadened also to cross-border financial crime, including money laundering. We will keep that in mind during the debate on the proposed extension to cross-border terrorism.

As you know, we are currently in the process of setting up the European Public Prosecutor's Office and I envisage that the Office will be able to take up its investigatory and prosecutorial functions at the end of 2020. A lot of work lies ahead of us and I can assure you that the Commission is fully dedicated to making the European Public Prosecutor's Office a true success story in the whole European Union.

Yours sincerely,



Věra Jourová

Mr Urmas Reinsalu

Minister of Justice of the Republic of Estonia