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EU Court rules no institution is above the law: TI EU reaction

Pia Engelbrecht-Bogdanov · Wednesday, June 10th, 2026

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In a win for EU institutional accountability, the EU General Court has today sided with the European Public Prosecutor's Office in its pursuit to lift the immunity of 12 staff members of the European Court of Auditors (ECA) in an investigation into potential wrongdoing. The ECA had blocked this request, citing confidentiality rules, leading the EPPO to take the case to court.

Transparency International EU (TI EU) welcomes that the Court has confirmed the principle that EU institutions, in this case, the European Court of Auditors, cannot rely on internal rules and confidentiality safeguards to obstruct criminal investigations. It sets an important precedent for all EU bodies and institutions, reinforcing that accountability mechanisms must apply uniformly and that no institutional space exists for shielding criminal conduct from scrutiny.

The ruling follows a recent vote at the European Parliament that upheld the immunity of an MEP allegedly involved in expenses misuse. The vote effectively shields the MEP from external investigation, blocking the EPPO from properly exercising its mandate. TI EU deplored the blatantly political nature of this vote, arguing it amounted to obstruction of justice and reinforced a culture of impunity at the European Parliament.

Giulia Cantalupi, Policy Officer for Illicit Financial Flows at Transparency International EU, said

> "Today's ruling confirms what will already be apparent to any EU citizen: no European institution is above the law. It is in the EU's interest to allow the European Public Prosecutor's Office to gather evidence in its mandate to investigate the misuse of public funds, and it cannot be obstructed from doing so by institutional internal rules. The European Parliament should take note."

The Court’s ruling is also fully aligned with the direction of the ongoing reform of the EU Anti-Fraud Architecture, which calls for stronger institutional coherence, clearer cooperation duties, and more effective tools for the European Public Prosecutor’s Office. These developments confirm that the protection of the EU financial interests requires transparency and full cooperation across all EU institutions, bodies and agencies.

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