



## Press Release

Luxembourg, 13 April 2016

### **OLAF Supervisory Committee needs independent secretariat, say EU auditors**

An opinion published today by the European Court of Auditors supports the European Commission's proposal<sup>1</sup> that the secretariat of OLAF's Supervisory Committee should no longer be provided by OLAF (the European Anti-Fraud Office) itself. According to the Committee, the current arrangement exposed secretariat staff to conflicting instructions. If the proposal is endorsed by the European Parliament and the Council, the secretariat will in future be provided by the Commission, which must refrain from interfering with the functions of the Supervisory Committee.

**Dr Louis Galea, the Member of the European Court of Auditors responsible for the opinion, said:** *"The Commission proposal is in line with recommendations made by us in 2011 that the Supervisory Committee's secretariat may not be appointed by or subject to the authority of OLAF's Director-General. In addition, we recommend that the OLAF regulation should stipulate that the Commission needs a favourable opinion from the Supervisory Committee before it appoints the Committee's Head of Secretariat, who should act on the instructions of the Committee only and independently of the Commission."*

The opinion also recommends that the procedure for dealing with requests to lift the immunity of OLAF investigators from legal proceedings in respect of acts performed by them in their official capacity should be made more clear. When a national judicial authority issues such a request, the Commission should consult the Supervisory Committee before taking a decision.

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<sup>1</sup> COM(2016) 113 final of 4.3.2016.

*The purpose of this press release is to give the main messages of the opinion adopted by the European Court of Auditors.*

## **ECA Press**

Mark Rogerson – Spokesperson T: (+352) 4398 47063

M: (+352) 691 55 30 63

Damijan Fišer – Press Officer T: (+352) 4398 45410

M: (+352) 621 55 22 24

12, rue Alcide De Gasperi - L-1615 Luxembourg

E: [press@eca.europa.eu](mailto:press@eca.europa.eu) @EUAuditorsECA [eca.europa.eu](http://eca.europa.eu)

## Notes to editors

OLAF is a Directorate-General of the European Commission, but it is functionally independent with respect to its investigative work. OLAF's investigative activities are governed by Regulation (EU, Euratom) No 883/2013<sup>2</sup>. The OLAF Supervisory Committee is composed of five independent members with experience in senior judicial or investigative functions, or comparable roles. They are appointed by common accord of the European Parliament, the Council and the Commission. Under Article 325 of the Treaty on the Functioning of the European Union, the European Parliament and the Council are required to ask for the ECA's opinion before they adopt legislation in the fields of preventing and combating fraud affecting the EU's financial interests.

Opinion 1/2016 (pursuant to Article 325, TFEU) concerning a proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU, EURATOM) No 883/2013, as regards the secretariat of the Supervisory Committee of the European Anti-Fraud Office (OLAF) is available in 23 EU languages on [eca.europa.eu](http://eca.europa.eu).

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<sup>2</sup> OJ L 248, 18.9.2013, p.1.2