European Anti-Fraud Office (OLAF): secretariat of the Supervisory Committee

2016/0064(COD) - 06/07/2016 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 670 vote to 34, with 6 abstentions, a legislative resolution on the 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).

To recall, the proposal aims to strengthen the independence of the OLAF Supervisory Committee's Secretariat, thus providing for a more effective functioning of the Supervisory Committee.

Under the new proposed Regulation, the secretariat of the Supervisory Committee will be provided by the Commission, and no longer by OLAF.

The European Parliament's position, adopted at first reading under the ordinary legislative procedure, amended the Commission as follows:

Confidentiality and data protection: Parliament stated that the staff of the Office and the staff of the secretariat of the Supervisory Committee shall refrain from any unauthorised disclosure of information received in the exercise of their functions, unless that information has already been **lawfully** made public or is accessible to the public.

Moreover, the **members of the Supervisory Committee shall be bound by the same obligation of professional secrecy** in the exercise of their functions, and shall continue to be bound by that obligation after the end of their mandate.

Guarantee the independence of the Supervisory Committee: before the appointment of any staff to the secretariat, the Supervisory Committee shall be consulted and its views shall be taken into account. The secretariat shall act on the instructions of the Supervisory Committee and independently from the Commission. Without prejudice to its control over the budget of the Supervisory Committee and its secretariat, **the Commission shall not interfere with the monitoring functions of the Supervisory Committee**.

An amendment also stipulated that officials assigned to the secretariat of the Supervisory Committee shall neither seek nor take instructions from any government or any institution, body, office or agency relating to the exercise of the monitoring functions of the Supervisory Committee.

Parliament took note of the **Commission statement** annexed to the resolution in which the Commission is committed to ensure the independent functioning of the Secretariat of the OLAF Supervisory Committee. This attachment will be of a purely administrative nature, with a view to facilitating certain organisational and budgetary aspects.

The Commission will consider, after consulting the Supervisory Committee, putting in place appropriate internal rules on mobility limiting the duration of the postings of the Secretariat, while ensuring continuity in order to render their independence effective, and avoid risks of conflicts of interests or of revolving doors issues with OLAF.