Fraud-proofing: legislation and contract management

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The committee adopted the report by Herbert BÖSCH (PES, A) on the Commission communication. While welcoming preventive efforts aimed at reducing the scope for fraud, MEPs stressed that fraud-proofing measures must not distract from OLAF's actual task of fighting fraud and that its investigative duties should have absolute priority. The report called for an overall approach to protecting the Community's financial interests, of which fraud-proofing and contract management formed only one part. It reiterated the committee's call for a European public prosecutor for financial matters as a key element of such an approach. Decisive action to deal with suspected cases of fraud and corruption was, in the end, the best deterrent. The report stressed that OLAF should be involved from the start in the drafting of European legislation in the 'high risk' areas, although it was important to ensure that fraud-proofing did not unduly prolong the process of drafting legislation. It insisted that all legislative proposals presented to Parliament should indicate clearly whether they had been subjected to fraud-proofing by OLAF. Moreover, fraud-proofing should not be limited to new legislation, and the 'high risk' areas to be identified by OLAF should be subjected to retroactive fraud assessment, with changes being made to the relevant legislation where necessary. The committee wanted particular attention to be paid to policy areas such as agricultural and fishery policy, structural funds, trade policy, pre-accession aid, research policy and customs. Other recommendations made by the committee included: - ensuring that public tendering should be the normal procedure when awarding contracts; - developing an anti-fraud handbook and specific vocational training for the Commission departments involved; - including a clause in standard contracts stipulating that parties found guilty of fraud should be excluded from the award of future contracts; and - as from 2003, including a chapter on fraud-proofing and contract management in the Commission's annual report on the protection of the Community's financial interests and the fight against fraud.