



EUROPEAN COMMISSION

Brussels, 19.2.2015

C(2015) 844 final

Dear President,

The new Commission, which entered office on 1 November 2014, is fully committed to strengthening its partnership with national Parliaments. An active and constructive political dialogue on the Commission's proposals is a crucial part of this relationship, complementing the essential direct contacts between our institutions. The Commission looks forward to working with the Assembleia da República over the coming years.

The Commission would like to thank the Assembleia da República for its Opinion concerning the proposal for Regulation of the European Parliament and of the Council amending Regulation (EU, Euratom) No 883/2013 as regards the establishment of a Controller of procedural guarantees {COM (2014) 340 final}, and apologises for the delay in replying.

The Commission welcomes the position of the Assembleia da República that the proposal does not breach the principles of subsidiarity and proportionality. Indeed, the proposal only concerns investigations carried out by an EU body, OLAF, and additional mechanism control should be established at the same EU level. It would have no impact on the Member States' powers and responsibilities and would be limited to what is necessary to achieve the objectives.

The Commission takes note of the reservations expressed by the Assembleia da República on political advisability of the proposal regarding in particular timing and the need to coordinate with other initiatives such as the setting-up of the European Public Prosecutor's Office (EPPO). The Commission would however like to stress that the proposal aims at solving issues which remained unresolved during the negotiation process of Regulation 883/2013 which entered into force one year ago. This proposal is also part of the Commission's step-by-step approach to accompany the establishment of the EPPO, as announced in its Communication of 13 July 2013 {COM (2013) 533 final}, aiming at enhancing procedural safeguards.

*Ms Maria da Assunção Andrade ESTEVES
President of the
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In order to avoid overlaps with the work of the OLAF's Supervisory Committee, the Commission has carefully designed the competencies of the Controller. The Commission further considers that the expenses (estimated at half a million Euro per year) appear proportionate to the objective of strengthening fundamental rights.

The Commission hopes that these clarifications address the issue raised by the Assembleia da República in its Opinion and looks forward to continuing the political dialogue in the future.

Yours faithfully,

*Frans Timmermans
First Vice-President*

*Kristalina Georgieva
Vice-President*