

SUMMARY
of the Opinion on amending Regulation (EU, Euratom) No 883/2013 as
regards the establishment of a Controller of procedural guarantees

COM (2014) 340 final

The Chamber of Deputies supports the Regulation proposal, due to the following reasons:

- it assures a high and solid protection level of the procedural guarantees and, more generally, of the fundamental rights for the persons under investigation by the European Anti-Fraud Office, also assuring the highest protection level of the EU financial interests and the protection of the European institutions;
- it does not diminish the competences and responsibilities of the Member States in taking measures for combating fraud, corruption and any other illegal activities which affect the EU financial interests;
- it completes the proposal of the foundation of the European Public Prosecutor and proposes additional measures for consolidating the European Anti-Fraud Office;
- it does not involve excessive budgetary costs;
- it does not violate any other procedure in force in the field (the procedure stipulated by the statute of the EU employees, the European Ombudsman or the European Data Protection Supervisor), by setting up the new procedure for complaints resolution.

The Decision also notices that the proposal refers to the situation when the General Direction of the European Anti-Fraud Office does not assume the recommendation of the Controller of procedural guarantees – situation when he annexes a motivated opinion, to the investigation report of the European Anti-Fraud Office (art. 9a, para. (7), thesis III). However, it does not cover the situation when the Directorate General of the European Anti-Fraud Office assumes the recommendation of the Controller of procedural guarantees and remedies the situation. It is mentioned that such a situation should be settled by including it within the annexed report of investigation of the European Anti-Fraud Office.