

# The European Anti-Fraud Office (OLAF) 12/09/2019

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# What is OLAF?

- The European Anti-Fraud Office (OLAF acronym from French: Office européen de lutte antifraude)
- OLAF is part of the European Commission with a mission to detect, investigate and work towards stopping fraud involving the European Union's funds and other illegal acts which are in breach of the EU policies.
- OLAF conducts independent administrative investigations, the results of which are passed to the competent authorities of the European Commission and/or the Member States or Third Countries depending on the nature of the case.
- OLAF is located in Brussels and currently has around 400 staff

# What OLAF can do in CITES and other Environmental cases **in the EU**

## **Coordination of EU customs enforcement activities:**

- Sharing information and coordinated actions (AM-communications) under Regulation 515/1997
- Operational meetings and information exchange

## **Investigation activities:**

- Inspection of premises (warehouses etc.) to find out where products came from and/or are going to
- On-the-spot checks (importers or other relevant operators) to find out where products came from and/or are going to
- Checks and inspections under sectoral rules with competent authorities in the Member States
- Joint investigation teams with Member States (and third countries) involved

## **Other activities:**

- Joint customs operations with Member States and third countries to establish trends and systemic breaches of customs legislation

# What OLAF can do in CITES and other Environmental cases **outside the EU**

- Investigative missions outside the EU: Joint controls (OLAF + MS + Third Country) to the companies exporting to the EU and other relevant economic operators to verify the authenticity of processing records, raw materials, export documents, transport documents, certificates of origin. Conducted in cooperation with the local competent authorities)
- Interviews with persons concerned
- Joint customs operations with Member States and Third Countries
- Main Legal bases: Customs Mutual Assistance Agreements, Administrative Cooperation Agreements, Association Agreements, Preferential Regimes, Free Trade Agreements with Customs Cooperation Component, CITES

# Outcome of investigations

- OLAF investigations lead to Recommendations:
  - ▶ To competent authorities in Member States and/or Commission Services and/or Third Countries as to the next appropriate steps to be taken in a case
  - ▶ These Recommendations can, depending on the outcome of the investigation be either of a Judicial, Financial or Administrative nature.

Authorities of Member States shall inform the Office in due time of the actions taken on the basis of the information transmitted to them by OLAF (Article 12.3 of Regulation n°883/2013)

# How to inform OLAF about new cases

- Such Information can be submitted by either individuals , Commission Services , Member States , NGO'S, etc.
- OLAF Unit O.1 (Selection and Review) then assesses all new information and makes a recommendation to the OLAF's Director-General whether an OLAF investigation should be opened.
- When a case is opened it is then referred to the respective investigation units. In most cases this us Unit B.1 (Customs and Trade Fraud)

## **OLAF O.1 Selection and Review:**

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## **OLAF B.1 Customs and Trade Fraud:**

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# Thank you

**OLAF website: <http://olaf.europa.eu>**