



Council of the
European Union

**Brussels, 24 March 2022
(OR. en)**

6949/22

GAF 5

LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: Council opinion on the appointment of the Controller of procedural guarantees of the European Anti-Fraud Office (OLAF)

COUNCIL OPINION

of ...

on the appointment of the Controller of procedural guarantees of the European Anti-Fraud Office (OLAF)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 325 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 106a thereof,

Having regard to Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999, and in particular Article 9a thereof,

Having regard to the list of suitably qualified candidates for the position of Controller of procedural guarantees drawn up by the Commission,

Whereas:

- (1) On 23 December 2020, the European Parliament and the Council adopted Regulation (EU, Euratom) 2020/2223 , which amended Regulation (EU, Euratom) No 883/2013 in order to create an internal function in the form of a Controller of procedural guarantees of the European Anti-Fraud Office (the ‘Controller’).
- (2) Pursuant to Article 9a(1) of Regulation No 883/2013, the Commission is to appoint the Controller for a non-renewable term of office of five years. Pursuant to Article 9a(4) of that Regulation, following a call for applications in the Official Journal of the European Union, the Commission is to draw up a list of suitably qualified candidates for the position of Controller. After consulting the European Parliament and the Council, the Commission is to appoint the Controller.
- (3) On 9 December 2021, the Commission provided the Council with a shortlist of three suitably qualified candidates for the position of Controller in order of preference and requested the Council’s opinion on the appointment of the Controller.
- (4) The Council has examined the matter and in particular the supporting documents provided by the Commission on the three suitably qualified candidates,

HAS ISSUED THIS OPINION:

The Council gives a favourable opinion on the shortlist of the three suitably qualified candidates in the order of preference provided for by the Commission.

Done at ...,

For the Council

The President
