

Brussels, 28 May 2026
(OR. en)

9315/26

GAF 22
PE-L 15

'I' ITEM NOTE

From: Working Party on Combating Fraud
To: Permanent Representatives Committee
Subject: Selection procedure for the Controller of procedural guarantees in the context of investigations conducted by OLAF: Draft call for expression of interest

- *Approval of a letter*
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1. Pursuant to Regulation (Euratom, EU) No 883/2013 concerning investigations conducted by OLAF¹, as last amended by Regulation 2020/2223², and in particular to Article 9a thereof, the Controller of procedural guarantees (the "Controller") is appointed by the Commission, following the publication of a call for applications, the drawing up of a list of suitably qualified candidates for the position and a consultation of the Council and the European Parliament. On 3 May 2022, the incumbent Controller of procedural guarantees was appointed by a Commission Decision for a five-year non-renewable term.

¹ 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 (OJ L 248, 18.9.2013, p. 1, ELI: <http://data.europa.eu/eli/reg/2013/883/oj>).

² Regulation (EU, Euratom) 2020/2223 of the European Parliament and of the Council of 23 December 2020 amending Regulation (EU, Euratom) No 883/2013, as regards cooperation with the European Public Prosecutor's Office and the effectiveness of the European Anti-Fraud Office investigations (OJ L 437, 28.12.2020, p. 49, ELI: <http://data.europa.eu/eli/reg/2020/2223/oj>).

2. On 27 March 2026, the Commission addressed a letter to the European Parliament and the Council concerning the selection procedure for the Controller of procedural guarantees in the context of investigations conducted by OLAF, asking to receive possible comments on the draft call for expression of interest (see ANNEX 1).
 3. The Working Party on Combating Fraud (GAF) discussed the draft reply to the Commissioner's letter during its meeting on 16 April 2026.
 4. Once the European Parliament and the Council have expressed their agreement to the criteria set in the call for expression of interest the Commission will proceed to the publication in the *Official Journal of the European Union* and will revert, later on in the process, to consult the European Parliament and the Council, once the necessary steps in the selection procedure have been completed, and before an appointment is made by the Commission.
 5. The Permanent Representatives Committee is therefore invited to approve the draft letter in ANNEX 2, in accordance with Article 19(7)(k) of the Council's Rules of Procedure.
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 Ref. Ares(2026)3292072 - 27/03/2026

PIOTR SERAFIN
MEMBER OF THE EUROPEAN COMMISSION

Brussels,

Subject: Selection procedure for the Controller of procedural guarantees in the context of investigations conducted by OLAF

The mandate of the Controller of procedural guarantees in the context of investigations conducted by European Anti-Fraud Office (OLAF) will expire next year.

Pursuant to Article 9a of Regulation No 883/2013 of the European Parliament and of the Council, the Controller of procedural guarantees (the 'Controller') is appointed by the Commission, following the publication of a call for applications, the drawing up of a list of suitably qualified candidates for the position and a consultation of the Council and the European Parliament.

To ensure the timely appointment of the Controller, the Commission intends to start the selection process as soon as possible. In that context, the Commission has already prepared a draft call for expression of interest, which you may find attached, and on which we would be grateful to receive the comments of the Council.

The Commission will revert, later on in the process, to consult the Council and the European Parliament, once the necessary steps in the selection have been completed and before an appointment is made.

I look forward to receiving the comments of the Council on the call for expression of interest at your earliest convenience, in order to proceed to the next steps in the procedure.

I have written in similar terms to the European Parliament.

Yours sincerely,

(e-signed)
Piotr Serafin



Ms Christina Rafti, Permanent Representative of Cyprus to the EU
Presidency of the Council of the European Union

Copies: Cabinet of the President
Ms Juhansone, Secretary-General
Mr Quest, Director-General, DG HR



 Electronically signed on 25/03/2026 10:53 (UTC+01) in accordance with Article 11 of Commission Decision (EU) 2021/2121

Call for applications for the selection of the Controller of procedural guarantees in the context of investigations conducted by the European Anti-Fraud Office (OLAF)

COM/2026/XXXX

The purpose of this call for applications is to allow the appointment of the Controller of procedural guarantees (the “Controller”), in the context of investigations conducted by the European Anti-Fraud Office (OLAF). The Controller will be engaged as a Special Adviser under Article 5 of the Conditions of Employment of Other Servants of the European Union.

1. THE CONTROLLER OF PROCEDURAL GUARANTEES

The Controller of procedural guarantees is established by Article 9a of Regulation (EU, Euratom) No 883/2013³ for the purpose of monitoring OLAF compliance with procedural guarantees and fundamental rights in the context of investigations.

Persons concerned may lodge complaints with the Controller regarding OLAF’s compliance with procedural guarantees as well as on the grounds of an infringement of the rules applicable to investigations by OLAF, in particular infringements of procedural requirements and fundamental rights. The Controller is responsible for issuing recommendations on how to resolve complaints, where necessary suggesting solutions to the issues raised in the complaint.

The Controller shall report on the exercise of their function on an annual basis to the European Parliament, the Council, the Commission, the Supervisory Committee of OLAF and to OLAF. They shall not refer to individual cases under investigation and shall ensure the confidentiality of investigations even after their closure. The Controller shall report to the Supervisory Committee on any systemic issue arising out of his or her recommendations

The Controller shall exercise their functions in complete independence, including from the Supervisory Committee of OLAF⁴ and from OLAF and shall neither seek nor take instructions from anyone in the performance of his or her duties.

The function of Controller is administratively attached to the OLAF Supervisory Committee. The Secretariat of the Supervisory Committee shall provide the Controller with all necessary administrative and legal support.

The Controller is appointed for a five-year mandate, which is not renewable. At the end of the mandate, the Controller will remain in office until replaced.

It is estimated that the Controller will need to dedicate between 5 and 8 days per month to their tasks.

³ 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, OJ L 248, 18.9.2013, p. 1.

⁴ [The Supervisory Committee of OLAF - Supervisory Committee of OLAF](#).

2. ELIGIBILITY CRITERIA

Applicants must:

- Be a national of a Member State of the European Union, entitled to their full rights as a citizen;
- Have a level of education in Law which corresponds to completed university studies attested by a diploma;
- Have at least 10 years of professional experience in positions relevant to the role of Controller as described in point 1, gained after obtaining the qualifications referred to above;
- Not have a political function when taking up their function, either at national or European level;
- Not be a Member or staff member of an EU institution, body, office or agency when taking up their function;
- Not be a member of a national anti-fraud coordination service within the meaning of Article 12a of Regulation 883/2013, when taking up their function;
- Be completely independent from national bodies or authorities when taking up their function;
- Be in a position to offer guarantees of independence and absence of conflict of interest with respect to any professional activities which could be carried out in parallel with the role of Controller;
- Have a thorough knowledge of two official EU languages necessary for the performance of their duties (candidates should also indicate their level of knowledge of other EU official languages);

3. SELECTION CRITERIA

The successful candidate shall be selected on the basis of their personal and professional qualities and their extensive proven experience.

3.1. Professional criteria

- An established and proven record of at least 10 years of relevant knowledge and professional experience, such as legal or judicial practice at a high level in the fields of procedural guarantees, including in the context of regulatory appeals and/or complaint handling procedures;
- A very good knowledge of EU law, in particular of EU administrative law, fundamental rights and procedural guarantees or in other areas relevant to the work of OLAF;
- Expertise or management experience in investigating / dealing with issues relevant to the work of OLAF, including conflicts of interest and corruption;
- Experience in dealing with complaints or actions before the courts;

3.2. Personal criteria

- Have sufficient general knowledge of the EU institutions, policies, legal framework and working methods;
- Have a very good understanding of the work of OLAF;
- Should be sufficiently available to deal with complaints within fixed deadlines;
- Demonstrate that their independence, impartiality, probity and integrity are beyond doubt;
- Have critical and strategic thinking and excellent problem solving skills;
- Have very good communication skills, including inter-personal communication skills;
- Demonstrate a strong commitment to maintaining a positive work environment and good working relationships with OLAF and with external interlocutors.

4. SUBMISSION OF APPLICATIONS

Interested persons should express their interest using the [EU CV Online](#) application⁵.

Before submitting your application, you should carefully check whether you meet all eligibility requirements listed in point 2 above. Failure to meet any of the eligibility requirements means an automatic exclusion from the selection procedure.

To register, you must have a valid email address and follow the instructions concerning the various stages of the procedure. Your email address will be used to confirm your registration as well as to remain in contact with you during the different stages of the procedure. Therefore, please keep the European Commission informed about any change in your email address.

To complete your application, you need to upload a CV in PDF, preferably using the Europass CV format⁶, and to fill out, online, a motivation letter (maximum 8 000 characters). Your CV and motivation letter may be submitted in any of the official languages of the European Union.

Candidates are invited to specify all the EU languages they know and the corresponding level of knowledge according to the Common European Framework of Reference for Languages⁷.

Once you have finished your online registration, you will receive an electronic mail confirming that your application has been registered. If you do not receive a confirmation mail, your application has not been registered.

Please note that it is not possible to monitor the progress of your application online. You will be contacted directly by the European Commission regarding the status of your application.

⁵ <https://ec.europa.eu/dgs/human-resources/seniormanagementvacancies/>.

⁶ You can find information on how to create your Europass CV online at:
<https://europa.eu/europass/en/create-europass-cv>.

⁷ <https://www.coe.int/en/web/common-european-framework-reference-languages/table-1-cefr-3.3-common-reference-levels-global-scale>.

If you require more information and/or encounter technical problems, please send an email to: HR-MANAGEMENT-ONLINE@ec.europa.eu.

For functional reasons and to complete the selection procedure as quickly as possible in the interest of the candidates as well as that of the institutions, the selection procedure will be carried out in English⁸.

Closing date

The closing date for registration is **XX.XX.2026, 12.00 noon Brussels time**, following which registration is no longer possible.

It is your responsibility to complete your online registration in time. We strongly advise you not to wait until the last few days before applying, since heavy internet traffic or a fault with your internet connection could lead to the online registration being terminated before you complete it, thereby obliging you to repeat the whole process. Once the deadline for the submission of registrations has passed, you will no longer be able to introduce any data. Late registrations are not accepted.

5. SELECTION PROCEDURE

The European Commission will establish a selection panel to consider all the applications received.

The panel will evaluate and compare the qualifications, experience and motivation of all applicants who are eligible, on the basis of their applications. The panel will issue an opinion including a shortlist of at least three suitably qualified candidates for the function of Controller of procedural guarantees.

The European Commission will approve the shortlist of suitably qualified candidates and proceed to the consultation of the European Parliament and the Council.

The European Commission will appoint the Controller of procedural guarantees.

6. EQUAL OPPORTUNITIES

The European Union institutions and other bodies apply equal opportunities policies encouraging applications that could contribute towards more diversity, gender equality and overall geographical balance.

⁸ The selection panel will ensure that no undue advantage is given to native speakers.

7. INDEPENDENCE AND DECLARATION OF INTERESTS

Before taking up his/her duties, the Controller is required to declare that he/she will act independently in the public interest and to declare any interests which might be considered prejudicial to their independence.

Before taking up their duties, they will be required to submit:

- a declaration of their commitment to act independently in the public interest,
- a declaration listing all other activities carried out, and
- a declaration in respect of any interests which might be considered prejudicial to their independence.
- an extract of their criminal record.

By applying, candidates confirm their willingness to provide these declarations.

8. CONDITIONS OF EMPLOYMENT

The Controller will be appointed on the basis of a contract as Special Adviser within the meaning of Article 5 of the Conditions of Employment of Other Servants of the European Union. The contract as Special Adviser will be extended to cover the duration of the mandate. The Controller will be remunerated on a *per diem* basis by reference to an AD 14, step 1, basic salary⁹, for the days that they work¹⁰. However, if the person appointed as Controller is a former EU official in receipt of a retirement pension, they will not receive a remuneration; they will only be entitled to the reimbursement of travel and accommodation expenses.

In accordance with the provisions in force within the Commission for its staff members, travel and accommodation expenses incurred by the Controller shall be reimbursed by the Commission upon claim with the supporting documents, as well as a daily allowance to cover other costs.

9. PROFESSIONAL SECRECY

The Controller shall refrain from any unauthorised disclosure of information received in the line of duty, unless that information has already been made public or is accessible to the public. The Controller shall continue to be bound by this obligation after the end of their mandate.

The Controller shall not, without permission from the Commission, disclose on any grounds whatsoever, in any legal proceedings, information of which they have knowledge by reason of their duties. Permission shall be refused only where the interests of the Union so require and such refusal would not entail criminal consequences as far as the expert is concerned. The Controller shall continue to be bound by this obligation after the end of their mandate. (This paragraph shall not apply to the Controller or former Controller giving evidence before the Court of Justice of the European Union or before the Disciplinary Board of an institution on a matter concerning a servant or former servant of the European Union).

⁹ The salary scale is available at: [2025 Annual update of the remuneration and pensions of the officials and other servants of the European Union and the correction coefficients applied thereto.](#)

¹⁰ 22 being the average number of working days in a month.

10. PROTECTION OF PERSONAL DATA

The European Commission will ensure that candidates' personal data are processed as required by Regulation (EU) 2018/1725 of the European Parliament and of the Council¹¹. This applies in particular to the confidentiality and security of such data.

¹¹ Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC ([OJ L 295, 21.11.2018, p. 39](#)).

DRAFT LETTER

from: Ms Christina RAFTI, Chair of the Permanent Representatives Committee of the Council

to: Mr Piotr SERAFIN, Commissioner for Budget, Anti-Fraud and Public Administration

copy to: Mr Andreas SCHWAB, Chair of the European Parliament's Committee on Budgetary Control

Subject: Controller of procedural guarantees in the context of investigations conducted by OLAF

Dear Commissioner,

I would like to thank you for the draft text submitted by your services on 27 March 2026 concerning the launch of the selection procedure for the appointment of the Controller of procedural guarantees in the context of investigations conducted by OLAF.

The Cyprus Presidency acknowledges the fact that the current mandate of the Controller is coming to an end and that it is a matter of urgency to appoint a new Controller, in order to avoid prolonging this mandate *ad interim* longer than necessary.

The Council would like to draw attention to the following issues related to the draft call for expression of interest:

- a possible overlap between the eligibility criteria and the professional selection criteria is noticed, since both indicate the same requirement of minimum 10 years of relevant professional experience. It may therefore be useful to clarify more distinctly what is intended as a threshold for admissibility and what is meant as basis for comparative assessment and ranking;
- some of the personal criteria appear in substance to be related to knowledge, therefore there is a risk of lack of clarity and overlap with the professional criteria. A review would be welcomed to ensure the clearest basis for a comparative assessment, in the interest of transparency and equal treatment;

- regarding the practicalities of publication and overall timing, and while considering the summer break, publication shortly before the summer should nevertheless ensure the best visibility possible and attract the broadest pool of candidates. Therefore, extending the period of expression of interest beyond the standard one month would be welcomed.

We would propose that the Legal Services of the three Institutions concerned will address questions related to the preparation of the template for the Decision at technical level.

I look forward to further contacts with a view to starting the selection procedure as soon as possible.

(Complimentary close)
