



2018/0170(COD)

11.1.2019

OPINION

of the Committee on Civil Liberties, Justice and Home Affairs

for the Committee on Budgetary Control

on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EU, Euratom) No 883/2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) as regards cooperation with the European Public Prosecutor's Office and the effectiveness of OLAF investigations

(COM(2018)0338 – C8-0214/2018 – 2018/0170(COD))

Rapporteur for opinion: Monica Macovei

PA_Legam

SHORT JUSTIFICATION

In the context of its efforts to enhance the protection of the Union's financial interests, the Commission proposed in May 2018 to amend Regulation (EU, Euratom) 883/2013 concerning investigations by the European Anti-Fraud Office (OLAF). This proposal follows the adoption in July 2017 of the Directive on the fight against fraud to the Union's financial interests by means of criminal law, and the adoption in October 2017 of the Regulation implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ("the EPPO").

The amended Regulation should enter into force at the end of 2020, before the EPPO becomes operational.

The overall objective of the proposal is to adapt and strengthen the mechanisms for the protection of the EU's financial interests. This should be achieved primarily by laying the foundations for an efficient cooperation with the EPPO, which should be based on the principles of close cooperation, exchange of information, complementary and non-duplication. While the EPPO will conduct criminal investigations and prosecutions, OLAF will continue conducting only administrative investigations concerning the EU's financial interests, complementing the work of the EPPO and converging towards a common goal.

The Rapporteur is of the opinion that it is of utmost importance to ensure that the future relation between EPPO and OLAF will not generate lengthy disputes about competences. For this purpose, both the EPPO and OLAF should make use of the hit/no hit functions of their respective case management systems, allowing for an immediate check of relevant information on on-going cases. As the case management system of the EPPO requires a high level of security, the Office should inform a person designated by the EPPO, who should verify with the case management of the EPPO whether the EPPO is already conducting an investigation into the same facts.

The report also states that the Office should immediately notify the EPPO of any criminal conduct in respect of which the EPPO could exercise its competence. The notification may be followed by a report, if requested by the EPPO and prepared in close consultation with the EPPO. This would allow a rapid response from the EPPO and would ensure that any criminal investigations are conducted in full compliance with the procedural safeguards applicable to the EPPO.

In the case of complementary investigations opened or continued at the initiative of the Director General of the Office, the report states that the Office should only be allowed to conduct this investigations upon agreement of the EPPO. In case the EPPO objects to the opening of such investigations, the Office should refrain from performing them.

Finally, the rapporteur considers that the institutions, bodies, offices and agencies should request directly to the EPPO to conduct any evaluation of allegations of criminal nature reported to them, in accordance with Art 24 (1) of the EPPO regulation.

AMENDMENTS

The Committee on Civil Liberties, Justice and Home Affairs calls on the Committee on Budgetary Control, as the committee responsible, to take into account the following amendments:

Amendment 1

Proposal for a regulation Recital 2 a (new)

Text proposed by the Commission

Amendment

(2a) According to the Commission Report on Evaluation of the application of Regulation (EU, Euratom) No 883/2013 the extent to which Regulation 883/2013 makes national law applicable is not completely clear. Different interpretations of the relevant provisions, and differences in national law, lead to a fragmentation in the exercise of OLAF's powers in the Member States, in some cases hindering OLAF's ability to successfully conduct investigations and ultimately to contribute to the Treaty objective of an effective protection of the financial interests across the Union.

Amendment 2

Proposal for a regulation Recital 4

Text proposed by the Commission

Amendment

(4) In view of their common goal to preserve the integrity of the Union budget, the Office and the EPPO should establish and maintain a close relationship based on sincere cooperation and aimed at ensuring the complementarity of their respective mandates and coordination of their action, in particular as regards the scope of the enhanced cooperation for the establishment on the EPPO. Ultimately, the relationship should contribute to ensuring that all

(4) In view of their common goal to preserve the integrity of the Union budget, the Office and the EPPO should establish and maintain a close relationship based on sincere cooperation and aimed at ensuring the complementarity of their respective mandates and coordination of their action, in particular as regards the scope of the enhanced cooperation for the establishment on the EPPO. Ultimately, the relationship should contribute to ensuring that all

means are used to protect the financial interests of the Union and avoiding unnecessary duplication of efforts.

means are used to protect the financial interests of the Union and avoiding unnecessary duplication of efforts. ***To foster good cooperation, the EPPO and the Office are encouraged to meet on a regular basis, in particular to get an overview of ongoing investigations, so as to identify trends and possible links between cases.***

Amendment 3

Proposal for a regulation Recital 4 a (new)

Text proposed by the Commission

Amendment

(4a) Once the EPPO is established, OLAF's overall mandate should not change, but its operation should be adapted in several ways to the existence of the EPPO. OLAF should remain competent for the administrative investigation of suspected fraudulent and non-fraudulent irregularities within the Union IBOAs and in all Member States, with a view to issuing recommendations to launch judicial, disciplinary, financial or administrative procedures.

Amendment 4

Proposal for a regulation Recital 5

Text proposed by the Commission

Amendment

(5) Regulation (EU) 2017/1939 requires the Office, as well as all institutions, bodies, offices and agencies of the Union and competent national authorities, to report to the EPPO without undue delay criminal conduct in respect of which the EPPO may exercise its competence. Since the mandate of the Office is to carry out administrative investigations into fraud, corruption and

(5) Regulation (EU) 2017/1939 requires the Office, as well as all institutions, bodies, offices and agencies of the Union and competent national authorities, to report to the EPPO without undue delay criminal conduct in respect of which the EPPO may exercise its competence. Since the mandate of the Office is to carry out administrative investigations into fraud, corruption and

any other illegal activity affecting the financial interest of the Union, it is ideally placed and equipped to act as a natural partner and privileged source of information for the EPPO.

any other illegal activity affecting the financial interest of the Union, it is ideally placed and equipped to act as a natural partner and privileged source of information for the EPPO. ***This is especially the case when investigations involve Member States that participate in the enhanced cooperation for the creation of the EPPO and Member States that do not.***

Amendment 5

Proposal for a regulation

Recital 6

Text proposed by the Commission

(6) Elements pointing to possible criminal conduct falling within the competence of the EPPO may, in practice, be present in initial allegations received by the Office or may emerge only in the course of an administrative investigation opened by the Office on the grounds of suspicion of administrative irregularity. In order to comply with its duty to report to the EPPO, the Office should therefore, as the case may be, **report** criminal conduct at any stage before or during an investigation.

Amendment

(6) Elements pointing to possible criminal conduct falling within the competence of the EPPO may, in practice, be present in initial allegations received by the Office or may emerge only in the course of an administrative investigation opened by the Office on the grounds of suspicion of administrative irregularity. In order to comply with its duty to report to the EPPO, the Office should therefore, as the case may be, **immediately notify any criminal conduct. This notification should be followed by a report, which should be sent without undue delay. The notification and the report can be sent** at any stage before or during an investigation. **Information received by the office should in any case be reported to the EPPO as early as possible.**

Amendment 6

Proposal for a regulation

Recital 7

Text proposed by the Commission

(7) Regulation (EU) 2017/1939 specifies the minimum elements that, as a

Amendment

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rule, reports should contain. The Office may need to conduct a preliminary evaluation of allegations to ascertain these elements and collect the necessary information. The Office should conduct this evaluation expeditiously and through means which do not risk jeopardising a possible future criminal investigation. Upon completion of its evaluation, it should report to the EPPO where a suspicion of an offence within its competence is identified.

rule, reports should contain, ***in order to enhance the effectiveness of reporting any criminal case. In addition to these elements, the Office should transmit to the EPPO all relevant information available to it.*** The Office may need to conduct a preliminary evaluation of allegations to ascertain these elements and collect the necessary information. The Office should conduct this evaluation ***as expeditiously as possible*** and through means which do not risk jeopardising a possible future criminal investigation. Upon completion of its evaluation, it should ***immediately*** report to the EPPO where a suspicion of an offence within its competence is identified.

Amendment 7

Proposal for a regulation

Recital 8

Text proposed by the Commission

(8) In consideration of the Office's expertise, the institutions, bodies, offices and agencies of the Union should have the choice to make use of the Office to conduct such preliminary evaluation of allegations reported to them.

Amendment

(8) In consideration of the Office's expertise, the institutions, bodies, offices and agencies of the Union should have the choice to make use of the Office to conduct such preliminary evaluation of allegations reported to them, ***in cases where they are not able to perform this assessment. This should not delay timely reporting to the EPPO.***

Amendment 8

Proposal for a regulation

Recital 9

Text proposed by the Commission

(9) In conformity with Regulation (EU) 2017/1939, the Office should in principle not open an administrative investigation parallel to an investigation conducted by the EPPO into the same facts. However, in certain cases, the protection of the Union's

Amendment

(9) In conformity with Regulation (EU) 2017/1939, the Office should in principle not open an administrative investigation parallel to an investigation conducted by the EPPO into the same facts. However, in certain cases, the protection of the Union's

financial interests may require that the Office carry out a complementary administrative investigation before the conclusion of criminal proceedings initiated by the EPPO with the purpose of ascertaining whether precautionary measures are necessary, or financial, disciplinary or administrative action should be taken. These complementary investigations may be appropriate, inter alia, when necessary to recover amounts due to the Union budget subject to specific time-barring rules, when the amounts at risk are very high, or where there is the need to avoid further expenditure in risk situations through administrative measures.

financial interests may require that the Office carry out a complementary administrative investigation before the conclusion of criminal proceedings initiated by the EPPO with the purpose of ascertaining whether precautionary measures are necessary, or financial, disciplinary or administrative action should be taken. These complementary investigations may be appropriate, inter alia, when necessary to recover amounts due to the Union budget subject to specific time-barring rules, when the amounts at risk are very high, or where there is the need to avoid further expenditure in risk situations through administrative measures. ***Considering their complementary nature, such investigations should only be carried out upon agreement of the EPPO.***

Amendment 9

Proposal for a regulation

Recital 10

Text proposed by the Commission

(10) Regulation (EU) 2017/1939 provides that the EPPO may request such complementary investigations to the Office. In cases where the EPPO does not request it, such a complementary investigation should also be possible on the initiative of the Office, under ***certain*** conditions. In particular, the EPPO should be able to object to the opening or continuation of an investigation by the Office, or to the performance of specific acts of investigation by it. The reasons for this objection should be based on the need to protect the effectiveness of the EPPO's investigation and should be proportionate to this aim. The Office should refrain from performing the action on which the EPPO raised an objection. If the EPPO ***does not object***, the Office investigation should be conducted in close consultation with the

Amendment

(10) Regulation (EU) 2017/1939 provides that the EPPO may request such complementary investigations to the Office. In cases where the EPPO does not request it, such a complementary investigation should also be possible on the initiative of the Office, under ***specific*** conditions, ***after consultation with the EPPO***. In particular, the EPPO should be able to object to the opening or continuation of an investigation by the Office, or to the performance of specific acts of investigation by it. The reasons for this objection should be based on the need to protect the effectiveness of the EPPO's investigation and should be proportionate to this aim. The Office should refrain from performing the action on which the EPPO raised an objection. If the EPPO ***agrees to the request***, the Office investigation should be conducted in close consultation with the

EPPO.

EPPO.

Amendment 10

Proposal for a regulation

Recital 12

Text proposed by the Commission

(12) To ensure effective coordination between the Office and the EPPO, information should be exchanged between them on a continuous basis. The exchange of information in the stages prior to the opening of investigations by the Office and the EPPO is particularly relevant to ensure proper coordination between the respective actions and avoid duplication. The Office and the EPPO should specify the modalities and conditions of this exchange of information in their working arrangements.

Amendment

(12) To ensure effective coordination between the Office and the EPPO, information should be exchanged between them on a continuous basis. The exchange of information in the stages prior to the opening of investigations by the Office and the EPPO is particularly relevant to ensure proper coordination between the respective actions and avoid duplication ***For this purpose, the Office and the EPPO should make use of the hit/no hit functions of their respective case management systems.*** The Office and the EPPO should specify the modalities and conditions of this exchange of information in their working arrangements. ***The Director-General of the Office and the European Chief Public Prosecutor should meet on a regular basis to discuss matters of common interest.***

Amendment 11

Proposal for a regulation

Recital 19

Text proposed by the Commission

(19) In situations where the Office needs to rely on the assistance of the national competent authorities, particularly in cases where an economic operator opposes an on-the-spot check and inspection, Member States should ensure that the Office's action is effective, and should provide the necessary assistance in accordance with the relevant rules of national procedural law.

Amendment

(19) In situations where the Office needs to rely on the assistance of the national competent authorities, particularly in cases where an economic operator opposes an on-the-spot check and inspection, Member States should ensure that the Office's action is effective, and should provide ***without undue delay*** the necessary assistance in accordance with the relevant rules of national procedural law.

Amendment 12

Proposal for a regulation Recital 22 a (new)

Text proposed by the Commission

Amendment

(22a) Persons reporting crimes and infringements related to the EU's financial interests to the Office should be fully protected, in particular through the relevant EU provisions on the protection of whistleblowers.

Amendment 13

Proposal for a regulation Recital 32 a (new)

Text proposed by the Commission

Amendment

(32a) The competent authorities of the Member States shall give the necessary assistance to the Office to fulfil their tasks. When the Office makes judicial recommendations to the national prosecution authorities of a Member State and no follow-up is made, the Member State should justify its decision to the Office. Once a year, the Office should draw up a report in order to give an account of the assistance provided by the Member States and on the follow-up of the judicial recommendations.

Amendment 14

Proposal for a regulation Recital 32 b (new)

Text proposed by the Commission

Amendment

(32b) A fundamental rights officer should be appointed among the members of the Supervisory Committee. The fundamental rights officer should monitor

the compliance of the Office with fundamental rights and procedural guarantees.

Amendment 15

Proposal for a regulation Recital 35 a (new)

Text proposed by the Commission

Amendment

(35a) By 31 December 2022, the Commission should evaluate the application of this Regulation and in particular the efficiency of the cooperation between the Office and the EPPO.

Amendment 16

Proposal for a regulation Article 1 – paragraph 1 – point -1 (new) Regulation (EU, Euratom) No 883/2013 Article 1 – paragraph 3 – point d

Present text

Amendment

(d) Regulation (EC) No 45/2001.

(-1) in Article 1, paragraph 3, point (d) is replaced by the following:

"(d) Regulation (EC) No 45/2001 and Regulation (EU) 2016/679."

(<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32013R0883>)

Amendment 17

Proposal for a regulation Article 1 – paragraph 1 – point 3 Regulation (EU, Euratom) No 883/2013 Article 3 – paragraph 2

Text proposed by the Commission

Amendment

2. On-the-spot checks and inspections shall be conducted in accordance with this Regulation and, to the extent that a matter

2. On-the-spot checks and inspections ***may be conducted without prior notice and*** shall be conducted in accordance with

is not covered by this Regulation, with Regulation (Euratom, EC) No 2185/96.

this Regulation and, to the extent that a matter is not covered by this Regulation, with Regulation (Euratom, EC) No 2185/96.

Amendment 18

Proposal for a regulation

Article 1 – paragraph 1 – point 3

Regulation (EU, Euratom) No 883/2013

Article 3 – paragraph 6 – subparagraph 1

Text proposed by the Commission

At the request of the Office, the competent authority of the Member State concerned shall provide the staff of the Office with the assistance needed in order to carry out their tasks effectively, as specified in the written authorisation referred to in Article 7(2).

Amendment

At the request of the Office, the competent authority of the Member State concerned shall, ***without undue delay***, provide the staff of the Office with the assistance needed in order to carry out their tasks effectively, as specified in the written authorisation referred to in Article 7(2).

Amendment 19

Proposal for a regulation

Article 1 – paragraph 1 – point 3

Regulation (EU, Euratom) No 883/2013

Article 3 – paragraph 6 – subparagraph 2

Text proposed by the Commission

The Member State concerned shall ensure, in accordance with Regulation (Euratom, EC) No 2185/96, that the staff of the Office are allowed access to all information and documents relating to the matter under investigation which prove necessary in order for the on-the-spot checks and inspection to be carried out effectively and efficiently, and that they are able to assume custody of documents or data to ensure that there is no danger of their disappearance.

Amendment

The Member State concerned shall ensure, in accordance with Regulation (Euratom, EC) No 2185/96, that the staff of the Office are allowed access to all information and documents relating to the matter under investigation which prove necessary in order for the on-the-spot checks and inspection to be carried out effectively and efficiently, and that they are able to assume custody of documents or data ***during the time necessary*** to ensure that there is no danger of their disappearance.

Amendment 20

Proposal for a regulation

Article 1 – paragraph 1 – point 3

Regulation (EU, Euratom) No 883/2013

Article 3 – paragraph 9

Text proposed by the Commission

9. During an external investigation, the Office may have access to any relevant information and data, irrespective of the medium on which it is stored, held by the institutions, bodies, offices and agencies, connected with the matter under investigation, where necessary in order to establish whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union. For that purpose Article 4(2) and (4) shall apply.

Amendment

9. During an external investigation, the Office may have access ***without undue delay*** to any relevant information and data, irrespective of the medium on which it is stored, held by the institutions, bodies, offices and agencies, connected with the matter under investigation, where necessary in order to establish whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union. For that purpose Article 4(2) and (4) shall apply.

Amendment 21

Proposal for a regulation

Article 1 – paragraph 1 – point 3

Regulation (EU, Euratom) No 883/2013

Article 3 – paragraph 10 – subparagraph 1

Text proposed by the Commission

Without prejudice to Article 12c(1), where, before a decision has been taken whether or not to open an external investigation, the Office handles information which suggests that there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union, it may inform the competent authorities of the Member States concerned and, where necessary, the institutions, bodies, offices and agencies concerned.

Amendment

Without prejudice to Article 12c(1), where, before a decision has been taken whether or not to open an external investigation, the Office handles information which suggests that there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union, it may inform the competent authorities of the Member States concerned and, where necessary, the institutions, bodies, offices and agencies concerned. ***Upon request, the competent authorities of the Member States concerned and/or the institution, body, office or agency concerned shall inform the Office of any action taken and of its findings on the basis of such information.***

Amendment 22

Proposal for a regulation

Article 1 – paragraph 1 – point 4 – point a

Regulation (EU, Euratom) No 883/2013

Article 4 – paragraph 2 – point a

Text proposed by the Commission

(a) the Office shall have the right of immediate and unannounced access to any relevant information and data, irrespective of the medium on which it is stored, held by the institutions, bodies, offices and agencies, and to their premises. The Office shall be empowered to inspect the accounts of the institutions, bodies, offices and agencies. The Office may take a copy of, and obtain extracts from, any document or the contents of any data medium held by the institutions, bodies, offices and agencies and, if necessary, assume custody of such documents or data to ensure that there is no danger of their disappearance;

Amendment

(a) the Office shall have the right of immediate and unannounced access to any relevant information and data, irrespective of the medium on which it is stored, held by the institutions, bodies, offices and agencies, and to their premises. The Office shall be empowered to inspect the accounts of the institutions, bodies, offices and agencies. The Office may take a copy of, and obtain extracts from, any document or the contents of any data medium held by the institutions, bodies, offices and agencies and, if necessary, assume custody of such documents or data **during the time necessary** to ensure that there is no danger of their disappearance;

Amendment 23

Proposal for a regulation

Article 1 – paragraph 1 – point 4 – point b

Regulation (EU, Euratom) No 883/2013

Article 4 – paragraph 3

Text proposed by the Commission

3. In accordance with Article 3, the Office may carry out on-the-spot checks and inspections at the premises of economic operators in order to obtain access to information relevant to the matter under internal investigation.;

Amendment

3. In accordance with Article 3, the Office may carry out, **without prior notice**, on-the-spot checks and inspections at the premises of economic operators in order to obtain access to information relevant to the matter under internal investigation.;

Amendment 24

Proposal for a regulation

Article 1 – paragraph 1 – point 5 – point a a (new)

Regulation (EU, Euratom) No 883/2013

Article 5 – paragraph 2 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

(aa) in paragraph 2, a new subparagraph is inserted after the first subparagraph:

“An external investigation requested by the EPPO to the Office shall be opened without delay in accordance with Article 12e.”

(<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32013R0883&from=EN>)

Amendment 25

Proposal for a regulation

Article 1 – paragraph 1 – point 5 – point a b (new)

Regulation (EU, Euratom) No 883/2013

Article 5 – paragraph 2 – subparagraph 2

Present text

Amendment

The decision to open an internal investigation shall be taken by the Director-General, acting on his own initiative or following a request from the institution, body, office or agency within which the investigation is to be conducted or from a Member State.

(ab) in paragraph 2, the second subparagraph is replaced by the following:

*"The decision to open an internal investigation shall be taken by the Director-General, acting on his own initiative or following a request from **the EPPO or** the institution, body, office or agency within which the investigation is to be conducted or from a Member State."*

(<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32013R0883>)

Amendment 26

Proposal for a regulation

Article 1 – paragraph 1 – point 6 – point a a (new)

Regulation (EU, Euratom) No 883/2013

Article 7 – paragraph 3 – subparagraph 2

The institutions, bodies, offices and agencies shall ensure that their officials, other servants, members, heads and staff members provide the necessary assistance to enable the staff of the Office to fulfil their tasks effectively.

(aa) in paragraph 3, the second subparagraph is replaced by the following:

"The institutions, bodies, offices and agencies shall ensure that their officials, other servants, members, heads and staff members provide the necessary assistance to enable the staff of the Office to fulfil their tasks ***in accordance with this Regulation effectively and without undue delay.***"

(<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32013R0883>)

Amendment 27

Proposal for a regulation

Article 1 – paragraph 1 – point 6 – point d

Regulation (EU, Euratom) No 883/2013

Article 7 – paragraph 6 – subparagraph 2

Text proposed by the Commission

In addition to the first subparagraph, the institution, body, office or agency concerned may at any time consult the Office with a view to taking, in close cooperation with the Office, any appropriate precautionary measures, including measures for the safeguarding of evidence, and shall inform the Office without delay of such decision.;

Amendment

In addition to the first subparagraph, the institution, body, office or agency concerned may at any time consult the Office with a view to taking, in close cooperation with the Office, any appropriate precautionary measures, including measures for the safeguarding of evidence, and shall inform the Office without delay of such decision. ***The Office shall cooperate constructively and in full synergy with the institution body, office or agency concerned;***

Amendment 28

Proposal for a regulation

Article 1 – paragraph 1 – point 7 – point a

Regulation (EU, Euratom) No 883/2013

Article 8 – paragraph 1 – subparagraph 1a

Text proposed by the Commission

Where the institutions, bodies, offices and agencies report to the EPPO in accordance with Article 24 of Regulation (EU) 2017/1939, they may instead transmit to the Office a copy of the report sent to the EPPO.

Amendment

Where the institutions, bodies, offices and agencies report to the EPPO in accordance with Article 24 of Regulation (EU) 2017/1939, they may instead transmit to the Office a copy of the report sent to the EPPO **and provide notice to the EPPO of such a transmission;**

Amendment 29

Proposal for a regulation

Article 1 – paragraph 1 – point 7 – point b
Regulation (EU, Euratom) No 883/2013
Article 8 – paragraph 2 – subparagraph 1

Text proposed by the Commission

The institutions, bodies, offices and agencies and, unless prevented by national law, the competent authorities of the Member States shall, at the request of the Office or on their own initiative, transmit to the Office any document or information they hold which relates to an ongoing investigation by the Office.

Amendment

The institutions, bodies, offices and agencies and, unless prevented by national law, the competent authorities of the Member States shall, at the request of the Office or on their own initiative, transmit **without delay** to the Office any document or information they hold which relates to an ongoing investigation by the Office.

Amendment 30

Proposal for a regulation

Article 1 – paragraph 1 – point 7 – point b
Regulation (EU, Euratom) No 883/2013
Article 8 – paragraph 2 – subparagraph 2

Text proposed by the Commission

Prior to the opening of an investigation, they shall transmit, at the request of the Office, any document or information they hold which is necessary to assess the allegations or to apply the criteria for opening an investigation as set out in Article 5(1).;

Amendment

Prior to the opening of an investigation, they shall transmit, at the request of the Office **or on their own initiative**, any document or information they hold which is necessary to assess the allegations or to apply the criteria for opening an investigation as set out in Article 5(1).;

Amendment 31

Proposal for a regulation

Article 1 – paragraph 1 – point 7 – point c

Regulation (EU, Euratom) No 883/2013

Article 8 – paragraph 3

Text proposed by the Commission

3. The institutions, bodies, offices and agencies and, unless prevented by national law, the competent authorities of the Member States shall transmit to the Office any other document or information considered pertinent which they hold relating to the fight against fraud, corruption and any other illegal activity affecting the financial interests of the Union.;

Amendment

3. The institutions, bodies, offices and agencies and, unless prevented by national law, the competent authorities of the Member States shall transmit ***without delay*** to the Office, ***at the request of the Office or on their own initiative***, any other document or information considered pertinent which they hold relating to the fight against fraud, corruption and any other illegal activity affecting the financial interests of the Union;

Amendment 32

Proposal for a regulation

Article 1 – paragraph 1 – point 8 – point a a (new)

Regulation (EU, Euratom) No 883/2013

Article 9 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

(aa) the following paragraph is added:
"5a. The investigative acts carried out by OLAF are subject to judicial review by the Court of Justice pursuant to Article 263 TFEU."

Amendment 33

Proposal for a regulation

Article 1 – paragraph 1 – point 9 – point a a (new)

Regulation (EU, Euratom) No 883/2013

Article 10 – paragraph 5 – subparagraph 1

Present text

Amendment

(aa) in paragraph 5, the first subparagraph is replaced by the

The Director-General shall ensure that any information provided to the public is given neutrally and impartially, and that its disclosure respects the confidentiality of investigations and complies with the principles set out in this Article and in Article 9(1).

following:

"The Director-General shall ensure that any information provided to the public is given neutrally and impartially, and that its disclosure respects the ***data protection requirements***, the confidentiality of investigations and complies with the principles set out in this Article and in Article 9(1)."

(<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32013R0883>)

Amendment 34

Proposal for a regulation

Article 1 – paragraph 1 – point 9 – point a b (new)

Regulation (EU, Euratom) No 883/2013

Article 10 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

(ab) the following paragraph is added:

"5a. Persons reporting crimes and infringements related to the EU's financial interests to the Office shall be fully protected, in particular through European legislation regarding the protection of persons reporting on breaches of Union law."

Amendment 35

Proposal for a regulation

Article 1 – paragraph 1 – point 10 – point a

Regulation (EU, Euratom) No 883/2013

Article 11 – paragraph 1 – subparagraph 2

Text proposed by the Commission

Amendment

The report ***may*** be accompanied by recommendations of the Director-General on action ***to*** be taken. Those recommendations shall, where appropriate, indicate any disciplinary, administrative, financial and/or judicial action by the institutions, bodies, offices and agencies

The report ***shall*** be accompanied by ***well documented*** recommendations of the Director-General on ***whether or not*** action ***should*** be taken. Those recommendations shall, where appropriate, indicate any disciplinary, administrative, financial and/or judicial action by the institutions,

and by the competent authorities of the Member States concerned, and shall specify in particular the estimated amounts to be recovered, as well as the preliminary classification in law of the facts established.;

bodies, offices and agencies and by the competent authorities of the Member States concerned, and shall specify in particular the estimated amounts to be recovered, as well as the preliminary classification in law of the facts established;

Amendment 36

Proposal for a regulation

Article 1 – paragraph 1 – point 10 – point b

Regulation (EU, Euratom) No 883/2013

Article 11 – paragraph 2 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

The Office shall take proper internal measures to ensure the consistent quality of final reports and recommendations, and consider whether there is a need to revise the Guidelines on Investigation Procedures, to address any possible inconsistencies.

Amendment 37

Proposal for a regulation

Article 1 – paragraph 1 – point 10 – point b

Regulation (EU, Euratom) No 883/2013

Article 11 – paragraph 2 – subparagraph 3

Text proposed by the Commission

Amendment

Reports drawn up by the Office shall constitute admissible evidence in criminal proceedings of the Member State in which their use proves necessary in the same way and under the same conditions as administrative reports drawn up by national administrative inspectors. They shall be subject to the same evaluation rules as those applicable to administrative reports drawn up by national administrative inspectors and shall have the same evidentiary value as such reports.

Reports drawn up by the Office shall constitute admissible evidence in criminal proceedings of the Member State in which their use proves necessary in the same way and under the same conditions as administrative reports drawn up by national administrative inspectors. They shall be subject to the same evaluation rules as those applicable to administrative reports drawn up by national administrative inspectors and shall have the same evidentiary value as such reports. ***In that regard, such reports constitute acts that might adversely affect the persons***

concerned.

Justification

In line with the recommendations of the European Court of Auditors, it should be stipulated that the reports of the Office can adversely affect individuals, to ensure the right of those individuals to an effective remedy.

Amendment 38

Proposal for a regulation

Article 1 – paragraph 1 – point 10 – point c a (new)

Regulation (EU, Euratom) No 883/2013

Article 11 – paragraph 8 a (new)

Text proposed by the Commission

Amendment

(ca) the following paragraph is added:

“8a. Once a year, a report shall be drawn up, under the authority of the Director-General. That report shall give an account of the follow-up given by the competent authorities of the Member States following requests of assistance made by the Office pursuant to this Regulation. That report shall also give an account of the judicial follow-up made by the competent authorities of the Member States on the basis of the results of the investigations made by the Office. The report shall respect data protection requirements and the confidentiality of investigations and shall be transmitted to the European Parliament, the Council and the Commission.”

Amendment 39

Proposal for a regulation

Article 1 – paragraph 1 – point 12

Regulation (EU, Euratom) No 883/2013

Article 12a – paragraph 1

Text proposed by the Commission

Amendment

1. Member States shall, for the

1. Member States shall, for the

purposes of this Regulation, designate a service ('the anti-fraud coordination service') to facilitate effective cooperation and exchange of information, including information of an operational nature, with the Office. Where appropriate, in accordance with national law, the anti-fraud coordination service may be regarded as a competent authority for the purposes of this Regulation.

purposes of this Regulation, designate a service ('the anti-fraud coordination service') to facilitate **quick and** effective cooperation and exchange of information, including information of an operational nature, with the Office. Where appropriate, in accordance with national law, the anti-fraud coordination service may be regarded as a competent authority for the purposes of this Regulation.

Amendment 40

Proposal for a regulation

Article 1 – paragraph 1 – point 12

Regulation (EU, Euratom) No 883/2013

Article 12a – paragraph 2

Text proposed by the Commission

2. Upon request of the Office, before a decision has been taken as to whether or not to open an investigation, as well as during or after an investigation, the anti-fraud coordination services shall provide, obtain or coordinate the necessary assistance for the Office to carry out its tasks effectively. That assistance shall include in particular the assistance from the national competent authorities provided in accordance with Article 3(6) and (7), Article 7(3) and Article 8(2) and (3).

Amendment

2. Upon request of the Office **or on their own initiative**, before a decision has been taken as to whether or not to open an investigation, as well as during or after an investigation, the anti-fraud coordination services shall provide, obtain or coordinate the necessary assistance for the Office to carry out its tasks effectively. That assistance shall include in particular the assistance from the national competent authorities provided in accordance with Article 3(6) and (7), Article 7(3) and Article 8(2) and (3).

Amendment 41

Proposal for a regulation

Article 1 – paragraph 1 – point 12

Regulation (EU, Euratom) No 883/2013

Article 12c – paragraph 1

Text proposed by the Commission

1. The Office shall **report to** the EPPO **without undue delay any** criminal conduct in respect of which the EPPO **could exercise** its competence in accordance with

Amendment

1. The Office shall **immediately notify** the EPPO **on any indication of a** criminal conduct in respect of which the EPPO **exercises** its competence in accordance

Article 22 and **Article 25(2) and (3)** of Regulation (EU) 2017/1939. The report shall be sent at any stage before or during an investigation of the Office.

with **Articles 22** and **25** of Regulation (EU) 2017/1939. ***This notification shall be followed by a report sent without undue delay. The notification and the report shall be sent at any stage before or during an investigation of the Office. The EPPO may request the Office to send additional information setting a deadline for this transmission.***

Amendment 42

Proposal for a regulation

Article 1 – paragraph 1 – point 12

Regulation (EU, Euratom) No 883/2013

Article 12c – paragraph 2

Text proposed by the Commission

2. The report shall contain, as a minimum, a description of the facts, including an assessment of the damage caused or likely to be caused the possible legal qualification and any available information about potential victims, suspects and any other involved persons.

Amendment

2. The report shall contain, as a minimum, a description of the facts ***and information known by the office,*** including an assessment of the damage caused or likely to be caused, ***where the Office has such information,*** the possible legal qualification and any available information about potential victims, suspects and any other involved persons. ***Together with the report, the Office shall transmit to the EPPO any other relevant information, on the case, in its possession.***

Amendment 43

Proposal for a regulation

Article 1 – paragraph 1 – point 12

Regulation (EU, Euratom) No 883/2013

Article 12c – paragraph 3 – subparagraph 2

Text proposed by the Commission

In cases where the information received by the Office does not include the elements set out in paragraph 2, and there is no investigation of the Office ongoing, the Office may conduct a preliminary evaluation of the allegations. The

Amendment

In cases where the information received by the Office does not include the elements set out in paragraph 2, and there is no investigation of the Office ongoing, the Office may conduct a preliminary evaluation of the allegations. The

evaluation shall be carried out expeditiously, and in any case within two months of receipt of the information. In the course of this evaluation, Article 6 and Article 8(2) shall apply.

evaluation shall be carried out *as* expeditiously *as possible*, and in any case within two months of receipt of the information. In the course of this evaluation, Article 6 and Article 8(2) shall apply. *The Office shall refrain from performing any measures that may jeopardise any possible future investigations of the EPPO.*

Amendment 44

Proposal for a regulation

Article 1 – paragraph 1 – point 12

Regulation (EU, Euratom) No 883/2013

Article 12c – paragraph 3 – subparagraph 3

Text proposed by the Commission

Following this preliminary evaluation, the Office shall report to the EPPO if the conditions set out in paragraph 1 are met.

Amendment

Following this preliminary evaluation, *even if not all elements set out in paragraph 2 have been gathered*, the Office shall *immediately* report to the EPPO if the conditions set out in paragraph 1 are met.

Amendment 45

Proposal for a regulation

Article 1 – paragraph 1 – point 12

Regulation (EU, Euratom) No 883/2013

Article 12c – paragraph 4 – subparagraph 2

Text proposed by the Commission

For the purpose of applying the first subparagraph, the Office shall verify in accordance with Article 12g(2) *via the EPPO's case management system* whether the EPPO is conducting an investigation. The Office may request further information from the EPPO. The EPPO shall reply to such a request *within 10 working days*.

Amendment

For the purpose of applying the first subparagraph, the Office shall verify in accordance with Article 12g(2) whether the EPPO is conducting an investigation. The Office may request further information from the EPPO. The EPPO shall reply to such a request *without undue delay*.

Amendment 46

Proposal for a regulation

Article 1 – paragraph 1 – point 12

Regulation (EU, Euratom) No 883/2013

Article 12c – paragraph 5

Text proposed by the Commission

5. The institutions, bodies, offices and agencies may request the Office to conduct a preliminary evaluation of allegations reported to them. For the purposes of those requests, paragraph 3 shall apply.

Amendment

5. The institutions, bodies, offices and agencies may request the Office to conduct a preliminary evaluation of allegations reported to them. For the purposes of those requests, paragraph 3 shall apply. ***This shall not delay the timely reporting to the EPPO.***

Amendment 47

Proposal for a regulation

Article 1 – paragraph 1 – point 12

Regulation (EU, Euratom) No 883/2013

Article 12d – paragraph 2

Text proposed by the Commission

For the purpose of applying the first subparagraph, the Office shall verify in accordance with Article 12g(2) ***via the EPPO's case management system*** whether the EPPO is conducting an investigation. The Office may request further information from the EPPO. The EPPO shall reply to such a request ***within 10 working days***.

Amendment

For the purpose of applying the first subparagraph, the Office shall verify in accordance with Article 12g(2) whether the EPPO is conducting an investigation. The Office may request further information from the EPPO. The EPPO shall reply to such a request ***without undue delay***.

Amendment 48

Proposal for a regulation

Article 1 – paragraph 1 – point 12

Regulation (EU, Euratom) No 883/2013

Article 12e – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The standards of the procedural guarantees stipulated in Council Regulation (EU) 2017/1939 shall also apply to evidence collected by the Office in these cases. The Court of Justice of the

European Union remains competent to review procedural acts conducted by OLAF on behalf of the EPPO, if those acts are intended to produce legal effects vis-à-vis third parties.

Amendment 49

Proposal for a regulation

Article 1 – paragraph 1 – point 12

Regulation (EU, Euratom) No 883/2013

Article 12f – paragraph 1 – subparagraph 1

Text proposed by the Commission

In duly justified cases where the EPPO is conducting an investigation, *where* the Director-General considers that an investigation should be opened in accordance with the mandate of the Office with a view to facilitating the adoption of precautionary measures or of financial, disciplinary or administrative action, the Office shall inform the EPPO *in writing*, specifying the nature *and purpose* of the *investigation*.

Amendment

Where the EPPO is conducting an investigation, *if* the Director-General, *in duly justified cases*, considers that an investigation *by the Office* should *also* be opened in accordance with the mandate of the Office with a view to facilitating the adoption of precautionary measures or of financial, disciplinary or administrative action, the Office shall inform the EPPO *and request its agreement. For that purpose, the Office shall transmit a written request*, specifying the nature of the *measure(s) and the person(s) concerned*.

Amendment 50

Proposal for a regulation

Article 1 – paragraph 1 – point 12

Regulation (EU, Euratom) No 883/2013

Article 12f – paragraph 1 – subparagraph 2

Text proposed by the Commission

Within **30** days after receipt of this information the EPPO *may* object to the opening of an investigation or to the performance of certain acts pertaining to the investigation, where necessary to avoid jeopardising its own investigation or prosecution, and for as long as these grounds persist. The EPPO shall notify to

Amendment

Within **10 working** days after receipt of this information the EPPO *shall either agree or* object to the opening of an investigation or to the performance of certain *any* acts pertaining to the investigation, where necessary to avoid jeopardising its own investigation or prosecution, and for as long as these

the Office without undue delay when the grounds for the objection cease to apply.

grounds persist. ***If the EPPO objects to the request, the Office shall not take such action. In exceptional cases, due to the complexity of investigations, the EPPO may inform the Office of the need to extend this deadline by 20 working days.*** The EPPO shall notify to the Office without undue delay when the grounds for the objection cease to apply.

Amendment 51

Proposal for a regulation

Article 1 – paragraph 1 – point 12

Regulation (EU, Euratom) No 883/2013

Article 12f – paragraph 1 – subparagraph 3

Text proposed by the Commission

In the event that the EPPO does not object within the time period of the previous subparagraph, the Office may open an investigation, and it shall conduct it in close consultation with the EPPO.

Amendment

If the EPPO agrees with the request, the Office shall take such action in close consultation with the EPPO.

Amendment 52

Proposal for a regulation

Article 1 – paragraph 1 – point 12

Regulation (EU, Euratom) No 883/2013

Article 12f – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Where the EPPO becomes aware, through the case management system checking mechanism, referred to in Article 12g that the Office is conducting an investigation into the same facts, which the EPPO also wishes to investigate, it shall inform the Office within 24 hours. In such a case, the Office shall close its investigation, unless the EPPO requests the Office to support or complement its activities in accordance to Article 12e.

Amendment 53

Proposal for a regulation

Article 1 – paragraph 1 – point 12

Regulation (EU, Euratom) No 883/2013

Article 12g – paragraph 1

Text proposed by the Commission

1. Where necessary to facilitate the cooperation with the EPPO as set out in Article 1(4a), the Office shall agree with the EPPO on administrative arrangements. Such working arrangements may establish practical details for the exchange of information, including personal data, operational, strategic or technical information and classified information. They shall include detailed arrangements on the continuous exchange of information during the receipt and verification of allegations by both offices.

Amendment

1. Where necessary to facilitate the cooperation with the EPPO as set out in Article 1(4a), the Office shall agree with the EPPO on administrative arrangements. Such working arrangements may establish practical details for the exchange of information, including personal data, operational, strategic or technical information and classified information. They shall include detailed arrangements on the continuous exchange of information during the receipt and verification of allegations by both offices. ***The Director-General of the Office and the European Chief Public Prosecutor shall meet at least once year to discuss matters of common interest.***

Amendment 54

Proposal for a regulation

Article 1 – paragraph 1 – point 12

Regulation (EU, Euratom) No 883/2013

Article 12g – paragraph 2

Text proposed by the Commission

2. The Office shall have indirect access to information in the EPPO's case management system on the basis of a hit/no hit system. Whenever a match is found between data entered into the case management system by the Office and data held by the EPPO, the fact that there is a match shall be communicated to both the EPPO and the Office. The Office shall take appropriate measures to enable the EPPO

Amendment

2. The Office shall have indirect access to information in the EPPO's case management system on the basis of a hit/no hit system. Whenever a match is found between data entered into the case management system by the Office and data held by the EPPO, the fact that there is a match shall be ***automatically*** communicated to both the EPPO and the Office. The Office shall take appropriate

to have access to information in its case management system on the basis of a hit/no-hit system.;

measures to enable the EPPO to have *a quick* access to information in its case management system on the basis of a hit/no-hit system. *Each indirect access to information in EPPO's case management system by OLAF shall be carried out only for and in so far as necessary for the performance of OLAF's functions as defined under this Regulation and shall be duly motivated and validated via an internal procedure set up by OLAF. The Office shall keep a log of all instances of access to the EPPO's case management system. The results obtained from such access shall be subject to the rules on confidentiality and data protection referred to in Article 10.*

Amendment 55

Proposal for a regulation

Article 1 – paragraph 1 – point 12 a (new)

Regulation (EU, Euratom) No 883/2013

Article 15 – paragraph 9 a (new)

Text proposed by the Commission

Amendment

(12a) in Article 15 the following paragraph is added:

"9a. The Supervisory Committee shall appoint a fundamental rights officer among its members. The fundamental rights officer shall monitor the compliance of the Office with fundamental rights and procedural guarantees. The fundamental rights officer shall address opinions and, where appropriate, recommendations to the Supervisory Committee on the activities and investigations conducted by the Office. The opinions and the recommendations of the fundamental rights officer shall be included in the reports of the Supervisory Committees pursuant to paragraph 9."

Amendment 56

Proposal for a regulation

Article 1 – paragraph 1 – point 13 – point a

Regulation (EU, Euratom) No 883/2013

Article 16 – paragraph 1 – third sentence

Text proposed by the Commission

Representatives of the Court of Auditors, **the EPPO**, Eurojust and/or Europol may be invited to attend on an ad hoc basis upon request of the European Parliament, the Council, the Commission, the Director-General or the Supervisory Committee.;

Amendment

The Chief European Public Prosecutor is invited to participate in the exchange of views. Representatives of the Court of Auditors, Eurojust and/or Europol may be invited to attend on an ad hoc basis upon request of the European Parliament, the Council, the Commission, the Director-General or the Supervisory Committee.;

Amendment 57

Proposal for a regulation

Article 1 – paragraph 1 – point 14 – point a a (new)

Regulation (EU, Euratom) No 883/2013

Article 17 – paragraph 4

Present text

4. The Director-General shall report regularly to the European Parliament, the Council, the Commission and the Court of Auditors on the findings of investigations carried out by the Office, the action taken and the problems encountered, whilst respecting the confidentiality of the investigations, the legitimate rights of the persons concerned and of informants, and, where appropriate, national law applicable to judicial proceedings.

Amendment

(aa) paragraph 4 is replaced by the following:

"4. The Director-General shall report regularly to the European Parliament, the Council, the Commission, **the EPPO** and the Court of Auditors on the findings of investigations carried out by the Office, the action taken and the problems encountered, whilst respecting the confidentiality of the investigations **and data protection principles**, the legitimate rights of the persons concerned and of informants, and, where appropriate, national law applicable to judicial proceedings."

(<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32013R0883>)

Amendment 58

Proposal for a regulation

PE629.629v02-00

30/33

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Article 1 – paragraph 1 – point 14 a (new)
Regulation (EU, Euratom) No 883/2013
Article 19

Present text

Article 19

Evaluation report

By 2 October 2017, the Commission shall submit to the European Parliament and the Council an evaluation report on the application of this Regulation. That report shall be accompanied by an opinion of the Supervisory Committee and shall state whether there is a need to amend this Regulation.

Amendment

(14a) Article 19 is replaced by the following:

"Article 19

Evaluation report

By 31 December 2022, the Commission shall submit to the European Parliament and the Council an evaluation report on the application of this Regulation. ***The report shall evaluate in particular the efficiency of the cooperation between the Office and the EPPO.*** That report shall be accompanied by an opinion of the Supervisory Committee and shall state whether there is a need to amend this Regulation."

(<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32013R0883>)

PROCEDURE – COMMITTEE ASKED FOR OPINION

Title	Investigations conducted by the European Anti-Fraud Office (OLAF) as regards cooperation with the European Public Prosecutor's Office and the effectiveness of OLAF investigations
References	COM(2018)0338 – C8-0214/2018 – 2018/0170(COD)
Committee responsible Date announced in plenary	CONT 5.7.2018
Opinion by Date announced in plenary	LIBE 5.7.2018
Rapporteur Date appointed	Monica Macovei 3.9.2018
Discussed in committee	19.11.2018 10.1.2019
Date adopted	10.1.2019
Result of final vote	+: 40 -: 4 0: 1
Members present for the final vote	Asim Ademov, Martina Anderson, Heinz K. Becker, Monika Beňová, Michal Boni, Caterina Chinnici, Rachida Dati, Frank Engel, Laura Ferrara, Romeo Franz, Ana Gomes, Nathalie Griesbeck, Sylvie Guillaume, Monika Hohlmeier, Sophia in 't Veld, Cécile Kashetu Kyenge, Monica Macovei, Roberta Metsola, Claude Moraes, Ivari Padar, Judith Sargentini, Birgit Sippel, Csaba Sógor, Helga Stevens, Traian Ungureanu, Bodil Valero, Marie-Christine Vergiat, Udo Voigt, Josef Weidenholzer, Cecilia Wikström, Kristina Winberg, Tomáš Zdechovský, Auke Zijlstra
Substitutes present for the final vote	Dennis de Jong, Anna Hedh, Lívía Járóka, Marek Jurek, Jean Lambert, Jeroen Lenaers, Andrejs Mamikins, Angelika Mlinar, Maite Pagazaurtundúa Ruiz, Christine Revault d'Allonnes Bonnefoy
Substitutes under Rule 200(2) present for the final vote	Fernando Ruas, Adam Szejnfeld

FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

40	+
ALDE	Nathalie Griesbeck, Sophia in 't Veld, Angelika Mlinar, Maite Pagazaurtundúa Ruiz, Cecilia Wikström
ECR	Monica Macovei, Helga Stevens
EFDD	Laura Ferrara
GUE/NGL	Martina Anderson, Marie-Christine Vergiat
PPE	Asim Ademov, Heinz K. Becker, Michał Boni, Rachida Dati, Frank Engel, Monika Hohlmeier, Lívia Járóka, Jeroen Lenaers, Roberta Metsola, Fernando Ruas, Csaba Sógor, Adam Szejnfeld, Traian Ungureanu, Tomáš Zdechovský
S&D	Monika Beňová, Caterina Chinnici, Ana Gomes, Sylvie Guillaume, Anna Hedh, Cécile Kshetu Kyenge, Andrejs Mamikins, Claude Moraes, Ivari Padar, Christine Revault d'Allonnes Bonnefoy, Birgit Sippel, Josef Weidenholzer
VERTS/ALE	Romeo Franz, Jean Lambert, Judith Sargentini, Bodil Valero

4	-
ECR	Marek Jurek, Kristina Winberg
ENF	Auke Zijlstra
NI	Udo Voigt

1	0
GUE/NGL	Dennis de Jong

Key to symbols:

+ : in favour

- : against

0 : abstention