



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 26 September 2012

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NOTE

from:	General Secretariat of the Council
to:	Delegations
Subject:	Summary record of the meeting of the European Parliament Special committee on organised crime, corruption and money laundering (CRIM) , held in Brussels on 24 September 2012

The meeting was chaired by Ms ALFANO (ALDE, IT). The agenda was adopted.

Item 3 on the agenda

Cluster 1: Fraud and corruption to the detriment of the financial interests of the EU

The first invited speaker, Mr Wensink, Price Waterhouse Coopers, Den Haag, outlined the main elements of the EP study : *How does organised crime misuse EU funds?*. He stressed in particular that there were no standard definitions to be able to distinguish between fraud and organized crime, or reliable statistics. He concluded that he was not in a position to give any figures on the extent of misuse of funds based on the information available. He recommended that the EU should put in place standard definitions on organized crime, serious crime, misuse and fraud of EU funds; produce reliable statistics of the phenomena, start permanent preventive programmes, develop tools and databases and increase transparency and accountability.

The second invited speaker, Mr Thoreau, Magistrat fédéral, Parquet fédéral, Brussels, presented in detail the case of an EU official involved in a corruption case regarding a tendering procedure in an EU delegation, up to the point of criminal conviction.

The third invited speaker, Mr Keller, Gruppenleiter, Zollkriminalamt, Köln, Germany; spoke about German experience in the fight against fraud to the detriment of EU financial interests and outlined various types of fraud in relation to SAPARD programme that had been discovered and which had led to prosecutions in Germany and Bulgaria.

The fourth invited speaker, Ms Jegouzo, Head of Unit, Fraud Prevention European Commission, presented some figures of estimated fraud to the EU budget and funds recovered. She stressed that this fraud had consequences for the efficiency of EU policies as well as the reputation of EU projects. She briefly presented various new initiatives for fraud prevention at the Commission level and explained that Commission was preparing two legislative proposals, covering the protection of financial interests by criminal law as well as the EU Public Prosecutor Office.

During the discussion the following issues were raised: the lack of political will to create common definitions and preventive programmes (Ms BORSELLINO, S&D, IT); criticism of the absence of statistics (Mr NEWTON DUNN, ALDE, UK, Mr SØNDERGAARD, GUE/NGL, DK); the role of politicians in this phenomena (Ms ALFANO, ALDE, IT, Ms GABRIEL, EPP, BG).

Cluster 2 : Preventing fraud and corruption in public procurement

Prevention of bribery and toolkit for public procurement procedures

The first invited speaker, Mr Bertok, Head of Division, Public Governance and territorial Development Directorate, Public Sector Integrity, OECD, stressed that public procurement was indeed the most vulnerable government activity with considerable potential for misuse of discretionary powers, notably in the phase of the definition of actual needs as well as throughout the contract management phase. He recommended that public procurement should be further professionalized in order to enable better outcomes of stated policy objectives.

The second invited speaker, Mr Frattasi, Project coordinator, Ministry of Interior, Italy, presented the CAPACI project on the creation of automated procedures against criminal infiltration in public contracts. He explained the functioning of the pilot programme that systematically monitors all actors involved in major public works.

During the discussion the following issues were raised: monitoring of Aquila earthquake projects (Mr SØNDERGAARD, GUE/NGL, DK); criticism of 'everybody is a suspect' approach in the CAPACI project (Mr SCHMIDT, ALDE, SW).

Item 5 on the agenda

Next meeting(s)

15 October 2012, 15.00-18.30
