

# Procedure file

Basic information		
INI - Own-initiative procedure	<a href="#">1996/2146(INI)</a>	Procedure completed
Interparliamentary conference on combating fraud against the Community budget		
Subject 8.70.04 Protecting financial interests of the EU against fraud		

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>CONT</b> Budgetary Control		28/05/1996
		PPE <a href="#">THEATO Diemut R.</a>	
	Committee for opinion	Rapporteur for opinion	Appointed
	<b>JURI</b> Legal Affairs, Citizens' Rights		
	<b>LIBE</b> Civil Liberties and Internal Affairs		09/07/1996
		PSE <a href="#">BONTEMPI Rinaldo</a>	

Key events			
02/09/1996	Vote in committee		Summary
02/09/1996	Committee report tabled for plenary	<a href="#">A4-0263/1996</a>	
05/09/1996	Committee referral announced in Parliament		
19/09/1996	Debate in Parliament		
19/09/1996	Decision by Parliament	T4-0488/1996	Summary
19/09/1996	End of procedure in Parliament		
28/10/1996	Final act published in Official Journal		

Technical information	
Procedure reference	1996/2146(INI)
Procedure type	INI - Own-initiative procedure
Procedure subtype	Initiative
Legal basis	Rules of Procedure EP 54
Stage reached in procedure	Procedure completed

## Documentation gateway

Committee report tabled for plenary, single reading	<a href="#">A4-0263/1996</a> <a href="#">OJ C 320 28.10.1996, p. 0003</a>	02/09/1996	EP	
Text adopted by Parliament, single reading	T4-0488/1996 <a href="#">OJ C 320 28.10.1996, p. 0136-0212</a>	19/09/1996	EP	Summary

## Interparliamentary conference on combating fraud against the Community budget

The Committee on Budgetary Control adopted unanimously a draft own-initiative report by its chairman aimed at implementing President Klaus HÄNSCH's 'ten commandments', the ten measures he called for at the closing session of the Interparliamentary Conference on combating fraud on the EU Budget. These measures are intended to flesh out the political will - which the European Parliament shares with the Member States' parliaments - to win the battle against transnational fraud, by allocating responsibilities and powers, adding to the body of available legislation, simplifying and consolidating the anti-fraud organization and laying the foundations for cooperation. The measures, drawn up in a spirit of compromise, give a timely impetus - particularly in the light of the work currently under way in the IGC - to the debate aimed at stepping up cooperation, with due respect for subsidiarity, between the EU institutions and the Member States. The head of the Commission's anti-fraud unit UCLAF, Mr Per Brix KNUDSEN, described the report as 'perfectly realistic'. The main measures it advocates include: 1. Inserting in the Treaty a legal basis permitting the adoption of anti-fraud regulations under a co-decision procedure, together with machinery requiring the Member States to safeguard Community finances in an equivalent manner. 2. The harmonization of measures in the administrative, legislative and procedural fields: a. administrative: in particular administrative sanctions and controls, especially as regards exclusion from or withdrawal of the benefit in case of irregularity; b. legislative: -by the early ratification by the Member States of the Convention on protecting the financial interests of the Community, adopted in 1995; -by the conclusion and signature of two protocols, one on the prosecution of officials for corruption, the other on the liability of legal persons and judicial cooperation; c. procedural: by making more homogeneous the legal and judicial instruments employed at the stages of judicial proceedings and of the recovery of sums fraudulently obtained or overpaid. 3. The establishment by the Member States of multi-disciplinary bodies to combat fraud. 4. Defining more closely the role of UCLAF and providing it with a statute which permits it to take concrete action at each stage of the fight against fraud. 5. Stepping up existing administrative cooperation. 6. Establishing genuine judicial cooperation by eliminating existing legal barriers, e.g. by determining which Member State is to handle the prosecution where a fraud has been committed in several Member States?

## Interparliamentary conference on combating fraud against the Community budget

The European Parliament adopted the own-initiative report by Mrs Diemut THEATO (PPE, D) on the results of the Interparliamentary Conference on combating fraud against the Community budget. The principal measures called for were as follows: 1. Inserting in the Treaty a legal basis permitting the adoption of anti-fraud regulations under a co-decision procedure together with machinery requiring the Member States to safeguard Community finances in an equivalent manner. The report also considered that 'combating corruption' should be expressly enshrined in the Treaty as an issue of common interest. 2. The harmonisation of measures in the following fields: a) administrative: particularly administrative sanctions and controls, especially regarding exclusion from or withdrawal of the benefit in case of irregularity; b) legislative: - by the early ratification by the Member States of the Convention on protecting the financial interests of the Community, adopted in 1995; - by the conclusion and signing of two protocols: one on the prosecution of officials for corruption, the other on the liability of legal persons and judicial cooperation (whose decisions should be given greater impetus); c) procedural: by making more homogeneous the legal and judicial instruments employed in the course of the judicial proceedings and during the recovery of sums fraudulently obtained or overpaid; 3. The establishment by the Member States of multi-disciplinary bodies to combat fraud. 4. Defining more closely the role of UCLAF and providing it with a statute which enables it to take concrete action at each stage of the fight against fraud. 5. Stepping up existing administrative cooperation. 6. Establishing genuine judicial cooperation through the elimination of existing legal barriers by determining, for example, which Member State is to handle the prosecution in cases where a fraud has been committed in several Member States and by establishing regulations for rogatory acts and for their probatory value. The report also called for the removal of physical and legal impediments to extradition and to legal aid in criminal matters. ?