



OLAF Supervisory Committee

Opinion No 2/2010

for the attention
of the European Commission

(delivered in accordance with Article 12.2 of Regulation No 1073/99
of the European Parliament and of the Council concerning
investigations conducted by the European Anti-Fraud Office)

Brussels, 23 September 2010

Legal framework:

Article 12.2 of Regulation (CE) No 1073/99 of the European Parliament and of the Council (referred infra as regulation 1073/99) concerning investigations conducted by the European Anti-Fraud Office (OLAF), provides that the Supervisory Committee shall deliver a favourable opinion on the list of candidates for the position of Director of OLAF transmitted by the Commission for consultation with the Council and the European Parliament.

Article 15 of the Rules of Procedure of the OLAF Supervisory Committee provides that “after examining the applications for the post of Director-General of OLAF, the Supervisory Committee shall issue an opinion containing an explanatory statement setting out the criteria used to assess the candidates’ merits” and that “it shall also contain the opinion of the Committee on the candidates [...]”.

Procedure:

By decision of 17th March 2010, the Commission decided to advertise the post of OLAF General Director internally (pursuant to Article 29(1) (a) (i) and (iii) of the Staff Regulations) as well as externally (pursuant to Article 29.2 of the Staff Regulations). The post was accordingly advertised internally (under vacancy notice COM/2010/842 published on 9 April 2010) and externally (under vacancy notice COM/2010/10255, published inter alia in OJ C 91A of 9 April 2010). In both cases, the deadline for submitting the application was set as 7 May 2010. The post was advertised as a position of "Director General" since the grade of publication corresponds to that grade.

On 12 May 2010, the Commission decided to adopt the procedure to be followed for the selection of the post of OLAF’s Director General. A member of the Supervisory Committee attended the pre-selection panel and the CCA as an observer.

On 21 September, the Commission transmitted a list of 6 names to the Supervisory Committee.

According to Article 12 paragraph 2 of Regulation 1073/99 and 1074/99, “the Commission shall [...] after a favourable opinion has been given by the Supervisory Committee, draw up a list of suitable qualified candidates”. Therefore, the Supervisory Committee considers that its main role in the procedure is to ensure that the selected candidates have the necessary qualifications to fulfil the position of Director General.

Opinion of the Supervisory Committee

The Supervisory Committee considers that the Director General of OLAF should have the ability and determination to lead a complex, multi-task organisation in a

multinational context in order to deliver concrete results in the fight against fraud and corruption in Europe. He or she should have sufficient background in this field in order to command the loyalty and the respect of a highly specialised team, and in order to ensure credibility both within and outside OLAF. He or she should show proof of outstanding management capacities in order to confront the current challenges of OLAF which have often been described by the Supervisory Committee in its various opinions. He or she should have sufficient experience of the work in an international and multicultural context in order to quickly address the specific challenges of such a complex institutional environment. Moreover, as guardian of the independence of OLAF, the Supervisory Committee attaches a particular importance to the commitments of the candidates to the independence of the organisation as well as to their vision as regards the specific role of OLAF within the European institutions.

All these requirements are appropriately listed in the vacancy notice.

Following examination of the applications submitted by the persons concerned, and the reports of the pre-selection panel and of the CCA, the OLAF Supervisory Committee:

unanimously adopts a favourable opinion on the candidature of (in alphabetical order)

- Mr. Thierry CRETIN
- Ms. Christina GELLERBRANT
- Mr. Giovanni KESSLER

and adopts on a majority basis a favourable opinion on (in alphabetical order)

- Mr. Herbert BÖSCH
- Mr. Johan DENOLF
- Mr. Nicholas ILETT

Brussels, 23 September 2010

For the OLAF Supervisory Committee

The President

