

## Guest editorial eucrim 3-2021



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### EDITORIAL

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Dear Readers,

This eucrim issue comes at a critical juncture in the protection of the EU taxpayers' money and the work of the European Anti-Fraud Office (OLAF). Like everyone, we at OLAF soon hope to see the light at the end of the pandemic tunnel and gradually return to a "new normal" lifestyle. For OLAF, these times mark an important turning point, namely confirmation that the EU has made substantial progress in modernising the EU framework to fight fraud against its financial interests. I especially welcome the start of operations of the European Public Prosecutor's Office (EPPO), which brings Regulation No. 2017/1939 into action. I also welcome the fact that we can work on the basis of Regulation No. 2020/2223, which reforms the previous "OLAF Regulation" No. 883/2013, and particularly aims to enhance the effectiveness of the administrative investigations carried out by OLAF.

After 20 years of reflection, followed by negotiations and subsequently intense preparations, the EPPO finally started its operations in June 2021. This is a major step towards creating a common criminal justice area in the European Union and definitely a step towards enhancing higher levels of prosecution and better protection of the EU's financial interests on the whole. One article in this eucrim issue examines the new framework and how OLAF is now equipped to work alongside – and in close cooperation with – the EPPO. It also assesses how the operational relationship of the two EU offices will ensure a coordinated approach towards expediting a reinforced and well-coordinated protection of the EU's financial interests. In order to facilitate this cooperation and coordination, OLAF and the EPPO signed a working arrangement in July of this year.

The EPPO started its operations at a particularly important time: the implementation of the Recovery and Resilience Facility (RRF), which is a key initiative of the European Union to mitigate the economic and social impact of the COVID-19 crisis and support EU citizens and businesses. The RRF will contribute to making European economies and societies more sustainable, resilient, and better prepared for the challenges and opportunities of the green and digital transitions.

In light of the unprecedented scale and delivery mechanism of the RRF, how are the EU's financial interests in the RRF protected against fraud and corruption? Another article provides an answer by analysing the legal safeguards in the RRF Regulation to protect the EU's financial interests. It also describes OLAF's role in the European Commission's assessment of the national Recovery and Resilience Plans and in the upcoming implementation phase of the Facility. I believe that our readers will reach the same conclusion as the authors: the combined efforts of all actors will be needed to ensure that the funds achieve their expected objectives and reach the intended recipients.

The Union's new Anti-Fraud Programme can also greatly contribute to these efforts. As part of the EU's new Multi-Annual Financial Framework for 2021-2027, the Programme merges the support previously offered under the Hercule III Programme and the support provided to Member States for the Anti-Fraud Information System and the Irregularity Management System (IMS). As outlined in a dedicated article on the Union Anti-Fraud Programme, both the increase in the new programme's budget and the launch of a dedicated Customs Control Equipment Programme shift the focus of support under the Anti-Fraud Programme towards fighting expenditure fraud.

Armed with these new instruments and especially with the strengthened cooperation between the different players in Europe's anti-fraud architecture, OLAF will be able to exercise its core tasks even more effectively in the future: to prevent, investigate, and protect the EU budget against fraud, corruption, and any other illegal activities affecting the Union's financial interests. In other words, to protect the EU taxpayers' money to the maximum.

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