

**RESOLUTION (EU) 2019/1492 OF THE EUROPEAN PARLIAMENT
of 26 March 2019**

**with observations forming an integral part of the decision on discharge in respect of the
implementation of the budget of the European Maritime Safety Agency for the financial year 2017**

THE EUROPEAN PARLIAMENT,

- having regard to its decision on discharge in respect of the implementation of the budget of the European Maritime Safety Agency for the financial year 2017,
 - having regard to Rule 94 of and Annex IV to its Rules of Procedure,
 - having regard to the report of the Committee on Budgetary Control and the opinion of the Committee on Transport and Tourism (A8-0130/2019),
- A. whereas, according to its statement of revenue and expenditure ⁽¹⁾, the final budget of the European Maritime Safety Agency ('the Agency') for the financial year 2017 was EUR 86 276 654,33 representing an increase of 22,87 % compared to 2016; whereas the increase was mainly related to the enhanced mandate of the Agency; whereas the Agency's budget derives entirely from the Union budget;
- B. whereas the Court of Auditors ('the Court'), in its report on the annual accounts of the European Maritime Safety Agency for the financial year 2017 ('the Court's report'), has stated that it has obtained reasonable assurances that the Agency's annual accounts are reliable and that the underlying transactions are legal and regular;

Budget and financial management

1. Notes with satisfaction that the budget monitoring efforts during the financial year 2017 resulted in a budget implementation rate of 98,04 %, representing a slight decrease of 0,03 % compared to 2016 and a payment appropriations execution rate of 96,25 %, representing a decrease of 1,55 %;

Cancellation of carryovers

2. Deeply regrets the high level of cancellations of carryovers from 2016 to 2017 amounting to EUR 792 182 and representing 23,30 % of the total amount carried over, showing a considerable increase of 12,12 % in comparison to 2016;

Performance

3. Notes with satisfaction that the Agency uses a number of specific Key Performance Indicators (KPIs) to measure the implementation of its annual work programme and that the evaluation of the Agency represents the main instrument to assess the added value provided by its activities; acknowledges the Agency's constructive approach, giving emphasis to both multi-annual and annual strategic objectives and to the proper evaluation of the achievement of these objectives; notes that the Agency uses only the budgetary execution rate as the main KPI to improve its budget management;
4. Notes with satisfaction that the Agency succeeded in the operations related to the extension of its mandate and that its quality system for visits and inspections were consolidated;
5. Notes that the high quality of information systems and databases developed by the Agency have resulted in an increasing interest expressed by third countries in exploring the potential for exporting the Agency's knowledge and, by extension, Union standards and solutions beyond the geographical dimension while safeguarding Agency resources and Union interests;
6. Notes with satisfaction that the Agency shares synergies with the European Monitoring Centre for Drugs and Drug Addiction in corporate and support services and the management of common premises in Lisbon; notes with satisfaction that the Agency cooperates with the European Fisheries Control Agency and the European Border and Coast Guard Agency for what concerns the European coastguard function;

⁽¹⁾ OJ C 108, 22.3.2018, p. 225.

7. Welcomes the fact that the Agency is looking for synergies of actions with other Union agencies in order to gain in effectiveness and efficiency and to reduce costs; welcomes and encourages in this framework the Agency's collaboration with other Union Agencies in support of the EU Migration Agenda, such as the provision, by the Agency, of an increasing number of services to Frontex; encourages the Agency to cooperate with other Union Agencies in addressing the refugee crisis, including in the performance of critically important activities outside its original mandate, such as by contributing know-how, operational support and staff to help to tackle the refugee crisis;
8. Regrets that delays in the Remote Piloted Aircraft Services (RPAS) operations resulted in a budget amendment which included a reduction of Union subsidy corresponding to the amount not used in 2017 and that related to the European cooperation on coast guard functions; welcomes however the Agency's efforts, through these projects, to deliver operational services, analysis, expertise, and technical support to the Commission, the Member States and users in the maritime sector; encourages therefore the Agency to intensify its efforts to overcome organisational, technical, legal and contractual problems linked to the deployment RPAS operations;
9. Calls on the Agency to take maximum advantage of the potential uses of the RPAS; highlights that the RPAS is multi-purpose in nature and can be used for a range of activities which include vessels and people in distress, the monitoring and detection of marine pollution including oil spills and litter, as well as the general identification and tracking of vessels of all sizes and their activities including identifying potentially illegal activities (e.g. illegal fishing, drug trafficking, illegal migration, etc.);
10. Highlights that the Agency's know-how and in-house capabilities provide the opportunity to expand its action and service provision to a more global scale, thereby contributing to increasing the reach of Union regulatory frameworks and safety and environmental standards;
11. Notes that the independent external evaluation on the implementation of the Agency's Founding Regulation took place in 2017; notes with satisfaction that the outcome was positive, concluding that 'overall EMSA is providing added value in all its areas and for all its stakeholders';

Staff policy

12. Notes that, on 31 December 2017, the establishment plan was 98,58 % executed, with 205 temporary agents appointed out of 212 temporary agents authorised under the Union budget (compared with 202 authorised posts in 2016); notes that in addition, 44 contract agents and 19 seconded national experts have been working for the Office in 2017;
13. Regrets the gender imbalance within the Agency's Administrative board members, with 46 out of 56 being male, 10 being female; takes note from the Agency that the nomination of the Agency's Administrative Board falls under the remit of the Commission and the Member States; asks in this regard the Commission and the Member States to take into account the importance of ensuring gender balance when presenting their nominations for members of the Board;
14. Notes that the Agency has adopted the Commission's model decision on the policy on protecting the dignity of the person and preventing harassment, and that confidential counsellors are appointed and trained;
15. Welcomes the suggestion of the Court to publish vacancy notices also on the website of the European Personnel Selection Office in order to increase publicity; understands the Agency's reply concerning the high translation costs triggered by such publication;

Procurement

16. Notes from the Court's report that by the end of 2017 the Agency was not yet using all of the tools launched by the Commission aimed to introduce a single solution for the electronic exchange of information with third parties participating in public procurement procedures (e-procurement); notes from the Agency's reply that the Agency introduced the e-procurement modules from the beginning of 2018;

17. Notes with concern from the Court's report that the Agency did not systematically check prices and uplifts charged with the suppliers' quotes and invoices issued to the framework contractor for the acquisition of software licences; notes from the Agency's reply that it will remind the Project Officers to consistently check these prices and will request the Contracting Authority to ask the contractor to provide information about the prices; calls on the Agency to report to the discharge authority on any development on this issue;

Prevention and management of conflicts of interests and transparency

18. Acknowledges the Agency's existing measures and ongoing efforts to secure transparency, prevention and management of conflicts of interests and whistleblower protection; notes with satisfaction that the Agency implements its fraud prevention and detection strategy and that a number of specific actions continue to be implemented, including training courses on Ethics and Integrity;
19. Notes that no cases of conflict of interest were reported in 2017; welcomes the strong internal controls aiming to make all staff aware of the obligations related to the declarations of absence of conflict of interest;

Internal controls

20. Takes note that the Commission's Internal Audit Service (IAS) audited the Project-Financed Actions (PFAs) of the Agency, concluding that the management and control systems designed for this subject are adequately designed and effectively and efficiently implemented; points out with some concern that the IAS issued three recommendations, from which the Agency only accepted one, despite of the fact that the two rejected recommendations were categorised as 'Very Important'; takes note of the Agency's justification for the rejection, requesting the Commission to develop horizontal guidance on PFAs and the calculation of agencies' costs relating to PFAs;
21. Notes that the IAS audited the Agency's Human Resources management and control systems, concluding that they are adequate and able to support the Agency in achieving its strategic objectives; notes that the IAS issued three recommendations categorised as 'Important' and two as 'Desirable', that the Agency accepted and for which it has developed an action plan to address the needs for improvement; calls on the Agency to report to the discharge authority on the evolution of the measures taken;
22. Notes that, in accordance with the Risk management Policy, the risk register was updated in 2017, and that this update did not result in any critical risks that could lead to a formal reservation to the Authorising Officer's annual declaration of assurance; notes further that none of the risks previously identified materialised in 2017;

Other comments

23. Notes the Agency's preliminary efforts to ensure a cost-effective and environment-friendly working place; points out, however, that the Agency does not have any additional measures in place to reduce or offset CO₂ emissions;
24. Refers, for other observations of a cross-cutting nature accompanying its decision on discharge, to its resolution of 26 March 2019 ⁽²⁾ on the performance, financial management and control of the agencies.

⁽²⁾ Texts adopted, P8_TA(2019)0254. See page 361 of this Official Journal.