



TEXTS ADOPTED

P9_TA(2024)0248

Discharge 2022: European Maritime Safety Agency

1. European Parliament decision of 11 April 2024 on discharge in respect of the implementation of the budget of the European Maritime Safety Agency for the financial year 2022 (2023/2158(DEC))

The European Parliament,

- having regard to the final annual accounts of the European Maritime Safety Agency for the financial year 2022,
- having regard to the Court of Auditors' annual report on EU agencies for the financial year 2022, together with the agencies' replies¹,
- having regard to the statement of assurance² as to the reliability of the accounts and the legality and regularity of the underlying transactions provided by the Court of Auditors for the financial year 2022, pursuant to Article 287 of the Treaty on the Functioning of the European Union,
- having regard to the Council's recommendation of 22 February 2024 on discharge to be given to the Agency in respect of the implementation of the budget for the financial year 2022 (06180/2024 - C9-0096/2024),
- having regard to Article 319 of the Treaty on the Functioning of the European Union,
- having regard to Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012³,

¹ OJ C, C/2023/594, 27.10.2023.

² OJ C, C/2023/112, 12.10.2023.

³ OJ L 193, 30.7.2018, p. 1.

and in particular Article 70 thereof,

- having regard to Regulation (EC) No 1406/2002 of the European Parliament and of the Council of 27 June 2002 establishing a European Maritime Safety Agency¹, and in particular Article 19 thereof,
 - having regard to Commission Delegated Regulation (EU) 2019/715 of 18 December 2018 on the framework financial regulation for the bodies set up under the TFEU and Euratom Treaty and referred to in Article 70 of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council², and in particular Article 105 thereof,
 - having regard to Rule 100 of and Annex V to its Rules of Procedure,
 - having regard to the opinion of the Committee on Transport and Tourism,
 - having regard to the report of the Committee on Budgetary Control (A9-0107/2024),
1. Grants the Executive Director of the European Maritime Safety Agency discharge in respect of the implementation of the Agency's budget for the financial year 2022;
 2. Sets out its observations in the resolution below;
 3. Instructs its President to forward this decision, and the resolution forming an integral part of it, to the Executive Director of the European Maritime Safety Agency, the Council, the Commission and the Court of Auditors, and to arrange for their publication in the *Official Journal of the European Union* (L series).

¹ OJ L 208, 5.8.2002, p. 1.

² OJ L 122, 10.5.2019, p. 1.

2. European Parliament decision of 11 April 2024 on the closure of the accounts of the European Maritime Safety Agency for the financial year 2022 (2023/2158(DEC))

The European Parliament,

- having regard to the final annual accounts of the European Maritime Safety Agency for the financial year 2022,
- having regard to the Court of Auditors' annual report on EU agencies for the financial year 2022, together with the agencies' replies¹,
- having regard to the statement of assurance² as to the reliability of the accounts and the legality and regularity of the underlying transactions provided by the Court of Auditors for the financial year 2022, pursuant to Article 287 of the Treaty on the Functioning of the European Union,
- having regard to the Council's recommendation of 22 February 2024 on discharge to be given to the Agency in respect of the implementation of the budget for the financial year 2022 (06180/2024 – C9-0096/2024),
- having regard to Article 319 of the Treaty on the Functioning of the European Union,
- having regard to Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012³, and in particular Article 70 thereof,
- having regard to Regulation (EC) No 1406/2002 of the European Parliament and of the Council of 27 June 2002 establishing a European Maritime Safety Agency⁴, and in particular Article 19 thereof,
- having regard to Commission Delegated Regulation (EU) 2019/715 of 18 December 2018 on the framework financial regulation for the bodies set up under the TFEU and Euratom Treaty and referred to in Article 70 of Regulation (EU, Euratom) 2018/1046 of the European

¹ OJ C, C/2023/594, 27.10.2023.

² OJ C, C/2023/112, 12.10.2023.

³ OJ L 193, 30.7.2018, p. 1.

⁴ OJ L 208, 5.8.2002, p. 1.

Parliament and of the Council¹, and in particular Article 105 thereof,

- having regard to Rule 100 of and Annex V to its Rules of Procedure,
 - having regard to the opinion of the Committee on Transport and Tourism,
 - having regard to the report of the Committee on Budgetary Control (A9-0107/2024),
1. Approves the closure of the accounts of the European Maritime Safety Agency for the financial year 2022;
 2. Instructs its President to forward this decision to the Executive Director of the European Maritime Safety Agency, the Council, the Commission and the Court of Auditors, and to arrange for its publication in the *Official Journal of the European Union* (L series).

¹ OJ L 122, 10.5.2019, p. 1.

3. European Parliament resolution of 11 April 2024 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 2022 (2023/2158(DEC))

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 2022,
 - having regard to Rule 100 of and Annex V to its Rules of Procedure,
 - having regard to the opinion of the Committee on Transport and Tourism,
 - having regard to the report of the Committee on Budgetary Control (A9-0107/2024),
- A. whereas, according to its statement of revenue and expenditure¹, the final budget of the European Maritime Safety Agency (the ‘Agency’) for the financial year 2022 was EUR 115 807 269,88 representing an increase of 9,48 % compared to 2021; whereas the Agency’s budget derives from the Union budget and operational income;
- B. whereas the Court of Auditors (the ‘Court’), in its report on the annual accounts of the Agency for the financial year 2022 (the ‘Court’s report’), states that it has obtained reasonable assurance that the Agency’s annual accounts are reliable and that the underlying transactions are legal and regular;
- C. whereas with regard to the Agency’s procurement sector, no issues requiring corrective actions were reported for 2022, nor are there ongoing or outstanding corrective actions from previous years’ audits and assessments;
- D. whereas with regard to the Agency’s internal control systems, no issues requiring corrective actions were reported for 2022, nor are there ongoing or outstanding corrective actions from previous years’ audits and assessments;

Budget and financial management

1. Notes with appreciation that the budget monitoring efforts during the financial year 2022 resulted in a budget implementation of current year commitment appropriations rate of 99,80 %, representing a slight increase of 0,14 % compared to 2021 and a

¹ OJ C 73, 28.2.2023, p. 91.

current year payment appropriations execution rate of 98,42 %, representing also an increase of 1,10 %;

Performance

2. Welcomes the fact that the Agency uses key performance indicators (KPIs) to measure the implementation of its annual work programme in the key areas to which the Agency contributes and its horizontal activities (sustainability, surveillance, safety and security, simplification, digitalisation, technical assistance, capacity building and strategic support); commends that overall the targets have been achieved, with very few targets lagging behind mainly due to justified reasons; further notes that the Agency has achieved its objectives of 2022 in accordance with the annual work programme and the multi-annual strategic framework;
3. Takes note of the fact that the Agency has been actively involved in several initiatives related to the European Green Deal and has provided support and data to the Commission and to Member States with a particular emphasis on different proposals within the “Fit for 55 package” such as the FuelEU Maritime proposal and the proposal aiming at the extension of the Emission Trading Scheme to maritime transport;
4. Welcomes the fact that the Agency has become an important actor regarding the monitoring and reporting of vessels of interest after the illegal and unprovoked Russian invasion of Ukraine in February 2022; notes in this regard that the maritime support service (MSS) reported on Russian-flagged vessels to Member States and the Commission, on ship calls to EU ports to specific Member States and to the Commission, and on ship calls related to sanctions (e.g. coal imports);
5. Notes that the Agency’s Earth Observation services continued to develop and deliver surveillance capabilities, with emphasis on CleanSeaNet, Copernicus Maritime Surveillance to Frontex and the support to maritime emergencies at sea in the context of the Agency’s contingency plan;
6. Welcomes the fact that the Agency provided technical support to the Commission and to the EFTA Surveillance Authority by participating in the inspections they organised to assess and verify the implementation and enforcement of EU maritime security legislation in the Member States;
7. Observes that in 2022 the Agency provided the European Union Agency for Law Enforcement Cooperation (EUROPOL) with access to maritime and surveillance information services to support them in the areas of law enforcement and organised crime activities at sea;
8. Notes that the Agency maintained its role as a centre of excellence

for capacity building, implementing the IPA II project and concluding projects for technical assistance in the Mediterranean Sea (SAFEMED IV) and the Black and Caspian Sea (BCSEA) in 2022;

9. Welcomes the Agency's support to the Commission at IMO, particularly in forums such as MEPC, PPR and CCC; this support covers crucial areas of pollution prevention and sustainability, including the IMO Strategy on reducing GHG emissions, carbon intensity of shipping, safety, evaluation, deployment and use of sustainable alternative fuels and technologies, marine litter and underwater noise; highlights that the upcoming IMO work on developing the corresponding requirements and standards for the use of new fuels and technologies will be of key importance in their uptake at both global and EU level;

Efficiency and gains

10. Notes that in the framework of the new mandate for European cooperation on coast guard functions the Agency has shared information, expertise, procedures, training materials and tools with the European Fisheries Control Agency (EFCA) and Frontex; further notes that the Agency continues to work closely with the European Monitoring Centre for Drugs and Drug Addiction (EMCCDA) in order to increase its efficiency and save costs due to the geographical proximity of both agencies; welcomes the fact that the Agency was supporting EMCCDA via knowledge sharing in respect of EMAS registration and with EFCA continued to ensure the mutual back-up arrangement in place for the accounting function in both Agencies; points out the horizontal benefits of working together and adapting best practices and that joint initiatives bring together diverse perspectives, reduce duplication of effort, enhance learning and strengthen relationships between the participants;
11. Notes that the Agency has worked to improve its efficiency and effectiveness by the automation of procedures with the aim to significantly decrease the administrative workload of specific staff members, enabling them to focus on tasks in related areas with higher added value; observes that additionally, the Agency has initiated pilot projects for the Qualified E-signature and the integration of corporate tools with ARES; invites the Agency to identify more internal procedures that could be streamlined via automation;

Staff policy

12. Notes that, on 31 December 2022, the establishment plan was stable, and fulfilled by 99,06 %, with 210 officials and temporary agents (TAs) appointed out of 212 authorised under the Union budget (same as in 2021); notes that, in addition, 28 contract agents and 16 seconded national experts worked for the Agency in 2022;

13. Notes the lack of gender balance within the Agency's senior and middle management members, with 5 out of 16 (31 %) being women; notes the lack of gender balance within the Agency's administrative board members, with 10 out of 57 (18 %) being women; further notes the lack of gender balance within the Agency's overall staff, with 99 out of 264 (38 %) being women; recalls the importance of ensuring gender balance and calls on the Agency to take this aspect into consideration with regard to future recruitments of staff and appointments within its senior and middle management; welcomes in this regard that the Agency has launched a Gender Action Plan for 2022-2025, focusing on the improvement of gender balance and equality in the long term on a quality basis; asks the Commission and the Member States to take into account the importance of ensuring gender balance when nominating their members to the Agency's administrative board; encourages the Agency to also adopt the "Charter on D&I" and continue to participate in initiatives that promote diversity and inclusion in the workplace at all levels of hierarchy;
14. Stresses the ongoing challenge of recruiting Seconded National Experts (SNE) given the difficulty in attracting experts from the Member States; points out that the Agency had some unsuccessful calls; proposes to give internal contract agents an opportunity to advance to the next function group through a general selection procedure; regarding the efficiency gains, it notes that the Agency aims and works to improve its procedures to enhance its efficiency and effectiveness for the optimal use of human and financial resources;
15. Welcomes the fact that in the context of prevention of harassment in the workplace six new Confidential Counsellors were appointed after having successfully completed a compulsory training and are now active in this role in the Agency;
16. Notes that the Agency launched an HR Strategy project with the consultation of staff, management and the Staff Committee, a project to create an online induction programme for newcomers, and the preparatory work related to the decision on working time and hybrid working, that were expected to be adopted in 2023; asks the Agency to keep the discharge authority informed of the progress in these matters;

Prevention and management of conflicts of interest and transparency

17. Acknowledges that Members and Alternates of the Agency's Administrative Board are requested to sign a Declaration of Commitment and Confidentiality at their nomination and annually, to declare any (potential) conflict of interest which might be considered prejudicial to the treatment of any item on the agenda at the

beginning of each meeting of the Administrative Board; notes that all staff (including senior management involved in specific procedures) are required to declare (potential) conflicts of interest in various procedures such as procurement and recruitment; takes note that during the course of 2022 one case of conflict of interest was declared by a selection committee member in a recruitment procedure and after analysis of the declared conflict, the member was replaced;

18. Notes that the Agency has adopted the 'EMSA Administrative Board Conflict of Interest Policy', establishing principles to govern impartiality and independence of its members and their alternates and define the measures to ensure their practical application in order to prevent and mitigate the risks that past, current or future interests might improperly influence the impartiality and the independence of the Board members during the performance of their duties;
19. Takes note of the fact that the CVs for Administrative Board members and Management Staff are published on the Agency's website;

Other comments

20. Commends that in accordance with the Agency's Risk Management Framework the risk register was fully updated and fine-tuned in 2022, and that during this exercise special attention was given to the identification of potential fraud-related risks and overall opportunities; further welcomes that following the invasion of Russia in Ukraine, some new identified risks and opportunities related to this major crisis were identified and included in the updated risk registers;
21. Congratulates the Agency on developing a number of ad hoc products to assist the Member States and Commission in the implementation of EU sanctions related to the invasion of Ukraine by the Russian Federation, such as reporting on ship calls for specific cargoes and flags; further welcomes the fact that the Agency has developed and provides to relevant stakeholders a monthly report on the impact of developments in Ukraine on maritime traffic and trade;
22. Welcomes the fact that the Agency has carried out different greening activities in 2022, such as an extensive greening communication campaign, creation of a reusable stationary room, participation in the European Mobility Week, and lowering the basic temperature in the premises during winter season, among others;
23. Recalls that the Agency launched in 2019 the 'Greening EMSA' project, aiming to introduce environmental management, and the final step with the external verification audit took place in January 2022; notes that consequently the Agency has received the EMAS

label and has its environmental statement published;

24. Notes that the Agency has intensified its cooperation with the European Union Agency for Cybersecurity by participating in the pilot project for the future implementation of the upcoming Cybersecurity Regulation; notes furthermore that the Agency has strengthened its collaboration with CERT EU by renewing a specific Service Level Agreement which now incorporates more actions, such as an increased number of security assessments, and by providing access for real-time monitoring of security events in the EMSA IT infrastructure; further notes that the Agency is performing regular security assessments with CERT EU and the Council's Interinstitutional Security Services provider;
25. Notes that the Agency has implemented different measures in order to increase its public visibility and online presence, such as hosting conferences, sharing videos explaining the Agency's main activities and competences, live streaming, and the launch of the 'EMSA open day' concept;
26. Applauds the commitment of the Agency to enhance its multilingual communication ensuring greater accessibility for all European citizens; notes that the Agency's five year strategy, the European Maritime Environmental and the European Maritime Safety Reports are now accessible in all 24 EU languages;
27. Stresses the importance of the Agency's activities in maritime security and requests its continued technical assistance to the Commission during inspections in this framework under Regulation (EC) No 725/2004 of the European Parliament and of the Council on enhancing ship and port facility security; stresses a significant increase in cybersecurity incidents in the maritime sector in recent years;
28. Calls for promotion of digitalisation in the maritime sector by facilitating the electronic transmission of data, supporting simplification and providing integrated maritime surveillance and awareness systems and services to the Commission and the Member States;
29. Stresses that the EU's fleet growth (in terms of both ships and tonnage) is slower compared to the growth of the global fleet; in the last five years, the EU fleet experienced a growth of 3,4 %, in contrast to the global fleet, which exhibited a more substantial growth rate of 7 %;

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30. Refers, for other observations of a cross-cutting nature accompanying its decision on discharge, to its resolution of 11 April 2024¹ on the performance, financial management and control of the agencies.

¹ Texts adopted, P9_TA(2024)0280.