2009 discharge: European Maritime Safety Agency EMSA

2010/2176(DEC) - 21/03/2011

The Committee on Budgetary Control adopted the report by Georgios STAVRAKAKIS (S&D, EL) on discharge to be granted to the Executive Director of the European Maritime Safety Agency for implementation of the Agency's budget for the financial year 2009.

Noting that the Agency’s annual accounts for the financial year 2009 are reliable, and the underlying transactions are legal and regular, MEPs approve the closure of the Agency’s accounts. However, they make a number of recommendations that need to be taken into account when the discharge is granted, in addition to the general recommendations that appear in the draft resolution on financial management and control of EU agencies (see DEC/2010/2271):

- **performance:** Members call on the Agency to set out a comparison of operations carried out during the year for which discharge is to be granted and in the previous financial year so as to enable the discharge authority to assess more effectively the Agency's performance from one year to the next;
- **budget transfers**: Members consider it a matter of concern that the Court of Auditors has again noted a high number of budget transfers in 2009 and urge the Agency to improve its planning and monitoring in order to reduce the number of budget transfers;
- ***posteriori* commitments:** Members call on the Agency to further reduce the number of *posteriori* commitments (i.e. legal commitments that were entered into before the corresponding budgetary commitments were made);
- **procurement procedure:** Members urge the Agency to correctly apply procurement procedures and note with satisfaction that in the Annual Report of 2009 the Agency has included a specific Annex on negotiated procedures, in order to inform the budgetary authority;
- **human resources:** Members urge the Agency to redress the present weaknesses, namely : the lack of respect for the anonymity of candidates completing written tests, the lack of compliance with the predefined criteria, and the inconsistency of criteria for short-listing candidates;
- **internal audit:** Members acknowledge that the IAS performed an audit concerning the management of the fleet of vessels in the area of pollution preparedness in order to assess the adequacy and effectiveness of the internal control system as regards the oil pollution preparedness and response system. They call on the Agency to rapidly implement the IAS's "very important" recommendations. Lastly, they note that the Agency does not employ a full time Internal Audit Capability (IAC) but shares the IAC with the Community Fisheries Control Agency (CFCA). They consider this shared service a best practice to be promoted by other Agencies.