2009 discharge: European Maritime Safety Agency EMSA

2010/2176(DEC) - 16/09/2010 - Court of Auditors: opinion, report

PURPOSE: presentation by the Court of Auditors of its report on the annual accounts of the European Maritime Safety Agency (EMSA) for the financial year 2009, together with the Agency's replies.

CONTENT: in accordance with the tasks and objectives conferred on it by the Treaty on the Functioning of the European Union (TFEU), the Court of Auditors, in the context of the discharge procedure, addresses to the European Parliament and the Council a Statement of Assurance on the reliability of the annual accounts, as well as of the legality and regularity of the transactions underlying them of each EU institution, body or agency, on the basis of an external, independent audit.

This audit also covered the annual accounts of the European Maritime Safety Agency (EMSA).

In the Court's opinion, **the Agency's annual accounts presented "fairly, in all material respects", its financial position as of 31 December 2009** and the results of its operations and its cash flows for the year then ended, in accordance with the provisions of its Financial Regulation.

The Court also stated that the **transactions underlying the annual accounts** of the Agency for the financial year ended 31 December 2009 were, "in all material respects, **legal and regular**".

The report again confirmed that the Agency's 2009 final budget amounted to EUR 53.3 million and that it employed 212 agents during the financial year.

The report also included comments on the Agency's budgetary and financial management, together with the Agency's replies. The main comments are as follows:

The Court's comments:

- the procedures for drawing up the budget were not sufficiently rigorous and led to a significant number of budgetary transfers. This situation shows that the linkages between the budget and the work programme need to be improved;
- more than 75% of the procurement procedures launched in 2009 were negotiated procedures, which is not in compliance with the Agency's Financial Regulation;
- weaknesses and lack of transparency in certain recruitment procedures.

The Agency's replies:

- continuation of efforts to improve planning and monitoring and, consequently, the number of budget transfers;
- measures to better inform the budgetary authority of procurement procedures in order to comply with the provisions of the financial regulation;
- updating of recruitment procedures to ensure an even more transparent and non-discriminatory recruitment procedure.

Lastly, the Court of Auditor's report contained a summary of the **Agency's activities in 2009** in the following areas:

- organisation of workshops and other events;
- training for inspectors in charge of Port State Control;
- inspections and visits;
- setting in place of technological tools such as SafeSeaNet and CleanSeaNet (satellite monitoring);
- signature of contracts for anti-pollution vessels;
- drills and exercises with the anti-pollution vessels
- EMSA Maritime Support Services operating on a 24/7 basis.