

2011 discharge: European Fisheries Control Agency (EFSA)

2012/2202(DEC) - 05/09/2012 - Court of Auditors: opinion, report

PURPOSE: presentation of the EU Court of Auditors' report on the annual accounts of the European Fisheries Control Agency (EFCA) for the financial year 2011, together with the Agency's reply.

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

This audit concerned, amongst others, the annual accounts of the EFCA.

In the Court's opinion, the **Agency's Annual Accounts fairly present, in all material respects, its financial position as of 31 December 2011** 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 considers that the **transactions underlying the annual accounts** of the Agency for the financial year ended 31 December 2011 are, in all material respects, **legal and regular**.

The report confirms that the Agency's 2011 budget amounted to EUR 12.85 million, and that the number of staff it employed at the end of the year was 58.

The report also makes a series of observations on the budgetary and financial management of the Agency, accompanied by the latter's response. The main observations may be summarised as follows:

Court's comments:

- **public procurement:** the Court identified a need to improve procurement procedures. The Agency did not adequately document the estimation of contract values in the procurement files;
- **appointment:** in the course of the appointment procedure of the executive Director, a member of the Administrative Board contravened the regulations governing appointments to key posts by announcing the candidate the Commission intended to vote for;
- **recruitment:** the Court identified a need to further improve staff selection procedures. Vacancy notices did not provide information on complaint and appeal procedures. Meetings of the Selection Board were insufficiently documented and in one recruitment case the Appointing Authority did not follow the order of the Selection Board's list without providing a reason.

Agency's replies:

on procurement, the Agency has established a set of internal procedures to ensure a firm basis for contract value estimation and documents this process;

the acting of Members of the Administrative Board is not under the control of the agency, thus the Executive Director is not responsible for the proceedings;

the Agency will add this information to its vacancy notices, and will adapt the standard template of the minutes to the suggestions of the Court.

Lastly the Court of Auditors' report contains a summary of the **Agency's activities in 2011**. These may be described as follows:

- operational coordination: implementation of Joint Deployment Plan (JPD) for the cod fishery in the North Sea, Skagerrak, Kattegat and the Eastern Channel and Western Waters (West of Scotland and the Irish Sea), as well as in the Baltic Sea, and a JPD for bluefin tuna fishery in the Mediterranean Sea and Eastern Atlantic;
- support activities to fight Illegal unreported and unregulated fisheries (IUU);
- formation of Member State inspectors participating in JDPs and fight against IUU fishing;
- enhancing various other capacities.