

The European Maritime Safety Agency

As one of the EU's decentralised bodies, the European Maritime Safety Agency (EMSA) was set up in 2003 to perform specific tasks under EU law. Based in Lisbon, the Agency helps to enforce EU maritime regulations and provides technical and scientific assistance to ensure high, uniform and effective levels of maritime safety and security. EMSA also works to prevent pollution and responds to pollution caused by ships or oil and gas installations. Its maritime surveillance expertise serves purposes as varied as combating illegal fishing and piracy, and containing the spread of Ebola fever.

Context

Oil spills from the wrecked oil tankers Erika (1999) and Prestige (2002) caused huge environmental and economic damage along Europe's Atlantic coasts, raising public outrage and initiating the process which led the EU to adopt rules to protect its shores (the [Erika I](#) and [Erika II](#) legislative packages). The adoption of EU rules entailed tightening international standards already established by the International Maritime Organization ([IMO](#)), although the scale of action deemed necessary at EU (versus IMO) level was a much-[debated](#) issue when EMSA was set up in 2003.

Objectives and tasks

EMSA's objective is to provide technical assistance and support to the European Commission and Member States regarding application, evaluation and further development of EU law on maritime safety, security and pollution. While its pollution-related tasks were initially limited to prevention, they were soon [extended](#) to include response to pollution by ships within the EU, and finally [broadened](#) to cover marine pollution caused by oil and gas installations, including when these affect third countries sharing a regional sea basin with the Union. Modification of EMSA's founding [Regulation](#) in 2013 extended and refined the Agency's mandate.

Core tasks

EMSA's core tasks concern preparatory work to develop and update relevant EU laws, as well as **visits and inspections** to Member States to check the effective implementation of binding legal acts, inspection of classification societies, and supervision of training and certification of seafarers in non-EU countries. The Agency also offers **training and technical assistance** to national administrations.

In addition, EMSA has been given tasks in the field of **traffic monitoring and tracking of vessels**. It runs the EU Data Centre for the global system of long-range identification and tracking of vessels. It also operates a system for tracking ships and their cargoes in EU waters (SafeSeaNet) and an oil-spill monitoring service (CleanSeaNet), which identifies possible oil spills, pinpoints the potential polluter and alerts the relevant authorities. Upon request, the Agency also helps with investigation of marine casualties and incidents.

EMSA also provides **anti-pollution operational assistance** for clean-up of oil spills. It has built a response network of 18 rented commercial vessels with large storage capacities and the necessary technical equipment. These can be transformed within hours into at-sea oil recovery vessels and directed to the site of the accident. This assistance is provided only upon request by Member States and is complementary to their own pollution response capacities. Similarly, EMSA offers advisory expertise in cases of hazardous and noxious substance spills, through the Marine Intervention in Chemical Emergencies network (MAR-ICE).

Further activities

EMSA may use its know-how in other activities related to EU maritime transport policy and can take on tasks relating to environmental issues, inland waterways and the development of an information sharing system. Such tasks, however, can only be carried out if they provide real added value, do not duplicate work undertaken elsewhere and do not infringe on Member States' rights and obligations.

Structure and functioning

An EU body with legal personality, EMSA is governed by an Administrative Board made up of representatives from all EU Member States plus Iceland and Norway, four experts from the Commission and four non-voting maritime industry representatives. With the adoption of the [Common Approach](#) to EU agencies in 2012, the EU strengthened the role of all agency boards to improve governance, efficiency and accountability. Among other duties, the Board now adopts the Agency's five-year strategy and appoints the Executive Director (currently Markku Mylly), responsible for the running of the Agency. EMSA currently employs 207 staff.

Except for minor operational income from surveillance services, EMSA is mainly [financed](#) from the EU budget. As the pollution preparedness and response tasks require financial security to contract ships, EMSA has separate financing [legislation](#) since 2006, enabling multiannual commitments. The EU financial contribution in the 2014-20 financial framework is [set](#) at €387 million (in current prices), which includes €161 million to finance the Agency's [new tasks](#) in response to marine pollution by ships and oil and gas installations. This amount may be adjusted after a mid-term evaluation in 2017, by a maximum of 8%.

In 2009, for a review of existing EU agencies, the Commission requested an external [comparative report](#), in which EMSA's outputs were assessed as satisfactory. The Agency has also been [evaluated](#) annually by the European Court of Auditors in the context of the EU budget discharge procedure. And in a 2014 stakeholder consultation for the ex-post [impact assessment](#) of the Third Maritime Safety Package done by EPRS, 29 authorities commented on the role of EMSA. Both the Agency's technical support in the implementation of the legislative package and the training prepared for Port State Control officers were widely [appreciated](#).

Relations with other bodies

EMSA provides support to the European Agency for the Management of Operational Cooperation at the External Borders (Frontex) to reinforce [control](#) of the Schengen external border. This support focuses on surveillance of targeted ports and coasts, tracking of suspect vessels over high seas, and monitoring sea areas for environmental purposes. The Agency also helps the European Fisheries Control Agency (EFCA) to detect and identify suspect ships and to track fishing vessel movements, thus contributing to the fight against illegal fishing. During the recent Ebola outbreak, EMSA provided Member States with a weekly list of ships detected in EU waters coming from Ebola-affected countries and, on demand, with early warnings about ships from these countries bound for EU ports. EMSA has also been active beyond EU waters, supporting the EU naval mission (EUNAVFOR) during anti-piracy operations off the coast of Somalia.

Recent and future developments

EMSA [contributes](#) to the application of EU environmental rules. To enforce the [Sulphur Directive](#), which introduced strict limits on [sulphur emissions](#) from shipping fuel from January 2015, the Agency has developed a [system](#) for recording compliance results (1 142 inspections recorded in the first three months of the year, with 5% of inspected ships found non-compliant). Similarly, large ships using EU ports will have to monitor and annually report their CO₂ emissions from [2018](#) onwards. EMSA is [asked](#) to assist the Commission with monitoring, which would mean new support tasks. Furthermore, the development of the common information-sharing environment for the EU maritime domain ([Maritime CISE](#)) also requires EMSA's involvement to ensure timely access to accurate information for all relevant parties.

The European Parliament

The EP [supported](#) strengthening EMSA's role during the latest revision of the founding Regulation, and argued that using the Agency's expertise and existing tools at European level could produce savings for Member States. The EP, however, also asked EMSA to clarify what action it took to avoid conflicts of interest, following which the Agency provided a specific report on preventive measures and [adopted](#) new guidelines for all staff in 2013. The EP also supervises EMSA through the annual discharge procedure for EU agencies, as with the 2013 discharge, [granted](#) on 29 April 2015. Regarding personal contacts, EMSA's Executive Director appears regularly before the EP Committee on Transport and Tourism (TRAN) for an exchange of views and to inform MEPs about the Agency's activities. During the most recent [exchange](#), in November 2014, Director Markku Mylly presented the Agency's new five-year strategy. EP President Martin Schulz [visited](#) EMSA in September 2014 and [met](#) the Director again in Brussels in January 2015. A delegation of TRAN Committee Members visits EMSA's Lisbon headquarters occasionally; the last visit took place in March 2010 and the next is planned for September.