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## TEXTS ADOPTED

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### P8\_TA(2019)0266

#### **Discharge 2017: European Fisheries Control Agency (EFCA)**

##### **1. European Parliament decision of 26 March 2019 on discharge in respect of the implementation of the budget of the European Fisheries Control Agency (EFCA) for the financial year 2017 (2018/2197(DEC))**

*The European Parliament,*

- having regard to the final annual accounts of the European Fisheries Control Agency for the financial year 2017,
- having regard to the Court of Auditors' report on the annual accounts of the European Fisheries Control Agency for the financial year 2017, together with the Agency's reply<sup>1</sup>,
- having regard to the statement of assurance<sup>2</sup> 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 2017, pursuant to Article 287 of the Treaty on the Functioning of the European Union,
- having regard to the Council's recommendation of 12 February 2019 on discharge to be given to the Agency in respect of the implementation of the budget for the financial year 2017 (05825/2019 – C8-0087/2019),
- having regard to Article 319 of the Treaty on the Functioning of the European Union,
- having regard to Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002<sup>3</sup>, and in particular Article 208 thereof,
- 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

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<sup>1</sup> OJ C 434, 30.11.2018, p. 109.

<sup>2</sup> OJ C 434, 30.11.2018, p. 109.

<sup>3</sup> OJ L 298, 26.10.2012, p. 1.

Regulation (EU, Euratom) No 966/2012<sup>1</sup>, and in particular Article 70 thereof,

- having regard to Council Regulation (EC) No 768/2005 of 26 April 2005 establishing a Community Fisheries Control Agency and amending Regulation (EEC) No 2847/93 establishing a control system applicable to the common fisheries policy<sup>2</sup>, and in particular Article 36 thereof,
  - having regard to Commission Delegated Regulation (EU) No 1271/2013 of 30 September 2013 on the framework financial regulation for the bodies referred to in Article 208 of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council<sup>3</sup>, and in particular Article 108 thereof,
  - having regard to Rule 94 of and Annex IV to its Rules of Procedure,
  - having regard to the report of the Committee on Budgetary Control and the opinion of the Committee on Fisheries (A8-0133/2019),
1. Grants the Executive Director of the European Fisheries Control Agency discharge in respect of the implementation of the Agency's budget for the financial year 2017;
  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 Fisheries Control 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).

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<sup>1</sup> OJ L 193, 30.7.2018, p. 1.

<sup>2</sup> OJ L 128, 21.5.2005, p. 1.

<sup>3</sup> OJ L 328, 7.12.2013, p. 42.

## **2. European Parliament decision of 26 March 2019 on the closure of the accounts of the European Fisheries Control Agency for the financial year 2017 (2018/2197(DEC))**

*The European Parliament,*

- having regard to the final annual accounts of the European Fisheries Control Agency for the financial year 2017,
- having regard to the Court of Auditors' report on the annual accounts of the European Fisheries Control Agency for the financial year 2017, together with the Agency's reply<sup>1</sup>,
- having regard to the statement of assurance<sup>2</sup> 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 2017, pursuant to Article 287 of the Treaty on the Functioning of the European Union,
- having regard to the Council's recommendation of 12 February 2019 on discharge to be given to the Agency in respect of the implementation of the budget for the financial year 2017 (05825/2019 – C8-0087/2019),
- having regard to Article 319 of the Treaty on the Functioning of the European Union,
- having regard to Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002<sup>3</sup>, and in particular Article 208 thereof,
- 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 966/2012<sup>4</sup>, and in particular Article 70 thereof,
- having regard to Council Regulation (EC) No 768/2005 of 26 April 2005 establishing a Community Fisheries Control Agency and amending Regulation (EEC) No 2847/93 establishing a control system applicable to the common fisheries policy<sup>5</sup>, and in particular Article 36 thereof,
- having regard to Commission Delegated Regulation (EU) No 1271/2013 of 30 September 2013 on the framework financial regulation for the bodies referred to in Article 208 of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council<sup>6</sup>, and in particular Article 108 thereof,
- having regard to Rule 94 of and Annex IV to its Rules of Procedure,

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<sup>1</sup> OJ C 434, 30.11.2018, p. 109.

<sup>2</sup> OJ C 434, 30.11.2018, p. 109.

<sup>3</sup> OJ L 298, 26.10.2012, p. 1.

<sup>4</sup> OJ L 193, 30.7.2018, p. 1.

<sup>5</sup> OJ L 128, 21.5.2005, p. 1.

<sup>6</sup> OJ L 328, 7.12.2013, p. 42.

- having regard to the report of the Committee on Budgetary Control and the opinion of the Committee on Fisheries (A8-0133/2019),
- 1. Approves the closure of the accounts of the European Fisheries Control Agency for the financial year 2017;
- 2. Instructs its President to forward this decision to the Executive Director of the European Fisheries Control 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).

### **3. European Parliament resolution of 26 March 2019 with observations forming an integral part of the decision on discharge in respect of the implementation of the budget of the European Fisheries Control Agency for the financial year 2017 (2018/2197(DEC))**

*The European Parliament,*

- having regard to its decision on discharge in respect of the implementation of the budget of the European Fisheries Control Agency for the financial year 2017,
  - having regard to Rule 94 of and Annex IV to its Rules of Procedure,
  - having regard to the report of the Committee on Budgetary Control and the opinion of the Committee on Fisheries (A8-0133/2019),
- A. whereas, according to its statement of revenue and expenditure<sup>1</sup>, the final budget of the European Fisheries Control Agency (“the Agency”) for the financial year 2017 was EUR 17 113 000, representing an increase of 71,70 % compared to 2016; whereas the increase related mainly to Title III (operational budget), with an increase of 295 % aimed at further chartering of means by the Agency (new European Coast Guard function); whereas the entire budget of the Agency derives from the Union budget;
- B. whereas the Court of Auditors (“the Court”) has stated that it has obtained reasonable assurances that the Agency’s annual accounts for the financial year 2017 are reliable and that the underlying transactions are legal and regular;

#### ***Budget and financial management***

1. Notes with satisfaction that budget monitoring efforts during the financial year 2017 resulted in a budget implementation rate of 98,9 %, representing a decrease of 0,7 % compared to 2016; notes with regret that the payment appropriations execution rate was at 73,8 %, representing a decrease of 14,7 % compared to 2016;

#### ***Cancellation of carryovers***

2. Notes with concern that the cancellation of carryovers from 2016 to 2017 amounted to EUR 53 595, representing 5,22 % of the total amount carried over, and an increase of 0,5 % compared to 2016;

#### ***Performance***

3. Notes with satisfaction that the Agency uses a number of Key Performance Indicators to support its multiannual strategic objectives and to assess the added value provided by its activities, and to improve its budget management;
4. Notes that the Agency implemented 93 % of its activities on time and that it implemented 90 % of its Annual Communication Strategy Plan;
5. Notes with satisfaction that the Agency, the European Border and Coast Guard Agency and the European Maritime Safety Agency adopted a tripartite working arrangement defining the cooperation between those agencies and the cooperation with national authorities carrying out coast guard functions; calls on the Agency to report to the

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<sup>1</sup> OJ C 84, 17.3.2017, p. 158.

- discharge authority on future plans and developments regarding that cooperation;
6. Agrees that keeping the same high level of inspections as in 2016 was a challenging achievement, in the context of cooperation on the European coast guard functions;
  7. Points out that the migration policy of the Union and, in particular, the creation of the European Border and Coast Guard, as part of an overall improvement in coast guard functions, entail new tasks of inspection and better cooperation for the Agency, which will require increased funding and technical and human resources;
  8. Points out that the Agency should be given sufficient resources to conduct new types of operations to disrupt people smuggling routes, as well as to use the data provided by its ship reporting systems in order to detect vessels carrying migrants;
  9. Nevertheless insists on the paramount importance of the core inspections activities in the context of the implementation of the landing obligation;
  10. Takes note that the results of the second Five-Year Independent External Evaluation of the Agency for the period 2012-2016 were presented on 20 June 2017; notes with satisfaction that the report confirms the Agency's positive performance across all evaluation criteria;

### ***Staff policy***

11. Notes that, on 31 December 2017, the establishment plan was 96,72 % filled, with 59 Temporary Agents (TAs) appointed out of 61 TAs authorised under the Union budget (51 authorised posts in 2016); notes that in addition eight Contract Agents and five Seconded National Experts have been working for the Agency in 2017; notes that, due to the change in the founding regulation, the Agency was granted 13 posts for the associated new tasks, out of which three were used for the redeployment pool of agencies;
12. Notes that the Agency has adopted the Commission's model decision on the policy on protecting the dignity of the person and preventing harassment, and that a call for confidential counsellors was launched in 2017 and training was being finalised in 2018;
13. Invites the Agency to further strengthen its gender balance policy in order to transcend the traditionally male domain from which its experts originate: in spite of a majority of female staff under the Executive Director and in the Resources and IT Unit, only 22 % of staff of grade AD8 and above are women;

### ***Procurement***

14. Highlights that the main procurement activity in 2017 was focused on launching the open call for Chartering an Offshore Fisheries Patrol Vessel (EUR 20 million), which was finalised successfully and resulted in the signature of a framework contract;
15. Notes with satisfaction that, following the objective of Union agencies of sharing procurement efforts, the Agency launched its first inter-institutional open call for tender in 2017 and that two other agencies joined that procurement procedure; calls on the Agency to report to the discharge authority on future developments regarding its joint procurement procedures;

***Prevention and management of conflicts of interests and transparency***

16. Acknowledges the Agency's existing measures and ongoing efforts to secure transparency, prevention and management of conflicts of interests, and whistle-blower protection; notes with satisfaction that experts who do not sign a declaration of interests are not allowed to work under a specific contract and that the Agency monitors regularly the submission of the declarations;

***Internal Controls***

17. Welcomes the fact that the Agency developed and implemented a centralised monitoring of all audit recommendations issued by the Court and the Internal Audit Service, in order to consolidate and monitor them, as well as to improve the follow-up of corresponding action plans;

***Other comments***

18. Notes the Agency's efforts to ensure a cost-effective and environment-friendly working place; points out, however, that the Agency does not have any additional measures in place to reduce or offset CO<sub>2</sub> emissions;

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19. Refers, for other observations of a cross-cutting nature accompanying its decision on discharge, to its resolution of 26 March 2019<sup>1</sup> on the performance, financial management and control of the agencies.

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<sup>1</sup> Texts adopted, P8\_TA(2019)0254.