RESOLUTION (EU) 2022/1750 OF THE EUROPEAN PARLIAMENT

of 4 May 2022

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 (EFCA) for the financial year 2020

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 2020,

— having regard to Rule 100 of and Annex V to its Rules of Procedure,

— having regard to the opinion of the Committee on Fisheries,

— having regard to the report of the Committee on Budgetary Control (A9-0114/2022),

A. whereas, according to its statement of revenue and expenditure ([1]), the final budget of the European Fisheries Control Agency (the 'Agency') for the financial year 2020 was EUR 17 580 000, representing a decrease of 1,93 % compared to 2019; whereas the budget of the Agency derives mainly from the Union budget;

B. whereas the Court of Auditors (the 'Court'), in its report on the annual accounts of the Agency for the financial year 2020 (the 'Court's report'), states that it has obtained reasonable assurance that the Agency's annual accounts are reliable and that the underlying transactions are legal and regular;

Budget and financial management

1. Notes that the budget monitoring efforts during the financial year 2020 resulted in a budget implementation rate of 97,27 %, representing a slight reduction of 2,61 % compared to 2019; notes that the payment appropriations execution rate was at 81,18 %, representing a decrease of 4,51 % compared to 2019;

2. Notes that the Agency received a EUR 16,9 million contribution under the general budget of the Union in 2020, representing an increase of 1,2 % in respect of 2019; points out that both the Agency's annual budget and its total number of staff are among the lowest amongst Union agencies;

Performance

3. Recalls the importance of fisheries control in achieving the objectives of the common fisheries policy (CFP); acknowledges the Agency's vital contribution to implementing those objectives; stresses that it is the Member States that are primarily responsible for the control of fishing activities, while the Agency's tasks are supportive in nature; stresses that the revision of the Regulation governing fisheries control will increase the Agency's supportive workload; emphasises the incoherence of seeking to tackle growing obligations without sufficient resources to do so; stresses, therefore, that the financial and human resources available to the Agency need to be sufficient in the coming years;

4. Notes with satisfaction that the Agency uses certain measures as key performance indicators (KPIs) to assess the added value provided by its activities and other measures to improve its budget management, such as inspections and infringements trends, attendance at training sessions and budget implementation per quarter;

5. Notes that the Agency implemented 90 % of its activities on time following its Annual Work Programme; notes that implementation in 2020 was higher than expected given the special circumstances of the COVID-19 pandemic;

([1]) OJ C 114, 31.3.2021, p. 148.

6. Notes that the Agency, the European Border and Coast Guard Agency (Frontex) and the European Maritime Safety Agency continued following the tripartite working arrangement signed in 2019 defining cooperation between those Agencies and cooperation with national authorities carrying out coast guard functions by providing services, information, equipment and training, as well as by coordinating multipurpose operations; notes that the Agency assumed the chairmanship of that tripartite working arrangement in May 2020; notes that this specific inter-agency cooperation helps to create synergies and avoid duplication and/or redundancy of effort in cooperation between Agencies as well as relevant Member States, resulting in economies of scale; considers the arrangement an example of synergy between Union agencies that should inspire agencies in other areas; calls on the Agency to continue its efforts in that regard and considers it appropriate to increase the cooperation between the Agency and the European Environment Agency as well;

7. Notes that, in 2020, the Agency coordinated 38 452 fishing vessel inspections, which led to the detection of 1 682 suspected infringements, representing an increase, respectively, of 18,75 % and 44,25 % on the 2019 figures; believes that those figures show that inspections and follow-up activities remain a key tool for ensuring that the rules of the CFP are observed; notes, however, that that increase conceals disparities between areas, with an increase in Western Waters (+ 27 %) and in the Mediterranean Sea (+ 141 %) and a decrease in the Baltic Sea (– 20 %), the North Sea (– 49 %), the Black Sea (– 11 %) and NAFO-NEAFC (– 36 %); invites the Agency to provide more detailed information on the reasons for those changes; points out that inspections and other follow-up activities play a key role, not only in the proper management of fish stocks, but also in ensuring a level playing field for Union fishers;

8. Notes that the Agency, in close cooperation with the Commission and the Member States, carried out important preparatory work to face the possible consequences for fisheries control resulting from the UK's withdrawal from the Union in the North Sea and in the Western Waters of the Atlantic;

Staff policy

9. Notes that, on 31 December 2020, the establishment plan was 98,36 % implemented, with 60 officials and temporary agents appointed out of 61 temporary agents authorised under the Union budget (61 authorised posts in 2019); notes that, in addition, five contract agents and four seconded national experts have been working for the Agency in 2020;

10. Takes note of the Agency's policy of promoting equal treatment of staff and of its goal of achieving gender equality, both in terms of overall numbers and of grades and responsibility levels; strongly deplores the fact that women account for only 30 % of staff employed at grade AD 8 or higher; welcomes the recent nomination of a woman as the new executive director of the Agency; notes however that her nomination does not enable parity to be attained at management level, since all head of unit positions are held by men; calls on the Agency to step up its efforts to implement its gender parity policy to make progress towards parity at management level; notes with concern the gender imbalance on the administrative board of the Agency, with 46 men (70 %) and 20 women (30 %); reiterates its call on the Commission and the Member States to take the importance of ensuring gender balance into account when nominating their members to the administrative board;

Procurement

11. Highlights that the percentage of planned procurement procedures launched by the Agency surpassed the 80 % target and reached 83 % in 2020; notes that the use of planned procurement allows the Agency to maintain high levels of budget implementation performance;

12. Notes that the main procurement activity in 2020 was focused on signing three framework contracts as a result of open procedures launched for maritime legal assistance, cleaning services and interim staff; notes that the Agency set up further negotiated procedures such as insurance brokerage, internet services, and technical assistance on audits and control;

13. Welcomes the fact that, in accordance with the objective for Union agencies of sharing procurement efforts, the Agency joined 16 different inter-institutional tenders with the Commission and other agencies in 2020; calls on the Agency to report to the discharge authority on future developments regarding its joint procurement procedures;

14. Notes the efforts of the Agency in applying at least one criterion on the focus of the efficient environmental behaviour of the potential tenderers on the procurements launched by the Agency; calls on the Agency to evaluate the usefulness and effectiveness of that criterion and to share the results of the evaluation with the discharge authority;

Prevention and management of conflicts of interest, and transparency

15. Acknowledges the Agency's existing measures and ongoing efforts to secure transparency, prevention and management of conflicts of interest, and whistleblower protection; notes that two of the Agency's administrative board members' CVs and four declarations of interest out of 66 are not yet published on the Agency's website; calls on the Agency to publish the CVs and the declarations of interest of all the administrative board members and to report to the discharge authority on the measures taken in that regard;

16. Welcomes the further steps taken, following the 2019 discharge report, in order to enhance the transparency of the Agency's activities by reporting the meetings that the Agency's staff has with external stakeholders, and their availability on the Agency's website; calls on the Agency to regularly update the page so as to ensure full transparency and trust in the Agency's activities;

Internal control

17. Notes that the Commission's Internal Audit Service (IAS) established a new audit plan in 2020 (Strategic Internal Audit Plan 2021-2023); notes that that audit plan is based on the results of an in-depth risk assessment carried out by the IAS and consists of a review of the principal documentation regarding the Agency's activities and processes;

18. Notes that the Agency has performed an assessment of its internal control system and has concluded that the controls are working as intended; notes that the Agency's risks are being appropriately monitored and mitigated; notes that no significant control weaknesses were reported in 2020;

COVID-19 response and business continuity

19. Notes that the Agency did not implement 90 % of the meetings and missions budgeted in 2020 due to the COVID-19 pandemic; notes, however, that the Agency was able to compensate for that impact in the budget forecast by incorporating commitments for additional chartering of means, replacement of obsolete equipment, additional communication efforts and other contracts planned for 2021; further notes that the appropriations carried forward to 2020 were closely monitored, resulting in an execution rate of 93,5 % of those appropriations;

20. Notes that, from early March 2020 on, the Agency's Business Continuity Management Team monitored and analysed the impact of teleworking of all staff caused by the COVID-19 pandemic on business continuity and concluded that the Agency was well-prepared to continue its operations reliably by means of teleworking; notes, however, that the Agency's Business Continuity Management Team suggested some adaptations of the units' individual Recovery Action Plans;

21. Notes that the generalised teleworking conditions of the Agency led to a reduction of the overall CO_2 emissions for the Agency's headquarters of 67 %; notes however that that reduction has been outweighed by the need for the Agency's offshore patrol vessel 'Lundy Sentinel' to use the port of Vigo as point of departure and return for its missions in the North and Western Atlantic; notes that that practice has ultimately resulted in an increase in fuel consumption of 25 % and an increase of 28 % in CO_2 emissions compared to 2019;

Other comments

22. Notes that the Agency has initiated a process in order to be certified in the EU Eco-Management and Audit Scheme ('EMAS') and has taken a series of measures aimed at reducing its overall impact on the environment; notes that the Agency is looking at the various elements relating to the generation and measurement of its carbon footprint and the possibility of using offsetting schemes in line with practices in other Union institutions, bodies and agencies;

23. Refers, for other observations of a cross-cutting nature accompanying its decision on discharge, to its resolution of 4 May 2022 ([2]) on the performance, financial management and control of the agencies.

([2]) Texts adopted, P9_TA(2022)0196.