

Summary of Decisions 69th EMSA Administrative Board meeting

1. Welcome form the Chairman and adoption of the agenda

In view of the virtual nature of the meeting a roll call was conducted to establish and confirm the presence of the quorum of 2/3 of the voting Members.

New Board Members/alternates were welcomed, as listed below.

The agenda was adopted. No conflicts of interest were declared.

MS	New Board Member	New Alternate Board Member
Denmark	Ms. Rikke W. Olufsen, Deputy Director General, Danish Maritime Authority (not present at this meeting) (replacing Mr Andreas Nordseth, previous Chairman)	Ms. Malene L. Mundt, Director of Maritime Regulation and Legal Affairs, Danish Maritime Authority (replacing Mr Niels Peter Fredslund).
Slovenia		Mr. Aleš Rotar, Harbour Master, Ministry of Infrastructure, Slovenian Maritime Administration (replacing Mr Vladimir Vladović).
Germany	Ms Martina Kohlhaas, Director for Shipping, Federal Ministry for Digital and Transport; replacing Mr Achim Wehrmann.	

Proxies/absences

Austria	No representation, no proxy
Czech Republic	No representation, no proxy

2. Minutes of the last meeting

The Administrative Board **approved** the draft minutes and decisions of the last meeting, which took place in Lisbon on 14 and 15 November 2023.

3. (a) and (b) EMSA Consolidated Annual Activity Report 2023

The Administrative Board **adopted** the EMSA Consolidated Annual Activity Report 2023, in accordance with Articles 15(2)(d) and 10(2)(b) of the EMSA Founding Regulation and **provided its assessment** of the EMSA Consolidated Annual Activity Report 2023, in accordance with Article 48 of the EMSA Financial Regulation, taking into account the European Court of Auditors' observations of previous years and subject to the preliminary observations of the European Court of Auditors.

The Board's adoption and assessment will be subsequently confirmed by written procedure if there are no substantial changes or revisited at the June meeting if there are, once the preliminary observations are available.

4. Update on Agency's activities and budget implementation

The Administrative Board **took note** of the information provided by the Agency on:

4(a) General information

The Administrative Board took note of the preliminary assessment of the possible deficit in Title 1 resulting from the different increases in salary and correction coefficient for Portugal for 2022 and 2023, currently estimated at 1.5 M EUR, and the plan to cover the financial gap by reducing expenses and saving appropriations in other items of expenditure of the budget. Pending notification on the correction coefficient for 2024 and the annual adjustment of remunerations, expected towards the end of the year, the estimated deficit could increase to up to 2.3 M EUR. The Agency will update the Administrative Board on the evolution of these estimates throughout the year.

4(b) HR matters - AB 69 04b EMSA HR Strategy

The Administrative Board took note of the information provided by the Agency on the EMSA HR Strategy. Information on the outcome of the staff survey will be provided at the June 2024 Administrative Board Meeting.

4(c) Study on safety aspects of COVID

The Administrative Board took note of the outcome of the Study on the safety aspects of COVID.

4(d) Study on Safety of biofuels

The Administrative Board took note of the outcome of the Study on safety of Biofuels.

4(e) Identification of Competences for MASS Operators in Remote Operations Centres (CMOROC)

The Administrative Board took note of the Study on CMOROC.

5. Draft Administrative Arrangements

The Administrative Board **considered and did not object** to the draft Administrative Arrangement between EMSA and the Norwegian Coastal Administration (NCA) for the hosting, maintenance, and operation of the North Sea/North Atlantic and the HELCOM regional AIS servers and their connection with SSN and the draft Administrative Arrangement between EMSA and the Italian Coast Guard (ICG) for the hosting, maintenance, and operation of the Mediterranean regional AIS server (MAREΣ) and its connection with SSN, enabling the Executive Director to proceed with their signatures.

The Administrative Board also **took note** of the announced draft Administrative Agreement between EMSA and the Caribbean MOU on PSC about the provision of RuleCheck and MAKCs to the members of their MOU and the draft Administrative Agreement between EMSA and the Indian Ocean MOU on PSC about the provision of RuleCheck and MAKCs to the members of their MOU.

These draft agreements were circulated the same day, after the meeting. The Administrative Board would consider these draft agreements, with the 4 weeks period foreseen by the EMSA Founding Regulation starting to count from the day of the meeting. If no objection will be registered by the end of the four weeks period, on 3 April 2024, the Executive Director will be able to proceed with the signature of the two agreements.

6. Adoption of the list of “A” items

The Administrative Board adopted/took note of the following “A” items en bloc, following the report and positive recommendation of the Administrative and Finance Committee:

6(a) EMSA Financial Statement 2023 – **took note**

6(b) School Arrangement – Annual Report 2023 – **took note**

6(c) 2024 Appropriations cashed – **took note**

6(d) Monitoring of findings and recommendations from internal & external audits & EMSA follow up – **took note**

6(e) Implementing Rules to the Staff Regulations – Opt out from the Commission Decision on the prevention of and fight against psychological and sexual harassment – **adopted**.

7. Any Other Business

None tabled.

Detailed minutes 69th EMSA Administrative Board meeting

1. Welcome from the Chairman and adoption of the agenda

In view of the virtual nature of the meeting a roll call was conducted to establish and confirm the presence of the quorum of 2/3 of the voting Members.

The Executive Director announced additional draft agreements to be submitted for consideration by the Administrative Board under the agenda item 5, with the 4 weeks consideration period foreseen by the Agency's Founding Regulation starting to count from the same day.

The agenda was adopted. No conflicts of interest were declared.

New Board Members/alternates were welcomed, as listed below:

Nominations:

Denmark:

- **Board Member:** Ms Rikke W. Olufsen, Deputy Director General, Danish Maritime Authority (*not present at this meeting*), replacing Mr Andreas Nordseth, our previous Chairman.
- **Alternate Member:** Ms Malene L. Mundt, Director of Maritime Regulation and Legal Affairs, Danish Maritime Authority, replacing Mr Niels Peter Fredslund.

Slovenia:

- **Alternate Member:** Mr Aleš Rotar, Harbour Master, Ministry of Infrastructure, Slovenian Maritime Administration, replacing Mr Vladimir Vladović.

Germany: Board Member: Ms Martina Kohlhaas, Director for Shipping, Federal Ministry for Digital and Transport; replacing Mr Achim Wehrmann.

Absences: Austria and Czech Republic were absent with no proxy provided.

2. Minutes of the last meeting

The Administrative Board approved the draft minutes and decisions of the last meeting, which took place in Lisbon on 14 and 15 November 2023.

The draft minutes of the 68th EMSA Administrative Board meeting from November 2023 were circulated on 12 December 2023 and no comments on substance were received, just an omission of the representative from the Netherlands in the list of participants.

3. (a) and (b) EMSA Consolidated Annual Activity Report 2023

The Administrative Board adopted the EMSA Consolidated Annual Activity Report 2023, in accordance with Articles 15(2)(d) and 10(2)(b) of the EMSA Founding Regulation and provided its assessment of the EMSA Consolidated Annual Activity Report 2023, in accordance with Article 48 of the EMSA Financial Regulation, taking into account the European Court of Auditors' observations of previous years and subject to the preliminary observations of the European Court of Auditors.

The Board's adoption and assessment will be subsequently confirmed by written procedure if there are no substantial changes or revisited at the June meeting if there are, once the preliminary observations are available.

(a) Consideration and adoption by the Administrative Board

Ms Markovčić Kostelac first recalled the legal basis enshrined in both the Agency's Founding and Financial Regulations for the consideration and adoption of the Consolidated Annual Activity Report by the Administrative Board.

She also recalled that the document covered the fourth year of implementation of the EMSA 5-year Strategy with the continued practice introduced in 2021 clearly linking the most important achievements of the year with the multi-annual strategic objectives.

She further informed the Board of the successful implementation of 95.5% of actions planned as pledged in the 2023 work programme, with 2% rescheduled to this year and 2.5% cancelled, many of which linked to external factors.

In terms of budget implementation, Ms Markovčić Kostelac announced the highest execution ever, with 99.94% in commitment and 98.44% in payment appropriations.

2023 was also marked by geopolitical instability – the continuation of the war in Ukraine and the resulting sanctions on Russia, the outbreak of the terrible conflict in Gaza and the emerging security threats in the Red Sea and Gulf of Aden. EMSA continued its support to the Member States and the Commission in their efforts to mitigate the impact of this instability to maritime transport.

The Executive Director provided an overview of the Agency's outputs and KPIs as well as the positive evolution of some of the Agency's key services since 2018, performed with a budget that had remained stable in real terms and a stable establishment plan since 2018.

As per the tradition established already for a number of years, Ms Markovčić Kostelac announced the video presentation on the Agency's achievements by its staff and in their own languages.

The representative from Cyprus, Mr Ioannis Efstratiou congratulated the Agency for its achievements and the excellent results.

Ms Anne Montagnon, the Commission representative, also congratulated the Agency, highlighting the very reassuring internal control indicators and the excellent budget execution of the Agency for 2023.

Ms Fotini Ioannidou (Commission) also praised the excellent work done by the Agency in this very challenging year. The Agency's support to the Commission in the implementation of the Fit for 55 package was considered key, as well as its assistance in the preparation of the Maritime Package, including the revision of the EMSA mandate. She further stated that the Agency's work at IMO in the framework of the revision of the STCW convention and code would not have been possible without EMSA. She also thanked the Agency for its support in the context of the passenger safety legislation and its assistance provided to the Commission and the Member States in the context of the war against Ukraine.

The representative from Greece Mr Andreas Spanos also thanked the Executive Director and her staff for another productive year on both operational and managerial levels, acknowledging the Agency's exceeded objectives, with a particular emphasis on security issues with the ongoing wars and their impact on shipping.

Ms Veronica Manfredi from the Commission also praised the Agency's contribution to the agenda for the European Green Deal, highlighting work on the pollution from plastic pallets very important as shown by the accident on the coast of Spain and Portugal, and the ongoing studies on the alternative fuels and safety of biofuels.

The Executive Director thanked the Administrative Board for the expressed views. In response to Cyprus, that highlighted the importance of the EMSA studies to feed the work at international level, she confirmed the Agency's efforts to provide support to the Commission and inspire the discussions held at IMO.

On behalf of the EMSA Administrative Board, the Chairman Mr Wojciech Zdanowicz congratulated the EMSA staff for the progress achieved in 2023, requested written editorial suggestions to be sent to the Agency within one week after the meeting and confirmed the consideration and adoption of the EMSA CAAR 2023.

(b) Assessment by the Administrative Board

Mr Zdanowicz invited Mr Eric Banel (France), Chairman of the Administrative and Finance Committee to take the floor to report on the discussion held on part c) Management of the Draft Assessment of the Administrative Board.

Mr Banel thanked the Administrative Board for its trust in electing him Chairman of the Administrative and Finance Committee as well as its previous Chairman for his contribution to the Committee.

He also reported to the Administrative Board on the discussions held in the morning of 6 March at the Administrative and Finance Committee meeting on the Assessment's part c) Management, confirming a favourable opinion on behalf of the Committee on the text.

He further informed the Board that, as suggested by the Commission last year, the Agency extended the presentation this year and provided the Administrative and Finance Committee with further information on the achievements of outputs and KPIs for 2023.

The Chairman invited the Members to comment on the draft Assessment, presented on screen for possible changes.

The Chairman confirmed the adoption of the Assessment of the Consolidated Annual Activity Report 2023, greatly valuing the Agency's performance in carrying out its tasks.

4. Update on Agency's activities and budget implementation

The Administrative Board took note of the information provided by the Agency on:

4(a) General information

As per established practice, Ms Markovčić Kostelac recalled the agreement with the Commission and the Chairman, not to provide the usual updates on the Anti-Pollution Measures and the European Cooperation on Coast Guard functions developments at this early stage of the year. A more mature update on both operational and financial developments in these areas would be provided at the June Board meeting.

The Executive Director also informed the Administrative Board of the preliminary assessment by the Agency of the possible deficit in Title 1 resulting from the different increases in salary and correction coefficient for Portugal for 2022 and 2023. The current outlook estimated the deficit at 1.5 M EUR which the Agency intended to cover by reducing expenses and saving appropriations in other items of expenditure of the budget.

Nevertheless, in case the trend from the two previous years in the correction coefficient and the annual adjustment of remunerations continues in 2024, which would be known only towards the end of the year,

she also underlined that the deficit could increase to up to 2.3 M EUR. The Agency would update the Administrative Board on the evolution of these estimates throughout the year.

The Executive Director also drew the attention of the Administrative Board of the continual increase in the delivery of services to stakeholders since 2016 with the Coast Guard package injection and with a stable establishment plan and budget since 2018.

4(b) HR matters - AB 69 04b EMSA HR Strategy

The Chairman invited Mr Eric Banel to debrief the Board on the discussions held at the Administrative and Finance Committee on the EMSA HR Strategy where, in response to questions raised by the Commission the Agency confirmed that the HR Strategy was aligned with the decision on working time and hybrid work decision that was already adopted by the Administrative Board last November. In relation to the planned initiatives to reinforce the corporate culture through team building and social events, these were naturally always subject to budget availability. In relation to the career advancement plan for contract agents, this initiative was fully aligned to the legal framework and the budgetary procedure and subject to the availability of posts in the context of the budgetary procedure.

Ms Dominika Lempicka-Fichter, Head of Department 4 – Corporate Services – presented the EMSA HR Strategy as a major step towards a more modern HR function with staff as the main focus throughout its 5 pillars: Sustainable engagement, Talent, Attractivity, Flexibility and Future, each of which builds on a series of objectives and relevant actions.

Under the **Sustainable Engagement** pillar EMSA has already put in place a series of actions going from an environmental perspective to the first EMSA Staff Satisfaction Survey with an important participation of staff. The results of the survey were currently under assessment and would be presented to the Administrative Board in June.

Other actions were the revamping of the traineeship programme, the development and strengthening of the EMSA corporate culture and the revamping of the exit procedure for the staff leaving the Agency.

Under the **Talent** pillar the Agency's priority in 2023 was to launch the exercises for the career advancement of Contract Agents following the approach in place at the European Commission. This advancement was not automatic and staff members were subject to undergo a dedicated selection procedure. The Agency also finetuned its Job Families as a first step towards the revision of Job Titles and Job Descriptions

Both actions represented a big step towards better career management and improved staff motivation aiming at enhanced and better mobility within the Agency.

Under the **Attractivity** pillar, various outward-looking initiatives already took place, including in the context of the Gender Action Plan. In 2024 the focus will be on ethics and integrity and the development of a diversity policy including an analysis of the nationalities of EMSA staff in order to determine ways of achieving a better balance.

Regarding **Flexibility**, in 2023 EMSA adopted a model decision on working time and hybrid work allowing for an improved work-life balance, as well as an internal communication plan for an improved sharing of information within the Agency of topics of interest to staff. 2024 will shift focus on specific health campaigns and well-being issues.

Finally, looking towards the **Future**, the Agency started completing the implementation of electronic workflows such as the Qualified Electronic Signature in the document management system Ares, leading to saving time, resources, and to a safer and greener administration.

2024 will bring a more strategic learning and development framework for the Agency's staff and a bigger focus on increasing synergies in procurement, recruitment and cybersecurity with other EU agencies.

The Chairman expressed the appreciation of the Administrative Board for the efforts done to support the EMSA staff.

In response to Cyprus on the future additional posts following the adoption of the revised EMSA mandate and the Agency's ability to absorb new tasks and the future newcomers, Ms Markovčić Kostelac confirmed that the Agency was ready, with the recruitments for reserve lists already ongoing and the new hybrid working arrangements for office space.

She also thanked the HR team for the hard work.

The Commission representative Ms Anne Montagnon stressed the importance of not creating expectations for staff in the framework of the reclassification exercise which always depended on the budgetary constraints and the outcome of the budgetary procedures.

4(c) Study on safety aspects of COVID

Mr Santiago Encabo, acting Head of Unit 2.1 Safety & security, recalled the spring of 2020 when the COVID-19 outbreak affected countries worldwide and Europe and how it affected shipping transport.

While EMSA and other stakeholders had systematically monitored the consequences of COVID-19 on maritime trade, its impact on safety in the medium and long term was an uncharted area.

The objective of the study conducted by EMSA was to detect emerging risks and potential safety issues due to the changes of "normal operations", either on board of ships and ship-to-shore, that the pandemic and its resulting restrictions might have imposed.

The key findings of the study for commercial shipping highlighted the critical importance of the mental and physical health of the seafarers, disparities in travel transit rights and heterogeneous port protocols which introduced uncertainties and affected crew welfare. The pandemic also boosted digitalisation processes in shipping, in particular for remote inspections and training, which posed new cybersecurity threats. The study also showed a decreased attractiveness of the shipping sector with a potential impact on safety as well as delays in maintenance that may lead to potential technical and equipment failures in future if not properly mitigated.

In the context of fisheries, there were four key findings: crew well-being potentially leading to anxiety, depression, and emotional exhaustion, qualified labour shortages and safety compromises, market fluctuations and financial strain for fishing companies and delays in inspections fishing vessels and repair activities.

4(d) Study on Safety of biofuels

Mr Lanfranco Benedetti, Project Officer for Ship Safety, Unit 2.1 Safety & security, presented this agenda item, recalling the efforts of the maritime industry to reduce its carbon footprint, with biofuels emerging as a viable possibility with the potential for rapid market entry.

The EMSA study from 2023 had identified 5 promising candidates for maritime applications, including bio-methanol, Bio-Fischer-Tropsch Diesel (FT-diesel), Bio-Dimethyl Ether (DME), Hydrotreated Vegetable Oil (HVO), and Fatty Acid Methyl Ester (FAME).

A preliminary analysis has nevertheless revealed a notable gap in the understanding of safety implications for these specific fuels. The objective of the Study on Safe Bunkering of Biofuels, to be completed by the

end of 2024, aims to fill that knowledge gap and to draw up a guidance for the safe bunkering of these promising fuels.

The study characterises first the physical and chemical properties of the chosen biofuels, followed by the current state of regulations for maritime use of these selected fuels while examining both conventional bunkering practices and exploring potentially applicable practices from other relevant industries.

The study reviewed incidents and accidents in land-based industries dealing with biofuels, looking for bunkering related incidents that seem to mainly be due to inadequate maintenance.

The study also analysed the appropriate level of Personal Protective Equipment depending on the specific situation and the specific role of the crew to determine their appropriate use.

The study will continue during 2024 with more substantial work including a 3-days HAZID Workshop with industry experts, drawing-up the first draft Guidance for the safe bunkering to be further scrutinized through a stakeholder consultation leading ultimately to the final Guidance by the end of 2024.

4(e) Identification of Competences for MASS Operators in Remote Operations Centres

Mr Mario Mifsud, Head of Unit 1.2, Visits and Inspections, Human element, explained the main objective of the study which was to identify the competences that MASS operators located at Remote Operator Centres (ROC) should have to ensure safe operation of three different MASS types in defined operational scenarios.

The study focused on the development of generic ROC models for remotely controlled MASS, with and without crew on board, identification of competences for MASS ROC operators and the development of competence-based curricula to ensure that through training operators can achieve the identified competences. He further explained the 3 use cases that were analysed, and the various scenarios used within the 3 operational envelopes applied to identify the specific processes and to map the main functions and tasks.

Within each operational scenario, through the analysis of core work processes and mapped tasks, the study provided a structural design of ROC generic models and the definition of the roles of ROC staff members.

The conclusions of the study were that most of the STCW Code competences were relevant for ROC operators and, therefore, the STCW qualifications were recommended as basic background requirements for candidates for a ROC operator capacity. It also proposed a MASS ROC operator training programmes: a competence-based training in two level programmes for ROC operators, basic and advanced, each of which included both common and specific training modules for each capacity concerned designed with a duration of 15 weeks.

Mr Mifsud highlighted the relevance of the study for ongoing discussions at IMO.

5. Draft Administrative Arrangements

The Administrative Board considered and did not object to the draft Administrative Arrangement between EMSA and the Norwegian Coastal Administration (NCA) for the hosting, maintenance, and operation of the North Sea/North Atlantic and the HELCOM regional AIS servers and their connection with SSN and the draft Administrative Arrangement between EMSA and the Italian Coast Guard (ICG) for the hosting, maintenance, and operation of the Mediterranean regional AIS server (MAREΣ) and its connection with SSN, enabling the Executive Director to proceed with their signatures.

Ms Markovčić Kostelac recalled the existing SLAs with the abovementioned entities in force since March 2018, already updated several times for various technical or financial reasons and covering the provision of services relating to the hosting, maintenance and operation of the AIS regional servers and their connection with SafeSeaNet. In particular, the Agreements covered the provisions of the following services:

- Mandatory (basic) services: e.g. maintain and operate 24/7 the AIS Regional server to ensure its high availability and connection to the national AIS networks and to the SSN central system; provide the hosting infrastructure (hardware, software, network connections) and hosting service for the SSN proxy application; maintain the required software to connect national AIS networks to the regional AIS server for their data transmission to SSN; support the back-up recovery; analyse the incidents causing unforeseen service interruptions; monitor of AIS reporting.
- Additional services provided on ad-hock bases: AIS information quality monitoring, service reporting, etc.

The changes proposed by the new agreements related to the consolidation of previous amendments into a single Agreement, their renaming into “Administrative Arrangement” to align them with the new EMSA/EU nomenclature, reduction of annexes by consolidating all technical requirements in a single annex, the introduction of new procedures for data retransmission, statistics, the list of abbreviations. The changes also brought amendments to payment requirements and defined the participation of the IPA project countries in the Mediterranean AIS regional server in the case of the agreement with the Italian Coast Guard which also needed a price revision.

In terms of resources, with the Italian Coast Guard, the current price of 80,300 €, introduced by the Amendment No 1 in May 2021, would now be adjusted to 84,760 € and partially paid from the SAFEMED/BCSEA/IPA projects budget for services ensuring the T-AIS data exchange with ENP and IPA countries participating in SAFEMED/BCSEA/IPA projects and connected to the Mediterranean regional AIS server. The existing agreement with the Norwegian Coastal Administration remained unchanged with the amount of 80,300 €.

In addition to these changes, all articles relating to payments were removed as payments must be done in line with the Financial Regulation applicable to EMSA, in the context of a contract signed following the relevant procurement rules. The procurement procedures will be organised by EMSA for the ICG and the NCA and the targeted start date of the contracts will be 1 May 2024 and would enter into force the same day.

The Chairman confirmed that the Administrative Board considered and did not object to the draft agreements with the draft Administrative Arrangement between EMSA and the Norwegian Coastal Administration (NCA) for the hosting, maintenance, and operation of the North Sea/North Atlantic and the HELCOM regional AIS servers and their connection with SSN and the draft Administrative Arrangement between EMSA and the Italian Coast Guard (ICG) for the hosting, maintenance, and operation of the Mediterranean regional AIS server (MAREΣ) and its connection with SSN, enabling the Executive Director to proceed with their signatures.

The Agency confirmed for Finland that there would be no changes in the current practice from the perspective of the national networks.

The Administrative Board also took note of the announced draft Administrative Agreement between EMSA and the Caribbean MOU on PSC about the provision of RuleCheck and MAKCs to the members of their MOU and the draft Administrative Agreement between EMSA and the Indian Ocean MOU on PSC about the provision of RuleCheck and MAKCs to the members of their MOU.

These draft agreements were circulated the same day, after the meeting. The Administrative Board would consider these draft agreements, with the 4 weeks period foreseen by the EMSA Founding Regulation starting to count from the day of the meeting. If no objection will be registered by the end of the four weeks period, on 3 April 2024, the Executive Director will be able to proceed with the signature of the two agreements.

Ms Markovčić Kostelac recalled the original agreements for these two entities which, in terms of substance, were mirrored in the new arrangements, with the conditions to grant access unchanged and aligned to the ones applied to other Memoranda. Minor editorial changes were introduced in line with the template used in more recent cases, such as the one with the Abuja MOU, and to update relevant legal references such as the one to the Data Protection Regulation.

In terms of cost and workload for EMSA, these elements remain unchanged: no costs and minimum workload only in case of new users.

The European Commission confirmed the added value from the EU perspective on 21 February 2024.

The Secretariat of the EMSA Administrative Board made the two draft agreements available after the Board meeting.

The Chairman confirmed that the Administrative Board would consider these draft agreements with the 4 weeks foreseen by the EMSA Founding Regulation starting to count from the day of the meeting.

If no objection will be registered by the end of the four weeks period, on 3 April 2024, the Executive Director will be able to proceed with the signature of the two agreements.

6. Adoption of the list of “A” items

The Chairman of the Administrative and Finance Committee, Mr Eric Banel, reported that the necessary quorum for the meeting had been in place with the participation in the meeting of the representatives from Belgium, Germany (by experts), Poland, France, Spain, Sweden and the Commission. Relevant EMSA management were also present.

The Committee had reviewed all the “A” points and could recommend that the Administrative Board take note/adopt them “en bloc”.

6(a) EMSA Financial Statement 2023 – *took note of the information provided by the Agency.*

Mr Raul Fernandez Gonzalez, Assistant Accounting Officer, informed the Committee that the balance was of total 68.4 M (-0.23%) mainly due to the decrease in equipment (-2.4 M) and to the decrease in cash (-2 M).

The economic outturn of 2023 was of 0.09 M (vs. -3.1 M in 2022) and the total revenues of the Agency were up + 0.89% due to an increase in the EU subsidy and prefinancing for project financed activities (+1.9 M), representing 99% of the total revenues.

The total expenditures were decreased by 2% which was mainly due to the decrease in the operational expenses (-3.9 M).

The budgetary execution for C1 (credits of the year) was again high: 99,94% of commitment execution and 98.44% of payment execution.

To the question regarding the decrease in operational expenses, the Agency explained that this was mainly due to operational prefinancing amounts related to vessels tenders and purchase of equipment which were not cleared by the end of the year and therefore could not be charged to the operational expenses. It should be noted that the decrease of operational expenses seen from an accounting point of view was independent from the budget execution.

6(b) School Arrangement – Annual Report 2023 – *took note of the information provided by the Agency.*

Ms Dominika Lempicka-Fichter, Head of Department 4, Corporate Services, informed the Administrative and Finance Committee that for the academic year 2023/24 a total number of 116 children of staff members have been enrolled in the different schools. The cost of approximately € 757,000 for the budgetary year 2023 remained lower than the average cost per pupil in the European School system.

She further highlighted the Agency's continued efforts towards the goal of setting up an Accredited European School in Lisbon, which remains in the hands of the Portuguese authorities, but also informed the Committee that one additional English language school had been added to the list of available schools, located on the other side of the river Tejo. This was an important step to diversifying the portfolio as housing prices were more affordable in that area.

6(c) 2024 Appropriations cashed – *took note of the information provided by the Agency.*

Mr Andrea Tassoni, Head of the Executive Office and Administrative Board Secretariat, presented this agenda item to the Administrative and Finance Committee by first recalling that the Committee was being informed throughout the year of cash received in the bank account in the interest of transparency.

A total of 5,390,000 € were received since the beginning of the year.

Updates would be provided at the next meetings and the final amounts will be recorded and adopted by the Administrative Board as usual through the final budget amendment after 31st December of the current year.

6(d) Monitoring of findings and recommendations from internal & external audits & EMSA follow up – *took note of the information provided by the Agency.*

The Executive Director informed the Administrative and Finance Committee that all of the 16 recommendation that were issued during the last two years, including all the previous recommendations had been properly addressed and closed. The Agency had no pending actions in relation to audits.

As regards the audits for this year, IAS has announced that they will perform an audit on HR management and Ethics. The audit is scheduled to take place in May of this year.

6(e) Implementing Rules to the Staff Regulations – *adopted the Decision to opt-out from the Commission Decision on the prevention of and fight against psychological and sexual harassment.*

The Agency explained that the rules currently in place were based on the Decision of the Administrative Board Decision from 2009 on the policy on protecting the dignity of the person and preventing psychological and sexual harassment.

On 22 December 2023, the Commission informed the Agencies of the adoption of a new decision on the prevention of and fight against psychological and sexual harassment.

While the Agencies considered that the main substance of the new Commission Decision was appropriate for adoption, due to specificities as regards structure, relevant actors and the lack of Chief Confidential Counsellor which was a key figure in the Commission Decision, the Standing Working Party of the Agencies decided to opt out from the Commission Decision and begin work on a model decision for the agencies.

DG HR had provided the agencies with a template for the opt out from the Commission Decision.

The Staff Committee had been consulted on the non-application by analogy of the new Commission Decision and were in principle in favour of the opt out, whilst awaiting the development of the model decision.

On this basis, the Administrative Board was requested to provide a mandate to the Executive Director to request the Commission's agreement on the non-application by analogy of the new Commission Decision at EMSA.

In response to a question from the Swedish representative Ms Pernilla Wallin on measures in place for the protection of staff, the Agency reassured the Committee that there was already a framework in place based on the previous Commission rules concerning the prevention and fight against psychological and sexual harassment.

7. Any Other Business

None tabled.

Dates of the next EMSA's Administrative Board Meetings:

June 2024:

Administrative and Finance Committee: meeting 3 June (online meeting)

Administrative Board meeting: 5 June pm and 6 June am (Lisbon)

November 2024 (subject to availability of the Hungarian Presidency Council calendar of meetings):

Week 18 to 22 November 2024

Signed:



Wojciech Zdanowicz

Chairman of the EMSA Administrative Board

Done at Lisbon, 6 June 2024

List participants

69th Meeting of the Administrative Board, online meeting, 6 March 2024

MEMBER STATES	
BELGIUM	
Els Claeys	Board Member
BULGARIA	
Ventsislav Ivanov	Board Member
CROATIA	
Toni Maričević	Alternate Member
CYPRUS	
Ioannis Efstratiou	Board Member
DENMARK	
Malene Loftager Mundt	Alternate Member
Jesper Aksel Gebauer Christensen	Expert
ESTONIA	
Kristjan Truu	Board Member
FINLAND	
Juha-Matti Korsi	Board Member
FRANCE	
Eric Banel	Board Member – Chairman of the Administrative and Finance Committee
GERMANY	
Martina Kohlhaas	Board Member
Marc Müller	Expert
GREECE	
Andreas Spanos	Board Member
Nikolaos Matoulas	Alternate Member
HUNGARY	
Csaba Bellyei	Board Member
IRELAND	
Noelle Waldron	Alternate Member
ITALY	

Enrico Castioni	Board Member
LATVIA	
Jānis Krastiņš	Board Member
LITHUANIA	
Linas Kasparavicius	Board Member
LUXEMBOURG	
Marc Siuda	Alternate Member
MALTA	
David Bugeja	Board Member
THE NETHERLANDS	
Paul van Gurp	Board Member
POLAND	
Wojciech Zdanowicz	Board Member - Chairman of the EMSA Administrative Board
Sonia Knobloch-Sieradzkaa	Expert
PORTUGAL	
José Simão	Board Member
Paolo Pamplona	Alternate Member
ROMANIA	
Gabriel Trafandir	Board Member
Lacrima Hornet	Alternate Member
SLOVAKIA	
Josef Mrkva	Board Member
SLOVENIA	
Jadran Klinec	Board Member
Aleš Rotar	Alternate Member
SPAIN	
Benito Núñez Quintanilla	Board Member – Deputy Chairman of the EMSA Administrative Board
Javier Fernandez Abad	Alternate Member
SWEDEN	
Pernilla Wallin	Board Member

EUROPEAN COMMISSION	
Anne Montagnon	Board Member
Veronica Manfredi	Board Member
Fotini Ioannidou	Alternate Member
Barbara Sellier	Alternate Member
Cristina Cuadra Garcia	Alternate Member
Kristel Jurado	Expert
Rosa Antidormi	Expert
EFTA STATES	
ICELAND	
Jon Gunnar Jonsson	Board Member
NORWAY	
Knut Arild Hareide	Board Member
PROFESSIONAL SECTOR	
Thomas Kazakos	Board Member
EMSA	
Maja Markovčić Kostelac	Executive Director
Manuela Tomassini	Head of Department 1, Sustainability
Leendert Bal	Head of Department 2, Safety, Security & Surveillance
Peter Kirov	Head of Department 3, Digital Services & Simplification
Dominika Lempicka-Fichter	Head of Department 4, Corporate Services
Andrea Tassoni	Head of Unit Executive Office, Board Secretariat
Frédéric Hébert	Head of Unit 1.1
Mario Mifsud	Head of Unit 1.2
Georgios Christofi	Head of Unit 1.3
Santiago Encabo	Acting Head of Unit 2.1
Lanfranco Benedetti	Project Officer for or Ship Safety
Pedro Lourenço	Head of Unit 2.2
Lukša Čičovački	Head of Unit 3.1
Ivo Kupsky	Head if Unit 3.2
Lazaros Aichmalotidis	Head if Unit 3.3
Cristina Romay-Lopez	Head if Unit 4.1

Andrea Iber	Head of Unit 4.2
Michael Risley	Chairman Staff Committee
Simone Balboni	Co-Chairman EMSA Staff Committee
Davide Mola	Accountant
Marco Ingrosso	Budget and Finance Specialist – Planning and Monitoring
Soraya Obura	Senior Assistant for Planning and Reporting – Planning and Monitoring
Selena Matic	Senior Administrative Assistant – Planning and Monitoring