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EVALUATION ON THE IMPLEMENTATION OF THE REGULATION (EC) NO 1406/2002 ESTABLISHING EMSA

FINAL REPORT

RAMBØLL

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FINAL REPORT

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LIST OF ACRONYMS

ABB	Activity-based budgeting
ABM	Automated Behaviour Monitoring
CDC	Cooperative Data Centre
CSD	Common Ship Database
CEDRE	Centre of Documentation, Research and Experimentation on Accidental Water Pollution
CEFIC	European Chemical Industry Council
CNTA	Consultative Network on Technical Assistance
CTG MPPR	Consultative Technical Group for Marine Pollution Preparedness and Response
DG MOVE	Directorate General – Mobility and Transport
DLP	Distance learning programme
DUET	Dispersant Usage Evaluation Tool
EAS	Emergency equipment assistance
EASA	European Aviation Safety Agency
EBCGA	European Border and Coast Guard Agency
EC	European Commission
ECDC	European Centre for Disease Prevention and Control
ECSA	European Community Shipowners' Associations
EEA	European Economic Area
EFCA	European Fisheries Control Agency
EFTA	European Free Trade Association
EUMETSAT	European Meteorological Satellite
EMCIP	European Maritime Causality Information Platform
EMSA	European Maritime Safety Agency
EMSW	European Maritime Single Window Prototype
ENP	European Neighbourhood Policy
EODC	Earth Observation Data Centre
ESOA	European Satellite Operators Association
ESPO	European Sea Ports Organisation
ETSI	European Telecommunications Standards Institute
EU	European Union
EU NAVFOR	European Union Naval Force
Frontex	Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union
GHG	Greenhouse gas
GMES	Global Monitoring for Environment and Security programme
GUI	Graphic user interface
HELCOM	Helsinki Commission
HLSC	High-Level Steering Committee
HNS	Hazardous and noxious substances
IACS	International Association of Classification Societies
ICT	Information and communication technology
IGP&I	International Group of Protection & Indemnity Clubs
IDE	International Data Exchange
ILO	International Labour Organisation
IMDatE	Integrated Maritime Data Environment
IMO	International Maritime Organisation
IMS	Integrated Maritime System
IPA	Instrument for Pre-Accession Assistance

ITF	International Transport Workers' Federation
JRC	Joint Research Centre
KPI	Key performance indicator
LRIT	Long-Range Identification and Tracking
MaKCs	Maritime Knowledge Centre
MAOC	Maritime Analysis and Operations Centre
MarAd	Maritime Administration
MAR-CIS	Marine Chemical Information Sheets
MAR-ICE	Marine Intervention in Chemical Emergencies
MARINFO	Maritime information
MARETEC IST	Marine Environment and Technology Center
MET	Maritime Education and Training
MRV	Monitoring, Reporting and Verification
MS	Member States
MSS	Maritime Support Services
NEPT	National Experts in Professional Training
NSW	National Single Window
OSRV	Oil spill response vessels
Paris MoU	Paris Memorandum of Understanding
PoRA	Rotterdam Port Authority
PRF	Port reception facilities
PSC	Port State Control
PSCA	Port State Control Authority
REMPEC	Regional Marine Pollution Emergency Response Centre for the Mediterranean Sea
RBINS	Royal Belgian Institute of Natural Sciences
RFD	Reporting Formalities Directive
RO	Recognised Organisation
RPAS	Remotely Piloted Aircraft Systems
SafeMed	Safe Mediterranean
SAR	Search-and-rescue
Satellite AIS	Satellite Automatic Identification System
SMHI	Swedish Meteorological and Hydrological Institute
STCW	Standards of Training, Certification and Watchkeeping for Seafarers
STCW-IS	Standards of Training, Certification and Watchkeeping Information System
STMID	Shore-based Traffic Monitoring Infrastructure Database
TRACECA	Transport Corridor Europe-Caucasus-Asia
VTMIS	Vessel Traffic Monitoring and Information System
WSC	World Shipping Council

EXECUTIVE SUMMARY

The *Evaluation on the implementation of the Regulation (EC) No 1406/2002 establishing a European Maritime Safety Agency (EMSA)* is a legal requirement enshrined in EMSA's founding regulation[1]. The evaluation, conducted between July 2016 and February 2017 by Ramboll Management Consulting acting as an independent external evaluator, assesses the impact, utility, relevance, added value and effectiveness of the Agency and its working practices.

Methodology
Objectives of the evaluation
As a summative exercise, the evaluation has analysed the extent to which EMSA's anticipated outputs, results and impacts were produced effectively and efficiently, and has assessed the utility, relevance and EU added value of EMSA's activities. On the basis of the evidence provided by the summative part, the formative part of the evaluation has provided recommendations to EMSA's management and Administrative Board regarding its continued work to improve the Agency's working practices and increase its effectiveness and efficiency.

Scope of the evaluation
The temporal scope of the evaluation is the period from 2011 to 2016, with an emphasis on the past three years, i.e. since the adoption of the 2013 amendment of the EMSA Regulation. The material scope of the evaluation is the EMSA Regulation and the mandate and tasks outlined in the 2013 amendment. The geographical scope of the evaluation (i.e. the geographical coverage of the evaluation activities) is the EU-28 Member States, the states of the European Economic Area (EEA), and any third country with which EMSA cooperates.

Analytical framework
The study is a theory-based evaluation which is grounded in the understanding of the intervention logic (the logical framework explaining how an intervention is expected to contribute to intended or observed results) of EMSA. The table below provides an overview of the overall evaluation criteria and evaluation questions which have been covered by the evaluation. A full evaluation question matrix is attached to the main body of the report.

Table 1: Evaluation criteria

The definitions that follow are based on the Better Regulation Guidelines[2]
Relevance: To what extent EMSA's tasks and objectives (still) match the (current) needs and problems; To what extent is it (still) relevant to have a decentralised EU agency dedicated to maritime safety?
Effectiveness: To what extent has EMSA been successful in achieving the objectives set for its work?
Impact (of the Regulation): To what extent have the objectives of the EMSA Regulation been achieved, and to what extent can they be attributed to the work of the Agency?
Utility: To what extent do the activities conducted and the results produced by EMSA satisfy (or not) the needs of the Agency's key stakeholder?
Efficiency: To what extent does the Agency offer value for money in relation to the resources used and the changes generated by the Agency's interventions?
Cost effectiveness: To what extent is it cost-effective to have an EU agency dedicated to improving maritime safety and security in Europe, as opposed to pursuing this solely at a decentralised level?
Added value: What is the added value of having an EU agency dedicated to improving maritime safety and security, as opposed to addressing this solely at the national and international level?

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[1] Article 22, Regulation 1406/2002/EC, as amended

[2] See Better Regulation Guidelines, SWD(2015) 111 final, Strasbourg, 19.5.2015 available at http://ec.europa.eu/smart-regulation/guidelines/ug_chap6_en.htm

For the purposes of the assessment of effectiveness and utility, EMSA's activities have been grouped into four areas, namely (i) Monitoring, Surveillance and Information Sharing; (ii) Standards, Rules and Implementation; (iii) Environmental Challenges and Response; and (iv) Information, Knowledge and Training. These represent the four work areas of EMSA's 5-year strategy. The table below presents a simplified overview of EMSA's main activities.

Table 2: EMSA's work areas and activities

EMSA work areas	Activities comprised
Monitoring, Surveillance and Information Sharing	• Integrated maritime services • SafeSeaNet • EU LRIT and LRIT IDE (EU Long-Range Identification and Tracking Cooperative Data Centre and LRIT International Data Exchange) • THETIS information system • Maritime Support Services (helpdesk) (MSS)
Standards, Rules and Implementation	• Inspections of classification societies • Inspections of third countries and visits to Member States (STCW) • Visits to the Member States • Maritime security inspections in the Member States, Norway and Iceland (Regulation (EC) No 725/2004) • Horizontal research and analysis on Member States' application of EU law • Support to the PSC system in line with the PSC Directive • Accident investigation • Technical assistance to the Commission and Member States for marine equipment and ship safety standards.
Environmental Challenges and Response	• Oil pollution response services • Earth Observation, CleanSeaNet and illegal discharges • Cooperation and information relating to pollution preparedness and response • Prevention of pollution by ships • THETIS-EU and THETIS-MRV • Emissions inventories Project • Technical assistance to the Commission and Member States in the development and implementation of relevant EU legislation
Information, Knowledge and Training	• Training and technical assistance for Member States and officials from enlargement countries • Ship inspection support (maritime information (MARINFO), Equasis, RuleCheck, MaKCs and statistics) • TRACECA II • SafeMed III

Data collection

In accordance with the Better Regulation Guidelines[3] issued by the European Commission, this evaluation is based on the best available evidence (factual and opinion based). Evidence is drawn from a diverse and appropriate range of methods and sources. The findings are drawn following the principle of triangulation of sources and methods.

A broad range of data collection activities and sources have been used to generate the evidence required for answering the evaluation questions above. These include: (i) explorative interviews, (ii) questionnaire survey, (iii) case studies, (iv) additional in-depth interviews, (v) desk research, and (vi) a validation workshop.

The table below provides a general overview of each data collection activity.

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[3] See page 54 of Better Regulation Guidelines, SWD(2015) 111 final, Strasbourg, 19.5.2015 available at http://ec.europa.eu/smart-regulation/guidelines/docs/swd_br_guidelines_en.pdf

Table 3: Overview of data collection activities

Activity	Scope	Extent
Explorative interviews	EMSA senior staff, Administrative Board members and the Commission (DG MOVE)	15 explorative interviews
Questionnaire survey	Broad audience, including both EMSA's internal (i.e. staff) and external stakeholders (MarAds, Academia, Admin Board, Industry, Commission, EU Agencies, etc.)	415 responses
Case studies	Five performance stories were undertaken, covering the following areas of activity: • Visits to Member States • Inspections of classification societies (including STCW-related inspections in third countries) • Integrated Maritime Services • Training activities aimed at Member States, in a broad perspective • Internal Performance Management	Secondary documentation related to the case; Responses from the questionnaire survey; Interviews with EMSA staff (13 interviews) Interviews with external stakeholders (29 interviews)
Additional in-depth interviews	Administrative Board of EMSA, representatives of national maritime administrations involved in specific aspects of EMSA's work, European institutions (European Commission, European Parliament, EU agencies), as well as representatives of third countries and the representative of a regional agreement	40 interviews
Validation workshop	High-Level Steering Group	Half-day workshop
Desk research	EMSA mandate, activities, expenditure, Key Performance Indicators, legal framework, etc.	Policy papers, legal documents, EMSA's activity reports, EMSA's technical publications, EMSA's internal documents, sources of maritime information and statistics.

Conclusions

This section presents the conclusions drawn by the evaluators on the basis of the evidence collected in the context of this study. The section is structured so as to correspond with each evaluation criterion and the questions contained in it.

Relevance

Overall, EMSA's activities, outputs and objectives are well aligned with the needs of the Commission, Member States, and other maritime stakeholders. By providing highly appreciated services (i.e. information, knowledge, additional capacity and advice), tailored to the needs of its stakeholders, EMSA plays an important role in increasing the safety and security of the maritime domain and contributes to the prevention and response to Marine Pollution.

EMSA's Founding Regulation (as amended) has succeeded in addressing emerging needs in the past and is in a position to do so in the future. The evaluation finds that most future challenges facing the European maritime sector are well covered under the current EMSA Regulation, and it concludes that the current mandate remains relevant overall. An enhanced mandate, however, may be required to better address administrative burden on the maritime industry and to support the creation of a 'European Transport Space without Barriers'.

Effectiveness and utility

The effectiveness and utility of EMSA's activities are analysed in terms of the four work areas presented in EMSA's 5-year Strategy.

Monitoring, Surveillance and Information Sharing:

EMSA's activities of collecting, aggregating and enhancing relevant maritime data and information have created a common, global, integrated maritime situational picture. By covering a larger area (i.e. globally and Europe-wide) than the national systems of most Member States are able to cover on their own; by providing some data elements previously unavailable to most Member States; by enhancing existing data points and by providing a common situational picture to authorities and agencies which previously did not have access to a maritime situational picture, EMSA's information systems have improved the quality and accessibility of objective, reliable and comparable information to the European Commission, Member States, EU agencies and the maritime community. Furthermore, the accessibility of the systems at a low cost for the users and their ease of use have enhanced cooperation between the Member States and different agencies within individual Member States, as partners and neighbours now have access to a common, comprehensive, situational picture.

While all the Member States find value in using the data provided by EMSA, different Member States derive different benefits from the use of EMSA's systems. The extensive scope of the service makes it highly adaptable to the broad range of needs of the Member States.

Considering these assessments, the evaluation concludes that EMSA is highly effective in the area of Monitoring, Surveillance and Information Sharing. Effectiveness in this area can be further improved by increasing the number of users of EMSA's systems and by further tailoring the services to the needs of the users.

Standards, Rules and Implementation:

The Agency has been successful in delivering tasks and activities in line with its internal strategic processes and activity plans and in doing so it has contributed significantly to improved quality of maritime legislation and standards, improved application of legislation, increased sharing of best practices between Member States and improved quality and availability of objective, reliable and comparable information and data to the Commission and the Member States.

EMSA has specifically achieved significant results in the following areas:
(i) Inspections of ROs and third countries (STCW) – The inspections are internationally acknowledged as 'top class', very professional, thorough and quality-focused inspections that contribute significantly to maritime safety.
(ii) Visits to Member States – EMSA thoroughly monitors maritime legislation, thereby contributing to a very high level of harmonisation between Member States.

Considering these assessments, the evaluation concludes that EMSA is highly effective in the area of Standards, Rules, and Implementation. While recent initiatives (i.e. the new methodology for visits) have had a positive effect, some room for improvement remains, especially in the way visits to Member States are implemented. The evaluation recommends that EMSA should continue and further develop its responsive and purpose-driven approach to its visits to the Member States, complementing the strict legal focus. The active involvement of Member States, in this respect, is necessary in order to ensure this is achieved.

Environmental Challenges and Response

Through the establishment of additional tier III response capacity, EMSA's work in the area of oil-pollution preparedness and response has succeeded in increasing the capacity of Member States to respond to large oil spills from ships and oil and gas installations, and has contributed to creating a more uniform level of protection across the various regions of the EU.

Through an innovative service delivery model, EMSA's oil pollution response vessels provide top-up oil pollution response capacity which cannot be established at lower costs without lowering the level of protection. While residual risk acceptance can only be set by coastal Member States, the absence of detailed and quantifiable assessments outlining the environmental risks and their potential impacts makes it difficult to determine the cost-effective level of oil pollution response capacity which should be established to mitigate them. At the moment, there are no objective measurements and budgets dedicated to response reflect a political choice. This lack of information is the source of the concern expressed by some stakeholders relative to the costs dedicated to oil pollution response and implemented by EMSA.

The provision of satellite imagery, Earth observation data and other data relevant to pollution and emission monitoring also improves the capacity of Member States and the Commission to respond to marine pollution (e.g. by decreasing reaction times) and improving the application and enforcement of maritime legislation (e.g. by identifying possible polluters).

Considering these assessments, the evaluation concludes that EMSA's activities in the area of Environmental Challenges and Response have achieved their intended outputs and results.

Information, Knowledge and Training
The Agency has been successful in delivering training activities to officials from Member States and third countries, in providing technical assistance to TRACECA and SafeMed beneficiary countries, and in making information and statistics available to various stakeholders in line with its plans and ambitions. In doing so, EMSA has indirectly contributed to an improved application of maritime legislation by the Member States and third countries; increased cooperation and the sharing of best practices between Member States; and improved the quality and availability of information and data.

On this basis, the evaluation concludes that EMSA's activities in the area of Information, Knowledge and Training have been effective.

Organisational and internal processes of EMSA
The internal performance management processes and appropriate changes to the organisational structure effectively facilitate the implementation of changes to the tasks and resources of the Agency, e.g. by allowing for frequent monitoring of the implementation of planned activities and the timely (re)allocation resources.

As regards cooperation and information exchange between different units at EMSA, the current levels are generally sufficient for EMSA's ability to perform its tasks. However, internal work processes related to communication, coordination and management could be improved so as to further enhance staff engagement and collaboration. This concerns communication from management to units, between departments at managerial level as well as between staff members from different units and departments.

EMSA has implemented a range of communication activities in relation to its stakeholders in order to raise awareness of its own activities, products and services, and to provide stakeholders and the general public with information about recent developments. While there is a general increase in the use of the Agency's communication products via different communication channels (website; social media platforms), there is also room for further increasing awareness of EMSA in the core stakeholder community, as well as in the maritime industry more broadly.

Overall, the evaluation concludes that the organisational and internal processes of EMSA have had a positive impact on the Agency's effective execution of its tasks and on the delivery of planned outputs and results

Factors influencing effectiveness and utility

The most important challenge faced by EMSA is that it is heavily reliant on external stakeholders (especially, the Member States) for inputs (e.g. maritime data, national experts, factual information, etc.) critical to the delivery of some of its services. While legislation plays an important part in ensuring that critical inputs are available to EMSA, commitment from the stakeholders responsible for providing data to EMSA, beyond the minimum level required by the legislation, is necessary. For this reason, it is critical for EMSA to engage in constructive relationships with its stakeholders. EMSA also cooperates with other EU Agencies, the different DGs of the Commission, and industry and regional agreements. With all these stakeholders, EMSA needs to ensure positive working relations.

This challenge drives EMSA to engage with its stakeholders, actively cooperate and coordinate its activities and take on a "user-centric" approach to the delivery of its outputs, whether delivering input to the Commission or services to the Member States. However, as not all Member States rely on EMSA's services to the same extent, the willingness to engage and support EMSA's activities differs across the EU and across the different services.

Overall, the evaluation uncovered positive feedback regarding EMSA's capacity to cooperate with these various stakeholders, in particular in the exchange of data and information and in the combined implementation of activities. This requires constant attention and effort.

Impact

EMSA's work has contributed to the targeted impacts of "A high, uniform and effective level of maritime safety and security in Europe", "Effective and uniform prevention of and response to marine pollution caused by ships and by oil and gas installations" and "The establishment of a European Maritime Transport Space without Barriers".

The degree to which EMSA has been able to contribute to these overall objectives varies: Important achievements have been made in the area of maritime safety and security, as well as the prevention of, and response to, marine pollution. EMSA's support to the implementation of EU and international legislation have improved safety on ships and at sea as non-conform practices are highlighted during visits and officials as well as seafarers receive training to increase their understanding of the requirements laid down in the legislation. These activities have a similar impact in reducing the risks of pollution through ships and oil and gas installation. EMSA's various data systems provide access to important information increasing security and reducing risks for pollution as well as increasing the ability of MS to respond incidents and enforce maritime legislation.

The Agency has had only a minor contribution to the establishment of a European Maritime Transport Space without Barriers. This objective is clearly included in EMSA's Regulation, but it appears to be secondary for EMSA, as it is only addressed directly by activities falling under the heading of 'ancillary tasks'. The benefits observed in terms of reduction of administrative burden and the increased efficiency of maritime transport arise mostly as a bi-product of EMSA's core tasks. Further instructions by the EU legislator are required for this objective to be more visible and pursued more intensively.

Efficiency and cost effectiveness

EMSA's subsidy from the European Commission has remained relatively static over the years, despite an increase in the scope of the tasks allocated to the Agency. The evaluation finds that the efficiency of the Agency has been increasing, as evidenced by a lower share of overhead expenditure, the take-up of new tasks without additional resources. This improvement is partially due to the positive effect of the performance management system used by the Agency, which

sets multiannual objectives and quarterly KPI indicators as one element in the periodic monitoring of the implementation of the annual work programmes.

The cost effectiveness of the Agency's activities is assessed positively: A number of activities provide high value for money compared to alternative models of provision at the national or regional level. EMSA's activities also contribute to reducing the administrative burden for Member States and to improving Member States' efficiency in implementing their legal obligations. None of EMSA's activities have been assessed as redundant, and EMSA's work is generally assessed as being complementary to that of the Member States.

As a result, the evaluation concludes that EMSA's services and products are cost-effective and that EMSA provides value for money within the context of the EU maritime sector and within all areas of work.

EU added value
The evaluation identifies many areas and mechanisms through which EMSA is reinforcing EU or national initiatives by coordinating and aggregating expertise and knowledge (e.g. information systems, trainings, visits), harmonising the implementation of legislation and practices (e.g. inspections), and topping up the Member States' capabilities (e.g. oil pollution response).

Overall, the evaluation finds that the results of EMSA's work could not have been fully achieved through efforts made at a national and/or international level. This is particularly the case in the area of Monitoring, Surveillance, and Information Sharing. The findings are more nuanced in the area of Environmental Challenges and Response, where until recently the tasks have been carried out solely by the Member States.

While EMSA is providing relatively greater value to the small Member States than to the large ones, (contributing to a more uniform level of maritime safety) this evaluation concludes that, overall, by working at an EU level, EMSA is providing added value in all its areas and for all its stakeholders.

Final Assessment
The challenges faced by the maritime sector cannot be overcome at national level. By operating at EU level, EMSA is providing significant added value to the Member States. EMSA has become an important and respected player in the maritime community, providing world-class services that enhance the ability of stakeholders to respond to the challenges and, ultimately, make the EU maritime sector safer and more secure.

In the absence of EMSA, the activities the Agency undertakes would not be carried out at the same level (or would not be conducted at all). A discontinuation or reduction of EMSA's mandate would have significant negative impacts on maritime safety and security in Europe: standards and practices in the field would be significantly less harmonised, there would be less sharing of data, information and practices, and this would ultimately have a negative impact on maritime safety and security.

Recommendations

Specific recommendations are issued in connection with most of the Agency's work themes. These are treated individually in the main body of the report and summarised in Table 4 below.

Table 4: Summary of recommendations

Recommendation	Target scope	Actors involved
1. Support the Commission and Member States in ensuring the effective implementation of the Reporting Formalities Directive, but make any significant investment by EMSA conditional on political consensus regarding the way forward.	EMSA's mandate / Reporting Formalities Directive	EMSA Admin Board, European Commission, Industry
2. Continue development and improvement of EMSA's information systems, taking into account user needs (in particular those of Member States). However, development and improvement should be more data-driven, and should be based on a better understanding of the use of the underlying services.	EMSA's information systems	EMSA's operational staff Member States Other Users
3. Increase user base by opening access to systems and facilitate the sharing of non-sensitive maritime data to relevant users whose access is currently restricted.	EMSA's information systems	EMSA and Member States (as data owners and potential users), The EC (as facilitator and other stakeholders as potential users
4. Pursue efforts to develop and apply a more open, responsive and purpose driven approach to visits to Member States.	Visits to Member States	EMSA, Member States and Commission
5. Support Member States in the implementation of maritime legislation into concrete and appropriate actions.	EMSA's mandate / Support to Member States	EMSA, Member States and Commission
6. Provide a quicker, informal debriefing to Recognised Organisations to supplement the final inspection report.	Inspections of ROs	ROs, EMSA, European Commission
7. Perform an oil spill risk assessment to further analyse the efficiency of oil pollution response services.	Oil spill response capacities	EMSA / Regional Agreements / Marine Environmental Consultants
8. Improve awareness of EMSA among its stakeholders through reinforced communication activities.	Communication activities	EMSA communication team; EMSA staff
9. Further improve internal communication and organisational processes to facilitate better cooperation between staff	Internal communication and organisational structure	EMSA management, EMSA staff

1. INTRODUCTION

The present document is the final report of the *Evaluation on the implementation of the Regulation (EC) no 1406/2002 establishing a European Maritime Safety Agency (EMSA)*.

Article 22 of the founding regulation of EMSA, Regulation (EC) 1406/2002, as amended[4] (hereafter referred to as the EMSA Regulation) specifies that: "*at regular intervals and at least every five years*" an evaluation of the implementation of the EMSA Regulation must be carried out. The evaluation must (as a minimum) assess the impact of the Regulation as well as the utility, relevance, achieved added value and effectiveness of the Agency and its working practices. The present evaluation of the Agency is the second independent evaluation of EMSA's work. The first was conducted in 2008.

The evaluation process has been managed by the High-Level Steering Committee (the HLSC), consisting of selected members of EMSA's Administrative Board. The tender procedure resulted in Ramboll Management Consulting being selected to carry out the evaluation as an independent external evaluator. The evaluation was conducted from July 2016 to February 2017. It included a broad stakeholder consultation undertaken through interviews, a survey and case studies. The preliminary conclusions and recommendations of this evaluation were presented and discussed at the High-Level Steering Committee workshop held on 26 January 2017.

The report contains ten main sections:

1. **Introduction** – purpose and structure report
2. **Methodology** – approach, data collections and limitations
3. **Background** - an introduction to EMSA
4. **Findings** – evaluation findings in relation to each evaluation question, structured in accordance with the evaluation criteria (Relevant, Effectiveness and Utility, Impact, Efficiency and cost-effectiveness and EU Added Value),
5. **Conclusions** – Conclusions of the evaluation
6. **Recommendations** – suggested improvements

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[4] This refers to the 2013 amendment.

2. METHODOLOGY

2.1 The overall approach to carrying out the evaluation

2.1.1 Objectives of the evaluation

The objective of this evaluation is to examine the EMSA Regulation and the impact, effectiveness, utility, relevance and achieved added value of the Agency and its working practices. It is intended to ensure compliance with Article 22 of the EMSA Regulation requiring an evaluation of the Agency at regular intervals. To this end, the evaluation includes both a summative and a formative perspective.

The **summative part** of the evaluation aims to determine the impact of the EMSA Regulation in terms of targeted objectives of the Agency but also with regard to more general economic, environmental and social impacts. It examines the effectiveness of the Agency and its working practices in the extent to which anticipated outputs and results have been produced. It examines the continued relevance of the objectives in the EMSA Regulation. Furthermore, the evaluation looks at the efficiency of EMSA's activities and working practices, including planning and priority setting, cost effectiveness in relation to the financial resources allocated by the European Union. The evaluation includes an assessment of the administrative and regulatory burden, an assessment of both costs and benefits and the potential for simplification and rationalisation. The evaluation also examines the EU added value created by an Agency for maritime safety for the European institutions, the Member States and further stakeholders. Finally, the level of implementation of the recommendations issued by the Administrative Board following the 2008 evaluation of EMSA is also assessed.

Based on the evidence provided by the summative part, the **formative part** of the evaluation provides recommendations to EMSA's management and Administrative Board in their continued work to improve the Agency's working practices and increase its effectiveness and efficiency, as well as its capacity to check to support short, medium and long term needs.

The evaluation provides sound conclusions on the summative part (as specified by the EMSA Regulation, Art. 22), but particular emphasis has been placed on the formative part. Recommendations are provided not only to EMSA but also to the Member States, taking into account the aspect of complementarity between the work done respectively at the national level and by EMSA.

2.1.2 Scope of the evaluation

The **temporal scope** of the evaluation was the period from 2011 to 2016, with an emphasis on the three most recent years. These are subsequent to the adoption of the 2013 amendment of the EMSA Regulation. Particular attention has been given to the current situation of EMSA, and as was agreed during the meeting that kicked off the evaluation, a retrospective perspective of three to five years has been taken. This was done in view of the fact that the EMSA Regulation was amended in 2013, plus the fact that the third Maritime Safety Package was introduced in 2009 and only fully implemented around 2011.

The **material scope** of the evaluation was EMSA's Founding Regulation and the mandate and tasks outlined in the 2013 amendment. However, emphasis has been placed on evaluating what EMSA does, rather than on the actual Regulation. The activities of "*monitoring and surveillance of maritime safety, management of systems and provision of maritime data and training, and visits and inspections*" are understood by the HLSC as being EMSA's core areas of activity. These were therefore the primary focus of the evaluation.

The most recent amendments to the EMSA Regulation[5] (under which EMSA is assigned responsibility in the area of European cooperation on coastguard functions) have not been evaluated, as they were only just being implemented at the time of the evaluation. However, they were taken into account in the formative part of the evaluation, as they will influence the future evolution of the organisation.

Furthermore, EMSA's oil pollution response services were only partially addressed by the evaluation, due to the existence of a separate study running in parallel which was specifically intended to examine the cost effectiveness of these activities.

The **geographical scope** of the evaluation (i.e. the geographical coverage of the evaluation activities) covered the EU-28 Member States, the countries of the European Economic Area (EEA) and the third countries with which EMSA cooperates. The main focus in the stakeholder consultation process has been on the Commission and the EU Member States, which are EMSA's primary stakeholders. However, because the maritime industry is by its nature neither national nor regional but global, EMSA also interacts with a long list of other stakeholders both within and beyond the EU. This has been taken into account in the evaluation, and as section 2.2 below shows, a broader group of stakeholders was consulted via the survey, and, where relevant, in the context of the case studies and interviews.

2.1.3 Phases of the evaluation

The evaluation was carried out in three phases: a familiarisation phase, an investigation phase and an evaluation phase, as depicted in Figure 1 below.

Figure 1: Overview of the methodology
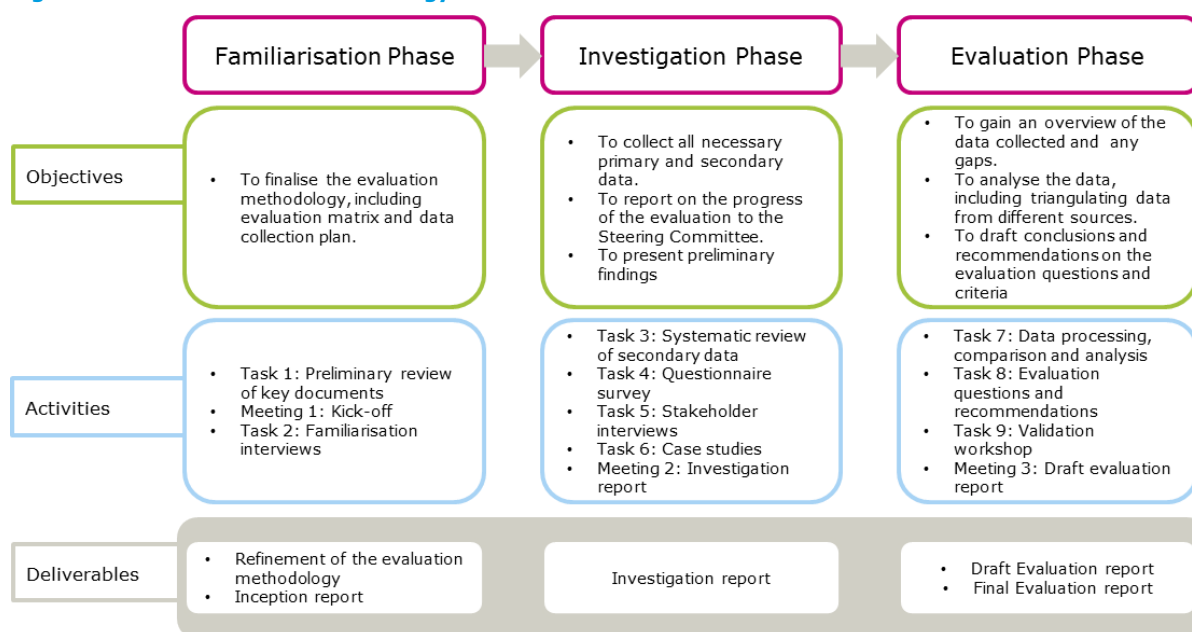
These three phases comprise the framework of the evaluation process. The figure also indicates the key deliverables submitted during each phase, and the meetings held. The activities pertaining to each phase have been specified in the form of tasks. The content of the data collection tasks is presented in Section 2.2.

2.1.4 Analytical framework

The present evaluation is a **theory-based evaluation**. That means it follows a theory-oriented model rather than implementing an experimental evaluation design. Theory-based evaluations

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[5] Regulation (EU) 2016/1625 of the European Parliament and of the Council of 14 September 2016 amending Regulation (EC) No 1406/2002 establishing a European Maritime Safety Agency (Text with EEA relevance)

use a so called *theory of change* to make assumptions about how and why an intervention will work. The evaluation then constructs methods for data collection and analysis to verify the assumptions made.[6] The theory of change or intervention logic (as in the European Commission's Better Regulation Guidelines) provides a "description or diagram summarising how the intervention was expected to interact to deliver the promised changes over time and ultimately achieve its objectives."[7] The present evaluation is grounded in the understanding of the intervention logic of Regulation 1406/2002 and EMSA, and of the activities and working practices of the Agency.

For the purpose of the present evaluation, detailed **intervention logics** have been developed, following the four work areas of EMSA's activities as presented in the Agency's 5-year Strategy, namely: *Monitoring, Surveillance and Information Sharing; Standards, Rules and Implementation; Environmental Challenges and Response*; and *Information, Knowledge and Training*. The intervention logics are presented in section 3.3. They present how different activities lead to specific outputs which were expected to interact to deliver a promised change, in form of results and impacts. The intervention logics formed the basis for the development of the evaluation questions. The questions aim to verify the expected links between the intervention (i.e. the EMSA Regulation and the Agency's activities) and the observed outcomes, results and impacts. Combined the intervention logics and the evaluation matrix comprised the analytical framework for the evaluation. They have been approved by the Steering Committee at the inception of this evaluation.

The **evaluation matrix** is a working tool for the evaluators that lays down the evaluation criteria which are defined in Article 22 of the EMSA Regulation as the impact of this Regulation as well as the utility, relevance, achieved added value and effectiveness of the Agency and its working practices. Under these criteria, evaluation questions have been defined and are linked in the evaluation matrix with data collection methods and analytical strategies, representing the foundations of the final evaluative judgement. As such, the matrix provides a four-level analytical framework which in the analysis phase allowed the evaluators to cross-analyse and assess the data collected from different sources, and to move from indicators (level 4) to assessing specific evaluation issues (level 3), then to answering the main evaluation questions (level 2), and finally to providing the overall assessment (level 1) of the evaluation criteria.

To assess effectiveness and utility, EMSA's activities have been grouped into four areas of EMSA's 5-year strategy following the structure of the intervention logics.

The full evaluation matrix is presented in Appendix 1, while the table below provides an overview of the overall evaluation questions and sub-questions which the evaluation has answered.

Table 5: Evaluation questions

Relevance: *To what extent is it (still) relevant to have a decentralised EU Agency dedicated to maritime safety?*
1. To what extent have the objectives and tasks set out for the Agency's work in the founding Regulation proven to be relevant to the work of EMSA and the needs in the field of European maritime safety so far, and to what extent are they pertinent to addressing emerging needs?
2. To what extent is there a need to amend the EMSA Regulation to accommodate future developments and challenges in the European maritime sector?

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[6] Weiss, C. H. (1995). Nothing as practical as good theory: Exploring theory-based evaluation for comprehensive community initiatives for children and families. In J. P. Connell, A. C. Kubisch, L. B. Schorr & C. H. Weiss (Eds.), New approaches to evaluating community initiatives: Vol. 1, Concepts, methods, and contexts. Washington, DC: The Aspen Institute.

[7] European Commission (2015): Commission Staff Working Document – Better Regulation Guidelines, SWD(2015) 111 final

Effectiveness: *To what extent has EMSA been successful in achieving the objectives set for its work?*
3. To what extent and in what ways have EMSA's activities in the area of **Monitoring, Surveillance and Information Sharing**[8] been successful in achieving the desired outputs and results?
4. To what extent and in what ways have EMSA's activities in the area of **Standards, Rules and Implementation** been successful in achieving the desired outputs and results?
5. To what extent and in what ways have EMSA's activities in the area of **Environmental Challenges and Response[9]** been successful in achieving the desired outputs and results?
6. To what extent and in what ways have EMSA's activities in the area of **Information, Knowledge and Training** been successful in achieving the desired outputs and results?
7. To what extent have the organisation and internal processes of the Agency been effective and conducive for performing the tasks and achieving the results defined by the Regulation?
8. Which other factors (positively or negatively) influenced the achievement of the desired outputs and results?
Impact (of the Regulation): To what extent have the objectives of the EMSA Regulation been achieved, and to what extent can they be attributed to the work of the Agency?
9. To what extent has EMSA's work contributed to: • A high, uniform and effective level of maritime safety and security in Europe? • The effective and uniform prevention of and response to marine pollution caused by ships and by oil and gas installations? • The establishment of a European Maritime Transport Space without Barriers?
Utility: *To what extent do the activities conducted and the results produced by EMSA satisfy (or not) the needs of the Agency's key stakeholder?*
10. To what extent do the effects of the Agency's activities satisfy (or not) the stakeholders' needs?
Efficiency: *To what extent does the Agency offer value for money in relation to the resources used and the changes generated by the Agency's interventions?*
11. To what extent have the Agency's outputs and results been produced at a reasonable cost, in terms of the human and financial resources deployed?
12. To what extent have different (internal and external) factors influenced the efficiency of the Agency?
13. To what extent is there potential for the simplification and rationalisation of the Agency's tasks/activities?
Cost effectiveness: *To what extent is it cost-effective to have an EU agency dedicated to improving maritime safety and security in Europe, as opposed to it being pursued solely at a decentralised level?*
14. To what extent are the services and functions performed by the Agency cost-effective, compared to previous, existing or potentially equivalent services and functions performed at a more subsidiary level (e.g. regional, national or local)?
Added value: *What is the added value of having an EU agency dedicated to improving maritime safety and security as opposed to working with this area only at the national and international level?*
15. To what extent could the outputs delivered and results produced by EMSA have been achieved without the existence of an EU agency in the field of maritime safety?
16. How would a discontinuation of EMSA's work or a reduction of its mandate impact the level of maritime safety and security in Europe?
Formative evaluation questions – *the extent to which the findings across evaluation criteria point towards a need for change in the Regulation and/or working practices of the agency*
1. What actions could be taken to improve the Agency's overall performance, added value and relevance?

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[8] The clustering of EMSA's activities in the effectiveness questions is based on the headings used in the 5-year Strategy; the same applies to the intervention logics presented in section 3.3.

[9] Excluding EMSA's oil pollution response services, which are subject to a separate in-depth cost effectiveness study.

> 2.   What actions could be taken to optimise the organisation and structures of the Agency?

Based on this analytical framework, the evaluation responds to the **Commission's Better Regulation Guidelines**[10]. The methodology for data collection and analysis as presented in the following sections allowed to produce objective findings for the required evaluation criteria. The collected evidence has been analysed to infer judgement which is presented in form of evaluative assessments. These judgements are made based on the criteria laid down in the evaluation matrix. Not all evidence is equally robust and therefore different weight has been given to the different findings to reach the evaluative assessment. Conclusions are drawn by the evaluator based on a final evaluative assessment and lessons learned therefrom.

2.2   Data collection
This section presents the data collection tools used during the evaluation.

2.2.1 Explorative interviews
EMSA's senior staff and direct stakeholders, such as the Member States' maritime authorities and the Commission, were interviewed during the familiarisation phase. These interviews were intended to get a better understanding of EMSA's activities, as well as the external expectations attached to them.

A total of 15 explorative interviews were conducted with the Member State representatives on the Administrative Board. Specifically, they were the members of the HLSC, selected members of EMSA staff (senior and middle management), and the Commission (DG MOVE).

Appendix 9 contains a list of all the interviewees.

2.2.2 Desk research
The data collection phase included a thorough desk review and analysis of existing information. A variety of secondary documents were reviewed in the course of responding to all the evaluation questions, including: policy and legal documents (such as EMSA's Founding Regulation and its amendments, annual reports and work programmes), previous evaluations and reports on the Agency, publicly available documents related to EMSA's activities, EMSA's internal documents (provided by EMSA itself), documents published by EMSA for other organisations concerning technical advice and policy implementation aimed at ensuring maritime safety, as well as sources of maritime information and statistics.

2.2.3 Questionnaire survey
A survey was used to reach a very broad audience, including both EMSA's internal and external stakeholders. The survey was implemented in the form of an online questionnaire, and was administered between 13 October 2016 and 2 December 2016.

For the purpose of the survey, EMSA shared its main stakeholders' contact details with the evaluators. The survey was distributed to EMSA's Administrative Board, selected members of the European Commission and the European Parliament, plus employees of a number of European Agencies. The survey was also sent to the Member States' transport attachés at the Council, to the focal points of the Consultative Network on Technical Assistance (CNTA) in the Member States and partner countries, and to national transport ministries. National and European industry associations were invited to share the survey with their members. In addition, relevant international organisations, training and educational institutions and media were invited to respond to the survey.

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[10] European Commission (2015): Commission Staff Working Document – Better Regulation Guidelines, SWD(2015) 111 final

The survey was distributed among EMSA's staff by EMSA's planning and evaluation unit.

A total of 415 responses to the survey were received. Figure 2 below provides an overview of the respondents' profiles.

Figure 2: Respondent profiles (N=415)[11]
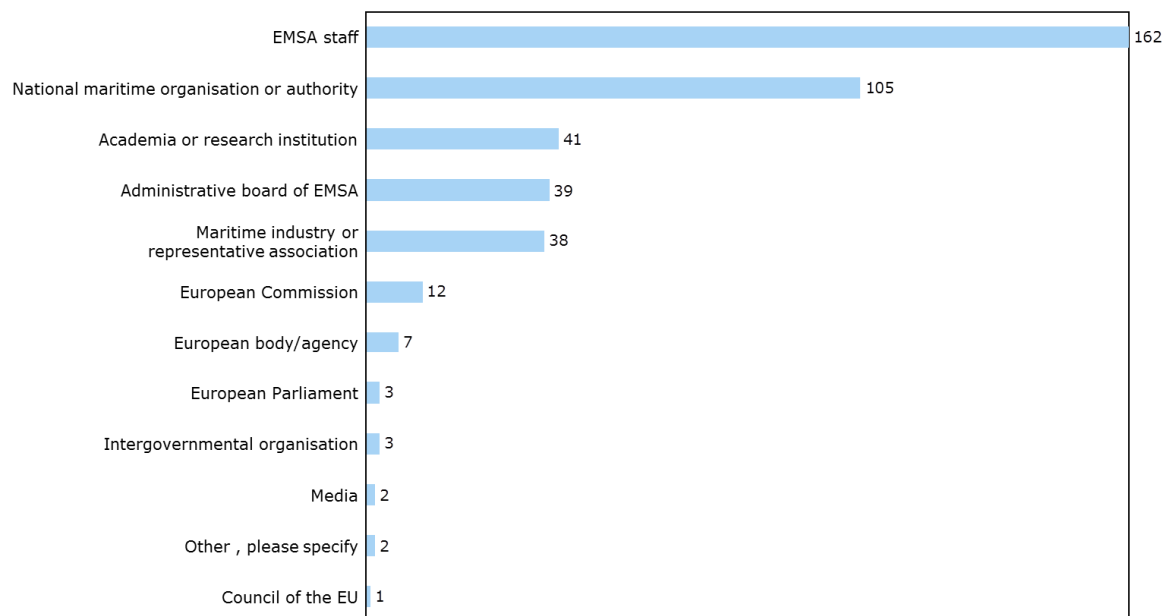
The survey questionnaire and survey report can be found in Appendix 2 and Appendix 3 respectively.

The survey was structured so as to reflect the evaluation criteria. It contained targeted questions for each of the different groups of respondents. This ensured that the survey respondents only had to answer those questions they were in a position to assess, but it also meant that the total number of responses varies according to the question.

To collect feedback on all of EMSA's activities while ensuring that the questionnaire was kept to a feasible length, the survey participants were invited to select up to three of EMSA's activities to provide further information about. The questions on effectiveness, added value and efficiency were then targeted towards these three selected activities. Not all the activities were selected by the same number of participants, so the survey responses have been analysed with great care where few responses regarding a particular activity were received.

2.2.4 Case studies

Five case studies were conducted. They have been used to produce so-called "performance stories", in other words, they aimed to establish why it is reasonable to assume that EMSA's actions had contributed to the observed outcomes in accordance with the intended intervention logics.

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[11] Survey respondents were asked to identify which organisation they belonged to.

The case studies covered the following topics:

Table 6: Overview of proposed case study topics

	Case study topics
1	**Visits** to Member States
2	**Inspections** of classification societies and STCW-related inspections in third countries
3	**Integrated Maritime Services**
4	**Training** activities aimed at Member States, in a broad perspective
5	Internal **Performance Management**

These topics were selected because the HLSC considered them to have the greatest relevance for EMSA's different fields of activity, and because they illustrated the Agency's work in terms either of the core tasks identified by stakeholders, or of its budget or staff allocations.

As the selected case study topics were very broad, one of the first steps of the investigation phase involved scoping each of the selected topics in more detail. The case studies relied on data from the following types of source:

- Secondary documentation related to the case
- Responses from the questionnaire survey
- Interviews with EMSA staff (13 interviews)
- Interviews with external stakeholders (29 interviews).

The case studies were executed across three phases: scoping, data collection, and analysis and reporting.

The case study reports are presented in Appendix 4 to Appendix 8. The case studies' findings have been fed into the overall evaluation in the form of input for the responses to the higher-level questions regarding the effectiveness and efficiency of EMSA's work and the impact of the Regulation.

2.2.5 Additional in-depth interviews

An additional round of interviews was carried at the end of the investigation phase. These interviews were intended to:

- Consult key stakeholders which had not provided input to the evaluation through the case study interviews or the explorative interviews.
- Further explore survey results that merited further exploration and were not already covered by the case studies.
- Fill identified data gaps and allow for triangulation in the analysis of the data collected through the survey and the case studies.

A total of 40 interviews were conducted with members of EMSA's Administrative Board, representatives of the national maritime administrations involved in particular aspects of EMSA's work, European institutions (European Commission, European Parliament, EU agencies), representatives of third countries, and a representative of a regional agreement.

An overview of all the interviews conducted for the evaluation is presented in Appendix 9.

2.2.6 Validation workshop

Following the drawing up of preliminary conclusions and recommendations, a workshop connected with the evaluation was conducted with the HLSC. The workshop served as a

validation tool in which the preliminary findings and recommendations were discussed. On the basis of these discussions, the recommendations were further elaborated and revised to best fit the roles and abilities of the various internal stakeholders who would be playing a role in their implementation.

2.3   Analysis

The evidence collected from all the above-mentioned sources was aggregated and synthesised through data processing, comparison and analysis in order to provide a basis for solid and relevant evaluative assessments, conclusions and recommendations. The analysis was clustered around the evaluation criteria and questions.

To provide a sound basis for making inferential judgements about the evaluation criteria, and in order to validate the data or feedback obtained from different sources, a structured **triangulation of data sources** was undertaken. The principle of triangulation refers to the use of three or more sources or types of information to verify and substantiate an assessment.[12] Figure 3 illustrates the principle of triangulation and how the data were used to confirm or reject an assertion, or, in this case, a finding arising from the evaluation. By combining multiple data sources or types of information the bias that comes from a single informant, a single group of stakeholders or evidence of comparably less robustness was avoided. On this basis the evaluative assessments have been made.

Figure 3: The principle of triangulation
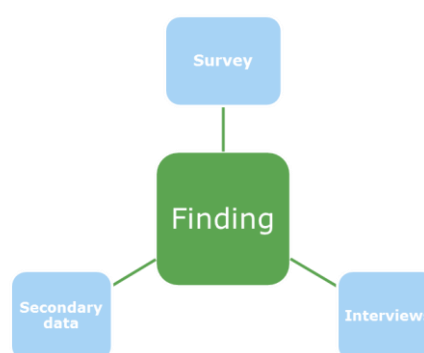
The assessment of effectiveness and impacts has been based on the intervention logics developed, and is presented in section 3.3. The intervention logics were used as a tool for mapping EMSA's actual activities against the goals it is trying to achieve. This mapping helped to clarify the theoretical linkages between activities, outputs, results and impacts. These linkages were then tested in the evaluation in order to assess, and provide evidence for, how and to what extent the activities of EMSA can be said to contribute to the generation of its desired results and impacts.

2.4   Presentation of analysis in this report

In Chapter 4, the **findings** of the evaluation are presented. They represent the evidence from the data sources which have been triangulated as presented above. The chapter is structured along the evaluation criteria: relevance, effectiveness and utility, impact, efficiency and cost-effectiveness, and added value. Within each of these sections findings are presented for the sub-evaluation questions. The section on effectiveness and utility presents findings for the four work areas of EMSA: *Monitoring, Surveillance and Information Sharing; Standards, Rules and Implementation; Environmental Challenges and Response*; and *Information, Knowledge and Training*. Key findings are highlighted in grey boxes at the beginning of each sub-section.

Each of the sub-sections of Chapter 4 first presents an overview of the methodology and the sources employed. This is based on the evaluation matrix, presenting the descriptors considered within the section, the norms which guide the assessment of these findings and the sources

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[12] OECD (2012): Glossary of Key Terms in Evaluation and Results Based Management

employed. Subsequently, an **evaluative assessment** is presented in a blue box. These assessments present the chain of argumentation made on the basis of all findings concerning a specific sub-question. It presents whether the norms set in the evaluation question matrix have been met.

Chapters 5 and 6 present the evaluations' conclusions and recommendations. The **conclusions** cut across the evaluation questions and present the evaluator's final assessment for each evaluation criterion and, (in the final assessment found in section 5.6) across each criterion, for the relevant topics addressed by the evaluation. They lay down the factors explaining success and issues to be improved, keeping in mind the specific objectives of the evaluation.

Based on these conclusions **recommendations** have been drawn up in relation to EMSA's activities and administrative set-up. They provide suggestions on how to contribute to the optimisation of activities and structures in the short, medium and long term.

2.5   Limitations to the presented findings and assessments

One of the difficulties encountered during the evaluation was the significantly large number of activities implemented by EMSA. Initially, an attempt was made to focus the evaluation on a selected number of activities to allow for the possibility of considering these activities in greater depth. However, during the inception phase it became clear that the evaluation needed to cover all of EMSA's activities. To address this, EMSA's intervention logic was divided into four areas of activity that were based on its 5-year Strategy. All activity areas were covered, but because of the large number of activities, in some cases the evaluation had to confine itself to a rather general level. To mitigate this necessity, in-depth assessments of a selection of EMSA's activities were provided in the form of case studies.

The survey attempted to go into more detail than the previous EMSA Stakeholders Strategic Survey of 2014, and tried to cover all of EMSA's activities as described above. To limit the burden placed on individual survey respondents, each one was invited to reflect on a maximum of three of EMSA's activities; however, this approach generated a low number of responses for some of the activities undertaken by EMSA. The survey responses have been analysed very carefully so as to take this concern into consideration, partly by triangulating those responses with other data sources.

The triangulation of data with interview responses has revealed that little feedback was collected regarding some of EMSA's activities. Nevertheless, in the evaluator's view the relatively limited number of replies does not impair the ability of this evaluation to draw conclusions regarding most of these areas, as the respondents in question provided informed opinions on these topics that supported each other and pointed towards the same conclusion.

3. BACKGROUND: UNDERSTANDING EMSA

3.1   Understanding of EMSA's mandate and tasks

On 27 June 2002, Regulation (EC) 1406/2002 of the Parliament and the Council (hereafter referred to as EMSA's Founding Regulation) established the European Maritime Safety Agency. The purpose of the agency is to ensure a high, uniform and effective level of maritime safety and maritime security; to prevent, and to respond to, pollution caused by ships; following the 2013 amendment to the original Regulation, to respond to marine pollution caused by oil and gas installations; and to facilitate the establishment of a European Maritime Transport Space without Barriers.[13]

In order to achieve these objectives, Regulation (EC) 1406/2002 as amended (Art. 2) assigned several core tasks to the Agency. At an overall level, these are:
1. **Assisting the Commission** in updating, developing and ensuring the implementation of legislation; the analysis of relevant research projects; and any other tasks assigned to the Commission and related to the objectives of the Agency;
2. **Working with the Member States** to organise training, to develop technical solutions to support the implementation of legislation, to provide appropriate information resulting from inspections to support the monitoring of Recognised Organisations (ROs) and to undertake actions in response to pollution caused by ships or oil and gas installations;
3. **Facilitating cooperation between the Member States and the Commission** by developing and operating systems for information reporting and exchange; monitoring vessel traffic; monitoring ship pollution; supporting accident investigations; gathering and analysing data on the training of seafarers; and providing technical assistance to Member States and the Commission in relation to their contributions to the International Maritime Organisation (IMO), International Labour Organisation (ILO), and the Paris Memorandum of Understanding (MoU), etc.;
4. **Providing technical assistance,** including training, to **States applying for accession** to the Union and to **European Neighbourhood partner countries**, and providing assistance in the event of pollution caused by ships or oil and gas installations that affects those **third countries** which share a regional sea basin with the Union.

The EMSA Regulation (Art. 2a) also outlines a number of the Agency's ancillary tasks, which include:
- **Assisting the Commission** with the implementation of the Marine Strategy Framework Directive (2008/56/EC); technical assistance in relation to greenhouse gas emissions from ships; the Global Monitoring for Environment and Security programme (GMES)) now named Copernicus; the development of a Common Information-Sharing Environment for the EU maritime domain; IMO requirements related to mobile offshore oil and gas installations; and the provision of information on classification societies for inland waterways.
- **Assisting the Commission and the Member States** with policies and projects supporting the establishment of a European Maritime Space without Barriers; opportunities for sharing information between maritime transport information systems and the River Information Services System; and facilitating the exchange of best practices in maritime training and education.

In order to perform task 1 that is assisting in the effective implementation of legislation, the Agency carries out visits to Member States, at the end of which it draws up reports for the intention of the Commission and the Member State concerned. At the end of a cycle of visits or mid-cycle, the Agency analyses these reports in order to identify horizontal findings and general conclusions on the effectiveness and cost efficiency of the measures in place. Lastly, it presents

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[13]Regulation (EU) No 100/2013 of the European Parliament and of the Council of 15 January 2013 amending Regulation (EC) No 1406/2002 establishing a European Maritime Safety Agency.

this analysis to the Commission for further discussion with the Member States, draws relevant lessons, and facilitates the dissemination of good working practices. EMSA also conducts inspections on behalf of the Commission of ROs and the third countries' maritime education, training and certification systems.

3.2 Understanding of the context in which EMSA operates

The previous external evaluation of EMSA, finalised in 2008, showed that the Agency is widely considered as having played a vital role and filled an important gap in the European Union within the area of maritime safety, security and pollution prevention and issued a set of recommendations for further improvements (see section 3.2.1). However, new challenges and developments are placing pressure on EMSA to continuously develop its products and services, and to define and redefine its role as the European Maritime Safety Agency – these are discussed in sections 3.2.2 – 3.2.4.

3.2.1 Results of the 2008 evaluation of EMSA

The previous external evaluation of EMSA resulted in a set of 11 recommendations. The response of the Agency's Administrative board to the evaluation reiterated 7 of these recommendations and added 2 more. The recommendations pointed to a need for the Agency to improve its governance and working practices, which at the time of the evaluation reflected the relatively early stage of the Agency's development. Several recommendations concerned concrete operational tasks of the Agency.

A review of the status of implementation of these recommendations shows that all have been implemented by the Agency. An overview is presented in the following table, with more detailed assessment available in Appendix 11.

Table 7 Overview of status of implementation of recommendations made in the context of the 2008 evaluation of EMSA

N	Recommendation of the independent external evaluation	Reiterated by the Board	Status
1	Develop a strategy plan covering a 3-5 year perspective	x	Implemented
2	Develop the annual work programmes to function as operational action plans for the given year	x	Implemented
3	Develop the annual reports to reflect actual achievements against targets	x	Implemented
4	Develop a direct link between project, unit and annual work programmes		Implemented
5	Introduce activity based costing and budgeting	x	Implemented
6	Improve the action plan for oil pollution preparedness and response with inclusion of strategic elements	x	Implemented
7	Streamline inspections in Member States		Implemented
8	Apply a strategic and needs-oriented approach to training activities		Implemented
9	Develop project management capacity through staff training	x	Implemented
10	Improve the use of IT		Implemented
11	Improve the communication plan would benefit from a searchable database on publications.	x	Implemented
*	*Amend Article 22 of Regulation 1406/2002 to provide for regular evaluations of the implementation of the EMSA regulation (every 5 years)*	n.a.	Implemented
*	*Continue to focus on activities which add value for its stakeholders (the Commission, Member States and citizens of the EU)*	n.a.	Implemented

* Recommendations made by the Administrative board

3.2.2 Recent developments influencing the role and tasks of the Agency

Many migrants make their way across European waters in an unsafe manner that not only endangers their own lives, but also presents a threat to European maritime safety at large. This current challenge is influencing the work and roles of a variety of EU agencies, and in particular the Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union (Frontex), EMSA, and the European Fisheries Control Agency (EFCA). Initiatives have already been set in motion and amendments to the founding regulations for these three agencies have been adopted, together with a set of changes aimed at improving European cooperation on coastguard functions and providing more efficient and cost-effective services to the national authorities.[14]

The amendment of Regulation (EC) No 1406/2002 presents a new Article 2b to be inserted which outlines a set of new tasks for EMSA to support increased European cooperation on coastguard functions:[15]

"The Agency shall, in cooperation with the European Border and Coast Guard Agency and the European Fisheries Control Agency, *each within their mandate,* support national authorities carrying out coast guard functions at national and Union level, and where appropriate, at international level by:

a) sharing, fusing and analysing information available in ship reporting systems and other information systems hosted by or accessible to the agencies, in accordance with their respective legal bases and without prejudice to the ownership of data by Member States;

b) providing surveillance and communication services based on state-of-the-art technology, including space-based and ground infrastructure and sensors mounted on any kind of platform;

c) capacity building by elaborating guidelines, recommendations and best practices as well as by providing training and exchange of staff;

d) enhancing the exchange of information and cooperation on coast guard functions including by analysing operational challenges and emerging risks in the maritime domain;

e) capacity sharing by planning and implementation of multipurpose operations and the sharing of assets and other capabilities, to the extent those are coordinated by the agencies and with the agreement of the competent authorities of the Member States concerned."

The amendment text adopted also notes that "the tasks set out in this article shall not be detrimental to the Agency's tasks referred to in Article 2". Nevertheless, there are currently still some uncertainties regarding how the cooperation between EMSA, EFCA and especially Frontex in its new capacity as the European Border and Coast Guard Agency (EBCGA) will play out in practice. The large amount of additional resources allocated to the EBCGA, plus the fact that the name of the Agency includes the term "coast guard", raises questions among EMSA's internal and external stakeholders as to where this leaves EMSA. In this context, it is expected that:

• Being in a better position to support the Member States' authorities performing coastguard functions through the use of the monitoring and data-sharing tools as well as its capacity-building activities, the Agency will become more heavily involved in providing technical assistance with monitoring vessel traffic and illegal activity, and with supporting border control operations in European waters.

• The inter-agency cooperation with the European Border and Coast Guard Agency and the European Fisheries Control Agency will reinforce synergies and the sharing of responsibilities in European coastguard functions and cooperation in connection with the use of new technologies and systems (Remotely Piloted Aircraft Systems, Copernicus programme).

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[14] Regulation (EU) No 100/2013 of the European Parliament and of the Council of 15 January 2013 amending Regulation (EC) No 1406/2002 establishing a European Maritime Safety Agency.

[15] Position of the European Parliament adopted at first reading on 6 July 2016 with a view to the adoption of Regulation (EU) 2016/... of the European Parliament and of the Council amending Regulation (EC) No 1406/2002 establishing a European Maritime Safety Agency; http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P8-TA-2016-0306&format=XML&language=EN

Because the implementation of Article 2b has only just started, these new amendments will not be assessed as part of the retrospective evaluation. However, they will be taken into account for the formative part of the evaluation, as these changes will naturally affect the organisation to some extent and will therefore represent important preconditions for providing recommendations on how to shape the organisation's work in the future.

3.2.3 A European Agency in a global industry

The maritime industry, and shipping in particular, is a global business. This means that many issues need to be considered in a global framework, especially regarding competitiveness. In this context, EMSA has to demonstrate how it can contribute to efficient maritime transport conditions for the European maritime industry by supporting the Commission's efforts for better regulation and helping to facilitate a simplification and reduction of the administrative burden that could otherwise disadvantage the EU maritime sector in terms of global competitiveness[16].

EMSA already plays an important role in this regard through its technical assistance to the Commission and the Member States and its maritime systems and databases. EMSA supports the work of the Member States and the Commission with the remit of the IMO and its technical bodies where there is EU coordination to support common interests concerning matters of EU competence[17]. The competitiveness, and increasing value, of the maritime sector make it essential to ensure that there is an international level playing field, and EMSA's role as a technical adviser to the Commission is fundamental for achieving this aim[18].

3.2.4 Managing stakeholders and providing added value

Among the Member States there are different perceptions of the work done by EMSA and the direction EMSA should take going forward. This poses some challenges to the Agency's work, as it has to manage and navigate a plurality of incongruent stakeholder expectations. It also represents a constant requirement for EMSA to demonstrate the clear added value of its activities, both at a general European level and for the individual Member States.

There is pressure on EMSA to prove its ability to assist Member States[19] by reducing administrative burdens, harmonising and simplifying rules, and facilitating their implementation.[20] With the adoption of the 5-year Strategy for 2014-2019[21] and the improvements made to the annual work programmes and annual activity reports,[22] EMSA has already taken steps on the basis of recommendations generated by the previous evaluation of the Agency, and has established mechanisms to provide more transparency and demonstrate value for money. This has been achieved through setting key performance indicators (KPIs) and the recent development of a system for performance management. However, because pressure from stakeholders still appears to exist regarding this area, it remains an important issue for the evaluation to consider and to attempt to provide recommendations for in terms of further improvements. For instance, consideration could be given to potential improvements in conditions and systems that would make it easier for EMSA's management and Administrative Board to compare the costs of activities against their results/effects, in order to prioritise the spending of its resources on activities and introduce evidence-based efficiency optimisations. The agency's budget will increase in the immediate future, since additional funds and human resources have been allocated for the purpose of carrying out the additional tasks outlined in the recent amendment of the EMSA Regulation. However, in connection with future budgeting processes it can be expected that EMSA and other EU agencies will experience added pressure to prove and improve their efficiency and cost effectiveness even further.

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[16] *Competitiveness of the UK Maritime Sector*. Final Report. Oxera, May 2015. Print.
[17] "Is EMSA a Competitor to the International Maritime Organisation (IMO)?" *Emsa.europa*. EMSA, 2016. Web.
[18] European Maritime Safety Agency. *2014 Work Progamme*. N.p.:39;43;111. EMSA, 2014. Print
[19] European Maritime Safety Agency. 44th Meeting of the Administrative Board. Lisbon, 17-18th March 2016. *Summary of Decisions*. EMSA. Web.
[20] European Maritime Safety Agency. *EMSA 5-Year Strategy 2014-2019.* EMSA. 2015. Web.
[21] Idem.
[22] European Maritime Safety Agency. *Consolidated Annual Activity Report 2014.* EMSA. 2015. Web.

With all this in mind, several key forward-looking questions arise: what kind of role do the Member States and the Commission want EMSA to play in the future? Should EMSA expand its role and use its expertise on new relevant areas? Or should it focus on consolidation, and on increasing the efficiency and added value of its existing core activities? How should EMSA do this while managing its new tasks and responsibilities?

These are some of the issues that this evaluation aimed to elucidate while using the data it had collected to draw up final recommendations for EMSA's future activities and the potential modification of its founding Regulation.

3.3   Intervention logics

An intervention logic is a tool for mapping the logic that links an organisation's actual activities with the goals it intends to achieve. This mapping helps to clarify the links between the activities, outputs, results and impacts that are to be tested in the evaluation, in order to assess and provide evidence regarding how, and to what extent, the activities of EMSA can be said to contribute to generating the desired impacts.

The figures below identify the activities and outputs originating from EMSA's 5-year Strategy, the Annual Activities Reports and EMSA's website, while its intended results and impacts were identified from the founding Regulation. The activities are grouped in a manner that corresponds to the four themes presented in the 5-year Strategy (Monitoring, Surveillance and Information Sharing; Standards, Rules and Implementation; Environmental Challenges and Response; Information, Knowledge and Training). From an evaluator's perspective, this clustering is useful for grouping together activities with the same intended impacts. In that sense, the 5-year Strategy is a good basis for the design of this evaluation. However, this clustering is not to be interpreted rigidly, because some tasks/activities (or different aspects of them) can be regarded as cutting across these four themes.

Figure 4: Intervention logic: Monitoring, Surveillance and Information Sharing

Figure 5: Intervention logic: Standards, Rules and Implementation

Figure 6: Intervention logic: Environmental Challenges and Response

Figure 7: Intervention logic: Information, Knowledge and Training

Activities	Outputs	Results	Impacts

Collect and provide statistics and information on maritime matters are provided to the maritime community ad-hoc, in publications and from systems and databases

Statistics and information on ships and cargos from and for PSC, accident investigation and marine casualties, classification societies, maritime equipment, marine pollution and implementation of legislation

Improved quality and availability of objective, reliable and comparable information and data to the EC and MS

Implement EC regional projects in third countries (IPA, ENP)

Caspian and Black sea countries are supported under the TRACECA MS&S II project in improving their maritime safety legislation and coordination

EU and Mediterranean countries cooperate on maritime safety, security and pollution prevention under the SafeMed III project

Improved application of International/EU maritime legislation by third countries (EFTA, IPA, ENP) that have entered into agreement with the Community

High, uniform and effective level of maritime safety and security

Provide training and learning tools

Trainings and seminars are provided in the areas of PSC, pollution prevention and response, ship security, traffic monitoring, reporting formalities, PRF, marine equipment, pollution response, implementation of EU law, STCW, etc.

Distance learning is provided on the MaKCs module

Increased cooperation and sharing of best practices between MS

Improved application of international/EU maritime legislation by the EC and MS

Improved ability of the EC and MS to prevent and respond to marine pollution

Effective and uniform prevention of, and response to, marine pollution caused by ships and by oil and gas installations

3.4   Organisation and management

EMSA is governed in accordance with the rules and practices generally applicable to a Community agency. It operates under the authority of an Administrative Board which lays down general guidelines and adopts/determines the agency's annual work programme (in accordance with its mission as set out in the Regulation), available resources and political priorities.

The Administrative Board is composed of representatives from each Member State, four representatives from the Commission, Iceland and Norway (non-voting members belonging to the European Free Trade Association (EFTA) grouping of countries), and four non-voting representatives from the most relevant maritime sectors. The Administrative Board supervises the work undertaken by the Agency and the Executive Director. In particular, the Administrative Board adopts the Agency's Work Programme, budget and establishment plan, Multiannual Staff Policy Plan, and the Annual Report, which contains details about the achievement of objectives and performance output in relation to the principles of cost effectiveness, efficiency and sound financial management.[23] The Administrative Board takes its decisions by a two-thirds majority of all voting members. It elects a Chairperson for a three-year period; the term of office is renewable once. The current chairperson is Frans Van Rompuy, from Belgium. He is in his second term, which will end in 2017. The chairperson convenes the meetings of the Administrative Board, which holds ordinary meetings three times a year. In addition, meetings can be initiated by the Chairperson, or upon request by the Commission or one third of the Member States. Three meetings were held in 2015.

The composition of the Administrative Board is presented below.

Figure 8: Illustration of the Administrative Board[24]

In 2012, the Administrative Board decided to establish an Administrative and Finance Committee with the intention of further increasing the efficiency of its meetings.[25] The Committee meets prior to each Board Meeting to discuss elements of the meeting agenda, such as budget and other resource issues, in more detail. The Committee then issues its recommendations to the Board on these specific agenda points, and to the extent that the Board decides to follow the recommendations of the Committee, these issues can then be decided on *en masse*.

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[23] Source: EMSA

[24] Source: EMSA

[25] Decision of the Administrative Board of 14 November 2014 renewing the Decision of 20 November 2012 establishing an Administrative and Finance Committee, as amended by the Decision of the Administrative Board of 13 November 2013

The Executive Director reports to the Administrative Board, and is responsible for the setting-up, running and development of the Agency. The Executive Director is also responsible for the execution of the overall strategy, with transparent links to the annual work plans, the budget and financial plans (as specified by the EMSA Regulation). Since the previous evaluation in 2008, EMSA has worked to improve the quality of these documents and the links between them. In the past year, a new process for performance management has also been rolled out in order to ensure the ad-hoc monitoring and follow-up connected with the achievement of the set objectives and the implementation of the budget.

The Executive Director is directly supported in his role by the senior management team, consisting of three Heads of Department plus the policy and communications adviser. An accounting officer, a Special Adviser on Quality Assurance and an internal control coordinator form his support staff. The current Executive Director is Markku Mylly from Finland, who took up his duties on 1 September 2012. The Agency's Executive Director is appointed to a five-year term by the Administrative Board.

3.4.1 Organisational structure and staffing

Currently, the Agency has three departments consisting of ten units and a number of sub-units or support units. Each organisational level has its own mission statement[26] comprising specific tasks and objectives. These are measured by KPIs linked to the strategy, and are reported on in the Annual Activity Reports.

Below is a short description of the departments and their main areas of responsibility:

- **Department A: Corporate Services**
  (Human Resources; Legal and Financial Affairs; Operations Support)
  Department A supports management and staff in the areas of human resources, legal and financial affairs, information technology, facilities and logistics, meetings and conference management etc.

- **Department B: Safety and Standards**
  (Visits and Inspections; Ship Safety; Environment & Capacity Building)
  Department B is responsible for some of EMSA's core tasks, such as conducting visits and inspections as outlined in EMSA's founding regulation. The department is also in charge of the Agency's activities in the fields of accident investigation, environmental protection, horizontal analysis, marine equipment, maritime security, places of refuge, port state control, ship safety standards, standards for seafarers and training and cooperation.[27]

- **Department C: Operations**
  (Integrated maritime services; vessel reporting services; earth observation services; and pollution response services)
  Department C provides operational assistance to Member States and the Commission regarding their preparedness and responses to pollution at sea, and facilitates technical cooperation between the Member States and the Commission regarding EU vessel traffic monitoring (SafeSeaNet), the Long-Range Identification and Tracking of vessels, and satellite monitoring. The Department also provides a platform for integrated services tailored to user requirements plus support for the users of EMSA's systems, and is in charge of the Agency's pollution response services.[28]

The overall structure of the Agency is illustrated by the following figure.

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[26] http://www.emsa.europa.eu/about/what-we-do-main/mission-statements.html
[27] Source : EMSA
[28] Source : EMSA

Figure 9: The organisational structure of EMSA (February 2017)
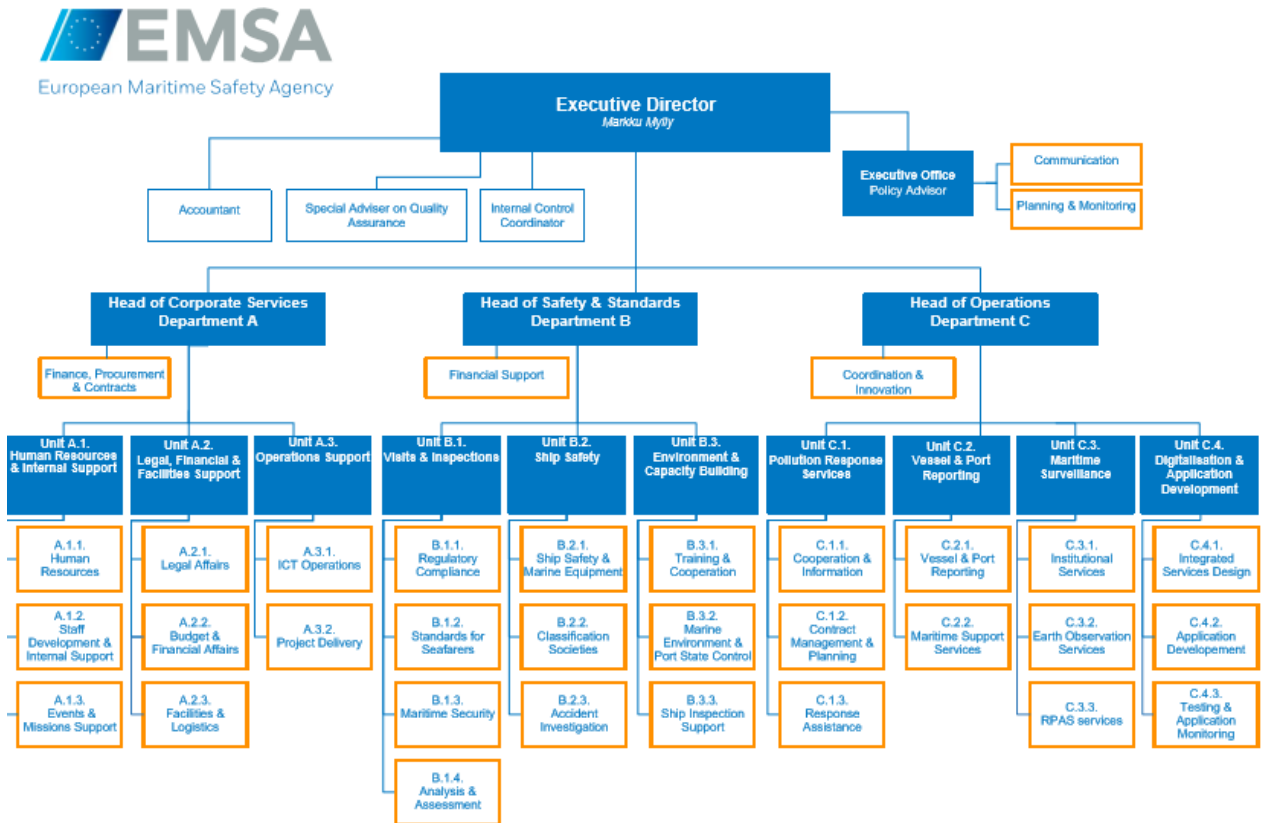
(Source: EMSA)

Figure 7 below summarises the national origins of EMSA's employees. The countries contributing the most employees are Portugal, Spain, Belgium, Greece, Great Britain and France. Portugal especially, as well as its neighbouring countries, has a naturally higher representation due to the fact that the Agency is physically located in Lisbon.

Figure 10: Nationalities of EMSA's staff[29]

3.4.2 Management, procedures and internal control tools

As was mentioned above, a series of management tools, procedures and internal control tools have been put in place to contribute to and support the Executive Director's management. These include the setting of clear objectives and their monitoring through well-developed management reporting and monitoring tools, including performance indicators.

These measures comprise some of the Agency's procedures and control systems. These internal procedures are intend to ensure that EMSA's operational activities are effective and efficient, as well as certifying that all its legal and regulatory requirements are being met, that its financial and management reporting is reliable, and that its assets and information are safeguarded. The internal procedures are based on equivalent standards established by the European Commission for its own departments.[30]

For visits to Member States, inspections of ROs, and inspections of the training and certification of seafarers in third countries, EMSA implements a Quality Management System. This system ensures that such quality objectives as the delivery of reliable information regarding the effectiveness of countries' or organisations' law implementation measures are being met, and that its visits to Member States are objective and evidence-based.[31]

In addition to its governance by the Administrative Board, EMSA is subject to numerous checks and balances in common with other EU institutions and decentralised agencies, such as external audits by the European Court of Auditors or internal audits conducted by the European Commission's Audit Service.

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[29] Source: EMSA

[30] Source: EMSA Internal control standards document and annual report for 2015

[31] Source: EMSA (2016): Quality and policy objectives. Available online at: http://www.emsa.europa.eu/quality-management-system/quality-policy.html

3.4.3 Resources overview

EMSA is financed from a Community subsidy set aside for this purpose in the European Union's general budget. The annual budget numbers for the period from 2003 to 2015 reflect EMSA's general development as a consequence of continuously taking on new tasks and responsibilities. These caused its budget to gradually increase during its first years; however, it has more or less levelled off since 2010. It is covered by a subsidy from the European Union via the EU Parliament, with an additional contribution from EFTA (in the shape of Norway's and Iceland's memberships).

Figure 11 below illustrates the evolution of the budget.

Figure 11: Annual budget, 2003-2015 (millions of EUR)[32]
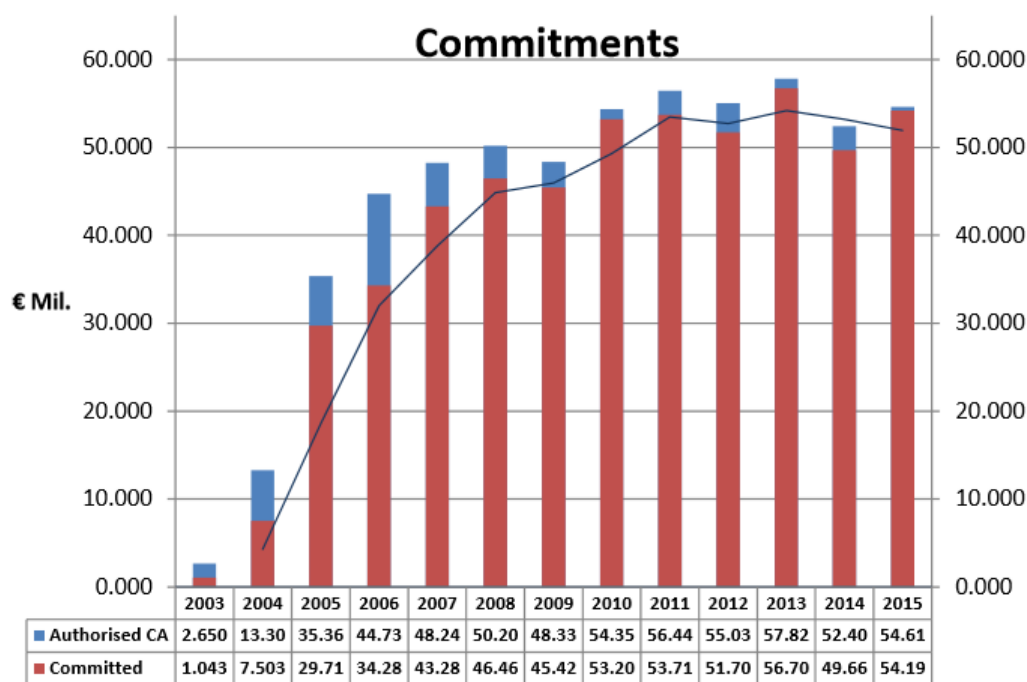
Figure 12 below shows the 2015 budget split between staff, buildings, equipment and other expenditures, and operating expenses.[33] Figure 13 uses the information provided in the 2015 Annual Activity Report to illustrate EMSA's activity-based budgeting. As that figure shows, a large part of the 2015 budget is devoted to Operational Pollution Response Services (33.7%), vessel traffic monitoring and the simplification of reporting formalities (16%), and CleanSeaNet and illegal discharges (9.5%). Other activities that absorb a relatively large share of the Agency's budget and human resources (in terms of the number of employees) are: STCW-related activities (2.69% of budget, 4.15% of HR), Marine Support Services (3.26% of budget, 5.81% of HR) and Communication, Missions and Events Support (3% of budget, 5.39% of HR).

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[32] Source: EMSA annual activity report 2015
[33] Source: EMSA Budget 2015 (without amendments)

Figure 12: Budget overview by main type of expenditure (2015)

- Staff
- Buildings, equipment and miscellaneous operating expenditure
- Operational expenditure
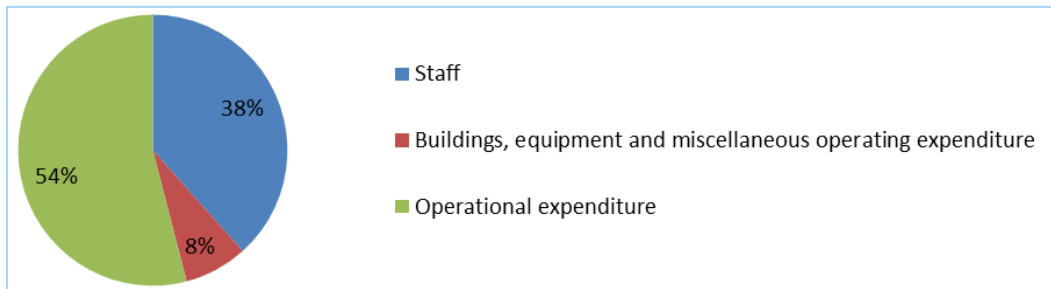
Figure 13: Budget overview by main EMSA activities (2015); percentage of total allocated costs commitments for EMSA activities

- 2100 Vessel traffic monitoring and simplification of reporting formalities
- 2200 EU LRIT Cooperative Data Centre and LRIT International Data Exchange
- 2300 Information System for PSC (THETIS)
- 2400 Maritime Support Services
- 3100 Classification Societies
- 3200 STCW
- 3300 Implementation of PSC Directives in Member States and EFTA
- 3400 Maritime Security
- 3500 Monitoring implementation of other EU maritime legislation
- 3600 Horizontal analysis and research
- 4100 Port State Control
- 4200 Accident investigation
- 4300 Technical assistance (training and cooperation)
- 4400 Marine equipment and ship safety standards (including IMO)
- 4500 Maritime Information, Equasis and statistics
- 4600 Prevention of pollution by ships
- 5100 Operational Pollution Response Services
- 5200 CleanSeaNet and illegal discharges
- 5300 Cooperation and information relating to pollution preparedness and response
- 6500 Communication, Missions & Events support

3.5   Understanding of EMSA's stakeholders

Appendix 10 provides a detailed list of EMSA's stakeholders, together with a description of their roles, an indication of the EMSA activities these organisations have a stake in, and the nature of their relationship to EMSA. This table is mainly based on desk research, information compiled from various sources (including EMSA's web pages) regarding its cooperation and operational agreements,[34] meeting documents, press releases, and these organisations' websites (see the links below each description).

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[34] See http://emsa.europa.eu/operations/maritime-monitoring/item/1522-interagency-cooperation.html; and
http://www.emsa.europa.eu/partnerships/operational-agreements.html.

For the purpose of developing the stakeholder consultation strategy, the information from the table referred to above was then used to assess the relative importance of the stakeholders identified, based on their assessed level of interest in and influence on EMSA's work. The results of this assessment are presented in the 2-axis chart depicted in Figure 14 below. The stakeholder map serves as a visualisation tool that is used to cluster the different stakeholders and decide on the strategy for consulting them during the investigation phase of the evaluation, as well as the tools to use for this consultation.

Figure 14: Stakeholder mapping
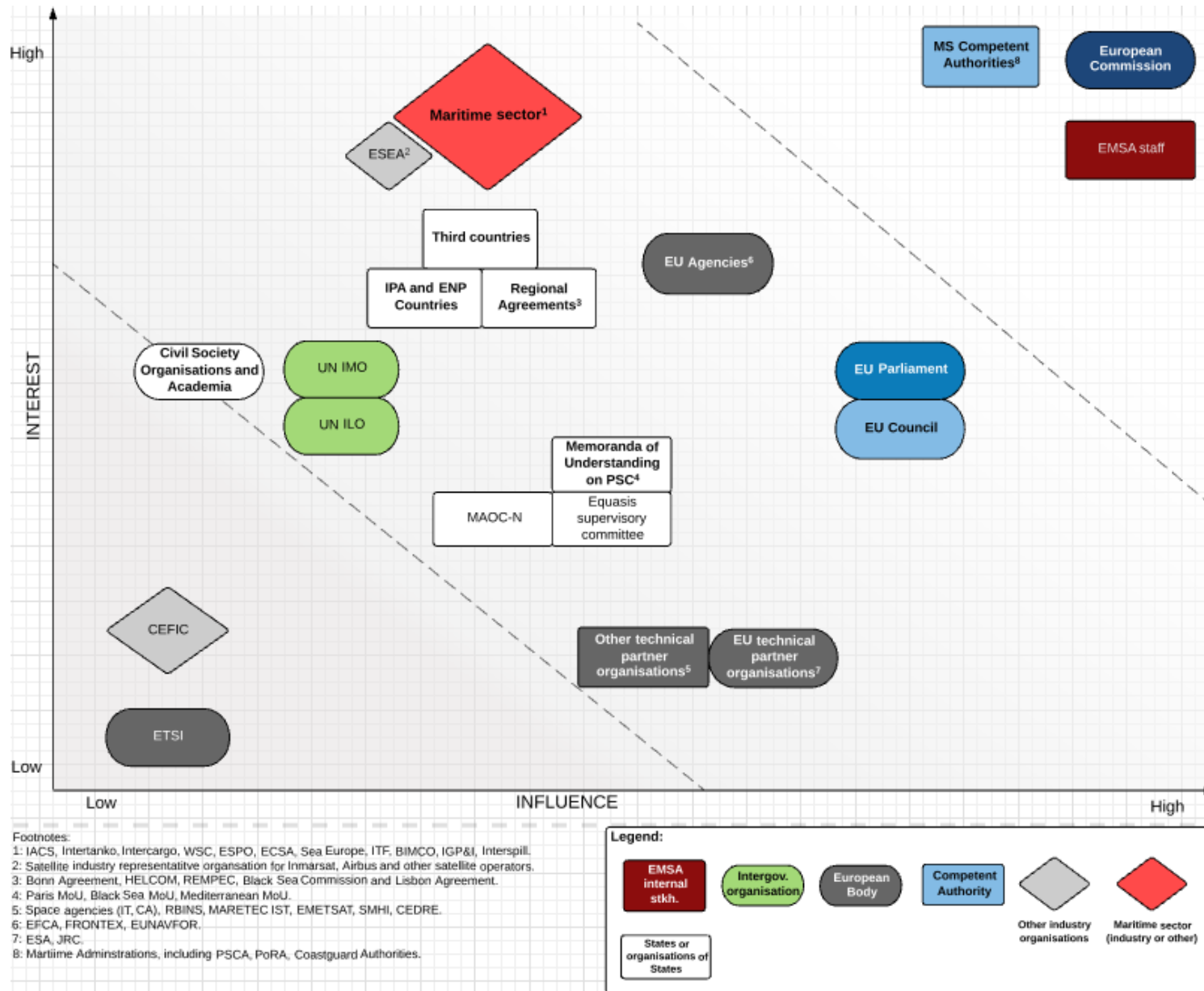
In the figure, the *interest* axis refers to the stakeholders' interest in those activities of EMSA that contribute to increased maritime safety and security. The determination of their level of interest is based on our understanding of the connection between these organisations' objectives and activities and those of EMSA, i.e. to what extent they stand to benefit from EMSA's work and have similar goals. The *influence* axis indicates the stakeholders' potential or real influence on EMSA's activities, i.e. whether they are able to affect EMSA's budget, mandate, or the success of its work. Below is an interpretation of what the chart shows.[35]

Stakeholders with high influence and high interest include the **Member States' Competent Authorities (including their National Maritime Administrations (MarAd))** and the **European Commission**. As members of the Administrative Board, they play an important role in setting EMSA's mandate and the expectations regarding the Agency's work in facilitating the development and implementation of maritime safety and security legislation in the EU. For the sake of an easy (somewhat simplified) overview, various competent authorities have been included under the MarAds chapeau (i.e. **Port State Control Authorities, Flag State Authorities, Place of Refuge Authorities, Coastguard Authorities**), though in many Member States these responsibilities are distributed across a variety of agencies possessing maritime and coastguard authority.

Internal stakeholders (i.e. the EMSA staff) have a high degree of interest in the success of the Agency's performance of its activities, but they also collectively contribute to this success through their work. Therefore they also have a high degree of influence.

EU legislative bodies (i.e. the Council Parties and Parliamentary Committees) influence the work of EMSA through their role as policy-makers, which can (re)define EMSA's mandate and affect its budget. Their interest in EMSA also relates to the Agency's technical assistance in the development and implementation of maritime legislation. However, their power to exert influence is more indirect, and their level of interest is assessed to be less than that of the three stakeholder groups mentioned above, so they score lower on both parameters.

EU Agencies dealing with maritime affairs (EFCA, Frontex/ECGBA, EU NAVFOR) have a relatively high stake due to the operational agreements under which EMSA provides them with integrated maritime services. Their influence is somewhat limited, but is linked to the fact that certain aspects of their mandates are closely linked to EMSA's, and that as EU agencies they serve the same purpose of contributing to the implementation and facilitation of EU policies and legislation.

Similarly, the **International Maritime Organisation** and **International Labour Organisation**'s standard-setting activities impact EMSA's mandate more *indirectly*. EMSA engages with these organisations by providing technical assistance through participation in international technical group meetings, by submitting papers, organising workshops, etc.

A few organisations are assessed as having some influence on, but less interest in, EMSA's activities, and in maritime safety and legislation (relatively speaking). These include such organisations as the **Joint Research Centre** (JRC)**, space agencies,** the **European Chemical Industry Council** (CEFIC) and the **Centre of Documentation, Research and Experimentation on Accidental Water Pollution** (CEDRE), and other **technical partner organisations** which provide services and/or data to the Agency. The effectiveness of their cooperation is important for EMSA's work.

Third countries (plus **European Neighbourhood Policy** (ENP) and **Instrument for Pre-Accession Assistance** countries (IPA)), **Regional Agreements** and the different **Memoranda of Understanding** cooperate with and receive assistance from EMSA (e.g. through the TRACECA

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[35] For more detail, see Appendix 10.

II and SafeMed III projects) and therefore have some interest, due to the Agency's support activities.

The cluster of **maritime sector representatives** includes organisations affected by EMSA's work – or rather, it affects the work of the organisations they represent (e.g. classification societies, seafarers, ship owners, port authorities, etc.). To this end, they tend to cooperate with EMSA on questions of maritime safety and establish the link with their members. These organisations may be lobbyists whose objective is to influence EU policy decisions on maritime safety; however, they have no direct influence on EMSA. The satellite industry, represented by the European Satellite Operators Association (ESOA), does not operate solely in the maritime sector, and has therefore been included in a separate box. These organisations collaborate with EMSA in the provision of satellite services (data and images).

Civil Society Organisations and **academia** are also stakeholders that interact somewhat with EMSA and have an interest in, but limited influence on, the Agency's work (e.g. Surf Riders association, Greenpeace, and other non-governmental organisations and associations).

In the bottom left corner of the figure are organisations whose own role partially overlaps with EMSA's activities and which were occasionally mentioned in the documents reviewed, but seem most remote (e.g. CEFIC, European Telecommunications Standards Institute (ETSI)).

4.   FINDINGS

This chapter contains the findings of this evaluation. In line with better regulation guidelines, the chapter answers all evaluation questions within each evaluation criteria. An assessment of the evaluators, building on the findings presented, accompanies each evaluation criteria. The sources and methodology on which the findings are drawn is also presented.

4.1   Relevance

The evaluation criterion of relevance looks at the relationship between the needs and problems in society and the objectives of a given intervention. This chapter is a response to the question: "To what extent is it (still) relevant to have a decentralised EU Agency dedicated to maritime safety?" Specifically, two evaluation questions are covered:

- To what extent have the objectives and tasks set out for the Agency's work in the founding Regulation proven to be relevant to the work of EMSA and the needs in the field of European maritime safety so far, and to what extent are they pertinent to addressing emerging needs? (EQ1)
- To what extent is there a need to amend the EMSA Regulation to accommodate future developments and challenges in the European maritime sector? (EQ2)

4.1.1 To what extent have EMSA's objectives and tasks as defined in the mandate responded to past and emerging needs? (EQ1)

Methodology and sources:

This section presents the findings and provides an assessment of the relevance of EMSA and its tasks. Relevance is assessed based on the extent to which the objectives and tasks set out in the Regulation have matched the needs of EMSA's stakeholders (section 4.1.1.1) and the extent to which emerging needs are sufficiently addressed by the EMSA Regulation, as amended in 2013, and/or by the recent amendment under implementation (section 4.1.1.2). The assessment of relevance is based on the following norms:

- *At least 70% of Member States' representatives agree that EMSA's work in the past has matched the problems and needs in the field of European maritime safety*
- *The majority of other stakeholders agree that EMSA's work in the past has matched the problems and needs in the field of European maritime safety*
- *The majority of stakeholders agree that EMSA's mandate and tasks match emerging problems and needs in the field of European maritime safety.*

The findings are based on data from the survey and interviews but findings also stem from desk based review of various documents, especially EMSA's Founding Regulation and amendments, but also EMSA internal documents, strategy, annual reports, budgets etc. Results from the case studies are also used.

Evaluator's assessment:

EMSA's objectives and activities remain highly relevant. The set norms have been met since the majority of stakeholders agree that EMSA's work in the past has matched the problems and needs in the field of European maritime safety and that the same applies to EMSA's mandate and. Moreover 84% of EMSA's primary stakeholders (Commission, EMSA staff and Member States) find that the objectives and tasks set out in EMSA's Founding Regulation match the needs of stakeholders in the field of maritime safety and security. EMSA's objectives and tasks are found to meet the needs of the Commission, Member States, and other maritime stakeholders.

The evaluation assesses that EMSA has played a very important role as a technical agency which can both support the Commission's legislative implementation and assist the Member States on a more practical level with implementation, training, and capability building. EMSA is considered to

be very relevant as an Agency which definitely has played a valuable role as an intermediary between various stakeholders, as a facilitating collaborative partner, as a supervisor and in many other roles. The evaluation assesses that EMSA is unique in its capacity to intermediate between European maritime stakeholders. Overall, EMSA has played and is playing a very important role in European maritime safety, security as well as in prevention of and response to maritime pollution.

The evaluation assesses that EMSA will remain highly relevant as a technical agency and be pertinent to address future needs. A range of new environmental legislation will have be implemented in the next decade, and new technology will likely change the maritime sector dramatically and in turn change the nature of how EMSA's tasks are best handled.

The evaluation assesses EMSA to be well positioned and have the capabilities to play a role in continuing its current tasks and even take on new tasks in the future.

4.1.1.1 EMSA's objectives and tasks in the light of stakeholder needs

Overall, the objectives and tasks set out in the Founding Regulation match the needs of the stakeholders. However, the distinction between core tasks and ancillary tasks is considered to be unclear.

As described in the Regulation, EMSA's objectives and tasks are found to match the overall needs of the stakeholders. This is best illustrated by the responses received for the survey questions regarding the relevance of EMSA's activities and services, as depicted in Figure 15.

Figure 15: In your opinion, to what extent do the objectives and tasks set out in EMSA's Founding Regulation match the needs of stakeholders in the field of maritime safety and security, as well as their prevention of and response to maritime pollution? (N=191)
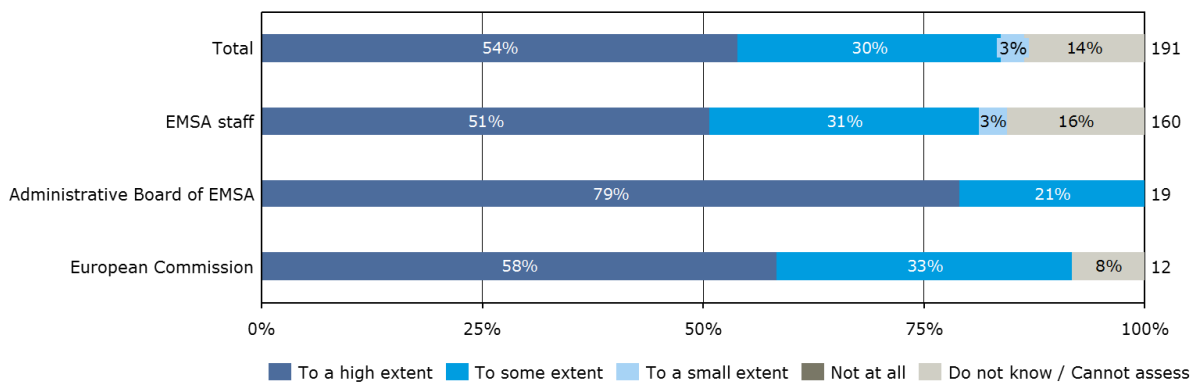
EMSA's Founding Regulation matches the needs of the European Commission. There is close coordination and cooperation between EMSA and the Commission, whose excellence the interviews have highlighted. EMSA is especially addressing the needs of the Commission regarding a range of technical issues in a manner that is significantly helping the Commission to improve the application of legislation and the development of new legislation, as well as a number of additional key areas. The Commission appreciates the technical input provided by EMSA, the impartiality of its contributions, and the way in which EMSA is acting as an intermediary between the Member States, the Commission, and the broader maritime sector.

EMSA's Founding Regulation meets the needs of the Member States, but the expectations of the Member States vary. In general, EMSA is supportive of the needs of the Member States, but those needs can vary substantially across Member States. The figure above indicates that the Administrative Board members from the various Member States are very positive in their assessment of the extent to which the EMSA Regulation is meeting their needs

(79% responded that EMSA met stakeholder needs '*to a high extent'*). However, the data collected from interviews paints a mixed picture: the Member States have a variety of relationships with EMSA and differ in their expectations concerning it. Some Member States would like EMSA to cover more tasks, enhance its role, and be a stronger partner for the Member States, while some other Member States consider that EMSA should focus on its core tasks instead of taking on new ones. This also means that some Member States are more supportive of EMSA taking on ancillary tasks than others. The initiation of ancillary tasks requires approval from EMSA's Administrative Board, and sufficient resources for them need to be available. According to the interviewees most of the ancillary tasks are currently being carried out, which makes it hard to see the relevance of the distinction being made between the various tasks. Moreover, the stakeholders are somewhat confused about the prioritisation of the tasks and the decision process for initiating ancillary tasks, which makes the situation altogether unclear and confusing.

Consultations with the Member States underscore the following:

- **EMSA's role in developing and running integrated systems for the monitoring and surveillance of vessel traffic and pollution is found to be highly relevant**. All the Member States interviewed have reported that by providing an enriched and integrated maritime picture, EMSA is fulfilling an important need for the various national authorities. Even for those Member States with more advanced capabilities and better-established maritime authorities, which have an independent capacity in this area, the services offered by EMSA expand the scope of the information they receive. Moreover, through the integration and enrichment offered by the Integrated Maritime Services (IMS), the Member States are benefiting from functionalities which fulfil a real need on the part of the various authorities.

- **EMSA's role in conducting visits and inspections is found to be relevant in relation to the overall objectives.** There is an acceptance of the necessity of EMSA's visits and inspections for ensuring a harmonised and effective implementation of EU legislation. In cases of serious non-conformity, EMSA plays the role of an auditor that documents the issues and reports them to the Commission. Regarding visits, the maritime administrations are dissatisfied regarding what they perceive as a contradictory dual role of EMSA in serving both as a facilitation partner for sharing experiences and best practices and as a policeman or watchdog for the Commission. However, the Member States appreciate that EMSA has gradually moved towards a more holistic and graduated approach whose focus is on achieving the overall purposes and aims of maritime safety rather than the strict interpretation of procedures and standards. One MS highlighted that it would be beneficial for EMSA to perform also the inspection in the scope of port security (as per directive 2005/65/EC). This would streamline the cooperation in the field of Maritime Security with Member States as all aspects would be covered comprehensively.

- **Some Member States see a need to receive even more technical assistance in order to better understand and implement legislation, including concrete practical advice**. The maritime safety area is characterised by a complex volume of legislation at both the EU and the international (IMO/ILO) level. Difficulties in understanding this complex landscape are leading to uncertainty among the Member States. In this context, some of the Member States would like to receive even more support from EMSA or the Commission in terms of guidance regarding the practical implementation of the various pieces of legislation. For example, more training courses regarding the conduct of inspections could be more practically oriented in terms of what actually needs to be checked on a ship and how these inspections should be performed. However, EMSA already provides technical assistance to Member States in different forms (trainings, e-Learning, workshops, tools, guidelines, etc.). Also there are limits to the extent to which EMSA and Commission can provide help with interpreting legislation. EMSA can support the Member States in the exchange of practices and help with

understanding specific requirements, but only the Commission can provide direct interpretations of EU legislation. The methodology for the visits to Member States envisages a workshop with the Commission that will focus on the initial stage of implementing legislation. This could provide more support to the Member States in the future.

● **EMSA's staff finds that the Regulation is meeting the needs of its stakeholders, but they also see opportunities to do even more, going beyond the current core tasks.** The survey responses show that EMSA's staff are very positive with regard to the relevance of the Founding Regulation, but less so than the other groups of respondents. Interviews with its staff show that they are generally very ambitious and see opportunities for making improvements. They tend to see a need to expand EMSA's role, and see opportunities for providing improved user-centric services to the Member States. They also suggest a need for increased cooperation between Member States. The agency's staff are very keen to complete their tasks, but given the revision of the EMSA regulation in 2013 and static budgets, there is some concern among the staff that it will become increasingly difficult to ensure adequate resources for all tasks. EMSA's staff report that it has become increasingly difficult to retain and attract qualified inspectors to conduct visits and inspections, according to EMSA's management this issue is relevant not only for the "inspectors", but applies to all levels of the Agency. From 2002-2011, EMSA's budgets have facilitated the continuous improvement and development of the agency's activities. However, from 2012 onwards, the increases in its responsibilities have been possible only as a result of internal changes and efficiency gains within the organisation. The culture and mindset of the agency are focused on the opportunities for embarking on improvements and new tasks. Today, with 'zero-growth budgets', a different organisational and management mindset is needed in order to match the tasks to the budgets. EMSA's management is well aware of this challenge.

4.1.1.2 Response to emerging needs covered by the mandate

EMSA's Founding Regulation is found to be addressing the emerging needs. Most of these are covered by the amendments adopted in 2013. However, more could be done to address the maritime industry's administrative burden in connection with the creation of a 'European Transport Space without Barriers' according to stakeholders. Some Member States also expressed concern about the potential impact of EMSA's new role in the European cooperation on coastguard functions.

Overall, the majority of the stakeholders (including EMSA's staff) agree that EMSA's mandate is addressing the emerging needs of the European maritime sector. This is confirmed by both the survey and the interviews. As a large proportion of survey respondents indicate that emerging challenges are only covered '*to some extent*', some amendments are considered relevant (see section 4.1.2). But EMSA's stakeholders are not overwhelmingly concerned that the agency will be unable to deliver on emerging needs because they have a track record of continuously adapting to changes in the external environment. With the change of the mandate in 2013, many of the emerging needs were addressed through the ancillary tasks. For example, a range of environmental measures have been implemented, as well as policies and projects supporting the establishment of a European Maritime Transport Space without Barriers.

Figure 16: In your opinion, to what extent are the emerging challenges and needs of the European maritime sector being well addressed by the tasks set for EMSA in its Founding Regulation? (N=190)
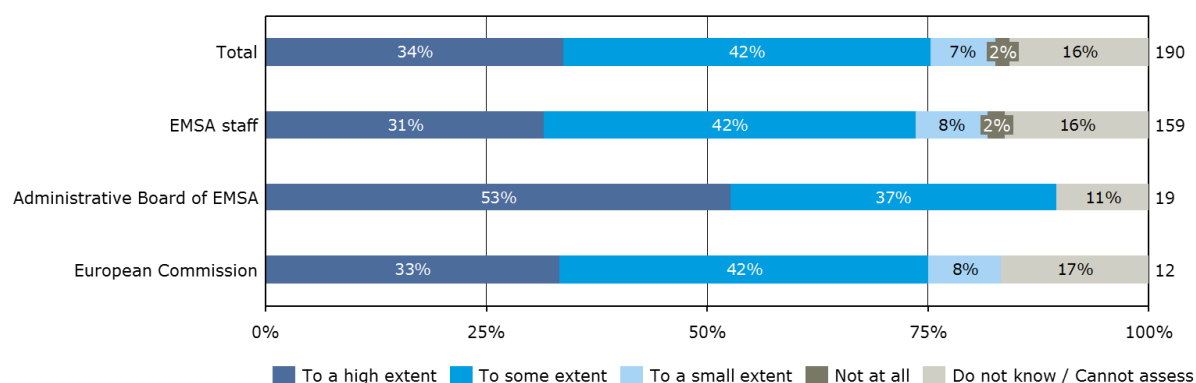
However, there are many different opinions regarding the nature of the emerging needs that EMSA will have to address. The evaluator's interviews, especially those conducted with the Member States, indicate a range of emerging needs:

The stakeholders are pointing to emerging challenges and needs regarding the maritime environment and the prevention of pollution. EMSA is already addressing some of these needs, but a significant number of stakeholders expect that more tasks will be allocated to EMSA in this area. New conventions are being agreed upon by the IMO, and they will then need to be incorporated into European and national legislation. EMSA will most likely be assisting and providing guidance for their implementation, but there is no consensus among the Member States regarding the extent to which EMSA should be involved in these new areas. One example is the ballast water management system[36], which is not currently being addressed by EU legislation, but EMSA is retaining its capacities in this field. Some Member States do not believe this is the best use of EMSA's resources in view of EMSA's mandate, and see it strictly as an issue for the national maritime authorities. Other Member States stress the need for help from EMSA in these new areas, because they do not feel they have the necessary competences and resources to implement new regulations on their own. Another example is the convention on ship scrapping or recycling[37], for which EMSA has published a guide on tracing hazardous materials on board a vessel. This type of project is considered very relevant by the Member States.

The needs within the maritime safety area are considered fairly stable by most stakeholders, but emerging needs in the environmental area will potentially increase the need for EMSA to act. This includes such areas as clean shipping, port reception facilities, sewage, alternative fuels, reporting and mitigation of emissions etc. Most Member States see a need to further utilise EMSA's competences for the new emerging tasks, as long as this does not compromise its existing tasks and priorities. The evaluation assesses that EMSA is already addressing most of these issues, either through integrating new environmental elements into existing core tasks or by initiating ancillary tasks. There is therefore no necessity to amend the Founding Regulation in order to respond to these new needs.

The Member States, especially small maritime Member States with relatively few resources, consider that support and assistance from EMSA will be even more necessary in the future. Regulation and the implementation of legislation are perceived as becoming increasingly complex and demanding future challenges for the Member States. While the small Member States emphasise direct assistance and support for the implementation of legislation through EMSA, the large Member States with maritime resources and competences

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[36] International Convention for the Control and Management of Ships' Ballast Water and Sediments (BWM), which was adopted in 2004 and entered into force in 2017.

[37] International Convention for the Safe and Environmentally Sound Recycling of Ships, 2009 (also known as the Hong Kong Convention).

place more of an emphasis on the need to coordinate and facilitate services across Europe's maritime stakeholders.

In the area of information systems, stakeholders – especially EMSA's staff – see many possibilities for targeting new needs and providing improved services. This is highlighted by technological development and accessibility to data. It is fairly easy and efficient to achieve a high return on investment from EMSA's various information systems. The evaluation shows that some aspects of the information systems could be developed further in order to increase their outputs and effects:

- Expansion to a global scale for current users
- Expansion of the number of users: The current points of contact within the Member States could reach out to more organisations – customs, border control, police, anti-terrorism, and maybe even to organisations concerned with defence
- A lot of data comes with a variety of restrictions, which limits the service offering.

At the same time, technology is advancing very fast. EMSA needs to find a way to continuously ensure it is delivering user-friendly and innovative digital solutions. As an example, there are ongoing global discussions on the future of autonomous vessels, an innovation which will certainly have an impact on maritime safety and security. EMSA needs to prepare itself for such developments.

EMSA has been able to respond to emerging needs and challenges in the past, but stakeholders worry future tight budget constraints may hamper this adaptability. EMSA is facing stronger budget constraints today compared with earlier years (see the efficiency analysis in section 4.4). This can make it more difficult for it to meet future needs and challenges. The stakeholders, including the European Commission, are concerned about how EMSA will be able to balance the performance of its existing core tasks within the realm of maritime safety and security against prospective new tasks, such as those stemming from the ancillary tasks mentioned in the Regulation.

Administrative burdens for the maritime sector remain a problem – EMSA should do more in this area according to most stakeholders. One area which is considered a high-priority need is the huge administrative burden imposed on the shipping industry, such as in relation to port papers, whereby ports in different countries or regions are asking for reports containing largely similar data but whose presentation requirements in terms of formats, languages and submission methods varies greatly. These requirements are described as very time-consuming and expensive to fulfil, and to some extent they are considered a barrier for European businesses.

*Directive 2010/65 - EU Formalities Reporting Directive – with t*he objective to facilitate ship reporting via a "National Single Window" in a harmonized way and by exploitation of advanced IT, to support administrations and to relieve ship commands from repeatedly reporting same content in different variations (e.g. according to IMO FAL Convention and Ballast Water Management Convention plus local requirements). Until today the defined goals have not been achieved. This failure has underlined the need for EMSA to take a leading role in the project/concept, raising the ambition level to that of *European Single Window*. EMSA is ideally suited to this task because of its competences in building information and data systems for the maritime sector, but it will have to undertake it in a collaboration involving national stakeholders. This will also require the possession of a clear mandate from the Commission. It is a project that would substantially support the achievement objective of "a European Maritime Space without Barriers" and will create very high value for maritime industry while simultaneously harmonising the administrative procedures of ports.

Some Member States expressed concern regarding EMSA's new role in the cooperation involving coastguard functions. With the latest amendment to the Founding Regulation, EMSA has been allotted a set of new tasks to support increased European cooperation involving

coastguard functions (see section 3.2.2). As the implementation of these tasks has only just begun, little can be said with regard to this retrospective part of the evaluation. However, during the stakeholder consultation, the Member States expressed considerable concern about the general impact of these new responsibilities on EMSA's work. Even though the amendment text adopted notes that "the tasks set out in this article shall not be detrimental to the Agency's tasks referred to in Article 2 [EMSA's core tasks]," and an additional budget for 2017[38] of EUR 17.7 million in commitment appropriations (an amount that covers additional staff expenditure and operational expenditure) has been envisioned for this cooperation effort, the respondents from the Member States' maritime authorities who were interviewed were concerned that EMSA's role might adversely affect its other tasks. For example, there were questions about whether EMSA's unit for the implementation of training will be able to offer additional courses. At the same time, in line with the budgetary allocations for the new tasks, the expectations some Member States are high in relation to the Coast Guard functions and their potential to provide value for money. The findings suggest that there is a need to communicate what this new role entails, how the additional resources will be allocated, and a reassurance that the new responsibilities will not reduce EMSA's focus on its core tasks or limit the availability of resources for its other tasks.

4.1.2 To what extent is there a need to amend the EMSA Regulation to accommodate future developments and challenges in the European maritime sector? (EQ2)

Methodology and sources:

This section presents the findings and provides an assessment of the relevance of EMSA. Relevance is assessed based on the extent to which the evaluation has identified needs and challenges (current or future) that are addressed neither by the EMSA Regulation, as amended in 2013, nor by the recent amendments under implementation (section 4.1.2.1), the extent to which stakeholders agree that these should be incorporated by the Agency's mandate and tasks (section 4.1.2.2) and the extent to which this requires an amendment of the EMSA Regulation (section 4.1.2.3). The assessment of relevance is based on the following norms:

- *A majority of the consulted stakeholders agree that an extension of EMSA's mandate and tasks is required to accommodate future developments or challenges*

The findings are mostly based on data from the survey and interviews but findings also stem from desk based review of various EMSA documents, especially EMSA's Founding Regulation and amendments, but also EMSA's internal documents, strategy, annual reports, budgets etc. Results from the case studies are also used.

Evaluator's assessment:

The challenges to the European maritime sector in the immediate future are well covered under the EMSA Regulation. Nevertheless, the evaluation has identified a few needs that the EMSA Regulation does not address sufficiently. Amending the Regulation to match these needs would enhance the Agency's relevance by improving the clarity of EMSA's tasks and role. However, the evaluator finds that the implementation of such amendments would involve a long process, and should therefore only be considered where a significant need exists.

Some minor adjustments, whether by amending the Regulation or simply by adjusting EMSA's working procedures, would improve EMSA's strategic clarity and relevance:

1. EMSA could do even more to reduce administrative burdens for the industry and strengthen its efforts to achieve the objective of a European Maritime Transport Space without Barriers. Especially the concept of 'European single window' has the potential to address a need for reducing administrative burdens for the industry. EMSA is uniquely positioned to take on this complex task and it should be highly prioritised.

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[38] EMSA (2017): EMSA 2017 budget

> 2. EMSA should continue to build on its strong capabilities to facilitate or deliver user-centric and innovative digital solutions to its stakeholders. With technology and data transformation changing rapidly there is a strong need for EMSA to play the frontrunner-role in maritime Europe to make use of all the innovative opportunities technology creates for the maritime safety and security area.

The previous section points to some future challenges in the European maritime sector, e.g.:
- New maritime legislation, e.g. environmental regulations
- New technology and the need for improved user-centric digital solutions
- Reducing administrative burdens for the maritime industry

Some of the future needs are covered by the EMSA Regulation, but others are not. Most additional environmental legislation will be covered by the EMSA Regulation. As was mentioned above, some Member States (primarily the small maritime ones) would like to see EMSA play a more proactive role in supporting the Member States with the interpretation and practical implementation of legislation. Other Member States (mostly the large and well-resourced maritime ones) do not see the necessity for EMSA to play a role in this area. The evaluation finds that the EMSA regulation could be clearer regarding the extent and scope of the prospective improved support that EMSA should provide to Member States regarding such issues as new environmental legislation.

One Member State mentioned that, in light of the intensification of the efforts towards a global level playing field for maritime transport, the role of EMSA in respect of the legislation designed to ensure adherence to high standards for seafarers should be strengthened. This would require an enhanced mandate in the implementation of labour-supplying responsibilities by third countries and MS as pertaining to recruitment, placement and the social protection of seafarers (introducing Maritime Labour Convention (MLC) inspection, similar to STCW)

Reducing administrative burden for the maritime industry should be a higher priority for EMSA according to stakeholders. It is already one of EMSA's objectives to contribute towards a "European Maritime Transport Space without Barriers", but a clear mandate is required for EMSA to take a more central role in reducing the administrative burdens for industry, especially regarding the European Single Window concept/project (a data and reporting system for the industry that is intended to reduce the administrative burden for European ships in European ports). This project has a huge potential for the industry in terms of delivering one of EMSA's objectives. A reconsideration of EMSA's role in the establishment of a "European Maritime Transport Space without Barriers" is clearly needed. If the Member States and the Commission regard this as an important objective for the Agency, a clear, more robust mandate in this area could encourage further developments.

4.1.2.1 Potential responses to unaddressed needs

Stakeholders identified some needs that the EMSA Regulation does not fully address. Amending it to match these needs would improve the clarity of EMSA's tasks and role. However, many stakeholders are concerned that implementing such amendments would involve a long process, and should therefore only be considered in those cases where significant need exists.

As section 4.1.1 explains, the needs of EMSA's stakeholders are evolving, but these needs are largely being addressed by EMSA's Regulation, including the most recent amendment. EMSA's work could nevertheless benefit from a reconsideration of the need for ancillary tasks, as well as from a clear mandate for further progress in the area of efficient maritime transport. The stakeholders' views on how to respond to these needs are presented below:

- **Some Member States see a need for EMSA to be a more proactive actor and a strategic, innovative partner supporting the Member States**. This should allow EMSA to focus on anticipating the future challenges facing stakeholders, threats to maritime safety and security, and delivering more tailor-made user-centric solutions to the Member States. These particular stakeholders see a strong need for more support from EMSA when new legislation needs to be implemented nationally. They mostly comprise the smaller Member States, which possess relatively less resources and competences. They would like more support and practical guidance. This adaptation will probably demand an amendment to the EMSA regulation.

- **Some Member States find the roles of, and distinctions between, core tasks and ancillary tasks should be clarified** in order to enable EMSA to streamline the process for setting priorities with regard to the ancillary tasks. Some Member States are confused about the distinction between ancillary and core tasks, and about the process for making decisions on which ancillary tasks should be undertaken. A response to this issue will most likely require an amendment of the Founding Regulation. One option would be to completely discard the distinction between core and ancillary tasks. The other option would be to set clearer, more transparent rules for the Administrative Board's decisions about taking on ancillary tasks. At the same time, it must be recognized that the concept of ancillary tasks offers flexibility for the Agency to take on tasks [from within the list of ancillary tasks] when considered possible and relevant without the need to go through a lengthy and difficult process of legislative amendment. In this sense, despite the confusion they may cause for a group of stakeholders, ancillary tasks serve a positive purpose for the Agency.

- **Stakeholders see a need to reduce the administrative burdens on the maritime sector.** One area that is regarded as a continually unaddressed need is the administrative burden the shipping industry faces in relation to such issues as port papers. The ports of the Member States require reports containing largely similar data, but in different formats, languages, etc. EMSA will need a clear mandate from the Member States and the Commission to strengthen its work towards more efficient maritime traffic and transport.

- **Because technology is changing very fast, EMSA needs to find a way to continuously deliver user-centric and innovative digital solutions.** EMSA has been able to deliver technically sound solutions to its stakeholders, but according to some users technical functionality has been prioritised over user-friendliness. EMSA faces the same challenge as other organisations do to incorporate new technology in a user-centric way that meets its stakeholders' usability needs and thus ensures the relevance of its activities. A response to this need will not require a change to EMSA's mandate. There are currently many opportunities for advanced exploitation of information, machine-to-machine communication (internet of things) and seamless cloud services providing overarching platforms to host data and information e.g. Smart port solutions etc. EMSA should become a prominent stakeholder in the identification of goals and in the development of procedures, tools and standards. Taking inspiration from outside Europe fx. A highly digitalised maritime hub such as Singapore could prevent EMSA from re-inventing the wheel and from repeating mistakes.

Looking forward, a majority of the stakeholders see an enhanced role for EMSA in the future. However, there is no current plan and consensus regarding EMSA's future direction, or whether it should take on new tasks. Most stakeholders agree that EMSA has been able to adapt to change in the past, and that it will be a key player for future transformations in the EU maritime area regardless of the direction the Agency takes.

4.1.2.2 Suggested amendments to the Founding Regulation

Some stakeholders find some unaddressed needs which may require amending EMSA's Founding Regulation.

The survey finds that a number of respondents believe the Regulation should be amended. EMSA's staff, Commission representatives and EMSA's Administrative Board were asked in the survey whether they thought EMSA's Founding Regulation was addressing emerging challenges and needs. As Figure 16 above shows, half of the respondents indicated that the Regulation does not fully match the emerging needs and challenges. Among those, a majority consider that EMSA's Founding Regulation should be amended to better accommodate these unaddressed needs.

Figure 17: Do you think EMSA's Founding Regulation should be amended to better accommodate emerging needs and challenges? (N=96)
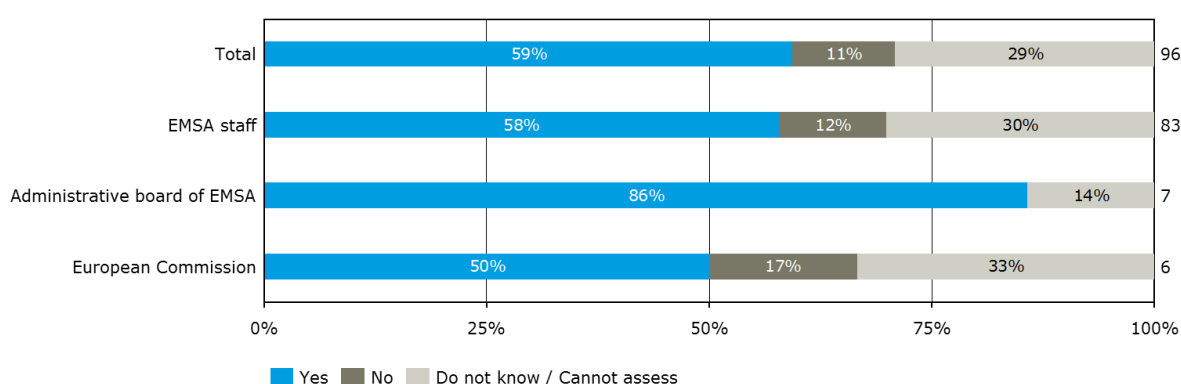
Three types of issues were presented as requiring an amendment of the Regulation. Those respondents who indicated a belief that EMSA's Founding Regulation should be amended to better accommodate emerging needs and challenges were asked to describe in what ways it should be amended. They gave three responses that reflect the overall relevance findings obtained from the other data sources:

- Need to expand EMSA's mandate by making it deeper/broader
- Changes to the definition of ancillary tasks vs. core tasks, as the current distinction is considered to be unclear
- More direct assistance to the Member States.

In particular, the definition of EMSA's tasks could be addressed by a review of the Regulation. Among the three issues presented above, a revision of 'ancillary tasks' appears to be the most concrete solution and has the greatest support, also taking into account the evidence from the interviews. EMSA should only perform the ancillary tasks on request or if the resources are available, but in practice EMSA has already implemented most of these tasks. For this reason, many stakeholders consider that the Regulation should be changed to match the current situation, or to clearly describe how far EMSA should concern itself with any particular task.

As has been outlined above, no specific tasks have been identified that would require an expansion of EMSA's current mandate. The findings from the survey in this regard are thus not further supported by other data sources.

During their interviews, the Member States underlined the need for EMSA to provide direct assistance with the implementation of legislation. This is further discussed in section 5 on recommendations.

Overall, EMSA's mandate, objectives and tasks are found to match the needs of the maritime sector. A few areas have been identified where some of the stakeholders see needs that could be better addressed or objectives could be better met. Some of these can be implemented incrementally, while others will require an amendment. Specific recommendations are provided in section 5.

4.2   Effectiveness and utility

This section covers the evaluation criteria of effectiveness and utility. The effectiveness analysis considers how successful EU action has been in achieving or progressing towards its objectives. This evaluation aimed to answer the question: "*To what extent has EMSA been successful in achieving the objectives set for its work?"*

The evaluation question has been further operationalised by dividing EMSA's activities into the four work areas presented in EMSA's 5-year Strategy, namely *Monitoring, Surveillance and Information Sharing* (EQ3)*; Standards, Rules and Implementation* (EQ4)*; Environmental Challenges and Response* (EQ5); and *Information, Knowledge and Training* (EQ6).[39] For each of these areas, it has been assessed to what extent and in what ways EMSA's activities have been successful in achieving the desired outputs and results. The outputs and results to be achieved under each of the specific activities have been identified on the basis of EMSA's work programmes and Founding Regulation, as highlighted in the intervention logics in section 3.3. The effectiveness assessment also identifies internal (EQ7) and external factors (EQ8) that influence the extent to which EMSA is able to implement its tasks and achieve its targeted results.

'Utility' assesses stakeholder satisfaction, and to what extent the outputs and results are responding to stakeholder needs. This evaluation is a response to the following question: "*To what extent do the activities conducted and the results produced by EMSA satisfy (or not) the needs of the Agency's key stakeholder?"* (EQ10). This question has also been answered for each of the four working areas.

4.2.1 Monitoring, Surveillance and Information Sharing (EQ4 and EQ10)

As the intervention logic in Figure 4 shows, which is based on EMSA's Founding Regulation and the Agency's work programmes, the activities of EMSA in the area of *Monitoring, Surveillance and Information Sharing* include:
- Integrated Maritime Services
- SafeSeaNet
- EU LRIT and LRIT IDE (EU Long-Range Identification and Tracking Cooperative Data Centre and LRIT International Data Exchange)
- THETIS information system
- Maritime Support Services (helpdesk) (MSS)

Given its links with SafeSeaNet[40], this evaluation has also included within this section EMSA's activities connected with the implementation of the National (and potentially European) Single Windows, supporting the implementation of the Reporting Formalities Directive (2010/65/EU) that is intended to promote the efficiency of European maritime traffic and transport.

> *Methodology and sources:*
> *This section presents the findings and provides an assessment of the effectiveness and utility of EMSA's activities in the area of Monitoring, Surveillance and Information Sharing. Effectiveness is assessed based on the extent to which the Agency's activities have produced planned outputs (section 4.2.1.1), whether these outputs are being used (section 4.2.1.2) and whether they have contributed to targeted results (section 4.2.1.3). The assessment of effectiveness of the activities is based on the following norms:*
> - *Outputs and KPI targets for different EMSA units working with tasks related to Monitoring, Surveillance and Information Sharing are met*

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[39] The assignment of activities to the four areas has been made in agreement with EMSA. Not all the activities fall clearly into a single area.

[40] The information exchange requirements of the Reporting Formalities Directive are integrated in the PORT+ message, and are therefore covered by the SafeSeaNet indicators.

- Organisations and administrations using monitoring services from EMSA have improved the performance of their tasks and fulfilment of obligations
- *At least 70% of Member States' representatives and the majority of other stakeholders agree that EMSA's activities in the field have contributed to the desired results*

The findings stem from desk based review of various documents, including EMSA's Annual Reports, EMSA Core Business Statistics data related to the use of EMSA's systems, SafeSeaNet data quality reports and statistics. Data from the survey and interviews are presented, as are the results from the case study on the functioning of the Integrated Maritime Services (IMS)

Utility is assessed based on the extent to which EMSA's stakeholders say that they are satisfied with EMSA's work (section 4.2.1.4) and the extent to which they find that the outputs and results produced by the Agency match their needs (section 4.2.1.5). The assessment of utility is based on the following norms:
- *At least 70% of Member States' representatives and the majority of other stakeholders agree that they are satisfied with EMSA's work*
- *At least 70% of Member States' representatives and the majority of other stakeholders agree that EMSA's work matches their needs*

The findings build mainly on stakeholder's feedback gathered through interviews and survey. In addition, results from the case study on IMS and some reports on relevant EMSA activities have been taken into account.

Evaluator's assessment:
EMSA's activities in the area of Monitoring, Surveillance and Information Sharing have been highly effective in terms of the results achieved.

EMSA's activities in collecting, aggregating and enhancing relevant maritime data and information have created a common, global and integrated maritime situational picture. Specifically, the Integrated Maritime Services (IMS), its underlying systems and shared data elements (i.e. Automatic Identification Systems (AIS); Long-Range Identification and Tracking (LRIT); additional ship and voyage information; synthetic aperture radar satellite images (SAR imagery); optical satellite images; meteorological-oceanographic data and other data sources from national systems) have improved and enhanced the maritime situational awareness of most Member States.

Given the above, it is assessed that EMSA's information systems have improved the quality and accessibility of objective, reliable and comparable information to the European Commission, Member States and EU agencies and the maritime community. Furthermore, the accessibility of the systems at a low cost for the users and their ease of use have enhanced cooperation between Member States and between different agencies within individual Member States, because partners and neighbors are using the same system and have access to the same situational picture.

Additionally, the activities performed by EMSA in the area of Monitoring, Surveillance and Information Sharing are satisfying the needs of users to a large degree. The users of EMSA's services derive a broad range of specific benefits from the services offered by EMSA which go beyond the achievement of the desired results (e.g. as a backup to national systems, as an integration tool providing global coverage, and as an operational tool that provides access to a large set of data on a mobile device).

However, while all the Member States find value in using the data provided by EMSA, different Member States derive different benefits from the use of its systems. This should be unsurprising, as the subjective nature of the benefits depends to a high extent on the needs of the Member

States in question, the degree of sophistication of their own systems, the particular maritime circumstances, the capacity of their administration, and many other factors. Nevertheless, it is a positive assessment to find that the extensive scope of the service makes it highly adaptable to the broad range of needs of the Member States, and stands as proof that its users can derive a variety of benefits from the data provided.

With respect to the specific activities that are intended to support the efficiency of European maritime traffic and transport, EMSA has provided technical support for the implementation of the Reporting Formalities Directive (2010/65/EU). However, further efforts (by all stakeholders involved) are needed in order to establish a European Maritime Transport Space without Barriers.

4.2.1.1   Achievement of desired outputs

In the area of *Monitoring, Surveillance and Information Sharing*, EMSA is found to have produced outputs in accordance with its set targets. EMSA has set met and in some cases exceeded the targets set in its annual programmes

EMSA's notable outputs in the area of *Monitoring, Surveillance and Information Sharing* during the period that fall within the scope of this evaluation include the following[41]:

- EMSA has performed a wide range of activities when collecting, aggregating and enhancing maritime information[42] in order to provide a common, global and integrated maritime picture.
- The continuous improvement of EMSA's services and the addition of new functionalities[43] have been achieved through active consultation with the users and the assessment of their needs.
- EMSA has integrated available data and the various relevant information systems into a single graphical user interface through the Integrated Maritime Data Environment (IMDatE) and IMS projects. In addition, it has also provided mobile applications for these services to the Member States.
- Ambitious targets set for the availability and technical resilience of the underlying platforms have been met, and in most cases exceeded.
- EMSA has provided 24-hour support through the MSS Helpdesk and has organised trainings on the use of the systems offered.
- EMSA has provided support for the technical implementation of the Reporting Formalities Directive (2010/65/EU), and in particular for the development of the National Single Windows (NSW) of Member States.
- EMSA has helped develop a European Maritime Single Window Prototype (EMSW) under a pilot project launched by the Commission (the e-Manifest).

EMSA's information systems are set up and function as very resilient platforms. The functioning of EMSA's information systems (i.e. IMS, SafeSeaNet, LRIT CDC/IDE, THETIS, etc.) is subject to continuous monitoring. EMSA assesses the functioning of the systems against a wide number of quality indicators which are reported on a yearly basis (or twice-yearly, in the case of SafeSeaNet[44]).

The analysis of the available KPI data shows that in general, the activities in this area are being delivered as planned and often in quantities or at a quality level exceeding the target values. In

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[41] The list below does not aim to be a comprehensive list of EMSA's outputs in this area.

[42] Automatic identification systems (AIS), Terrestrial and Satellite AIS; Long-Range Identification and Tracking (LRIT); Additional ship and voyage information; Synthetic aperture radar satellite images (SAR imagery); Optical satellite images; Meteorological-oceanographic data; Remotely Piloted Aircraft Surveillance Systems (RPAS); Other data sources from national systems (Vessel Monitoring Systems (VMS); Coastal radar and user-specific data.

[43] Automated Behavioural Monitoring (ABM); Traffic monitoring; Support data for search-and-rescue operations; Pollution monitoring (complementing the existing CleanSeaNet service, providing an alternative means of visualisation; Maritime Border Control (supporting Frontex and Eurosur); Anti-piracy in support of EU NAVFOR; Fisheries monitoring in support of EFCA JD; and Anti-drug trafficking operations supporting MAOC-N.

[44] SafeSeaNet (SSN) Data quality reports are issued twice a year.

the interest of brevity, we will limit ourselves to presenting a limited number of key quality indicators. However, a complete list of results has been published by EMSA as quarterly KPI reports, as well as in individual SafeSeaNet data quality reports.

As an example of the above statement, the figure below shows that the availability of the IMS user interface platform itself (also known as IMDatE) has exceeded the targets, and in Q2 of 2016 was very close to 100%. This indicates that (as the stakeholders also noted) the platform is highly reliable and stable.

Figure 18: Percentage per year availability of IMDatE platform
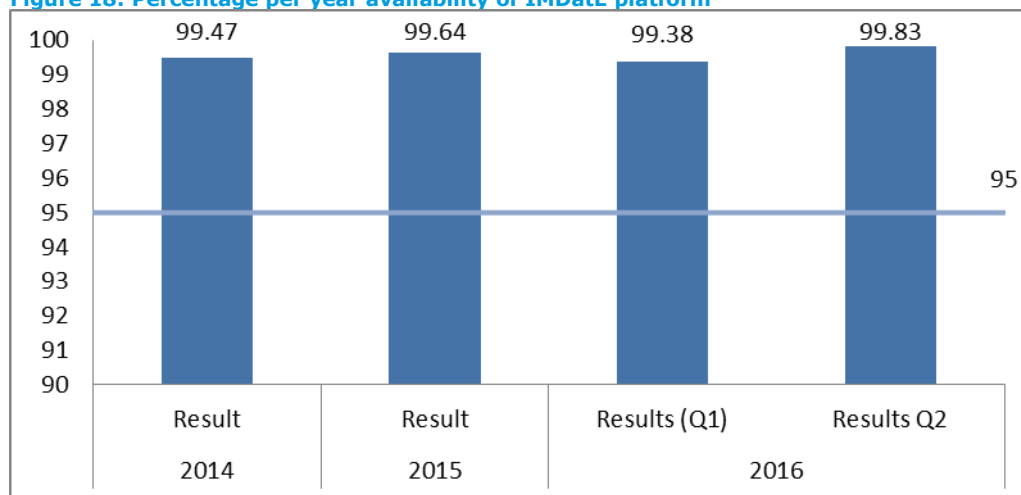
Source: European Maritime Safety Agency. (2016). EMSA KPI 2014, 2015 and 2016 Definitions & Methodology.

Similarly positive findings relate to the underlying systems which feed data into the user interface platform. The figure above takes the IMDatE platform as an example. However, similar KPIs pertaining to other systems[45] show that the platforms are highly reliable and are all characterised by a very low downtime. All the systems mentioned above have significantly exceeded their targets in terms of availability and downtime, with some approaching 100% availability. Twice-yearly SSN Data Quality Reports assess the performance levels of the SafeSeaNet system, issuing recommendations to Member States for continuous improvement.

In the event of issues arising, an operational and technical helpdesk is available for the users of all the relevant services. The MSS helpdesk offers continuous (24/7) technical support to the Member States.

EMSA has made efforts to support the technical implementation of the reporting Formalities Directive (2010/65/EU), and in particular the enhancement of the Member States' NSW. However, as will be explained below, due to factors mostly beyond EMSA's control these efforts have not been effective in increasing the efficiency of Maritime Transport. EMSA is planning to conduct a study on the Reporting Formalities Directive (2010/65/EU) Part C (implementation) in order to fully understand what lies behind the implementation difficulties and to analyse the potential solutions for improvement.

4.2.1.2 Use of outputs by beneficiaries

In the area of Monitoring, Surveillance and Information Sharing, EMSA provides services to high (and growing) number of diverse users.

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[45] E.g. SafeSeaNet, MarSurv, EU LRIT Data centre, LRIT IDE, etc.

Progress in this area remains possible through increasing even further the number of users and generating a more in-depth understanding of the levels of actual usage of the various functionalities and sub-services provided by the systems.

There has been a significant increase in the total number and diversity of individual users of the various services during the period under review, including the Maritime Authorities of the Member States, other relevant Member State authorities, EU agencies and international organisations[46]. Over the course of the development of the Integrated Maritime Services, for example, the number of Member States involved in sharing and receiving relevant maritime data to and from the IMS system has grown to a total of 21 Member States plus Norway. This evolution is depicted in Figure 19. As can be seen, at present this includes all the coastal Member States with the exception of Romania and Bulgaria.

Figure 19: Evolution of the involvement of countries falling under the scope of the IMS
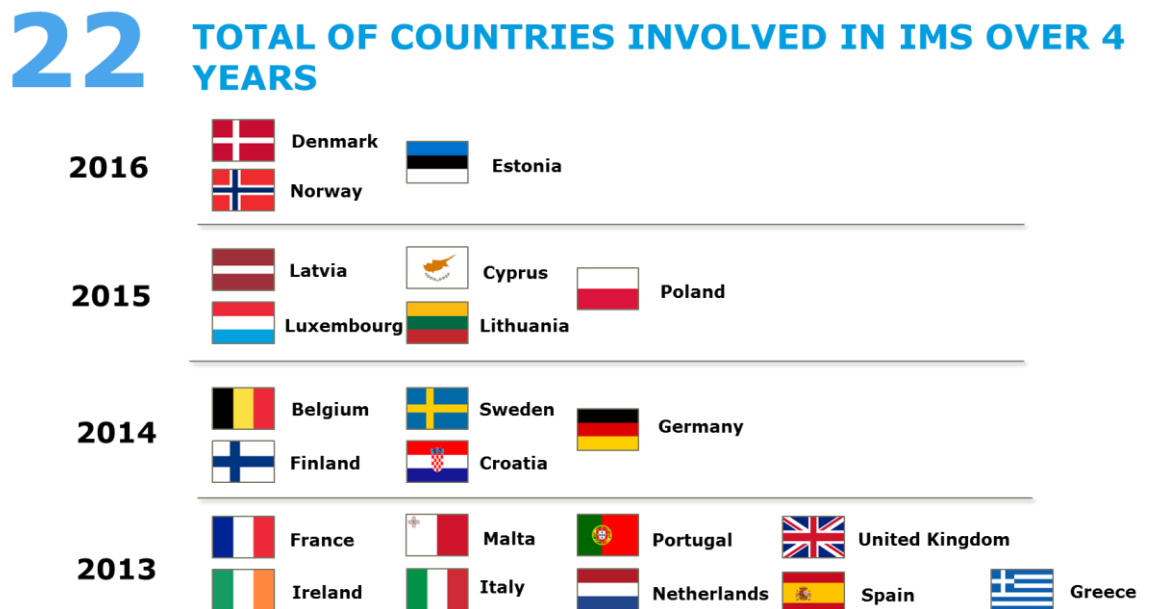
Source: Internal user data provided by EMSA

The number of users of the IMS system is increasing continuously. It has also grown at a fairly steady pace between 2013 and 2016 (see Figure 20), indicating the increased interest in the IMS provided by EMSA and its evolution as a useful tool for the Member States.

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[46] E.g. EU Naval Forces - Indian Ocean (EUNAVFOR), the EU Naval Forces - Mediterranean (EUNAVFOR-MED), the European Fisheries Control Agency (EFCA), the European Agency for the Management of Operational Cooperation at the External Borders (Frontex), the Maritime Analysis and Operations Centre – Narcotics (MAOC-N), and the European Neighbourhood Policy Countries (ENP) associated with the SAFEMED III and TRACECA II projects.

Figure 20: Evolution of the total number of Member State users of the IMS platform (January 2013 - January 2016)
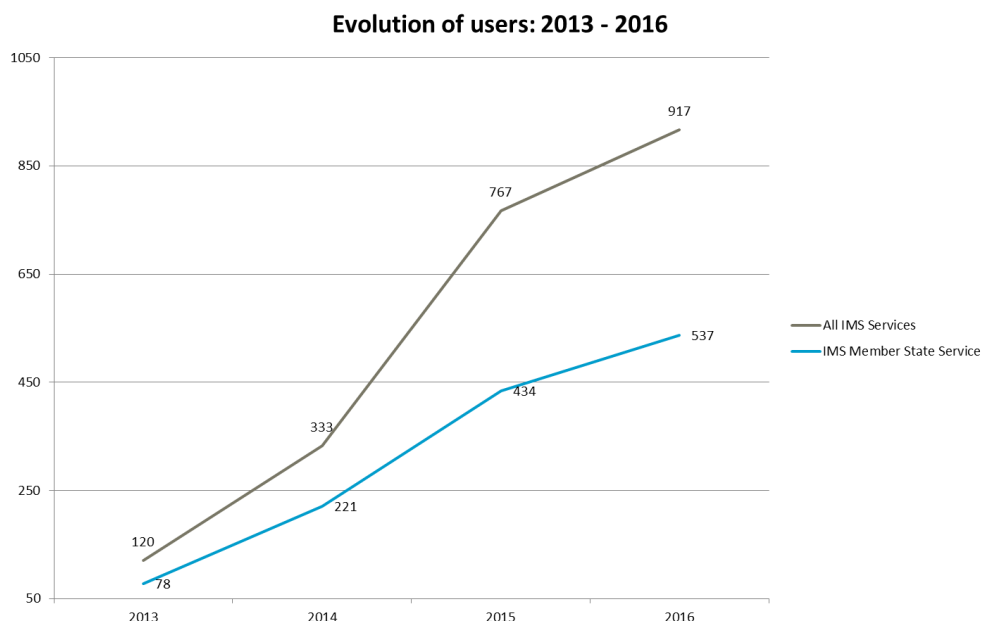
Source: Internal user data provided by EMSA

At the time of the data collection (November 2016), the number of users was continuously increasing: the total number of individual IMS users representing Member State institutions was reaching approximately 700 users, representing around 70 different organisations. This number is complemented by more than 250 users of the mobile application. The Automated Behaviour Monitoring (ABM) services were used by seven Member States (and three EU bodies). Four of the Member States have been assigned the "ABM Administrator"[47] role functions.

There is some potential for EMSA to continue to grow the total number of individual users, as the pool of potential users who are likely to find the services provided by EMSA highly relevant is not yet exhausted (e.g. additional individual users / units within organisations already covered, as well as other authorities such as customs authorities, police and anti-terrorism authorities, etc.).

No additional data is available for analysing patterns of use. Apart from the above-mentioned indicators in terms of the number of registered users, EMSA does not collect more detailed statistics that would support the analysis of the patterns of use of its systems and the behaviour of their users (e.g. the number of daily log-ins, the number of queries relating to particular data elements / sub-services, etc.). This limitation has excluded the possibility of an 'active use' assessment that would attempt to quantify in more detail the level of use of EMSA's services and the activities observed for each of the platforms. Going beyond this limitation to the evaluation itself, an internal analysis (i.e. by EMSA) of such types of indicators, at least at an aggregated level (i.e. protecting the privacy and anonymity of the individual users) might help EMSA to increase the level of use (hence utility) of individual parts of the broad range of services it offers, and to set priorities for its development and improvement.

Finally, certain data elements are restricted to specific users due to data restrictions imposed by the data owners. It is noted that this situation lies largely outside EMSA's control, as EMSA does not own many of the data elements provided through the information systems. Nevertheless, EMSA appears to be in a good position to act as a neutral, trusted broker between

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[47] Meaning that they are able to define their own ABM scenarios and alerts.

the owners and users of this data, and may be able to leverage its position to increase the effectiveness of the services provided by facilitating access to non-sensitive data.

4.2.1.3 Contribution to planned results

EMSA's activities to collect aggregate and enhance relevant maritime data and information have created a common, global and integrated maritime situational picture which has improved and enhanced the maritime situational awareness of most Member States.

By covering a larger area (i.e. both globally and Europe-wide) than the national systems of most Member States are able to cover on their own, by providing some data elements previously unavailable to most Member States, and by enhancing existing data points, EMSA has significantly contributed to increasing the quality and accessibility of objective, reliable and comparable information to the European Commission, Member States, EU agencies and the maritime community.

Furthermore, this improved and enhanced maritime situational awareness has also contributed to the improved application of international/EU maritime legislation by the European Commission and Member States, especially in the area of pollution monitoring and the prosecution of polluters.

The accessibility of the systems at a low cost for the users and their ease of use has enhanced cooperation between Member States and between different agencies within those same Member States, as this has allowed partners, peers and neighbouring countries to use the same systems and to have access to the same situational picture.

The users of EMSA's services derive a broad range of specific benefits from the services it offers, which go beyond the achievement of the desired results (e.g. by providing a backup to national systems, acting as an integration tool providing global coverage and as an operational tool providing access to a large set of data on a mobile device, etc.).

With respect to the specific activities that are aimed at supporting the efficiency of European maritime traffic and transport, EMSA has provided technical support for the implementation of the Reporting Formalities Directive (2010/65/EU). However, further efforts (by all stakeholders involved) are needed in order to establish a European Maritime Transport Space without Barriers.

As is shown in the intervention logic depicted in Figure 4, which is based on EMSA's Founding Regulation and the Agency's work programmes, the activities of EMSA in the area of Monitoring, Surveillance and Information Sharing are meant to contribute to:

- Improved quality and availability of objective, reliable and comparable information and data to the European Commission, Member States, EU agencies and the maritime community more broadly
- Improved application of international/EU maritime legislation by the European Commission and Member States
- Improved cooperation between member States.

There is very clear evidence that EMSA's activities in the area of *Monitoring, Surveillance and Information Sharing* have made a contribution to the above-mentioned results.

The sections below concisely present the evidence underpinning the assertion made above, and provide additional details regarding the secondary benefits derived by Member States, as well as the potential areas for improvement of the services provided.

EMSA's activities in the area of *Monitoring, Surveillance and Information Sharing* have achieved their desired results. This is clearly supported by all sources of evidence (survey, case study and follow-up interviews). The survey results show that the stakeholders overwhelmingly agree that the intended results of EMSA's activities in this area have been

achieved. Although the achievement of the two targeted results is assessed positively, stakeholders believe that the main result is the improvement of the quality, availability and reliability of information and data in the Maritime Area.

Figure 21: Assessment of achievement of results for activities in the area of Monitoring, Surveillance and Information (N=84)[48]
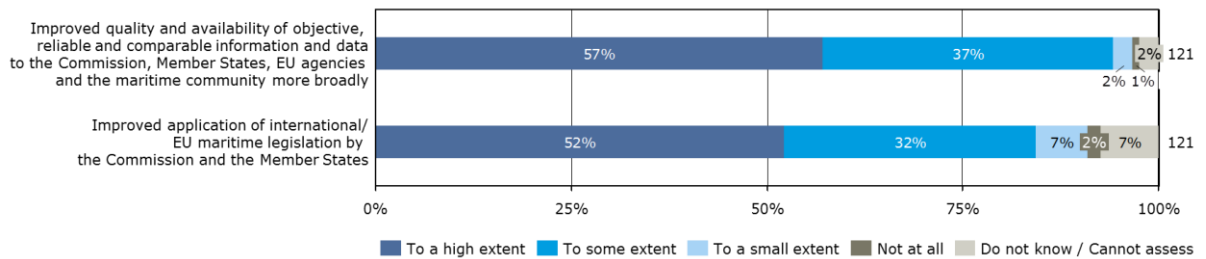
Intended result: Improved quality and availability of objective, reliable and comparable information and data to the European Commission, Member States, EU agencies and the maritime community more broadly

EMSA's activities to collect aggregate and enhance relevant maritime data and information have created a common, global, integrated maritime situational picture which has improved and enhanced the maritime situational awareness of most Member States. As can be observed from the figures below, all the underlying activities[49] belonging to this area have made a strong contribution to improving the quality and availability of information and data.

While taking into account the positive assessments across the board, SafeSeaNet, THETIS and the IMS are those areas which seem to be contributing the most to EMSA's objectives. However, one stakeholder disagrees completely with the assertion that the IMS has made any contribution. As an outlier with an opposite view to the majority, we will investigate this position in more detail to understand the possible reasoning behind the assertion. This is discussed in section 4.2.1.4 below.

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[48] This figure has been compiled on the basis of the assessments of the individual activities in the area of Monitoring, Surveillance and Information. Respondents were able to provide responses concerning several activities within this field. Therefore the number of respondents (N) is lower than the sum of the individual responses received for each of the activities (indicated in the figure at the end of each row).

[49] Small differences are shown in Figure 22 and Figure 23.

Figure 22: In your opinion, to what extent have the activities of EMSA in the following areas contributed to the improved quality and availability of objective, reliable and comparable information and data to the Commission, Member States, EU agencies and the maritime community more broadly? (N=84)[50]
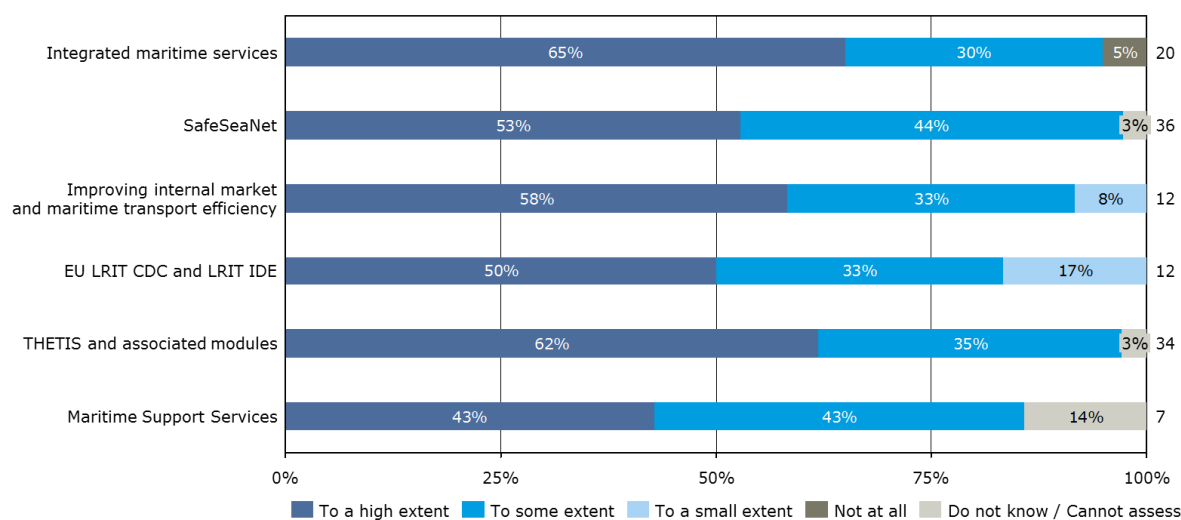
In the context of the case study analysing the IMS in depth, all the Member States interviewed agreed that having an integrated maritime picture based on multiple data sources has to a high extent improved the quality and availability of information, as well as the reliability of the information provided by the systems.

EMSA has significantly contributed to improving the situational awareness of most Member States and other institutional users. This has been achieved by covering a larger area (i.e. globally and Europe-wide) than the national systems of most Member States are able to cover on their own, by providing some data elements previously unavailable to most Member States (e.g. Satellite Automatic Identification System (AIS), search-and-rescue (SAR) and optical satellite imagery), and by enhancing existing data points via the triangulation of sources. One of the most important benefits highlighted by a majority of interviewees in the context of the case study was the integration of satellite imagery and satellite AIS as data sources. Additional functionalities were also highlighted by users, including the mobile IMS application and the possibility to create ABM rules in the system.

Intended result: Improved application of international/EU maritime legislation by the European Commission and the Member States

EMSA's activities in the area of *Monitoring, Surveillance and Information Sharing* have contributed to the improved application of international/EU maritime legislation by the Commission and the Member States. The results of the survey (see Figure 23) show that the stakeholders overwhelmingly agree that EMSA's work has helped to improve the application of international/EU maritime legislation.

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[50] The figure depicts the assessments of the individual activities in the area of Monitoring, Surveillance and Information. Respondents were able to provide responses concerning several activities within this field. The number of respondents (N) is therefore lower than the sum of the individual responses received for each of the activities (indicated in the figure at the end of each row). This applies to all the figures in this section on effectiveness.

Figure 23: In your opinion, to what extent have the activities of EMSA in the following areas contributed to the improved application of international/EU maritime legislation by the Commission and the Member States? (N=84)
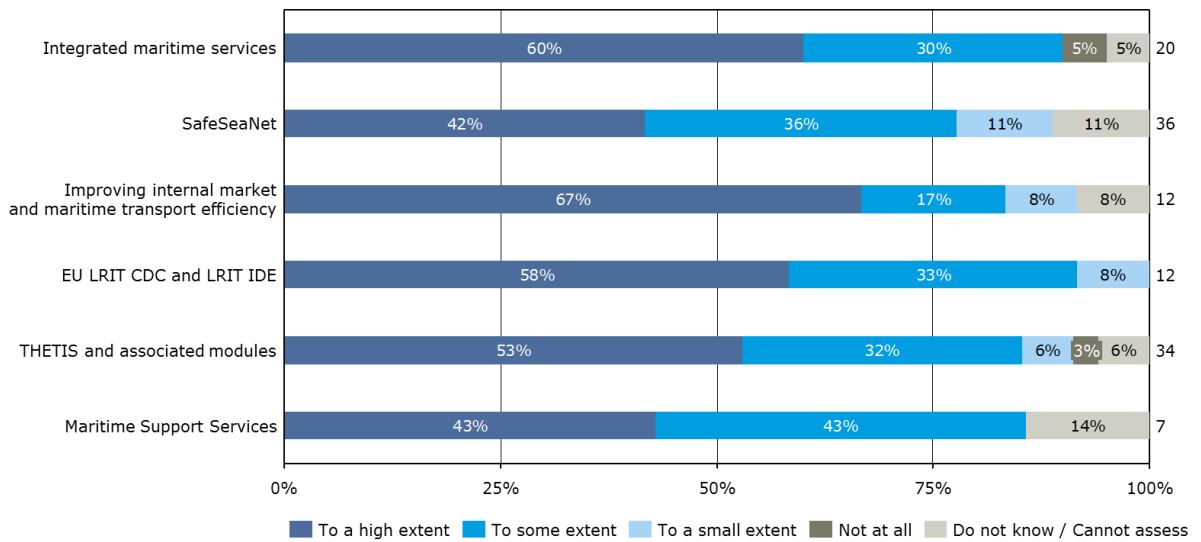
The improved and enhanced maritime situational awareness made possible by EMSA's work has contributed to the improved application by the European Commission and the Member States of international/EU maritime legislation, especially in the area of pollution monitoring and the prosecution of polluters (e.g. by identifying possible sources of pollution by triangulating vessel positioning, pollution detection, and met-ocean data in order to identify the vessels potentially responsible for a pollution incident).

The stakeholders appreciate that EMSA's activities to improve the internal market and maritime transport efficiency have also improved the application of legislation. This appreciation is associated with the technical assistance provided by EMSA to the Member States in responding to their obligations under the Reporting Formalities Directive.

With respect to whether the IMS have had an impact in preventing, deterring and responding to marine pollution, the Member States overwhelmingly agreed in the context of the case study that EMSA's work has helped them to improve their response times, and that this has helped the authorities to identify polluters more effectively (i.e. through the ability to track vessels which were potentially responsible for a polluting discharge).

Intended result: Improved cooperation between Member States

EMSA's work in this area has helped to improve the cooperation between Member States, as well as between organisations within Member States and between EU agencies. The accessibility of the systems at a low cost for the users, and their ease of use, has produced a number of impacts which have contributed to increased cooperation.

Firstly, it has allowed an increase in the numbers and types of organisation which are able to access a comprehensive maritime situational picture. This means that while previously only a select number of authorities (including Maritime Administrations) within the Member States had the capacity to monitor the maritime picture, access to this information has now been granted to additional authorities within the Member States, including customs authorities, coastguards, environmental protection agencies, etc. Furthermore, additional individuals and departments within these authorities can now have access to the information at a very low cost, further increasing the number of individual users. This has had the effect of increasing the efficiency and effectiveness of inter-institutional cooperation within Member States.

Secondly, the situational awareness provided by EMSA is unified, meaning that similar users will generally have the same picture, and will work on the basis of the same information as their peers. This has had the effect of increasing the cooperation between Member States, which can coordinate their actions without worrying about information asymmetry.

Additional results: multiple benefits for users

The users of the various information services provided by EMSA derive a broad range of secondary benefits which vary from one Member State to the other. Interviews with the Member States have shown that irrespective of their overall level of satisfaction (see section 4.2.1.4 below) or the extent to which the individual services match the needs of the users (see section 4.2.1.5 below), all of them derive value from using the IMS provided by EMSA. However, different Member States obtain different benefits from the use of EMSA's systems.

This should not be surprising, as the subjective nature of the 'benefits' depends to a high extent on the needs of the Member State in question, the level of sophistication of their own systems, the specific maritime circumstances, the capacity of their administration and many other factors. Nevertheless, it is a positive assessment to find that the breadth of scope of EMSA's services makes them highly adaptive to the broad range of needs of the Member States and stands as proof that users can derive different benefits from the information services it provides.

EMSA's work has improved search-and-rescue operations. An important benefit highlighted by the Member States was the improved efficiency of search-and-rescue operations made possible by the ability to locate all the vessels near the vicinity of the vessel in distress in a timely manner, improving response times during an emergency.

Detailed examples of how the organisations belonging to the Member States benefit from the use of EMSA's systems, as well as their assessments regarding what constitutes the 'main benefit' to them are provided in the case study on IMS which is attached to this report.

4.2.1.4 Stakeholders' satisfaction with EMSA's work

Overall, the stakeholders have expressed high levels of satisfaction with EMSA's services. Nevertheless, they have identified areas for improvement (e.g. latency, user-friendliness, additional functionality, more system-to-system integration), but none of them have pointed to major sources of dissatisfaction.

There is high satisfaction with EMSA's work. In the context of the case study, the majority of Member States[51] expressed very high satisfaction with the work of the agency, citing several elements which they regarded as particularly positive.[52]

Suggestions for improvements have been made. Some users who reported being highly satisfied nevertheless suggested improvements. These included: providing information about traffic density over time (1 respondent) and improving the single graphic user interface (GUI) (2 respondents). The two interviewees who reported lower levels of satisfaction provided different reasons for this assessment. One cited the latency of the web-based interface[53], while another

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[51] Eight out of ten Member States were interviewed in depth in the context of the IMS case study.

[52] From among those we can mention: Reliability of the system, good technical support provided by EMSA, good communication between EMSA and the Member States (especially at the level of business needs and system development), a welcoming approach to the integration of data sources and services, and a specific nod to the mobile-based application.

[53] It is important to note that data speed depends on the ICT infrastructures of both the provider (EMSA) and the user. Narrow bandwidths and old browsers can translate to sluggish speeds. The lack of comprehensive statistics regarding this indicator made it difficult to triangulate this statement in a way that could turn it into a generally applicable conclusion.

reported that while his organisation was very satisfied with the services themselves, it had very little use for the web-based application because it does not replace his national system. For the latter, more system-to-system integration was preferable to additional work on the common application. It is important to note that this situation (i.e. where a national system, rather than the EMSA visualisation platform, is predominantly used by maritime administrations and other stakeholders in order to provide a situational maritime picture) is common among Member States. All the Member States interviewed maintain and use a national interface as their primary system.

In order to analyse in depth EMSA's ability to fulfil the needs of its stakeholders , the case study on IMS differentiates between the different types of services and uses that EMSA's systems can deliver (e.g. ABM, traffic and pollution monitoring, search-and-rescue, etc.). Although not all those interviewed for the case study were familiar with or had used the IMS for all of their intended purposes, they described being satisfied overall with the Agency's work, and reported a high level of coverage of their needs. However, the various services did not generate unanimously high satisfaction. Some respondents mentioned a variety of specific areas for improvement. These included:

- More training opportunities regarding how to use the systems
- Information concerning dangerous and polluting cargoes should be included in SafeSeaNet.

External factors influencing the effectiveness of EMSA's services have been identified. The stakeholders in general, and the Member States in particular, were keen to acknowledge that a significant barrier which could negatively affect the achievement of results in this area is the potential difficulties which arise from the complexity of the system for gaining access to the various data elements provided by a wide range of data providers. Another external influencing factor mentioned was the other EU agencies with different mandates which also require maritime information and which might seek to build competing systems[54] if they are not granted access to the IMS service provided by EMSA (2 respondents).

On the basis of these findings, the recommendation section (see section 5) of this report takes up the above-mentioned factors more systematically and presents comprehensive action points for EMSA.

4.2.1.5 Outputs and results in light of stakeholder needs

EMSA is generally able to meet stakeholder needs in the area of Monitoring, Surveillance and Information Sharing. However, some suggestions for improvements were made. In particular, EMSA's efforts in support of the implementation of the Reporting Formalities Directive (2010/65/EU) have not been able to overcome the difficulties reported in the area.

Overall, the stakeholders' needs are being met. The results of the survey (see Figure 24) indicate that EMSA's work in the area of *Monitoring, Surveillance and Information Sharing* matches the stakeholders' needs, at least to some extent. Significantly, no respondent to the survey mentioned that EMSA's work was completely failing to meet their needs.

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[54] E.g. DG MARE's Common information-sharing environment (CISE).

Figure 24: In your opinion, to what extent do the following EMSA activities/services meet your/your organisation's needs? Monitoring, Surveillance and Information (N=63)[55]
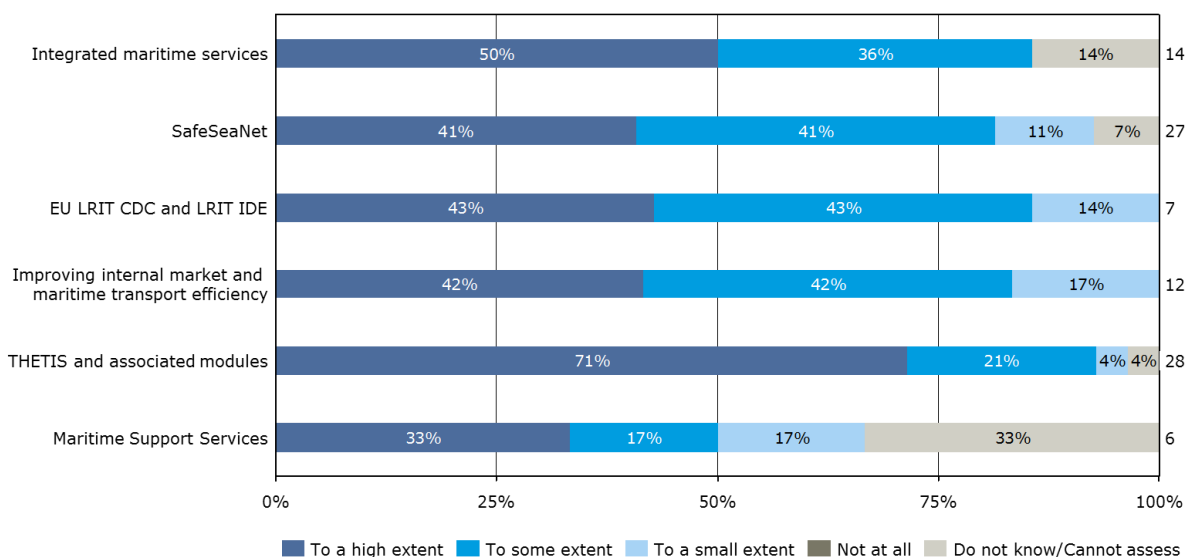
Suggestions for improvement were made by the stakeholders. In order to maintain their high satisfaction levels; to continue to improve the services offered; and to respond to the needs of the stakeholders, in the light of the findings presented above EMSA should consider the following actions:

- Maintain the current level of stakeholder engagement (which has been commended by several respondents) as a mechanism for maintaining the system's relevance to its users.
- Increase the amount of training opportunities available for the Member States in line with the growing number of users. (Especially relevant for Member States with multiple organisational users.)
- Increase the user-friendliness of the Graphic User Interface (GUI) and continue the work to reduce latency and increase the speed of the application[56].
- Continue its work of supporting Member States with well-developed systems by supporting enhanced system-to-system integration[57].
- Continue to engage with Member States to provide additional indicators tailored to the needs of the users (taking into account the resources necessary for generating such indicators).
- Continue to allow Member States to define and configure their own scenarios and alerts in the context of the ABM services, and ensure that the Member States are aware of the possibility of doing so.
- Continue work on providing intelligence services in the form of the envisioned Common Ship Database (CSD)[58].
- Generate a better understanding of the amount of actual usage of certain aspects of the applications and focus development on the most-used areas, in order to avoid overstretching resources.

EMSA's work to implement the RFD has not been able to overcome the reported difficulties. Despite the work done by EMSA to support its technical implementation by Member States (and whose usefulness was appreciated by the survey respondents), the Single Window

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[55] The figure has been compiled on the basis of the assessments of the individual activities in the area of Monitoring, Surveillance and Information Sharing. Respondents were able to provide responses concerning several activities within this field. The number of respondents (N) is therefore lower than the sum of the individual responses received for each of the activities (indicated in the figure at the end of each row).

[56] The existence is noted of an ongoing project (STAR) which has the aim of decreasing latency and increasing capacity for processing more maritime data, as well as of improving the application back-end response times.

[57] An IMS Group Working Group tasked to collect the user requirements has been set up, and an internal EMSA project team has been assigned to implement it.

[58] This development is already envisioned as the Common Ship Database (CSD), which will be integrated into IMS in 2017.

concept, which aims to reduce administrative burdens, is not viewed as a success by stakeholders. This is due to the persistent differences between procedures and to the lack of integration with other requirements, such as customs obligations. The electronic Single Window is being implemented by the Member States in accordance with the provisions laid down in the Reporting Formalities Directive (2010/65/EU). However, the provisions are general, and the prevailing view among the stakeholders interviewed was that the national implementation and the lack of a common vision among all the actors concerned has resulted in an undesirable situation in which high costs and efforts were being incurred by all parties, but without the creation of the electronic Single Window initially envisioned. The main problem appears to be the lack of harmonisation of the information to be reported, which is an issue that remains to be solved at the individual Member State level.

In the context of the survey, respondents have pointed out that the same data has to be provided in the national systems every time the vessel enters a new EU port; there is no reuse of the previously-supplied information. One association representing maritime transport operators was particularly critical about the maritime Single Window.

It is noted that EMSA has not been given a clear mandate to develop harmonised solutions that can be applied across the EU. While some Member States suggest that EMSA could and should take a stronger role in developing a functioning electronic Single Window, other Member States fear that such an initiative will invalidate the efforts (and significant costs) they have expended to comply with the Directive.

4.2.2 Standards, Rules and Implementation (EQ4 and EQ10)

The activities of EMSA in the area of Standards, Rules and Implementation comprise of:

- Inspections of classification societies
- Inspections of third countries and visits to Member States (STCW)
- Visits to Member States
- Maritime security inspections in the Member States, Norway and Iceland (Regulation (EC) No 725/2004)
- Horizontal research and analysis of the Member States' application of EU law
- Support given to the PSC system in line with the PSC Directive
- Accident investigation
- Technical assistance to the Commission and Member States for marine equipment and ship safety standards.

Methodology and sources:

This section presents the findings and provides an assessment of the effectiveness and utility of EMSA's activities in the area of Standards, rules and implementation. Effectiveness is assessed based on the extent to which EMSA's activities have produced the planned/desired outputs (section 4.2.2.1), whether these outputs are being used (section 4.2.2.2) and whether they have contributed to targeted results (section 4.2.2.3). The assessment of effectiveness of the activities is based on the following norms:

- *KPI targets for EMSA units working with tasks related to standards, rules and implementation are met*
- *At least 70% of Member States' representatives and the majority of other stakeholders agree that EMSA's activities in the field have contributed to the desired results*

The findings stem from desk based review of various EMSA documents, including EMSA's Annual Reports, Annual activity reports and other documents related to EMSA's work on standards, rules and implementation. Data from the survey and interviews are presented. Results from the case study on standards, rules and implementation are also used

Utility is assessed based on the extent to which EMSA's stakeholders say that they are satisfied with EMSA's work (section 4.2.2.4) and the extent to which they find that the outputs and results produced by the Agency match their needs (section 4.2.2.5). The assessment of utility is based on the following norms:

- *At least 70% of Member States' representatives and the majority of other stakeholders agree that they are satisfied with EMSA's work*
- *At least 70% of Member States' representatives and the majority of other stakeholders agree that EMSA's work matches their needs*

The findings build mainly on stakeholder's feedback gathered through interviews and survey. In addition, results from the case study on standards, rules and implementation and some reports on relevant EMSA activities have been taken into account.

Evaluator's assessment:

EMSA is highly effective in the area of Standards, Rules, and Implementation. The Agency has been successful in delivering its tasks and activities in line with its plans and ambitions, and in doing so it has contributed significantly to the improved quality of maritime legislation and standards, improved application of legislation, increased sharing of best practices between Member States, and improved quality and availability of objective, reliable and comparable information and data to the Commission and the Member States.

The quantity and quality of EMSA 's outputs (inspections/visits) is assessed to meet the overall desired KPI targets and a very high proportion (approximately 80-90%) of the stakeholders agree that EMSA has contributed to a high extent or to some extent to the targeted results in the area of Standards, Rules, and Implementation.

EMSA has specifically achieved significant results in the following areas:

- Inspections of ROs and third countries (STCW) – The inspections are internationally acknowledged as 'top-class', very professional, thorough and quality-focused inspections that contribute significantly to maritime safety.
- Visits to Member States – EMSA thoroughly assists the Commission for the monitoring of maritime legislation, thereby contributing to a very high level of harmonisation between Member States.

There is some minor room for effectiveness improvement, especially in the way in which visits to Member States are conducted, as well as EMSA's even greater potential contribution to the exchange of information and best practices with and between Member States. However, the methodology for visits Member States has the potential to tackle this.

4.2.2.1 Achievement of desired outputs

In the area of Standards, Rules and Implementation the number of visits and inspection activities is found to meet the planned and desired outputs. The visits and inspections are also considered to be of very high quality. Some of the data from these activities can feed into stakeholders' and EMSA's studies and databases.

As the intervention logic in Figure 5 shows, which is based on EMSA's Founding Regulation and the Agency's work programmes, the planned outputs of EMSA in the area of Standards, Rules and Implementation are:

- Visits to Member States with the aim of monitoring their implementation of directives and other maritime legislation

- Inspections of ROs to ensure compliance with Regulation (EC) No 391/2009[59] and the minimum requirements laid down in the regulation for ship inspection and survey organisations
- STCW inspections of third countries and maritime institutions to ensure high standards in relation to the large number of non-EU seafarers who work on board EU-flagged vessels
- Various technical studies and technical assistance on a range of maritime subjects (ship safety, alternative fuels, marine equipment etc.).

EMSA meets set targets in the implementation of visits and inspections. Table 8 contains a summary of the visits to Member States, RO inspections and STCW inspections carried out by EMSA. The numbers give an indication of the significant amount of work done by EMSA in the area of Standards, Rules and Implementation.

Table 8: Number of visits to Member States, inspection of ROs and STCW inspections

Year	2010	2011	2012	2013	2014	2015
Number of visits to Member States	14	12	13	14	16	14
Number of RO inspections	18	16	17	21	20	17
Number of STCW inspections in third countries	6	9	6	8	6	4

Each inspection or visit is typically conducted over three to five days of fact-finding, followed by an extensive reporting and data consolidation phase for each visit/inspection. At the end of visit/inspection cycle or mid-cycle if appropriate, a horizontal analysis report should be undertaken to consolidate and improve the exchange of best practices among relevant maritime stakeholders. In the methodology for visits to Member States, adopted in November 2015, horizontal analysis has been integrated as a way to complement the individual Member States' visit reports and to focus on horizontal findings and best practice in Europe in the area of maritime safety and security.[60] The inspections/visits also add data to various ongoing technical studies EMSA is undertaking.

4.2.2.2 Use of outputs by beneficiaries

In the area of Standards, Rules and Implementation the beneficiaries identify EMSA's services and products as being very valuable. However, ROs would like to have quicker reporting after inspections. Member States would like a more practical and holistic approach rather than a strict check to verify that legally prescribed standards are being met. The methodology for visits should tackle the later.

In the area of Standards, Rules and Implementation the main beneficiaries of EMSA are the Commission and the Member States. However, ROs and third countries also find that they are gaining from their interaction with EMSA:
- The European Commission: EMSA is assisting the Commission with the monitoring of EU and international maritime legislation (visits to Member States) and assisting with the implementation of STCW in third countries (STCW inspections)
- Member States: EMSA provides technical assistance to Member States regarding various maritime issues (marine equipment, ship inspection, ship safety standards) and assists with the implementation of the STCW convention in third countries
- ROs: ROs are subject to inspections, but also receive support to improve safety standards

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[59] Regulation (EC) No 391/2009 on common rules and standards for ship inspection and survey organisations.

[60] EMSA Administrative Board (2015): Methodology for visits to Member States, adopted by the EMSA Administrative Board at its 43rd meeting on 18 November 2015

- Third countries: Third countries are subject to inspections, but also receive guidance on the implementation of international maritime legislation (STCW).

There is great reliance on, and utilisation of, EMSA's outputs in the area of visits and inspections. In the interviews with Member States, third countries and ROs, it was mentioned that the outputs generated by its visits and inspections are widely used to gain assistance and support, fulfil responsibilities, and live up to prescribed standards in accordance with EU and international maritime legislation. The vast majority of the maritime professionals participating in the survey and interviews mentioned that EMSA's inspections of ROs and third countries are among the best in the business. EMSA's reports from both visits and inspections are therefore being utilised to improve the maritime administration, ROs etc. Both the inspections and the visits are described as very well planned and professional. They match the particular setting of the inspection or visit, indicating that EMSA is very well prepared for the national conditions and the ROs' situation, context and performance.

STCW inspections are considered to bring value and learning to third countries and Member States. The assessment from the maritime authorities in third countries is that EMSA's inspections are class-leading compared with what they have observed and encountered in connection with other inspection stakeholders. EMSA produces the desired output with its inspections and brings value and learning experiences to the maritime authorities, which also consider the official reports to be of good quality. There have been examples of EMSA's inspections of third countries contributing to concrete changes and improvements in the implementation of STCW. The Member States consider that the data from the STCW inspections of third countries has high value. Today, EMSA's STCW inspections of third countries are an integral part of the Member States' working procedures in relation to the STCW area. This is something EMSA has significantly improved since the last evaluation, when the Member States felt that reports and data were insufficiently available to them.

The Commission expresses a high degree of satisfaction with EMSA's work in the area of Standards, Rules and Implementation. The interviewees stress the importance of EMSA's inspections and visits for the Commission's ability to carry out its tasks. The Commission is very appreciative of the high-quality standards of EMSA in carrying out very thorough inspections and visit reports which enable the Commission to take appropriate actions regarding non-conformities. The technical competence of EMSA's support and assistance with the legal considerations of the Commission makes for a very efficient collaboration and division of work between EMSA and the Commission.

The Member States would like to see a more purpose-driven approach by EMSA during its visits. The Member States generally have a positive assessment of EMSA's services. However, they also see room for improvement with regard to its visits to Member States. They assert that EMSA is focused more on legislation and procedures than on the actual risks and capabilities relating to the delivery of maritime safety and security measures. For example, its visits often revolve around examining manuals and checklists instead of conferring with the maritime personnel about whether the actual, practical implementation of safety measures and other legislative requirements is adequate. The Member States acknowledge that EMSA and the new methodology for visits has gradually moved away from a strictly policing role where "rigid control of legislation" is perceived to be the main purpose, towards complementary advisory role. However, they would like this trend to continue and be developed further in a way that better fits the Member States' need for a more holistic form of assistance and support for their implementation of maritime legislation.

Information systems like STCW-IS and THETIS are found to add to the effectiveness of visits and inspections. Data generated from the various inspections is put to use in various

information systems so that EMSA's inspections can generate value to the Member States and other stakeholders. These systems are widely used, as is described in sections 5.2 and 5.4.

4.2.2.3 Contribution to planned results

In the area of Standards, Rules and Implementation, the outputs of EMSA's activities are contributing significantly to the achievement of the targeted results. In particular, EMSA has contributed to better-quality new and updated legislation, improved EU contributions to the development of international legislation, and the improved application of legislation and sharing of best practices between the Member States. The outputs of EMSA's activities also contribute to the improved quality and the availability of information and data.

The activities and outputs of EMSA in the area of Standards, Rules and Implementation are meant to contribute to:
• Improved quality of updated and newly developed EU legislation and standards
• Improved EU contributions to the development of international maritime legislation by providing assistance to the Commission
• Improved application of international/EU maritime legislation by third countries
• Increased sharing of best practices between Member States
• Improved quality and availability of objective, reliable and comparable information and data to the Commission and the Member States

EMSA's outputs are contributing strongly to the achievement of the targeted results. A very high proportion (circa 80-90%) of the stakeholders agree that EMSA has contributed *to a high extent* or *to some extent* to the targeted results in the area of Standards, Rules, and Implementation. The assessment of survey respondents of the contribution to the various targeted results in the area of Standards, Rules and Implementation is presented in the figure below.

Figure 25: Assessment of achievement of results for activities in the area of Standards, Rules and Implementation (N=152)[61]

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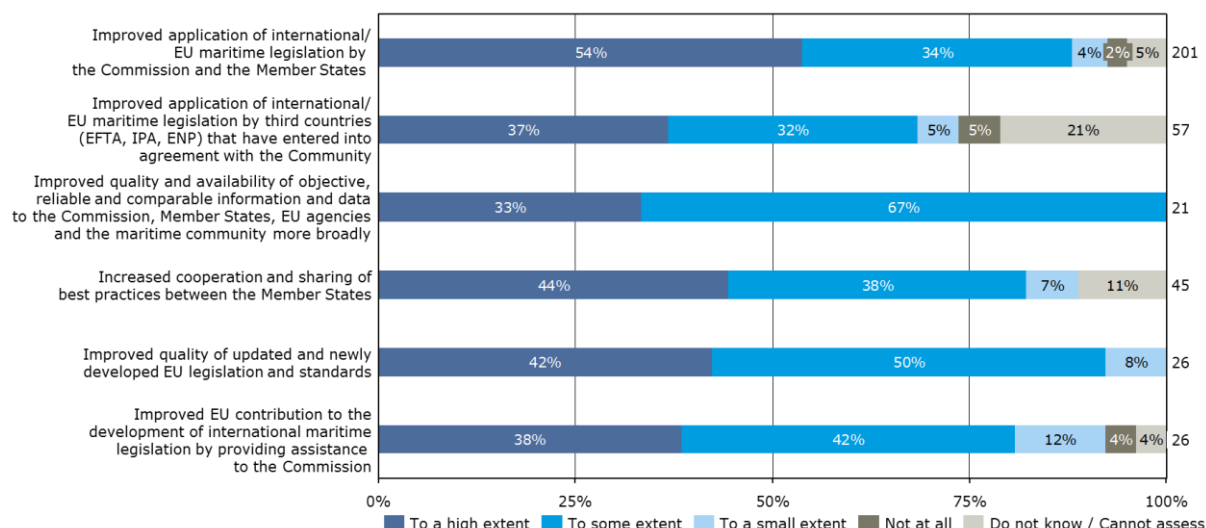
[61] The figure has been compiled on the basis of the assessments of the individual activities within the area of Standards, Rules and Implementation. Respondents were able to provide responses concerning several activities within this field. The number of respondents (N) is therefore lower than the sum of individual responses received for each of the activities (indicated in the figure at the end of each row).

Intended result: Improved quality of updated and newly developed EU legislation and standards

EMSA has indirectly contributed to the improved quality of new and updated EU legislation. While EMSA is not responsible for updating the legislation, EMSA has effectively assisted the Commission to ensure the high quality of EU legislation and standards in relation to the implementation of EU maritime legislation through its collaboration with the Commission as a technical adviser. In the area of Standards, Rules and Implementation, EMSA's activity *Marine equipment and ship safety standards* has positively contributed to the quality of the EU legislation. This is confirmed by the highly positive feedback from the survey about this activity.

Figure 26: In your opinion, to what extent have the activities of EMSA in the following areas contributed to the improved quality of updated and newly developed EU legislation and standards? (N=26)
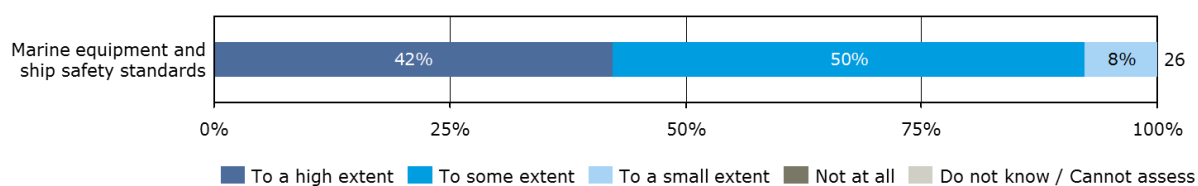
Intended result: Improved EU contribution to the development of international maritime legislation by providing assistance to the European Commission

EMSA is indirectly contributing to developing international maritime legislation. The Regulation and the mandate state that EMSA is not directly involved in the development of international maritime legislation and is therefore not directly contributing to its development. However, the Agency does deliver technical assistance to the Commission and studies commissioned by EMSA contribute to discussions at IMO (e.g. Damage stability, etc) and in doing so, is making an indirect contribution in this area. EMSA is also continuously contributing to the implementation of international standards and rules at the Member State level through visits, training, STCW inspections, third-country inspections, and other activities.

International actors concerned by EMSA's activities, such as third countries and ROs, consider that EMSA's activities are providing high-quality outputs and are among the most thorough in the business. For that reason, it can be argued that EMSA is leading the international maritime community by example and contributing to high-quality services and standards. Also, by setting this example, EMSA is supporting the European Commission in its efforts to promote international maritime legislation that meets European standards.

Intended result: Improved application of international and EU maritime legislation by the European Commission and the Member States

EMSA is contributing to the improved application of maritime legislation by the European Commission and the Member States. As was mentioned above, EMSA's inspections and visits are considered to be highly professional and as being among the best in the business. As the figure below illustrates, almost all the survey respondents consider that the relevant areas of its activities have contributed to a high extent or to some extent to the improved application of maritime legislation.

Figure 27: In your opinion, to what extent have the activities of EMSA in the following areas contributed to the improved application of international/EU maritime legislation by the Commission and the Member States? (N=141)[62]
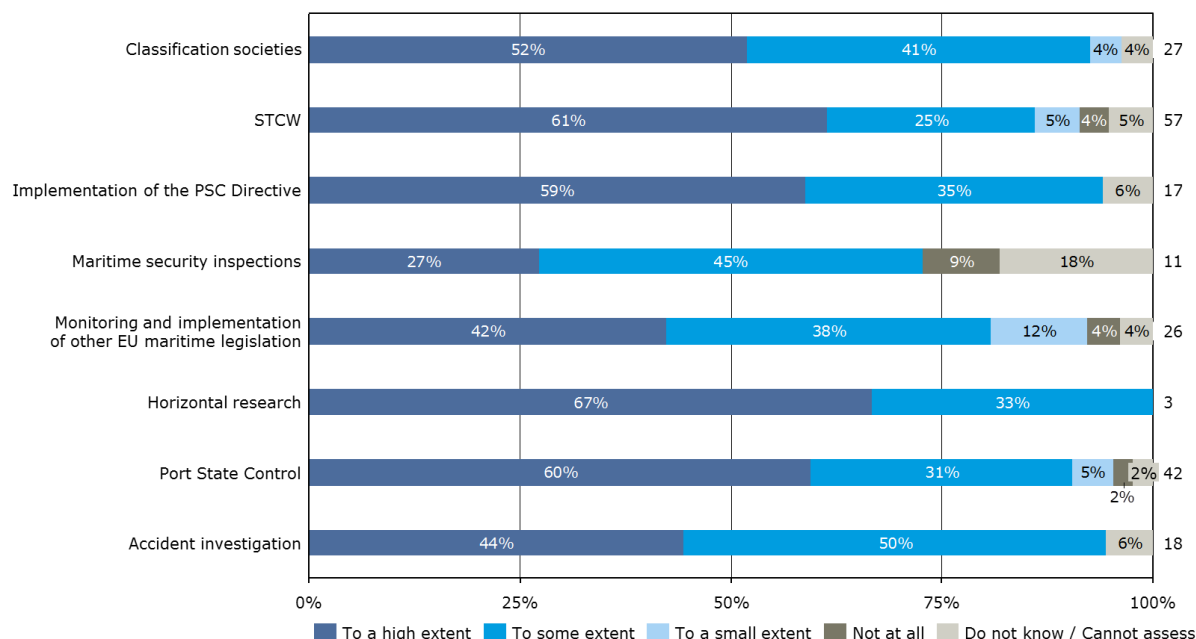
Activities would not be carried out at the same level if the national maritime administrations were to conduct them on their own. This has been mentioned in interviews and the survey. Today, the work taken on by EMSA allows the Member States to use their resources for activities that are additional to EMSA's visits and inspections.

The application of legislation could be further improved through more advice being provided by EMSA. In order to further increase benefits, some Member States would like EMSA not only to monitor and support the implementation of maritime legislation, but also to give additional assistance in the form of guidance and advice regarding the practical implementation of international maritime legislation. This is especially the case of small maritime Member States, which can find meeting their obligations to comply with the complex set of rules highly challenging. It should be noted EMSA already organises workshops, supports with guidelines, e-learning, training and tools.

Intended result: Improved application of international/EU maritime legislation by third countries (EFTA, IPA, ENP) that have entered into agreement with the Community

Those audited by EMSA assess that EMSA's inspections are both thorough and class-leading compared to other audits. This is the assessment both of the ROs and the maritime administrations in third countries, for which EMSA's control and auditing activities are a driver for change.

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[62] The figure shows the assessments of the individual activities in the area of Standards, Rules and Implementation. Respondents were able to provide responses concerning several activities within this field. The number of respondents (N) is therefore lower than the sum of individual responses received for each of the activities (indicated in the figure at the end of each row). This applies to all the figures contained in this section focusing on effectiveness.

Figure 28: In your opinion, to what extent have the activities of EMSA in the following areas contributed to the improved application of international/EU maritime legislation by third countries (EFTA, IPA, ENP) which have entered into agreement with the Community? (N=57)
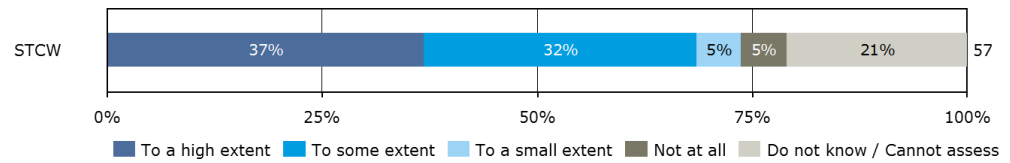
EMSA is dealing directly with international actors in the maritime sector in relation to the STCW Code. As the figure above indicates, most survey respondents assess that EMSA's activities in this area are, to a high extent or to some extent, facilitating the improved application of international maritime legislation. According to third countries, EMSA's thorough feedback and high technical competences are a key contribution in the effort to make such improvements.

Inspections of ROs and third countries are of high quality and are contributing to the improved application of maritime legislation, but quicker feedback could potentially improve the effectiveness of its inspections. The interviews with ROs and third countries show that the quality of these inspections and reports is very high and well above that of the inspection regimes that the ROs and third countries are encountering anywhere else. However, the inspection regimes are very different and the requirements in the EU legislation that ROs inspected by EMSA must comply with are higher compared to inspections made by other organisations of the international maritime community. The superior quality of EMSA's inspections is generally very well received, and is contributing directly to a better application of legislation in Europe. On the negative side, the ROs that were interviewed complain that it typically takes four months to write the inspection report when the market average is approximately two weeks[63]. When a report arrives after four months they consider that it has somewhat lost its momentum, value and relevance, because they have moved on and have had many more inspections since the EMSA inspection. The stakeholders consider it possible to maintain a high-quality inspection regime while at the same time offering a quicker informal briefing that would improve the effectiveness of the inspections and allow the organisations to take action in relation to EMSA's findings and suggestions for improvement sooner.

Intended result: Increased cooperation and sharing of best practices between the Member States

EMSA is contributing to an increased cooperation and sharing of best practices between Member States. As is depicted in the figure below, the theme of Port State Control is one of the areas in which EMSA is contributing most to increased cooperation and sharing of best practices. Some stakeholders mention that out of the national maritime administrations they are only cooperating and sharing practices with professionals from the neighbouring Member States. If it was not for EMSA, there would not be an expanded geographical area for such cooperation and the sharing of practices to take place.

**Figure 29: In your opinion, to what extent have the activities of EMSA in the following areas contributed to the increased cooperation and sharing of best practices between the Member States? (N=45)**

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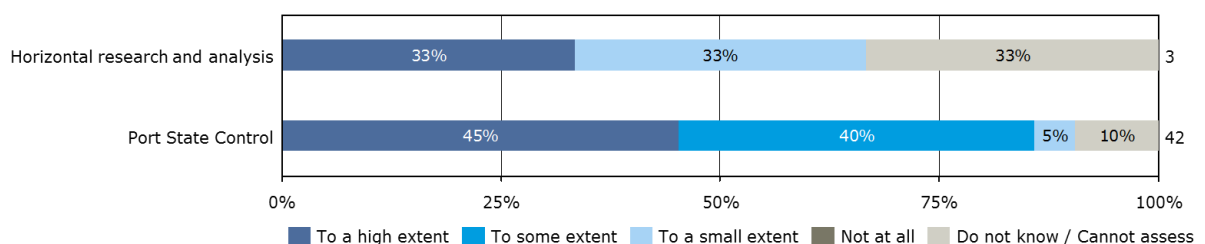
[63] n.b. this finding reflects the views of the interviewees, however, it should be noted that market reports differ in scope, ambition and objectives

The horizontal analysis, such as is illustrated in the figure above, is an activity the respondents knows little about although it has been a task for the Agency since 2013. Stakeholders strongly support the idea and concept of horizontal analysis but have yet to see how it is carried out. The purpose of this activity is to increase the cooperation and sharing of practices and to provide a broader analytical perspective, e.g. by benchmarking the Member States, the Recognised Organisations etc. against several factors and providing a broader general analysis. However, interviews with EMSA and Member States suggest that horizontal analysis has been somewhat slowly implemented which could explain why most Member States are not fully aware of the horizontal analysis activities, how it is conducted and the effectiveness of the activity.

Stakeholders suggest increasing the cooperation and exchange of best practices between Member States by involving national experts in visits. EMSA already has some exchange programmes involving EMSA and Member States (Seconded National Experts), but the evaluation considers that EMSA is lacking a more practical way of also facilitating a transparent horizontal exchange of best practices between the Member States in relation to the visits it makes to the Member States. Today, EMSA is primarily involved in communicating with Member States one-to-one. For the new approach to work, the Member States will have to open up and also be proactive. A similar and successful programme exists at the IMO whereby experts from various states can take part in visits to other states. It might be worthwhile for EMSA to look at a similar model for encouraging exchanges of knowledge and best practice.

Intended result: Improved quality and availability of objective, reliable and comparable information and data to the European Commission and the Member States

The information systems operated by EMSA are considered a vital tool for accessing objective, reliable and comparable information and data. This was the conclusion drawn from the interviews with the Member States. EMSA has proven to be very competent as a European data centre, and there are no other organisations nationally, regionally, or internationally which can deliver the same effectiveness in this area. In the area of Standards, Rules and Implementation it is the STCW-IS and THETIS in particular which are considered to contribute to the intended result of improved quality and availability of information and data. These systems embed data obtained from STCW inspections and PSC visits. STCW-IS and THETIS allow maritime professionals to access data that is not available elsewhere. The opportunity to view high-quality data, such as data relating to ships or Maritime Education and Training (MET) statistics, contributes to greater and more harmonised results relating to Standards, Rules and Implementation.

EMSA's activities have achieved the targeted outputs in the area of Standards, Rules, and Implementation. The Agency's stakeholders state that EMSA's broad range of activities contributes to distributing best practices and data, and to educating maritime professionals. In recent years, EMSA has fulfilled its goals relating to the visits it has conducted to monitor the Member States' implementation of EU legislation in all relevant areas.[64]

4.2.2.4 Stakeholders' satisfaction with EMSA's work

EMSA's work in the area of Standards, Rules and Implementation is providing valuable input to its stakeholders, and they are generally satisfied with it. However, the Member States in particular have some ideas regarding how the visits to them could be made even more effective and valuable.

There is general satisfaction with EMSA's work in the area of Standards, Rules and Implementation, but the Member States see some room for improvement. In the figure below, the area of Standards, Rules and Implementation is compared to EMSA's other work

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[64] Annual Activity Reports 2013; 2014; 2015.

areas. Survey participants were invited to select up to three of its activities across the four working areas. The figure below shows that almost every respondent selected at least one activity in the area of Standards, Rules and Implementation. This shows that these activities are widely known and used. The satisfaction level regarding EMSA's activities in the area of Standards, Rules and Implementation is lower than for its other work areas.

Figure 30: Assessment of utility aggregated per work area (N=174)[65]
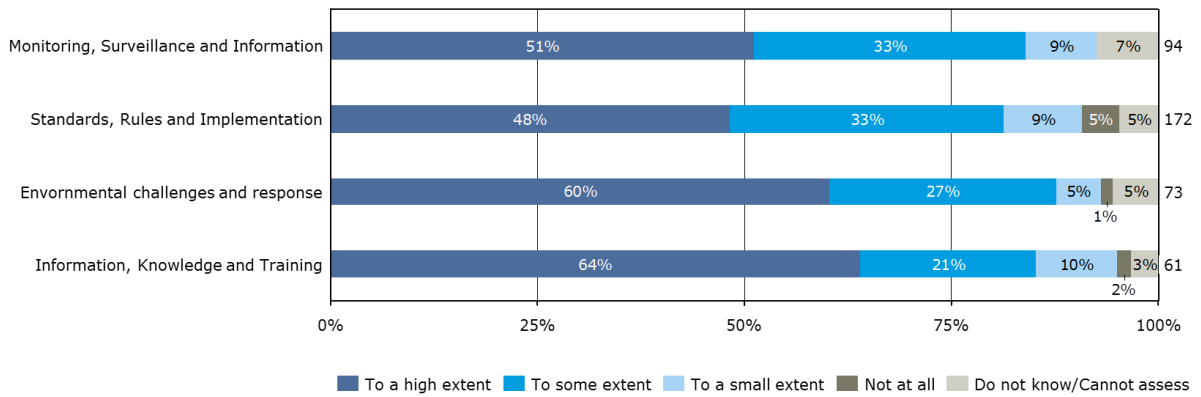
The Member States see some opportunities for improving the assistance they receive from EMSA. Some would like EMSA to provide more support or even help them with the interpretation of legislation. This would allow the national administrations to apply a more uniform approach to the implementation of legislation. However, EMSA is not able to provide support regarding the interpretation of legislation; only the Commission is able to do this.

In addition to supporting the Member States with respect to complex maritime legislation, they propose that EMSA should more often take a more proactive role by facilitating and organising forums for the discussion of horizontal topics that are relevant to themselves. However, this should be covered by the methodology for visits.

EMSA should according to Member States continue to apply an open, responsive and user-centric approach to its visits to the Member States. EMSA's visits are an area where the Member States would like a more open, responsive and user-centric approach that also takes into account what they regard as their biggest challenges and needs. EMSA has changed the format of the visits in this direction, but the Member States argue that more could be done to improve the effectiveness of the visits even further.

Some Member States would like EMSA to increase the involvement of national experts in its visits. Some Member States would like to institute more transparency and a greater exchange of information and best practices by involving their national experts in EMSA's visits to other Member States. However, not all the Member States agree with this suggestion. The possibility of having observers from other Member States is already indicated in the methodology for visits adopted by the Board in 2015 but it has so far not been implemented. In notifying MS of an upcoming visit, EMSA could include a reminder to the MS concerned that it is free to invite other MS to attend the visit.

4.2.2.5 Outputs and results in light of stakeholder needs

In the area of Standards, Rules and Implementation, EMSA has produced outputs that match the needs of the stakeholders. Some changes to the visits to the Member States are suggested by Member States to better match their needs.

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[65] The figure is compiled on the basis of the assessments of the individual activities in all of EMSA's work areas. Respondents were able to provide responses concerning up to three activities selected from across all the work areas. The number of respondents (N) is therefore lower than the sum of individual responses received for each of the activities (indicated in the figure at the end of each row).

The stakeholders had a positive assessment of EMSA's ability to provide outputs and results which matched their needs. This is confirmed by the survey results presented in Figure 31 below.

Figure 31: In your opinion, to what extent do the following EMSA activities/services meet your/your organisation's needs? – Standards, Rules and Implementation (N=107)[66]
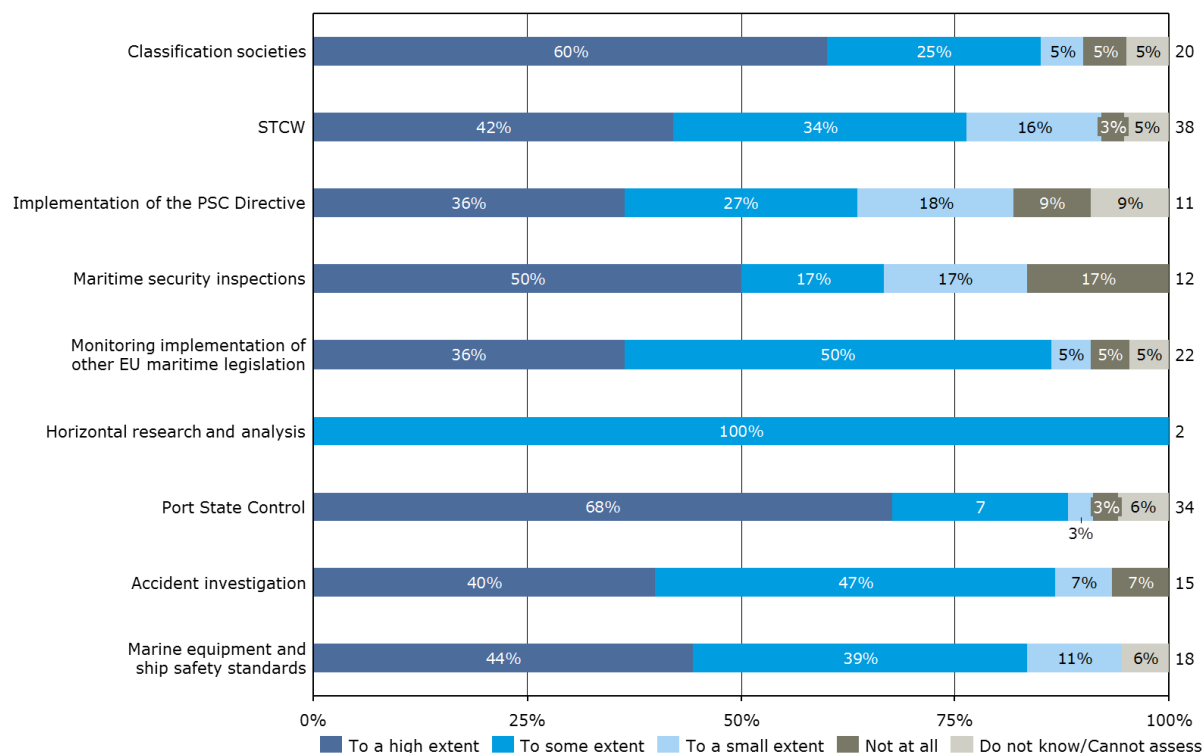
In the interviews, the stakeholders confirmed that they were generally satisfied with EMSA's work, and that its outputs and results matched their own needs in the area of Standards, Rules and Implementation. Some minor changes to the visits of Member States have been suggested by the Member States themselves, and are presented in the previous section.

4.2.3 Environmental Challenges and Response (EQ5 and EQ10)

As the intervention logic in Figure 6 shows, which is based on EMSA's Founding Regulation and the Agency's work programmes, the activities of EMSA in the area of *Environmental Challenges and Response* comprise of:

- Oil pollution response services
- Earth Observation, CleanSeaNet and illegal discharges
- Cooperation and information relating to pollution preparedness and response
- Prevention of pollution by ships
- THETIS-EU and THETIS-MRV
- Emissions inventories project
- Technical assistance to the Commission and Member States in the development and implementation of relevant EU legislation

The assessment of some of the elements presented above (e.g CleanSeaNet, THETIS, Earth observation, etc.) builds on the data collected and presented in section 4.2.1 on Monitoring, Surveillance and Information Sharing. However, these elements are also discussed in this

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[66] The figure has been compiled on the basis of the assessments of the individual activities in the area of Standards, Rules and Implementation. Respondents were able to provide responses concerning several activities within this field. The number of respondents (N) is lower than the sum of individual responses received for each of the activities (indicated in the figure at the end of each row).

section, as they also contribute to EMSA's objectives and activities in the area of Environmental Challenges and Response.

Methodology and sources:

This section presents the findings and provides an assessment of the effectiveness and utility of EMSA's activities in the area of Environmental Challenges and Response. Effectiveness is assessed based on the extent to which the Agency's activities have produced planned outputs (section 4.2.3.1), whether these outputs are being used (section 4.2.3.2) and whether they have contributed to targeted results (section 4.2.3.3). The assessment of effectiveness of the activities is based on the following norms:

- *Output and KPI targets for different EMSA units working with tasks related to Environmental Challenges and Response are met*
- *At least 70% of Member States' representatives and the majority of other stakeholders agree that EMSA's activities in the field have contributed to the desired results*

The findings stem from desk based review of various documents, including EMSA's Annual Reports, EMSA Core Business Statistics, Pollution Prevention and Response Activities reports, data related to the use of EMSA's systems (MAR-CIS, DUET, THETIS-S & MRV).

Utility is assessed based on the extent to which EMSA's stakeholders find that the outputs and results produced by the Agency match their needs (section 4.2.3.4). The assessment of utility is based on the following norms:

- *At least 70% of Member States' representatives and the majority of other stakeholders agree that EMSA's work matches their needs*

Data from the survey and interviews are presented. Additionally, the results of an in-depth analysis of the cost-efficiency of EMSA's oil pollution response services (which is the subject of a separate study) complement the list of sources.

Evaluator's assessment: EMSA's activities in the area of Environmental Challenges and Response have largely achieved their intended outputs and results.

In all the activities falling within this area, EMSA has produced outputs in accordance with the set targets laid down in EMSA's Founding Regulation, the mandate provided to EMSA in various legislative acts, and EMSA's annual programmes. For example, EMSA's oil pollution response capacities have been established in accordance with the Action Plan for Oil Pollution Preparedness and Response within the financial envelope provided for this purpose, while EMSA's information systems (CleanSeaNet, THETIS and all other systems contributing to providing earth observational data) are being delivered as planned, and often in quantities or with a level of quality exceeding the set targets.

EMSA's work in the area of oil pollution preparedness and response has augmented the capacity of the Member States to respond to oil spills from ships and oil and gas installations, and has contributed to creating a more uniform level of protection across the various regions of the EU. EMSA is contributing in a cost-efficient manner to increasing the overall level of preparedness against major oil pollution events, nevertheless, as no major oil pollution incident has occurred in recent times, the optimal level of protection is unknown.

The provision of satellite imagery, earth observation data and other data relevant to pollution and emission monitoring is highly effective in supporting the Member States and the Commission in responding to marine pollution and improving the application and enforcement of maritime legislation.

4.2.3.1 Achievement of desired outputs

In the area of Environmental Challenges and Response, EMSA has produced outputs in accordance with the set targets laid down in EMSA's founding regulation, the mandate provided to EMSA in various legislative acts, and EMSA's annual programmes.

In this section we highlight the notable outputs of EMSA's activities in this area. For the sake of maintaining the readability of this report, this listing does not aim to be comprehensive.

EMSA has fully met its legal mandate for oil pollution preparedness and response, in accordance with the requirements laid down in the two action plans that underpin and operationalise EMSA's mandate. At present, 17 oil spill response vessels (OSRVs) with more than 60,000 m^3 of combined oil recovery capacity, two emergency equipment assistance[67] (EAS) stockpiles and four stockpiles of dispersants[68] are strategically located across the EU waters, in proportion to the known risks and the extent of the oil pollution response capacity available at a national level.

To provide operational assistance through the network of standby oil spill response vessels, the Agency has the following service model: it contracts companies that own or charter vessels and will guarantee the availability of the vessel for oil pollution response within a maximum of 24 hours from the time of notification. Under normal circumstances, the contracted vessels carry out their usual commercial activities (oil transport, bunkering, offshore supply). However, in the event of an oil spill, and following a request for assistance from a requesting party, the vessels are expected to interrupt their normal activities and be ready for service in a maximum time frame of 7 to 24 hours (which varies from contract to contract). This is intended to give the crew enough time to discharge any cargo and load specialised response equipment.

EMSA's OSRVs are meant to intervene primarily in relation to spills that exceed the national response capacity of the Member States, using state-of-the-art at-sea oil recovery technology. The vessels are selected for their capacity to be certified, equipped and manned as OSRVs, as per EMSA's 2004 Action Plan.[69] However, the vessels may require modifications to match EMSA's requirements. All vessels thus undergo a 'pre-fitting' phase and are equipped by the contractor in accordance with contract specifications before they enter into service. EMSA's vessels have characteristics which make them suitable for responding to spills. This includes a system to decant oil from water in order to optimise the use of their storage capacity, as well as heated storage and high-capacity pumps to facilitate the discharge of heavy, viscous oil mixtures to shoreside facilities. Their main oil recovery mechanism is the 'sweeping arm' (two per vessel) with the alternative of an 'ocean-going boom and skimmer' system (one or two skimmers plus up to two boom sections per vessel), the use of which depends on what is requested by the Member State on the basis of the known characteristics of the incident (extent of spill, type of oil, weather and sea conditions, etc.). The vessels also possess radar technology that permit the detection of oil slicks and night-time operations.

Assuming a service speed that is similar to the average maximum speed of the vessels, within 24 hours from the end of the mobilisation period, the EMSA vessels can cover a radius of 286 nautical miles (529 km) from their home base.[70]

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[67] Since 2016, EMSA has made OPR equipment available at two locations (Aberdeen, UK and Gdansk, Poland) under its Equipment Assistance Service (EAS).

[68] As of 2016, EMSA dispersant capabilities are available in four ports: in the Atlantic (Sines, Portugal and Las Palmas in the Spanish Canary Islands) and the Mediterranean (Valletta, Malta and Limassol, Cyprus). Four EMSA vessels attached to these ports possess dispersant spraying systems.

[69] EMSA (2004). Action Plan For Oil Pollution Preparedness and Response.

[70] The home base of the vessel is the most relevant indicator of where a vessel may become available for OPR. However, depending on whether OPR equipment is permanently stored on board and whether the vessel can discharge its commercial cargo at a different port, it may become available for OPR at any point in its activity area.

Figure 32: Estimated coverage of EMSA's OSRVs within 24 hours of the end of their mobilisation time, 2016.[71]
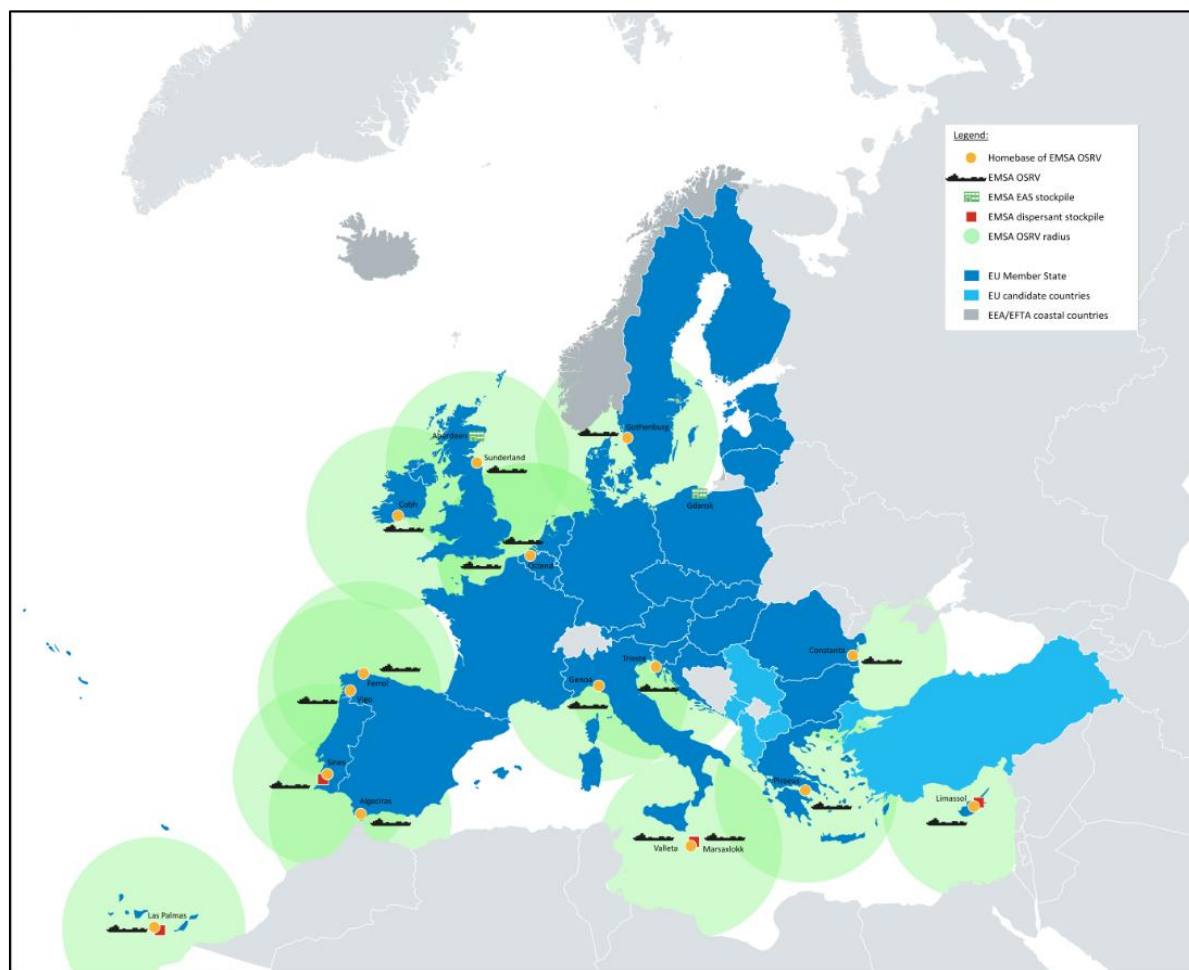
Source: Ramboll Management, based on EMSA (2016): EMSA's Operational Oil Pollution Response Services (November 2016).[72]

In order to maintain the quality of the at-sea oil recovery service, all the vessels and crews undergo regular drills under the supervision of the Agency. EMSA also tries to participate in the operational exercises[73] organised by the Member States, and actively instigates notification exercises.[74]

EMSA's oil pollution response services are the subject of an in-depth analysis of their cost efficiency. This study was commissioned by the Agency in 2016 and will be finalised in March 2017.

EMSA is meeting its targeted outputs in relation to illegal discharges and its Earth Observation and CleanSeaNet services. As is described in section 4.2.1, EMSA has further developed and integrated information systems such as CleanSeaNet. These are widely used and provide relevant data and surveillance information to the Member States.

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[71] This figure includes vessels Norden and Mencey. Note that the 24 hour radii on this map are indicative and are subject to some limitations, as ships cannot take direct paths across land. For example, the radius for the vessel located in Gothenburg cannot realistically reach the South East of the Baltic Sea in 24 hours because it must first sail down the Danish-Swedish strait.

[72] Retrieved from: http://www.emsa.europa.eu/operations/pollution-response-services.html

[73] Operational exercises at sea are organised by the Member States within the framework of national or regional contingency plans. As an invited guest to these exercises, EMSA usually only has a limited influence on their content.

[74] Notification exercises are usually conducted in conjunction with operational exercises. In addition, 'stand-alone' notification exercises are occasionally carried out. The aim of these exercises is to test and implement agreed procedures and lines of communication for reporting incidents and for requesting and providing assistance.

The CleanSeaNet satellite-based oil spill monitoring and detection service has continued to be provided in line with user requirements, and has also integrated satellite data from additional sources. The Agency's Earth Observation Data Centre (EODC, the new-generation CleanSeaNet data centre) is now the framework used to provide EMSA's oil spill monitoring, detection and alert service to its users. In a further development, EMSA has completed the integration of met-ocean data with its Integrated Maritime Services, including the provision of in-situ, sea and weather forecasting (model) and remote sensing. Finally, EMSA is planning to pilot the detection and monitoring of illegal discharges using Remotely Piloted Aircraft Systems (RPAS), in order to complement the use of satellite imagery.

EMSA has successfully delivered outputs in the area of cooperation and information relating to pollution preparedness and response within the period covered by the evaluation. The following notable outputs have been achieved:
- Technical and scientific assistance to the Commission and Member States relating to preparedness for, and response to, oil and hazardous and noxious substance (HNS) marine spills
- MAR-ICE (Marine Intervention in Chemical Emergencies) Network, which provides expert information and advice on chemical substances in maritime emergencies
- The MAR-CIS (Marine Chemical Information Sheets)[75] information on chemical substances
- The Dispersant Usage Evaluation Tool (DUET)
- Acting as a secretariat for the Inter-Secretariat meeting of Regional Agreement Secretariats and the Consultative Technical Group for Marine Pollution Preparedness and Response (CTG MPPR), and supporting the Group's work.

Several notable outputs have been delivered in the area of prevention of pollution by ships. Among these are:
- Support for the implementation of Directive 2000/59/EC on port reception facilities (PRF Directive)
- Technical assistance to the Commission in various areas relevant to pollution prevention, and environmental challenges in particular:
  - Emission of carbon dioxide from maritime transport[76],
  - Measures to reduce greenhouse gases from ships[77]
  - Sulphur content of marine fuels[78] and work on the Sulphur Committee
  - EU Ship Recycling[79]
  - Anti-fouling systems and ballast water
- Organising training and workshops for flag state and port state inspectors with reference to the enforcement provisions of Title II of the Ship Recycling Regulation
- Cooperation with third countries under the SAFEMED and TRACECA projects.

With THETIS-EU and THETIS-MRV, including the emissions inventories project, EMSA has achieved its targeted outputs. EMSA has continued to maintain and develop THETIS as the Single Window information system that integrates port call information and inspection data

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[75] MAR-CIS is linked to the new CHD (Central HAZMAT Database) application in SafeSeaNet and their distribution will be expanded via EMSA's web portal, as well as by an application to enable mobile devices to access this data offline.

[76] Regulation (EU) 2015/757 on the monitoring, reporting and verification of emission of carbon dioxide from maritime transport.

[77] Reviewing and assessing various voluntary and mandatory technical and market-based measures to reduce greenhouse gases from ships.

[78] Implementation of Directive 2012/33/EU amending Council Directive 1999/32/EC as regards the sulphur content of marine fuels and the development of alternative emission abatement methods such as alternative fuelling (LNG), exhaust gas cleaning systems (scrubber), biofuels and other alternative methods as required by Directive 2012/33/EU amending Council Directive 1999/32/EC as regards the sulphur content of marine fuels.

[79] EU Ship Recycling Regulation (Regulation (EU) No 1257/2013)

and the ro-ro ferry surveys.[80] Since 2015, this includes THETIS-S (now THETIS-EU, which functions as a platform for recording and exchanging information regarding the results of individual compliance verifications under Directive 1999/32/EC as amended (Sulphur Directive). THETIS-EU caters also for PRF enforcement requirements.

In 2016, THETIS was extended to facilitate the integration of the THETIS-MRV as envisioned by Regulation (EU) No 2015/757 on the monitoring, reporting and verification of carbon dioxide emissions from maritime transport, and amending Directive 2009/16/EC (MRV Regulation)[81].

The performance of these systems as stand-alone information systems is presented in section 4.2.1. The findings show that EMSA has exceeded its targets in terms of the availability and resilience of the underlying technical platforms.

4.2.3.2 Use of outputs by beneficiaries

EMSA's outputs in the area of Environmental Challenges and Response are being used by their intended users. One notable exception in this area is the capacities established by EMSA for oil pollution response. These have not been used, due to the absence of major oil spills in Europe during the period under evaluation.

EMSA's OSRV have not been used in an emergency situation. EMSA's mandate enables the activation of EMSA's oil pollution response services using the community mechanism in the field of civil protection (Common Emergency Communication and Information System) by the following requesting parties:
- EU Member States;
- EU candidate countries;
- European Free Trade Association (EFTA) / European Economic Area (EEA) coastal Member States;
- Third countries sharing a regional sea basin with the Union;
- Responsible / private entities.[82]

However, the capacities established have never been used except in the course of operational exercises and training activities, as there have been no major oil spills in Europe since the sysem was set up..

Other services and activities to prevent and respond to marine pollution are being used, but available usage data is limited. Respondents and interviewees participating in this evaluation have reported to actively use EMSA's outputs connected with Earth Observation, CleanSeaNet and illegal discharges, as well as those stemming from THETIS and the Emissions inventories. However, as was reported in section 4.2.1.2, this evaluation was unable to quantify the level of use of EMSA's services and the activity observed within the various platforms in more detail.

In terms of the prevention of pollution by ships, it is apparent that EMSA's outputs in this area, especially the technical assistance provided to the Commission, have been actively used to inform policy-making and the implementation of legislation, however, there is insufficient data to quantify the level of use of the outputs.

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[80] In accordance with Directive 99/35/EC related to a system of mandatory surveys for the safe operation of regular ro-ro ferry and high speed passenger craft services.

[81] The MRV Regulation envisages the monitoring and verification of fuel consumption, CO_2 emissions and ship efficiency on a 'per-voyage' basis and annual reporting to a central database (THETIS-MRV) which is to be developed, hosted and managed by EMSA.

[82] 'Responsible party' means the ship owner or oil and gas installation operator controlling the activity causing the marine pollution or the imminent threat of such pollution.

4.2.3.3 Contribution to planned results

In the area of Environmental challenges and response, EMSA has achieved the planned results:

EMSA has topped up the capacity of EU Member States to respond to major oil spill incidents by providing Tier III response capacity strategically located across EU waters. This has improved the capacity of the Member States' response to oil spills, and has created a more uniform level of protection across the EU.

The provision of satellite imagery and other relevant earth observation data and pollution monitoring through CleanSeaNet, SafeSeaNet and the IMS is supporting the effectiveness and efficiency of the Member States in responding to marine pollution.

EMSA has contributed to the work of the European Commission in international technical bodies on marine pollution.

The provision of information through THETIS has improved the application and enforcement of maritime legislation.

As the intervention logic in Figure 6 shows, which is based on EMSA's Founding Regulation and the Agency's work programmes, the activities of EMSA in the area of Environmental Challenges are meant to contribute to:

- Improved ability of the European Commission and Member States to prevent and respond to marine pollution
- Improved application of international/EU maritime legislation by the European Commission and Member States
- Improved cooperation between Member States and third countries in addressing marine pollution
- Improved contribution of the European Commission to the work on marine pollution conducted by international technical bodies
- Increased cooperation and sharing of best practices between the Member States.

Based on findings from all data sources, it can be concluded that EMSA's contribution in the area of *Environmental Challenges and Response* has been a positive one. This view is supported by stakeholders across various organisations, including the EU Commission, the Member States and other EU Agencies.

Intended result: Improved ability of Member States and the Commission to prevent and respond to marine pollution

EMSA's activities in this area, most notably in connection with oil pollution response, earth observation and prevention, have improved the ability of Member States and the Commission to respond to and prevent marine pollution. The results of the survey (see Figure 33) show that the stakeholders have a predominantly positive view regarding EMSA's work in this area. While the vast majority of stakeholders consider that EMSA's activities have contributed, at least to some extent, to improving the ability of Member States and the Commission to prevent and respond to marine pollution, it is worth noting that not all activities were rated similarly when it comes to the share of respondents who selected the assessment option "*to a high extent*". While noting the overall positive assessment of all areas of activity (i.e. at least "*to some extent")*, a higher proportion of respondents considered that EMSA's activities in the area of Earth observation, CleanSeaNet and illegal discharges had contributed *to a high extent* to improving the ability of Member States and the Commission to prevent and respond to marine pollution than was the case for its activities connected with oil pollution response. In the light of this interesting and subtle discrepancy, this section discusses the results and distinguishes, when relevant, the differences across the various areas of activity described above.

Figure 33: In your opinion, to what extent have the activities of EMSA in the following areas contributed to improved ability of the Commission and Member States to prevent and respond to marine pollution? (N=59)[83]
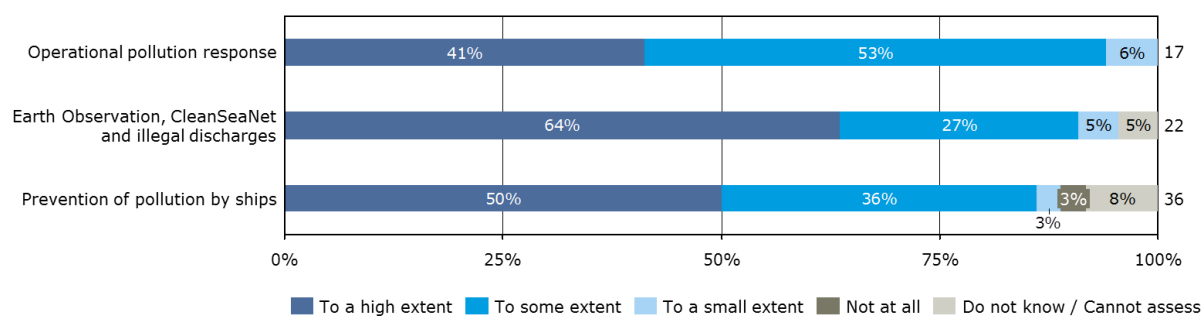
EMSA's work in this area has contributed to creating a more uniform level of protection across the various regions of the EU. In the area of oil pollution response services**,** EMSA has established a network of vessels which 'tops up' the Member States' response capacities by providing a Tier III response capacity that is characterised by ships having a large storage capacity, which would be difficult and costly for the Member States to establish independently.

EMSA has also successfully implemented its mandate by topping up Member States' oil spill response capacities. The in-depth study on the cost efficiency of EMSA's oil pollution response capacity commissioned by EMSA and undertaken in parallel to this evaluation has presented a summarised overview of EMSA's capacities alongside those established by the Member States in each regional area. It supports the view that EMSA has successfully implemented its mandate by topping up Member States' capacities and providing Tier III response vessels. The figures below present a summarised overview of EMSA's capacities alongside those established by Member States in each regional area.

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[83] The figure has been compiled on the basis of the assessments of the individual activities in the area of Environmental Challenges and Response. Respondents were able to provide responses concerning several activities within this field. The number of respondents (N) is therefore lower than the sum of individual responses received for each of the activities (indicated in the figure at the end of each row).

Figure 34: EMSA's and Member States' services - vessels and storage capacity for oil recovery, 2016.[84]
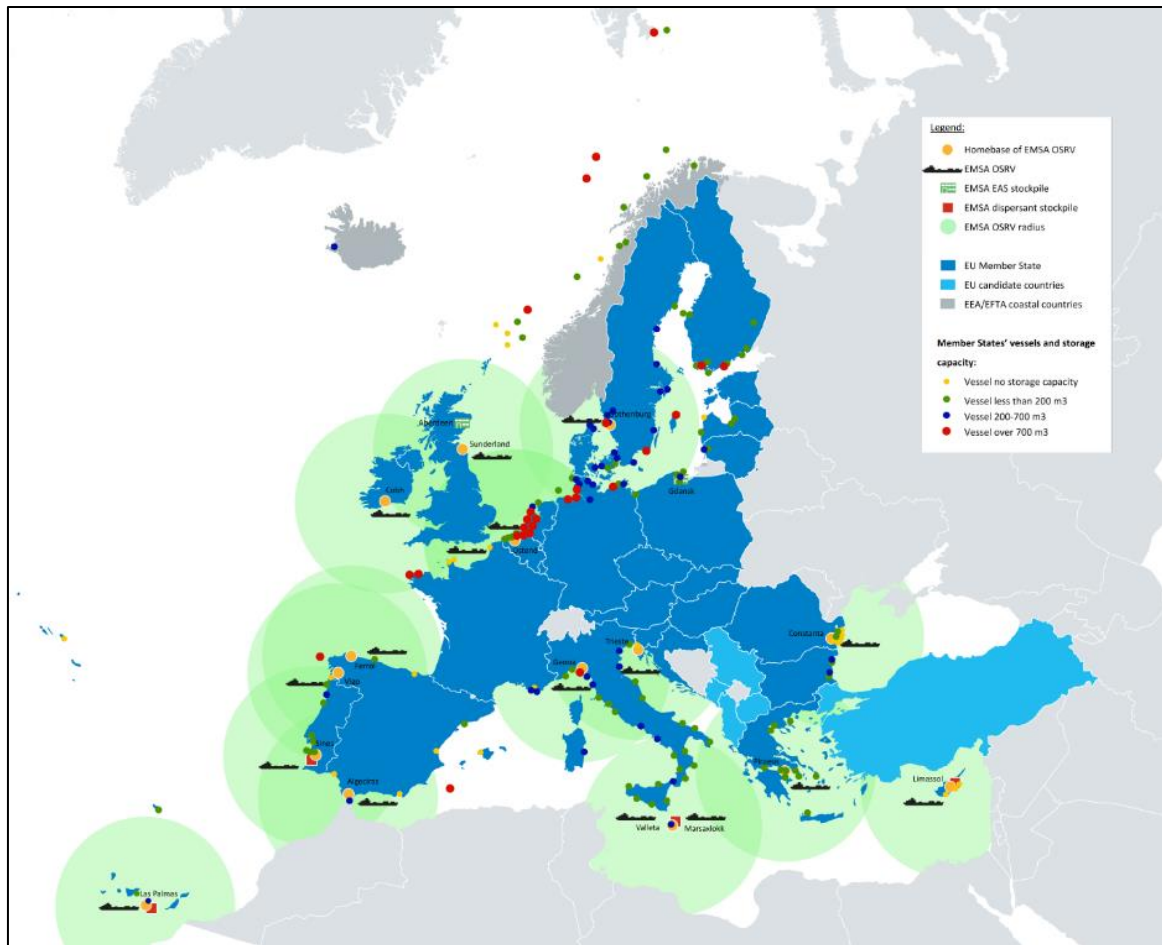
Source: Own presentation based on EMSA (2016) Inventory of EU Member States' Oil Pollution Response Vessels 2016.

In terms of the number of vessels[85], EMSA's share is particularly important in the Atlantic, the Mediterranean Sea and the Black Sea, whereas the total number of Member States' vessels exceeds that of EMSA's vessels in the Baltic and the North Sea. Overall, this shows that EMSA has installed its Tier III capacity in those regions where the Member States' capacity is low.

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[84] Note that the 24 hour radii on this map are solely indicative and have some limitations, as ships cannot take direct paths across land. For example, the radius for the vessel located in Gothenburg cannot realistically reach the South East of the Baltic Sea in 24 hours as it must first sail down the Danish-Swedish strait.

[85] In order to provide an accurate comparison of EMSA's capacities with those available at Member State level, the analysis conducted below takes into account only the national capacities of Member States in terms of vessels having an oil storage capacity of more than 700 m³.

Figure 35: EMSA and Member States – number of vessels with over 700 m³ of recovered-oil storage capacity and region, 2016.[86]
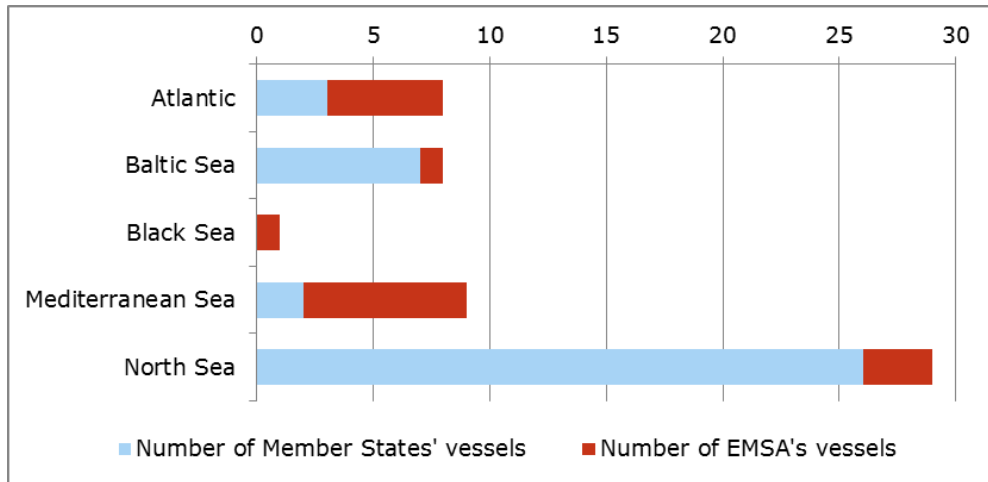
Regarding total storage capacity (Figure 36), we can observe that:

- In the North Sea, EMSA's OSRVs' recovered-oil storage capacity represents 14% of the oil storage capacity of the vessels available nationally; in the Baltic Sea, this share is 37%
- In the Atlantic and the Mediterranean, EMSA's storage capacity is significantly larger than the cumulative storage capacity of vessels over 700 m³ available at national level
- In the Black Sea, Member States have no vessels with a storage capacity over 700 m³.

In the Atlantic, Mediterranean and Black Sea, EMSA provides significantly more capacity than the Member States themselves.

Figure 36: EMSA and Member States – total oil storage capacity of vessels in 1,000 m³ per region, 2016.
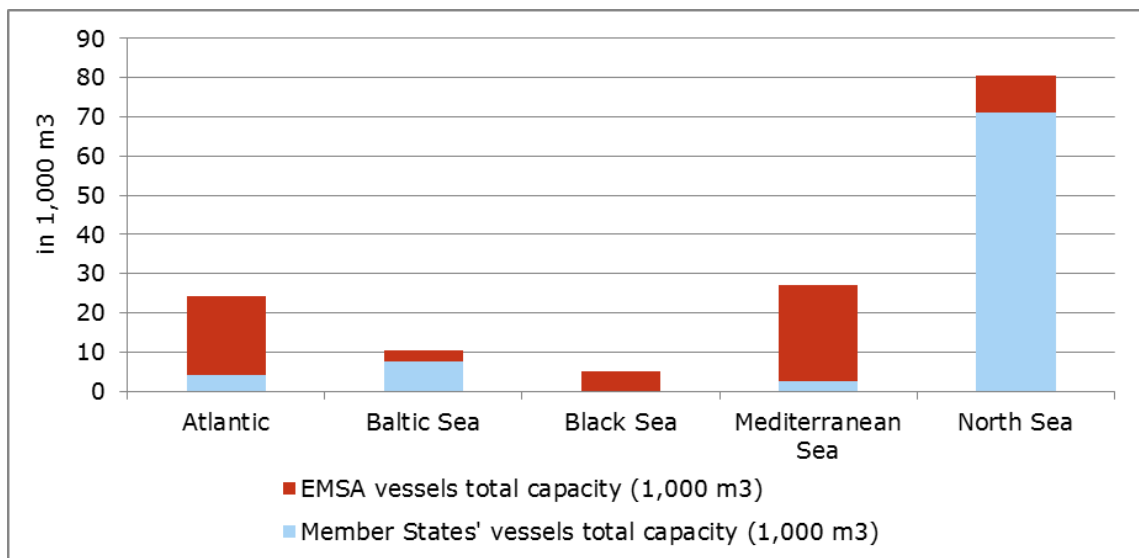
There is some concern about the cost of the oil pollution response services. Despite this generally positive assessment of the evaluators, and the widespread agreement (as shown by the findings from survey and in-depth interviews) among the stakeholders that EMSA has had a positive effect on the capacity of EU Member States to respond to large oil spill incidents, in the context of the in-depth interviews a minority of Member States expressed some concern regarding the overall cost of the service.

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[86] The figure for Member States' vessels in the North Sea includes vessels in the Norwegian Sea.

Regulation No 911/2014 of 23 July 2014 established a Multiannual Funding framework (MAF II) with a total financial envelope for EMSA's OPR activities of €160,500,000 for the period from 1 January 2014 to 31 December 2020.

The figure below shows the cost to EMSA of the three parts of the service between 2014 and 2016[87].

Figure 37: Total cost of the service per service component, per year.[88]

Output	2014	2015	2016	Average
Number of vessels[89]	16.1	15.1	17	16.1
Capacity in m³	52,090	54,746	60,908	55,915
Number of EAS equipment set-ups				
Fire Boom	-	-	8	
Speed Sweep	-	-	4	
Current Buster	-	-	2	
Roboom-Roskim Integrated System	-	-	1	
Trawl Net System	-	-	4	
Dispersant in tonnes	200	400	800	
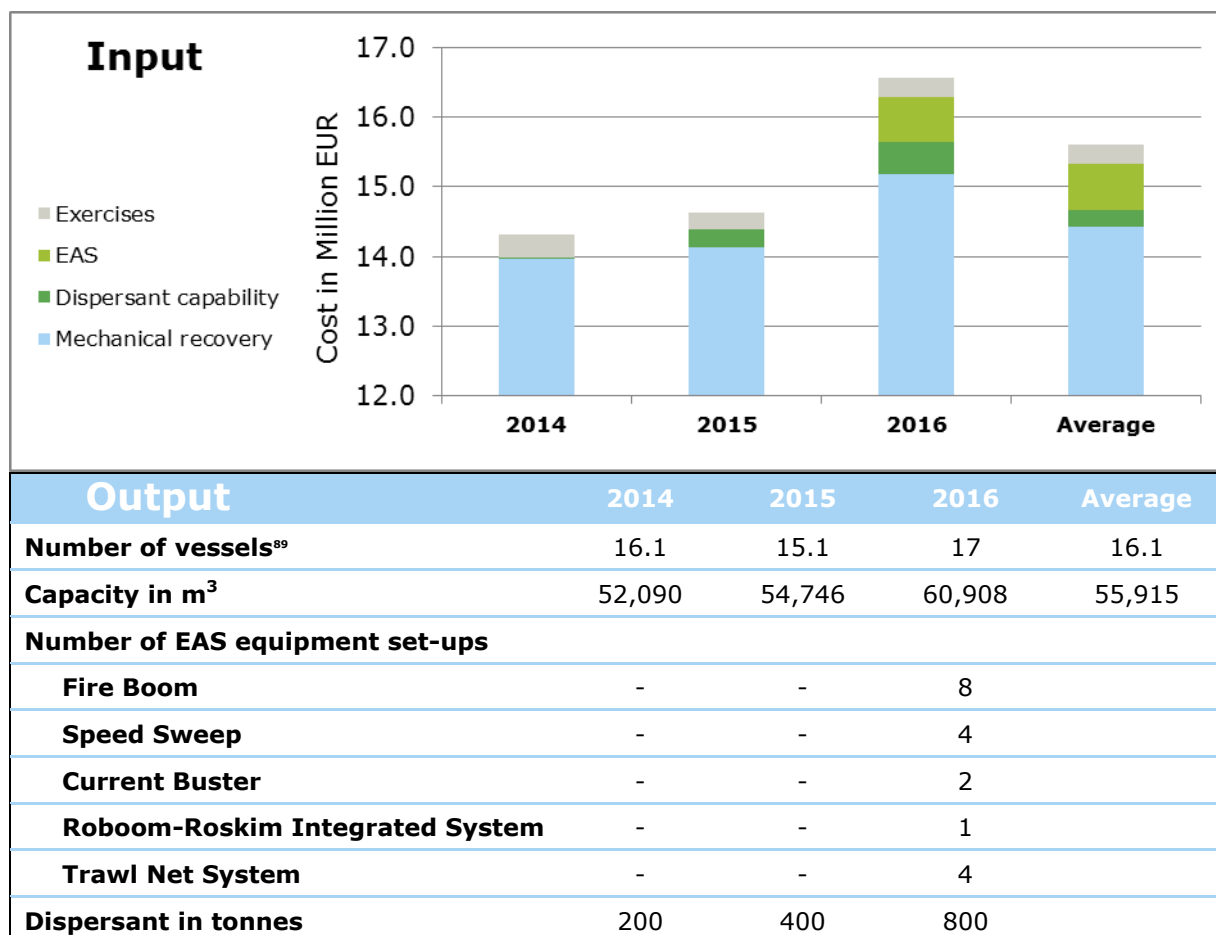
Source: Ramboll Management, based on data analysed in the context of the Study on the cost efficiency of EMSA's oil pollution response services

The chart indicates a noticeable increase in the overall cost of the service. The main source of cost is the total cost of the vessel arrangements in connection with providing the service of mechanically recovering oil at sea (OSRVs). The introduction of dispersant capability in 2015 and 2016[90], and of the EAS in 2016, also increased the total cost of the service.

The work of EMSA in providing Earth Observation, CleanSeaNet and support to combat illegal discharges was viewed by respondents as having made an important contribution to the improved ability of Member States and the Commission to prevent and respond to marine pollution. This positive result was highlighted in the survey results and

[87] Significantly more details will be published by EMSA in the context of the ongoing study on the cost efficiency of EMSA's oil pollution response services.

[88] Note that this figure differs from the figure presented in the cash flow analysis, as here the prices are controlled for the availability of the services and amortised according to the definition of each type of cost. This means that hypothetically, a VAF of €200,000 per year for a contract starting on 1 July of a given year will be accounted for as €100,000 until the end of that year. The same applies to payment of the VAF from the beginning of the last year of the contract until the end of the contract.

[89] The number of vessels and capacity in m³ is adjusted to account for the partial availability of each vessel during the year.

[90] And very marginally in 2014.

is further supported from the findings of the case study on IMS, as well as by in-depth interviews. It is a rather conclusive finding that the Member States strongly appreciate how EMSA's combined services of providing Earth observation data (e.g. satellite imagery, pollution detection) integrated with other maritime data (e.g. ship positioning, met-ocean data, etc.) are contributing to their ability to (i) detect and (ii) respond to pollution/illegal discharges in a timely manner, and (iii) to identify and (iv) prosecute the responsible parties. In addition, the Member States were happy to report that the data and combined information provided by the information systems managed by EMSA also improves the efficiency of their operations, allowing them to target resources when and where they are most required, in accordance with the intelligence provided by the systems. No concerns or doubts were raised by stakeholders in the course of this evaluation with respect to the effectiveness or efficiency of EMSA's work in this area.

EMSA's work on all information systems has improved the ability of Member States to prevent, deter and respond to maritime pollution. This includes EMSA's activities connected with the management of the THETIS information system (which includes THETIS-EU and THETIS-MRV, including Emissions inventories) as presented in section 4.2.1.3. When discussing the THETIS-EU and THETIS-MRV and the Emissions inventories separately from all other information provided by EMSA, only a small number of stakeholders expressed views specific to this topic (i.e. only 5 respondents in the context of the survey and 6 stakeholders in the context of the in-depth interviews). Given the specificity of the topic, this is unsurprising, although it does indicate a low amount of awareness and usage of the service. In the evaluator's view, the relatively small number of replies does not limit the ability of this evaluation to draw conclusions in this area, as the respondents concerned provided informed opinions on the topic which support each other and point towards the same conclusion.

Intended result: Improved application of international/EU maritime legislation by the European Commission and Member States

EMSA's activities in this area, most notably in the area of preventing pollution by ships and activities that provide Earth observation data and information on illegal discharges, have made a positive contribution to improving the application of international and EU maritime legislation by the European Commission and the Member States. As presented above, EMSA's work on the prevention of pollution by ships is largely composed of technical assistance to the Commission in various areas that are relevant to pollution prevention and environmental challenges. Although the topic was not widely discussed in the context of the case studies or taken up by stakeholders in in-depth interviews, the survey indicates that EMSA's work in this area has positively supported the improved application of international/EU maritime legislation by the Commission and the Member States, and has improved the contribution of the Commission to the work on marine pollution conducted by international technical bodies (see Figure 38 and Figure 39).

Figure 38: In your opinion, to what extent have the activities of EMSA in the following areas contributed to the improved application of international/EU maritime legislation by the Commission and the Member States? (N=43)[91]
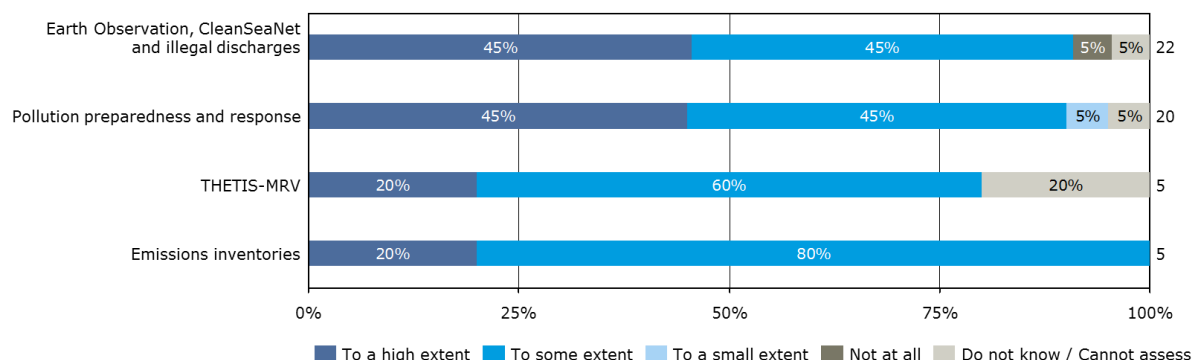
Figure 39: In your opinion, to what extent have the activities of EMSA in the following areas contributed to the improved contribution of the Commission to the work on marine pollution of international technical bodies? (N=51)
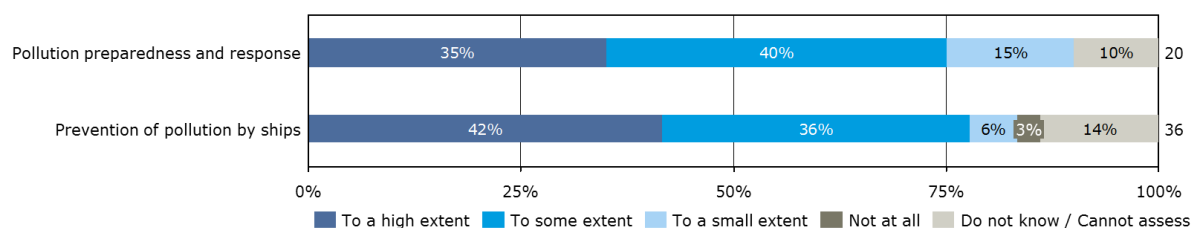
The conclusion that EMSA's work with THETIS-MRV and Emissions inventories has improved the application of international/EU maritime legislation by the Commission and the Member States is supported by the views expressed both in the survey (see Figure 38) **and in the interviews**. The particularly well-informed view of DG Environment and the Member States' maritime authorities, which reference EMSA's work in monitoring sulphur and CO_2 levels in maritime fuels and emissions, is highly illustrative of the manner in which EMSA's work in the area is contributing to the improved application of international/EU maritime legislation.

Intended result: Improved cooperation between Member States and third countries as well as cooperation and sharing of best practices between Member States

Apart from the elements already mentioned in section 4.2.3.2, there is insufficient evidence to draw conclusions on the extent to which EMSA's activities in this area have improved cooperation between Member States and the sharing of best practices.

4.2.3.4 Outputs and results in the light of stakeholder needs[92]

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[91] The figure shows the assessments of the individual activities in the area of Environmental Challenges and Response. Respondents were able to provide responses concerning several activities within this field. The number of respondents (N) is therefore lower than the sum of individual responses received for each of the activities (indicated in the figure at the end of each row). This applies to all the figures in this section on effectiveness.

[92] With limited information available on the utility of EMSA's activities in the area of Environmental Challenges and Response, this section only contains one sub-section on utility.

Stakeholders are generally satisfied with EMSA's work in the area of Environmental Challenges and Response. They report that EMSA's services satisfy their needs. Particularly positive assessments have been made in the context of Earth observation, CleanSeaNet, illegal discharges, and cooperation and information on pollution preparedness and response.

There is general satisfaction with EMSA's work in this area. The results of the survey (see Figure 40) show a positive trend of satisfaction with EMSA's outputs and services, and a general alignment with the stakeholders' needs. This positive assessment is especially apparent in the context of Earth observation, CleanSeaNet, illegal discharges and cooperation and information on pollution preparedness and response.

Little feedback was received on THETIS-MRV and the emissions inventories project.
This is unsurprising, given that THETIS-MRV is still under development, and not yet in use. The emissions inventories project was presented to the Commission in November 2016 and to the Member States in March in 2017 (Sulphur Committee). Despite the inconclusive survey results related to THETIS-MRV and emissions inventories project, the conclusion that these activities are also appropriate to the needs of its users is supported by interview data. Nevertheless, the small number of respondents covering these areas may be indicative of a low degree of usage and awareness of EMSA's activities and outputs. This issue is discussed in more detail in section 4.2.1.

Figure 40: In your opinion, to what extent do the following EMSA activities/services meet your/your organisation's needs? – Environmental Challenges and Response (N=50)[93]
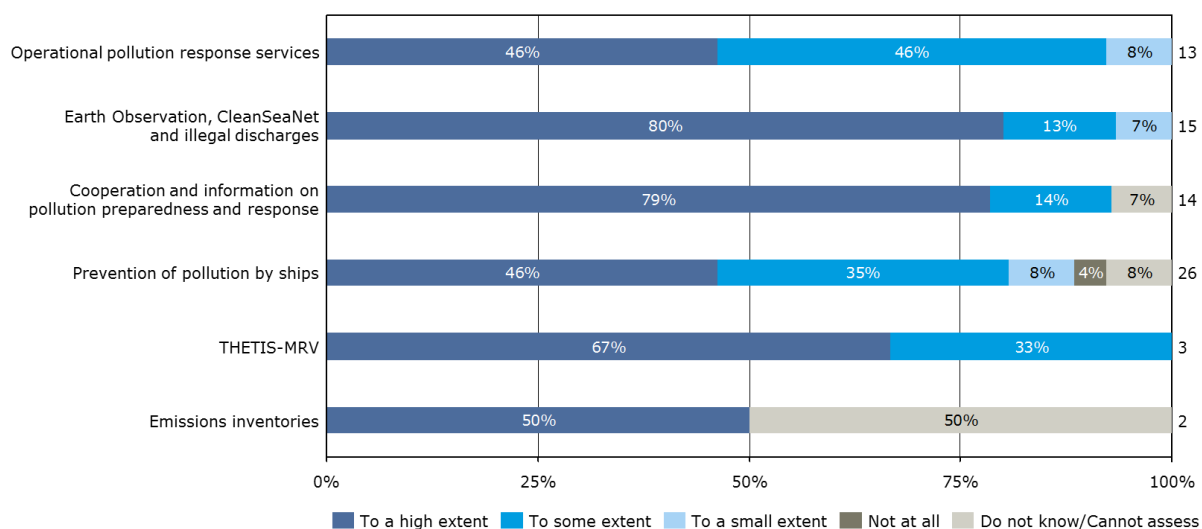
4.2.4 Information, Knowledge and Training (EQ6 and EQ10)
The activities of EMSA in the area of Information, Knowledge and Training comprise:
- Training and technical assistance for Member States and officials from enlargement countries
- Ship inspection support (maritime information (MARINFO), Equasis, RuleCheck, MaKCs and statistics)
- TRACECA II
- SafeMed III

Methodology and sources:
This section presents the findings and provides an assessment of the effectiveness and utility of EMSA's activities in the area of Information, Knowledge and Training. Effectiveness is assessed

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[93] The figure is compiled on the basis of the assessments of the individual activities in the area of Environmental Challenges and Response. Respondents were able to provide responses concerning several activities within this field. The number of respondents (N) is therefore lower than the sum of individual responses received for each of the activities (indicated in the figure at the end of each row).

based on the extent to which the Agency's activities have produced planned outputs (section 4.2.4.1), whether these outputs are being used (section 4.2.4.2) and whether they have contributed to targeted results (section 4.2.4.3). The assessment of effectiveness of the activities is based on the following norms:

- *KPI targets for different EMSA units working with tasks related to Information, Knowledge and Training are met*
- *At least 70% of Member States' representatives and the majority of other stakeholders agree that EMSA's activities in the field have contributed to the desired results*

The findings stem from desk based review of various documents, including EMSA's Annual Reports, data related to the use of EMSA's systems and EMSA's internal reports on trainings. Data from the survey and interviews are presented. Results from the case study on training activities are also used

Utility is assessed based on the extent to which EMSA's stakeholders say that they are satisfied with EMSA's work (section 4.2.4.4) and the extent to which they find that the outputs and results produced by the Agency match their needs (section 4.2.4.5). The assessment of utility is based on the following norms:

- *At least 70% of Member States' representatives and the majority of other stakeholders agree that they are satisfied with EMSA's work*
- *At least 70% of Member States' representatives and the majority of other stakeholders agree that EMSA's work matches their needs*

The findings build mainly on stakeholder's feedback gathered through interviews and survey. In addition, results from the case study on training and some reports on relevant EMSA activities have been taken into account.

Evaluator's assessment:

EMSA's activities in the area of Information, Knowledge and Training to be effective. The Agency has met its KPIs in delivering training activities to officials from Member States and third countries, in providing technical assistance to TRACECA and SafeMed beneficiary countries, and in making information and statistics available to various stakeholders. Among the respondents from national maritime administrations, more than 90% agree to some extent or to a high extent that EMSA's activities in the area of Information, Knowledge and Training contributed to the targeted results, which satisfies the judgement criterion set for this evaluation question. Only with regard to EMSA's contribution to improved application of international and EU legislation in third countries this share is lower (58%) due to a high number of "do not know" answers. However, based on the feedback received from interviews the TRACECA and SafeMed projects are assessed to contribute to this result as they strengthen administrative capacities and generate better understanding of legislation in the countries. The effectiveness of the activities with third countries could be increased if more countries were able to participate but this depends on the political situation in the third countries.

Training activities for Member States contribute to improved application of legislation in the participating countries as understanding is increased and experiences are exchanged. In fact, the opportunity for Member States to exchange on best practices and share lessons learned is the most important result of the training activities. There is a need to continue to provide these opportunities in the future.

The different ship inspection support systems are available to its users with minimal technical errors and thus contribute to the result of improved quality and availability of objective, reliable and comparable information and data.

The evaluation assesses EMSA's activities in this area to be of high utility. Average satisfaction rates of training participants are above 87%, the judgement criteria is thus met. For the other activities of this area survey findings are limited in their representativeness due to low number of responses. However, interviews with users of EMSA's products and services in the field of Information, Knowledge and Training have delivered positive feedback in terms of their utility. Overall, it is assessed that EMSA's activities correspond to the needs of the Member States and third countries.

4.2.4.1 Achievement of desired outputs

In the area of Information, Knowledge and Training, EMSA has produced outputs in accordance with the set targets. The targets set for the number of training activities and the number of participants, both from the Member States and from third countries, are regularly exceeded.

As a starting point, the outputs of EMSA's activities in the area of Information, Knowledge and Training can be analysed on the basis of the KPIs set by the Agency for quarterly and annual monitoring. Analysis of the available KPI data shows that in general, the activities in this area are delivered as planned and often in quantities or with a quality level that exceeds the target volumes and values.

In the area of training activities, EMSA has consistently exceeded the targets set in its annual programmes. This is highlighted in Figure 41 and Figure 42. The case study on EMSA's training activities found that the desired outputs for this activity are being achieved. EMSA is providing numerous training courses every year on various topics to officials from the Member States, and to officials from the enlargement countries. The targets set for participant satisfaction are also being exceeded.

Figure 41: Number of training sessions for Member States per year
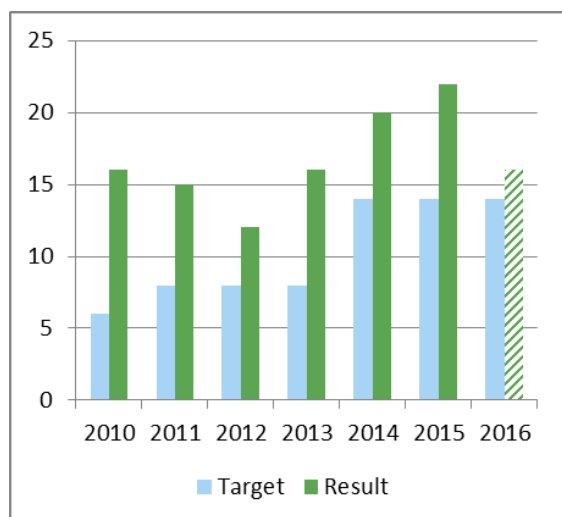
Figure 42: Number of Member State experts attending per year
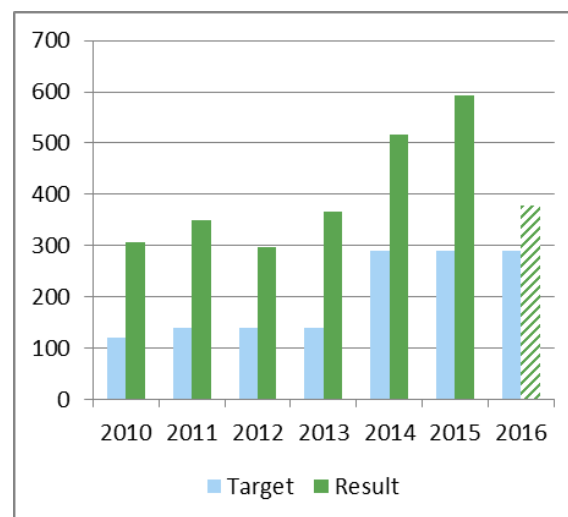
Source: EMSA KPI indicators.

Note: The results data for 2016 relate to Q1 and Q2.

EMSA has delivered its outputs under the ship inspection support as planned. The various databases have been available to its users with minimal technical errors. Among the activities of ship inspection support, EMSA collects worldwide commercial data on ships through MARINFO and makes it available for use by the staff of EMSA and the Commission. Data on the world's merchant fleet is collected and shared via Equasis. EMSA hosts the Management

Unit and Equasis is available to the general public worldwide[94]. The system has been consistently available (on average 99% per year),. Another KPI for monitoring the performance of the Equasis database is the number of monthly users. As can be seen from Figure 43, this number has been relatively stable over previous years, but has not attained the progressively increasing targets. According to EMSA, in 2015 this development could be explained by the worldwide crisis in the shipping industry.[95]

Figure 43: Number of Equasis users per month
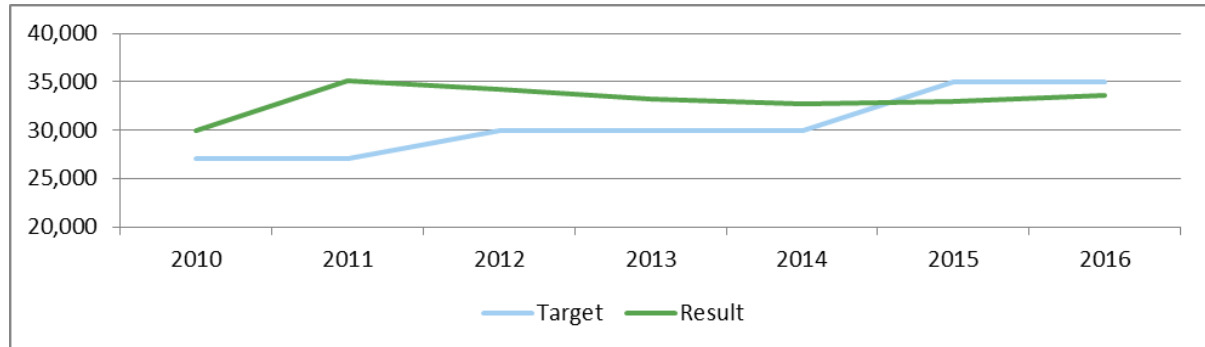
Source: EMSA KPI indicators
Note: The results data for 2016 relate to Q1 and Q2.

Furthermore, EMSA has been developing, managing and operating the RuleCheck database, which supports the activities of PSC officers by providing IMO, ILO and PSC-related documents and procedures. EMSA hosts and supports the MaKCs e-learning platform. Both of these activities have also been delivered according to plan.

EMSA delivers training sessions and technical assistance under TRACECA II and SafeMed III, reaching its set targets in terms of the number of activities, the number of participants, and customer satisfaction. Under the TRACECA II and SafeMed III projects, EMSA implements activities in third countries located in the Black Sea and Caspian Sea region, as well as in the Mediterranean. The cooperation, which has been in effect since 2013, covers activities in areas such as flag state implementation, PSC, vessel traffic monitoring, protection of the marine environment, security of ships and port facilities, and activities to increase cooperation between these countries and with the EU Member States. The interim activity reports for these two projects highlight the variety of training courses, workshops and meetings that are being implemented.[96] As Figure 44 and Figure 45 show, the targets in terms of number of training participants have been met.

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[94] UK, France and Spain + Norway contribute from EU/EEA; other contributors are Canada, Brazil, Japan, US and Korea.

[95] Due to the crisis that shipping is currently facing worldwide, and considering that a vast number of ships remained unchartered, a slight decrease in the number of individual visits to Equasis to retrieve safety information prior to chartering ships was noted.

[96] EMSA (2016): Annex VI – Interim Activity Report, TRACECA Maritime Safety & Security II, reporting period 01.07.2015 – 30.06.2016, and EMSA (2016): Annex VI – Interim Activity Report, SAFEMED III, reporting period 16.06.2013 – 31.12.2014

Figure 44: SafeMed - number of ENP experts attending per year
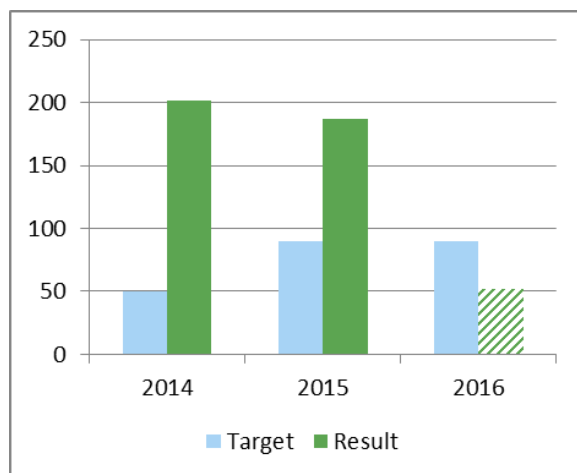
Figure 45: TRACECA - number of ENP experts attending per year
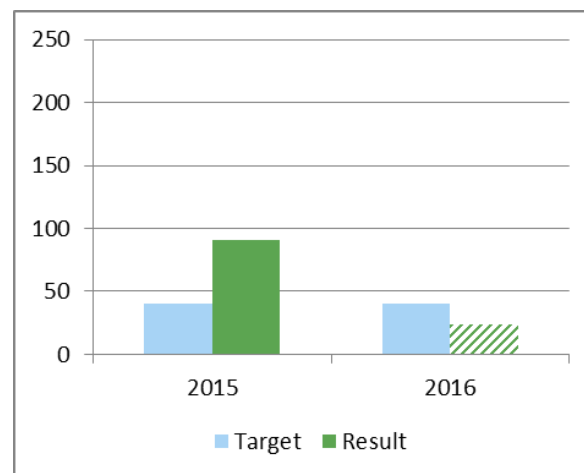
Source: EMSA KPI indicators

Note: The results data for 2016 relate to Q1 and Q2.

4.2.4.2 Use of outputs by beneficiaries

The outputs in the area of Information, Knowledge and Training are generally widely used, with the exception of a few activities. Under this heading, EMSA's training courses for officials from Member States are certainly the most-used activity. Some of the activities are not reaching all the targeted beneficiaries (TRACECA and SafeMed) due to external influences, while others are widely used but not primarily by the Member States (Equasis).

The beneficiaries of EMSA's activities in the area of Information, Knowledge and Training are various stakeholders from the Member States, third countries, the Commission and EMSA's own staff.

There is a high demand for, and participation in, EMSA's training courses by officials from Member States and the enlargement countries. The KPIs show that the training activities are being attended by the targeted participants. According to the CNTA focal points interviewed, training at EMSA now forms part of the career paths within the maritime administrations. New employees are systematically sent to EMSA for basic trainings, and more experienced staff members regularly return to EMSA to update and enhance their expertise. The case study also showed that participation in EMSA's trainings is highly requested. The employees consider this training to be relevant and valuable. The knowledge gained during the training sessions is shared with colleagues who did not attend the training.

The ship inspection support resources provided by EMSA are used by the beneficiaries; however, there are differences among the specific activities in the frequency with which Member State officials make use of these services. According to EMSA's web statistics, in 2015 the statistical report on the world merchant fleet prepared under Equasis was the second most popular publication of EMSA in terms of downloads. The reports from previous years continue to be in the top ten downloads of all time. The Equasis Statistics 2010 have been downloaded more than 50,000 times[97]. As Equasis has world-wide accessible, top users come from non-EU countries (China, India).

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[97] EMSA (2016): Web statistics 2015 (January-December)

The activity report for 2015 suggested that PSC officers considered RuleCheck and MaKCs to be very useful tools.[98] This was confirmed during the interviews. Maritime authorities reported that RuleCheck was regularly used as a reliable source of information not only by PSC officers, but also by flag state personnel.

Officials from some, but not all, beneficiary countries of SafeMed and TRACECA regularly participate in activities and training courses. The countries participating have provided very positive feedback. The interim activity reports for SafeMed and TRACECA show that the participants from beneficiary countries have provided positive feedback for the events they took part in. The interviewees confirmed this finding. The projects provide the third countries with the opportunity for mutual exchange regarding various topics relating to maritime safety and security, and to learn both from each other and from input obtained from EMSA and the EU Member States. The projects have also provided the countries with access to different systems and databases of EMSA, a fact that was welcomed by many of these countries.

The reports on the projects, as well as the interviewees themselves, underlined the achievements that have been made in terms of building this cooperation and creating an atmosphere of trust between the partners.

While EMSA is also trying to respond to the specific needs of the individual third countries, according to the Interim Activity reports for SafeMed and TRACECA the beneficiaries' commitment under these two projects is not the same for all participating countries. Interviewees confirmed this finding. This is due to various contextual factors, such as the political situation in the countries, prior experience with international cooperation, the operational autonomy of the maritime administrations, or language barriers (particularly for the TRACECA beneficiary countries[99]). However, there is also scope for reconsidering which countries should be involved. For example, little interest has been shown by the landlocked country of Armenia in taking part in the activities under TRACECA II.

4.2.4.3 Contribution to planned results

Training courses, the projects targeting third countries, and EMSA's ship inspection support are contributing to their planned results. An important contribution is being made to increased cooperation between the Member States, as well as to the improved application of international and EU legislation by the Member States and by some of the third countries.

As the intervention logic in Figure 7 shows, which is based on EMSA's Founding Regulation and the Agency's work programmes, the activities of EMSA in the area of Information, Knowledge and Training are meant to contribute to:
- Improved quality and availability of objective, reliable and comparable information and data provided to the European Commission and the Member States
- Improved application of international/EU maritime legislation by third countries (EFTA, IPA, ENP) that have entered into agreement with the Community
- Increased cooperation and sharing of best practices between the Member States
- Improved application of international/EU maritime legislation by the European Commission and the Member States.

The data shows that EMSA's training activities contribute positively to all the intended results. The survey results suggest that a significant contribution has been made to all four of the targeted results (see Figure 46). Among the respondents from national maritime

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[98] EMSA (2016): Consolidated Annual Activity Report 2015

[99] EMSA (2016): Annex VI – Interim Activity Report, TRACECA Maritime Safety & Security II, reporting period 01.07.2015 – 30.06.2016, and EMSA (2016): Annex VI – Interim Activity Report, SAFEMED III, reporting period 16.06.2013 – 31.12.2014

administrations, more than 70% agree to some extent or to a high extent that EMSA's activities in the area of Information, Knowledge and Training contributed to the targeted results, which satisfies the judgement criterion set for this evaluation question.

It should be noted that with regard to the improved application of international and EU maritime legislation by third countries, 40% of the respondents from national maritime administrations indicated "do not know". This shows that it is difficult for respondents from EU Member States to assess the results of EMSA's work for countries outside the EU. When the "do not know" answers are disregarded, almost all the respondents reported that EMSA's activities in the area of Information, Knowledge and Training contributed to the improved application of legislation by third countries.

Figure 46: Assessment of achievement of results for activities in the area of Information, Knowledge and Training (N=66)[100]
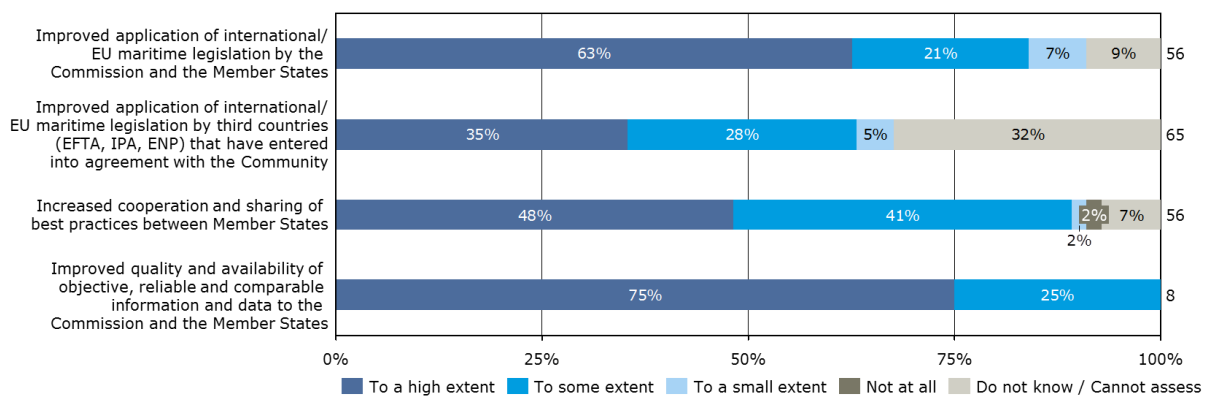
The evidence of the contribution of EMSA's Information, Knowledge and Training to these results is discussed in further detail below.

Intended result: Improved application of international/EU maritime legislation by the Commission and the Member States

EMSA's training courses are found to contribute to the improved application of both international and EU maritime legislation by the Member States. While this contribution is very high in some of the Member States, where training courses have led to changes in national practices, there is also some room for improvement. In the case study, EMSA's training activities have been shown to contribute strongly to the improved application of international and European maritime legislation by the Member States. This is being achieved by providing a better understanding of maritime legislation in the form of lectures during the training, as well as through the provision of opportunities to exchange experiences and practices between the Member States during the training sessions.

Several Member States reported that they had adapted their national implementation of maritime legislation following a training session. However, others noted that the follow-up of training could be further strengthened, especially with regard to ensuring a harmonised understanding of legislation.

The interview respondents also suggested that the training activities could be more practical and concrete. While the case study showed that in past years EMSA's training courses had already ceased being limited purely to the presentation of legislation and had included more discussions

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[100] The figure is compiled on the basis of the assessments of the individual activities in the area of Information, Knowledge and Training. Respondents were able to provide responses concerning several activities within this field. The number of respondents (N) is therefore lower than the sum of individual responses received for each of the activities (indicated in the figure at the end of each row)..

and some exercises, during the in-depth interviews it was suggested that even more practical exercises could take place during the training so as to ensure a better application of the legislation.

Intended result: Improved application of international/EU maritime legislation by third countries that have entered into agreements with the Community

EMSA's activities in third countries are contributing to better application of international and EU maritime legislation by strengthening administrative capacities and generating knowledge and awareness. Limitations have been found to exist where the beneficiary countries are unwilling or unable to participate in the activities.

The application of international and EU maritime legislation by third countries is intended to be improved through the technical assistance and training provided to the EU candidate and accession countries, the SAFEMED III and the TRACECA II beneficiaries.

An internal report on EMSA's activities in the enlargement countries underlined that the activities implemented enabled the beneficiaries to strengthen their administrative capacity and organisational capability for implementing and enforcing maritime law[101]. Similarly, positive conclusions have been drawn for the SAFEMED III and TRACECA II projects. Technical assistance supports the improvement of the capacities of the beneficiaries' maritime administrations and enhances the alignment of national legislation and practices with European and international standards. Furthermore, the exchange between the beneficiaries of expertise and best practices in the area of maritime safety and security, as well as pollution prevention, is encouraging closer cooperation and is enhancing communication and information sharing[102].

The positive assessment of the contribution to the improved application of maritime legislation by third countries is shared by the beneficiary countries themselves, as well as by some of the Member States which have been involved in activities that include these third countries. Interviewees from the EU Member States reported that EMSA's work with third countries had helped them to reach the next level in their implementation of maritime legislation. However, differences exist among the third countries in the extent to which EMSA's work is contributing to the targeted outputs and subsequent results. This is described in section 4.2.4.1.

The representatives from the third countries who were interviewed underlined the synergies between the various activities provided under EMSA's projects. For example, the training activities of EMSA increase the awareness of issues regarding maritime safety & security and pollution, and the access to EMSA's services such as CleanSeaNet subsequently allows these countries to act on what they have learned and ultimately improve their implementation of maritime legislation. The increased competencies in a particular area also allow the freeing-up of resources to make it possible to focus on other issues involving international and EU maritime legislation.

Intended result: Increased cooperation and sharing of best practices between the Member States

Member States consider the sharing of best practices and cooperation as the most important result from the training activities. There is some concern that the planned increase in the use of DLPs will lead to fewer opportunities for exchange.

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[101] EMSA (2016): Preparatory measures for the participation of Enlargement countries in EMSA's work.

[102] EMSA (2016): Annex VI – Interim Activity Report, TRACECA Maritime Safety & Security II, reporting period 01.07.2015 – 30.06.2016, and EMSA (2016): Annex VI – Interim Activity Report, SAFEMED III, reporting period 16.06.2013 – 31.12.2014.

The case study findings reveal the very important contribution of EMSA's training activities to an increase in cooperation and the sharing of best practices between the Member States. In fact, the stakeholders reported this as being the most important result from the training activities. Interaction between the Member States does not only take place during the training courses, but the participants also stay in contact afterwards to cooperate and to exchange practices.

The case study and the interviews with maritime authorities showed the stakeholders' concern about the planned move towards the use of distance learning programmes (DLPs) and its effect on this result. During the case study EMSA staff underlined the great awareness of the importance of this result, and stated that DLPs will be used to supplement in-person training courses rather than replace them.

Intended result: Improved quality and availability of objective, reliable and comparable information and data to the Commission and the Member States

Ship inspection support is one aspect of EMSA's activities that is contributing to the improved quality and availability of objective, reliable and comparable information and data to the Commission and the Member States.

EMSA's ship inspection support, including the different databases and statistics, is considered by the stakeholders interviewed as being a reliable and objective source of information and data. This confirms the findings from the survey, despite the low number of responses regarding this EMSA activity.

The findings presented in section 4.2.4.2 also suggest that the information and data provided is being used by stakeholders beyond the Commission and the Member States.

4.2.4.4 Stakeholders' satisfaction with EMSA's work

The beneficiaries of EMSA's training activities with Member State and third-country officials show very high rates of satisfaction. EMSA is putting significant effort into responding to participants' needs.

Satisfaction with EMSA's training courses among Member States as well as among officials from third countries is measured through a survey after each session to collect feedback on the administrative arrangements linked to the training subscription, the time schedule and group size of the session, the content of the session, and the lecturers. The overall satisfaction rate is reported under the KPIs for the activities. The target of a minimum 70% participant satisfaction rate has been achieved for all these activities over the last five years.

Figure 47: Average training satisfaction rate

Average participant satisfaction rate
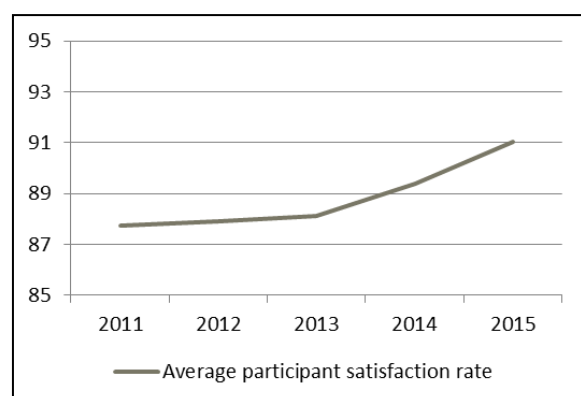
Source: Ramboll, based on data provided by EMSA.

Figure 47 shows the average participant satisfaction rate for the training sessions for Member States officials that were conducted between 2011 and 2015. A clear increase over the past five years can be seen.

The EMSA staff members interviewed suggested that this increase is due to the extensive efforts made to respond to participant requests and suggestions for improvement. Feedback from training participants is systematically followed up to ensure a positive learning experience.

4.2.4.5 Outputs and results in the light of stakeholder needs

EMSA's activities and services in the area of Information, Knowledge and Training are responding to the stakeholders' needs. Most importantly, the training activities have high utility, and processes have been put in place to systematically identify Member States' needs. Little feedback was received on the ship inspection support, but some concerns about poor user-friendliness were mentioned.

In the survey, respondents were asked to assess to what extent EMSA's activities are responding to their needs or the needs of their organisation. Figure 48 below shows a very low number of responses for some of the activities. For TRACECA and SafeMed, the low number of responses reflects the difficulties encountered during the survey implementation in reaching the main beneficiaries of the activity. The low number of respondents selecting "maritime information, Equasis and statistics" as an area they knew well or wanted to provide feedback on also shows that these services have little prominence compared with EMSA's other activities.

Figure 48: In your opinion, to what extent do the following EMSA activities/services meet your/your organisation's needs? – Information, Knowledge and Training (N=51)
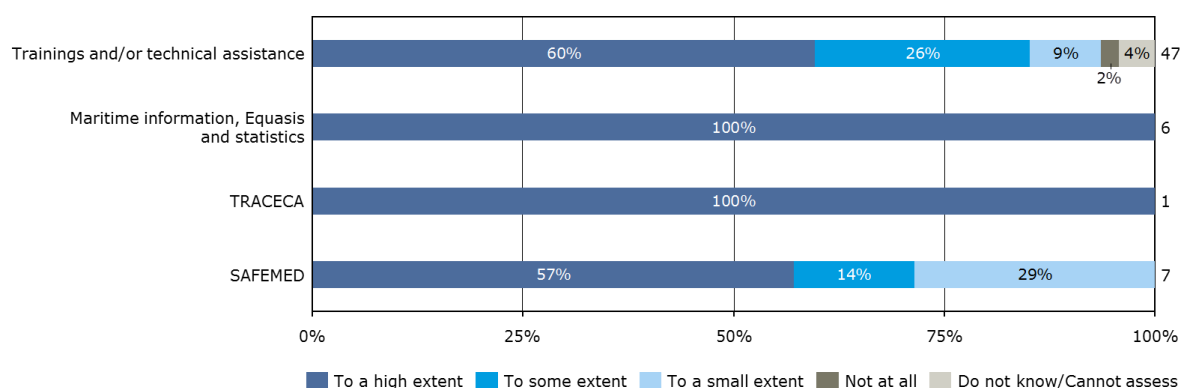
Note: This question was not posed to EMSA staff.

In total, 73% of survey respondents from maritime authorities, including the members of EMSA's Administrative Board, reported that the activities in the area of Information, Knowledge and Training were responding to their needs to a high extent. When considering the individual activities presented in Figure 48, a majority of all stakeholders agreed that EMSA's activities matched their needs. The judgement criterion for this area is therefore met.

During the interviews and case study, the Member States emphasised the utility of the trainings. This included the training for PSC officers for Paris MoU countries. EMSA has been able to respond to the changing needs of the Member States by regularly updating its training courses to reflect the latest European and international legislation. The move towards the use of DLPs was considered by most Member States to respond to their needs in terms of providing more participants with access to the training. At the same time, the opportunity for direct exchange with EMSA staff and other Member States during the Lisbon-based training sessions is considered to be very useful.

The findings of the case study suggest that EMSA has successfully responded to the recommendation of the previous evaluation and is now strategically identifying and responding to the training needs of the Member States through the CNTA meetings. However, there is scope to add further mechanisms for identifying training needs via the conclusions from the visits EMSA makes to the Member States in order to assess the implementation of EU legislation.

Less feedback was received regarding EMSA's ship inspection support. During the interviews, general satisfaction with RuleCheck, Equasis and MaKCs was expressed. These systems are considered useful, but as with some of EMSA's other databases and IT systems they are regarded as being insufficiently user-friendly.

4.2.5 To what extent have the organisation and internal processes of the Agency been effective and conducive for performing the tasks and achieving the results defined by the Regulation? (EQ7)

The assessment of this question looks into different aspects of EMSA's organisation and internal processes:
- Resource allocation and outputs
- Internal cooperation and the exchange of information
- Management structures and organisation of the Agency
- Organisation and processes
- Awareness among external stakeholders

Methodology and sources:
This section presents the findings related to the effectiveness of EMSA's organisation and internal processes as well as the evaluators assessment of these. Effectiveness is assessed on the basis of different aspects of the Agency's organisation and internal processes such as the extent to which they have resulted in timely completion of tasks (section 4.2.5.1), the sufficiency of resources for effective operation (section 4.2.5.2), internal cooperation and exchange of information (section 4.2.5.3), the adequacy of the management structure and organisation (section 4.2.5.4), whether the Agency has adapted to changes (section 4.2.5.5) and whether the communication activities have been successful (section 4.2.5.6). The assessment of effectiveness of the activities is based on a comprehensive set of norms listed in the evaluation matrix. A selection of these is presented in the following list:
- *Output objectives in terms of timely completion and quality criteria set in AWPs are achieved;*
- *The majority of stakeholders assess that the Agency has sufficient resources to complete its tasks in accordance with time and quality expectations;*
- *The majority of EMSA staff consider that the existing organisational structures within EMSA enable and support the delivery of quality work on time;*
- *The majority of EMSA's internal stakeholders find that internal cooperation and information exchange is sufficient and conducive to their work;*
- *The majority of external stakeholders assess that EMSA's external communication is creating sufficient awareness of the Agency's work;*
- *Qualitative examples are provided of how the organisation has been able to adjust to changes in the past without jeopardizing performance*

The findings stem from desk based review of various documents, including EMSA's Annual Working Programmes and Reports, EMSA's quarterly KPI scoreboard; EMSA's internal control standards and other internal documents. Data from the survey and interviews are presented. Results from the case study on EMSA's performance management system are also used.

Evaluator's assessment:
The organisational and internal processes of EMSA have been effective and conducive for the Agency's execution of its tasks and the delivery of its planned outputs and results.

The evaluation assess that EMSA is completing its tasks in a timely manner and in line with the quality expectations of stakeholders based on the findings of the analysis of attainment of KPI targets and the feedback collected by stakeholders through the survey, case studies and interviews. In addition, the resources available to the agency are generally sufficient for the performance of its tasks, based on analysis of resources availability and the assessment of

stakeholders. Resource constraints however do represent a challenge, especially in horizontal and administrative functions.

As regards cooperation and information exchange at EMSA, it is assessed that the current levels are generally sufficient for EMSA's ability to perform its task, but there is room for improvement in terms of internal communication and the ability of staff members from different units and departments to exchange information effectively and cooperate. This assessment is based on input from members of EMSA's staff provided through the survey and interviews.

The evaluation assesses that the management structures and organisation of the Agency are generally conducive to the organisation's performance on the basis of input from the survey of staff. However, it is also assessed that some room for improvement may be found in making the organisation model better suited for the evolving cross-cutting activities of the Agency, on the basis of analysis of the comparative advantages of different organisational models and the suggestions made by different staff members.

The internal performance management processes and appropriate changes to the organisational structure are assessed to effectively facilitate the implementation of changes to the tasks and resources of the Agency. This assessment is based on a detailed case study of the development of the performance management system of EMSA as well as survey results and interviews.

As concerns EMSA's communication activities, the analysis of EMSA's communication strategy and its implementation through concrete activities and their assessment by stakeholders led the evaluators to make a positive assessment of the Agency's work in this area.

4.2.5.1 Completion of tasks on time and meeting quality expectations

The targets sets for EMSA's activities and monitored through its KPI system are regularly reached. Tasks are completed on time and meet expectations in terms of quality to a high degree.

EMSA is completing its tasks in line with the quantity, quality and timeliness targets set in its well-developed system of Key Performance Indicators. The Agency has been measuring its outputs with KPIs since 2010. The KPIs are monitored on a quarterly basis and reported on annually to the Administrative Board in the Consolidated Annual Activity Report (CAAR). As can be seen from Table 9, the overwhelming majority of KPI targets have been reached and in many cases exceeded. The analysis of the KPI targets not reached indicates that these are often in connection with activities which are highly dependent on external stakeholders not under the direct control of the Agency. For example, the number of visits and inspections carried out is dependent on the plans and decisions of the European Commission.

Table 9: Overview of KPIs and KPI targets 2011-2015

Year	Number of KPIs	Number of KPIs targets not reached[103]	% of KPI targets not reached
2015	101	11	10.9%
2014	79	6	7.6%
2013	81	5	6.2%
2012	78	7	8.9%
2011	78	3	3.8%

[103] The analysis of the KPI targets not reached indicates that these are often in connection to activities which are highly dependent on external stakeholders not under the direct control of the Agency.

EMSA carries out its tasks in line with the expectations of quality and timeliness. The results of the KPI analysis are confirmed by the results of the survey, which show that close to 90% of EMSA staff, EMSA's Administrative board and the representatives of the European Commission surveyed perceive that EMSA carries out its tasks on time to a high extent or some extent.

Figure 49: In your opinion, to what extent are the tasks carried out by EMSA completed on time? (N=189)
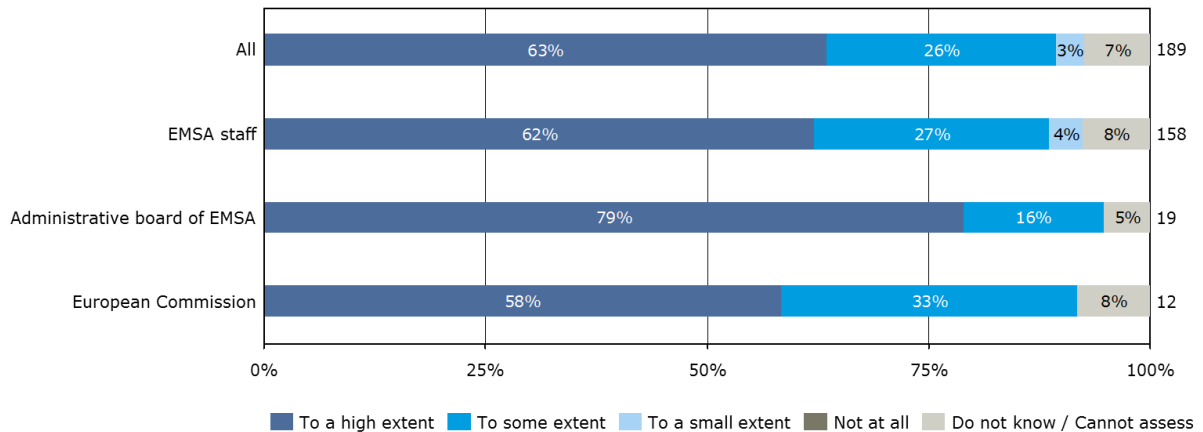
Note: This question was posed to EMSA staff, members of EMSA's Administrative Board and the Commission.

Furthermore, more than 80% of all survey respondents assessed that the tasks carried out by EMSA are meeting their expectations in terms of quality – an assessment supported by EMSA's staff, the Member State representatives on EMSA's Administrative Board, and representatives from other European Commission DGs.

Figure 50: In your opinion, to what extent are the tasks carried out by EMSA meeting expectations in terms of quality? (N=189)
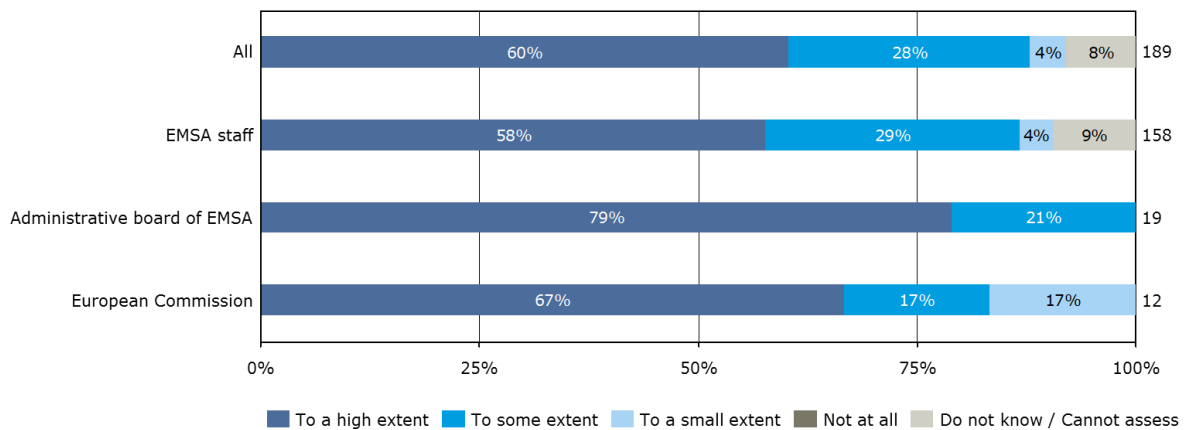
Note: This question was posed to EMSA staff, members of EMSA's Administrative Board and the Commission.

The EMSA staff surveyed were also given the opportunity to reflect on how timeliness and quality expectations could be improved. Of the 64 staff members who provided additional feedback, almost a third (28) considered that additional staff resources would be needed to improve the timeliness and quality of the products and services provided by EMSA. This finding reflects the assessment of the EMSA staff surveyed that the staff resources available are sufficient to some extent (see Figure 51), and links to the Commission's requirements for annual staff cuts and lowering the proportion of staff involved in administrative functions (see section 4.4.1.1).

Suggestions for improvements were made. Among the rest of those who responded to this question, room for improvement was identified in the opportunities for:

- Closer cooperation with Member States and other stakeholders in the development of products and services that would increase the benefits to users;
- Further cooperation and the exchange of information and expertise within the various departments of the Agency;
- Further development of the Agency's quality management system.

The following sections explore the various factors and processes that affect the performance of the agency in terms of its ability to deliver its tasks in accordance with its mandate and the expected quality level and timelines.

4.2.5.2 Available resources and appropriate processes to ensure effectiveness

Based on the analysis of resource availability and the views of staff, Member States and the European Commission, it is found that EMSA has sufficient resources to carry out its mandate and tasks effectively. However, the timeliness and quality with which EMSA delivers its tasks are affected by resource constraints, particularly in horizontal and support functions.

Resource availability represents a constraint on EMSA's activities for the implementation of its mandate and tasks. As was discussed in more detail in the efficiency analysis contained in section 4.4, EMSA's budget and staff levels have mostly been static over the period of the evaluation, whereas the Agency's tasks and outputs have increased. When considering the quality and timeliness of outputs of the Agency, it is important to take into account how EMSA's staff assess the effect of resource availability on its ability to fulfil its mandate and tasks. As can be seen in Figure 51, more than 80% of EMSA staff overall, the members of the Administrative Board and representatives of different European Commission DGs assess that EMSA has sufficient resources and competencies to fulfil its mandate and tasks. However, it should be noted that the majority of both EMSA staff and Commission representatives have assessed this as being the case only to some extent, while the Administrative Board's predominant view is that the resources and competences are available to a high extent.

Figure 51: In your opinion, to what extent does EMSA in general have sufficient resources and competencies to fulfil its mandate and tasks? (N=189)
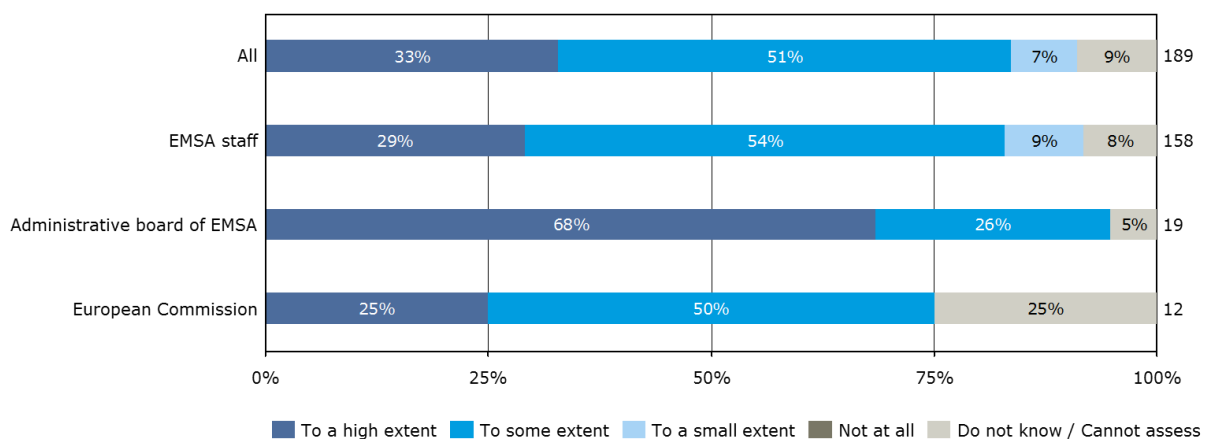
	To a high extent	To some extent	To a small extent	Not at all	Do not know / Cannot assess	
All	33%	51%	7%		9%	189
EMSA staff	29%	54%	9%		8%	158
Administrative board of EMSA	68%	26%	5%			19
European Commission	25%	50%			25%	12

Note: this question was posed to EMSA staff, members of EMSA's Administrative Board and the Commission.

Only a third of EMSA's staff assess that resources are sufficient to a high extent, and the resources in Department A and other support functions are perceived as insufficient to a higher degree. While EMSA staff's assessment of resource sufficiency is largely consistent across its various departments, the next figure shows that those employed in Department A and 'Other functions' have a less positive assessment – in total, more than 70% of

the staff in both these categories indicated that resources are sufficient only to some extent, to a small extent, or not at all.

Figure 52: In your opinion, to what extent does your department or work area have sufficient resources and competencies to complete tasks on time and meet expectations in terms of quality? (shown per department, N=158)
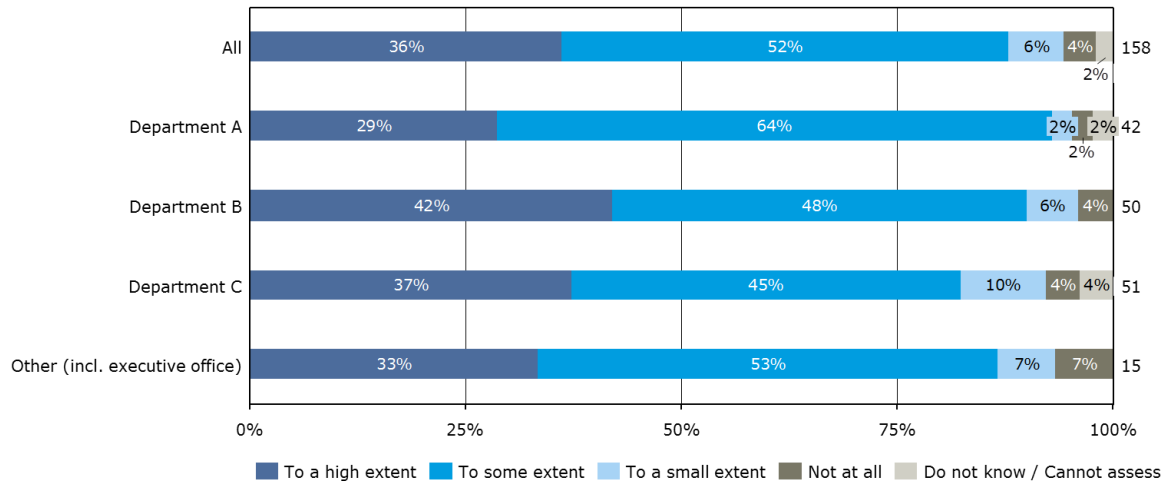
Note: This question was only posed to EMSA staff.

The analysis of resource levels for the functions in which staff rated the resources as insufficient, and which is depicted in the figure below, indicates that there has been a gradual reduction in the total staff levels since 2011. This reduction can be linked to the general drive to lower non-operational expenditure in EMSA (see the efficiency analysis, section 4.4). Over the same period the Agency also introduced a number of new internal processes for its horizontal functions, responding *inter alia* to the new regulatory requirements imposed on the agency in terms of reporting to the Commission. While all of these activities aim to improve the efficiency of the Agency and the activities of the staff in these functions, our interviews with the staff performing these functions suggest that the introduction of the new processes absorbed a lot of resources.

Figure 53: Staff resources in Department A and other support functions
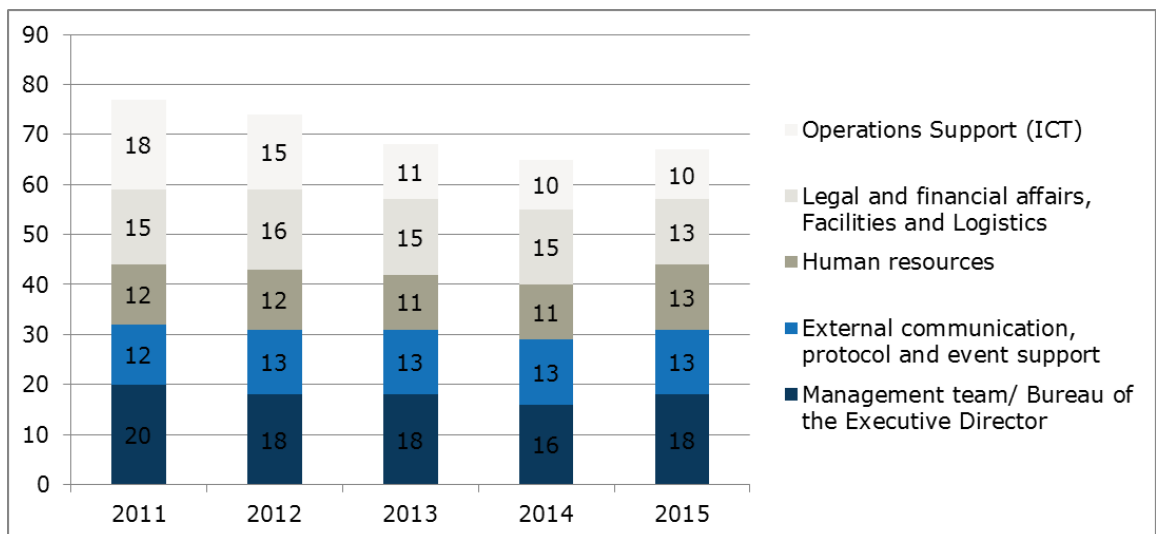
4.2.5.3 Internal cooperation and exchange of information (within the Agency)

Analysis of the views of EMSA staff leads to the finding that the existing levels of cooperation and information exchange are generally sufficient for EMSA's ability to perform its task. However, there is room for improvement in terms of internal

communication and the ability of staff members from different units and departments to exchange information effectively and cooperate.

EMSA has different initiatives in place to facilitate cooperation and the exchange of information among the staff. EMSA has implemented different initiatives and activities which should contribute to cooperation and internal information exchange – e.g. internal staff mobility policy and tools, a process to facilitate project-based work across departments, internal control standards, etc.

The assessment of the existing level of information exchange and cooperation within EMSA made by surveyed EMSA staff indicates that there is room for improvement. In the survey carried out for this evaluation, EMSA staff were asked to assess the existing level of cooperation and information exchange within the Agency. While more than 70% of all staff considered that the existing level of cooperation and information exchange enable and support the delivery of quality on time to a high extent or some extent, thereby exceeding the judgement criteria threshold for a positive assessment in relation to this question, 50% considered that this is the case only to some extent, and 20% in total had a more negative assessment.

Figure 54: In your opinion, to what extent does the existing level of cooperation and information exchange within EMSA enable and support you in delivering quality work on time? (N=157)

EMSA staff	28%	50%	15% 4% 4% 157

0%   25%   50%   75%   100%

■ To a high extent ■ To some extent ■ To a small extent ■ Not at all ■ Do not know / Cannot assess
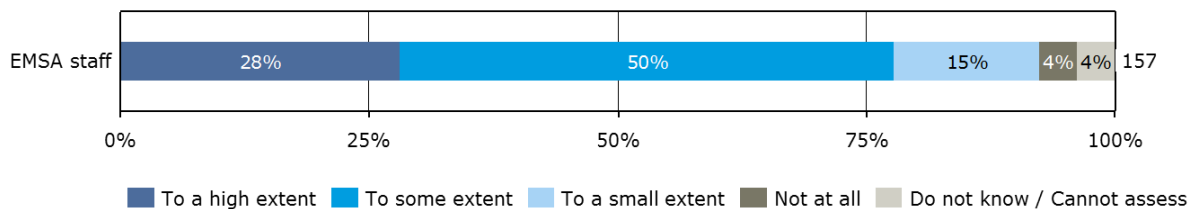
Note: This question was only posed to EMSA staff.

According to EMSA's staff, room for improvement exists in terms of increasing the opportunities for information exchange and team-building. EMSA's staff members were invited to provide suggestions regarding how to improve coordination and the exchange of information within EMSA. A total of 63 answers were provided, and their analysis identified several key areas in which EMSA staff see room for improvement. According to a number of them, issues in the exchange of information and cooperation can be related to:
- few opportunities for the formal and informal exchange of information;
- a perception that in some cases the management or organisational culture places an onus on unit or departmental tasks rather than on the objectives of the agency as a whole;
- a perception of a lack of transparency in the decision-making processes and insufficient internal communication (from management to staff, and between departments).

Among the suggestions offered by staff for countering these deficiencies in the current situation were proposals to increase the number of meetings in which the staff receive and exchange information about the workings of the Agency and other departments, in the form of inter-departmental meetings and meetings with the Agency's management. Dedicated team-building activities were also suggested as a means of improving the culture of internal cooperation.

4.2.5.4 Management structure and organisation of the Agency

The existing management structure supports the ability of the Agency to perform its task. Given EMSA's evolving role and tasks, alternative organisational models can be considered in order to further facilitate cooperation and effective delivery of tasks.

The existing management structure supports the ability of the Agency to perform its tasks. The organisation of the agency is presented in detail in section 3.4. The main input to the assessment of the extent to which the management structures and organisation of the Agency have proven conducive to the organisation's performance comes from the survey of staff. Close

to 80% of EMSA's staff assessed the organisational structures positively, but notably, 46% thought they enable and support staff in the delivery of quality work on time only to some extent, and 15% thought that they do so to a small extent.

Figure 55: In your opinion, to what extent do existing organisational structures within EMSA enable and support you to deliver quality work on time? (N=157)

EMSA staff	33%	46%	15%	4%	157

2%

0%   25%   50%   75%   100%

■ To a high extent ■ To some extent ■ To a small extent ■ Not at all ■ Do not know / Cannot assess
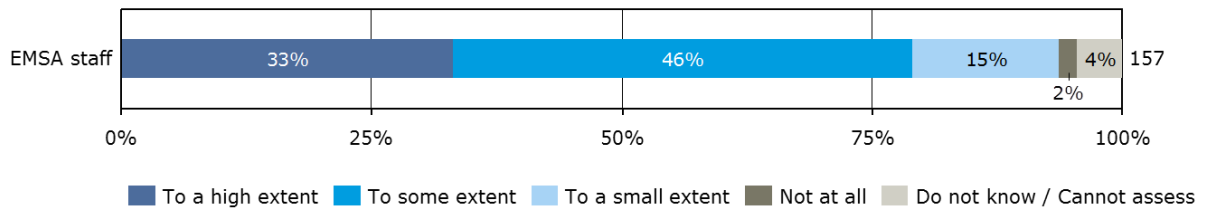
Alternative organisational models (or elements of them) could be considered, with the aim of improving cooperation between staff. EMSA staff members who filled out the survey were invited to elaborate on their assessment of the organisational structures within EMSA. A total of 56 answers were supplied, and the analysis of the responses shows that a number of staff members had an issue with the current organisational set-up, finding the different levels of hierarchy ineffective and desiring greater cooperation and coordination between departments and units. Given the reservations expressed by a significant proportion of EMSA's staff in the survey regarding the effectiveness of the current organisational structure and the room for improvement noted in relation to cooperation (see the previous section), it is worth considering alternative solutions.

The current organisational structure can be characterised as being that of a *vertical organisation* (see Figure 56), which is also the traditional structure for the European Union's agencies. The alternatives to this are *horizontal organisations,* which are characterised by a flat structure with few or no levels of middle management between staff and executives, and *matrix-style organisations* where the reporting relationships are set up as a grid or matrix, and the employees have dual reporting relationships.

Figure 56: Different organisational structure models

Vertical organisation   Horizontal organisation   Matrix organisation

Organisational theory suggests that horizontal organisations are appropriate in situations where greater autonomy of staff and close involvement in the decision-making process are needed. In matrix organisations, the key characteristic is that managers have two or more upward reporting lines to bosses who each represent a different business dimension, such as a product, region, customer, capability, or function. Matrix structures are a response to, or a prophylactic against, corporate silos. Silos can form in any company, regardless of how it is organised, whether around different products, different regions, or different customer types.[104]

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[104] https://hbr.org/2016/03/making-matrix-organizations-actually-work

EMSA's management could consider moving towards such alternative models of organisational structure or adopt elements borrowed from them. The current practices for the set-up of cross-department or cross-unit task forces for particular projects[105] could form the basis for more concerted efforts in this area. A less vertical structure or organisation of particular processes could address some of the concerns noted regarding hierarchy, cooperation and transparency within the agency. As with any case of organisational change, it is important to do so in an inclusive and transparent way, consulting staff members throughout so as to ensure their engagement in the process and facilitate the take-up of its outcome.

EMSA's staff members were also asked to indicate to comment on the organisation and any other factors which influence their work and EMSA's performance, either positively or negatively. Several respondents suggested that the Agency should switch to a horizontal or matrix-style organisational model as a means of optimising its work. Another emerging view is that the HR process relating to performance assessment, promotion and talent management would benefit from more attention and transparency, with a view to improving the motivation of staff members.

4.2.5.5 Adaptation to changes

The performance management system developed by the Agency is found to contribute positively to EMSA's effectiveness. Changes to the tasks and resources of the Agency has been facilitated by internal performance management processes and appropriate changes to the organisational structure which allow for the reallocation of financial and human resources to the activities where they are most needed.

EMSA has made several changes to its organisational structure in response to the requirement to take on new tasks or improve resource allocation. Since 2011, there have been organisational changes within Department A, Department B and Department C, as well as to the executive functions. The annual reports on the agency explain the rationales for these decisions. For example, in 2015 the structure of Department B, "Safety and Standards", was adapted and its staff redeployment was optimised, reflecting the consolidation and maturity of certain areas of activity, such as Port State Control, and new challenges or growth occurring in other areas, such as environmental legislation and compliance, or the development of inspection support applications.

The ability of the agency to take on new tasks is assessed positively. The survey results show that the majority of EMSA's staff and its Administrative Board members agree to a high extent or to some extent that the Agency has been able to effectively adapt its organisation and processes in order to undertake an increased number of tasks while maintaining a high-quality performance.

Figure 57: In your opinion, to what extent has EMSA been able to take on new tasks without it compromising the Agency's performance in other areas? (N=175)
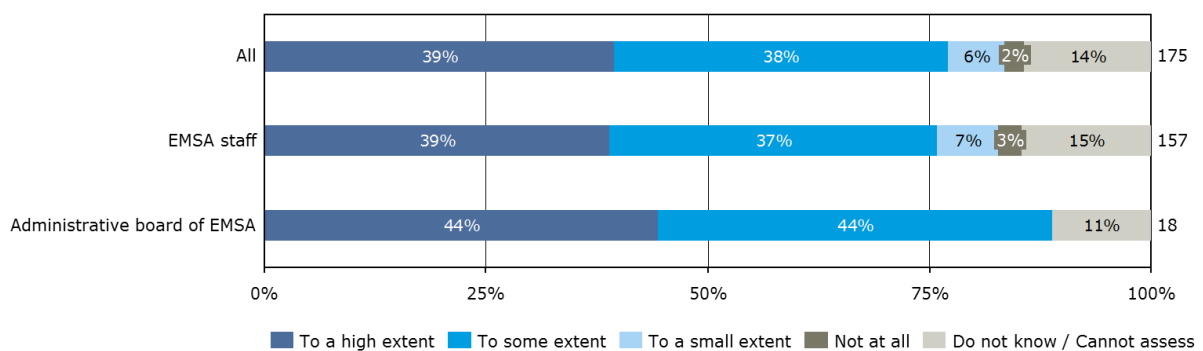
Note: This question was posed to EMSA's staff and members of EMSA's Administrative Board.

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[105] EMSA Single Programming Document 2017-2019.

The performance management system developed by the Agency is contributing to EMSA's effectiveness. The case study on performance management shows that a number of performance management processes and tools introduced by EMSA in the areas of planning, monitoring and reporting have indeed contributed to the Agency's flexibility in taking on new tasks.

The Agency's performance management system uses a set of multiannual objectives and quarterly KPI indicators as one element in the periodic monitoring of the implementation of the annual work programme. This contributes to the overall assessment of the implementation at a given time of the various activities planned in the work programme. The survey shows that the majority of staff at the agency are familiar with the KPIs and targets set for their area of work.

Figure 58: To what extent do you agree with the following statement? - I am familiar with the Key Performance Indicators and targets set for my area of work. (Responses per department, N=157.)

	To a high extent	To some extent	To a small extent	Not at all	Do not know / Cannot assess	
All	64%	24%	5%	3%	4%	157
Department A	55%	33%	5%	2%	5%	42
Department B	68%	16%	8%	6%	2%	50
Department C	64%	30%	2%	2%	2%	50
Other (incl. executive office)	80%	7%	13%			15
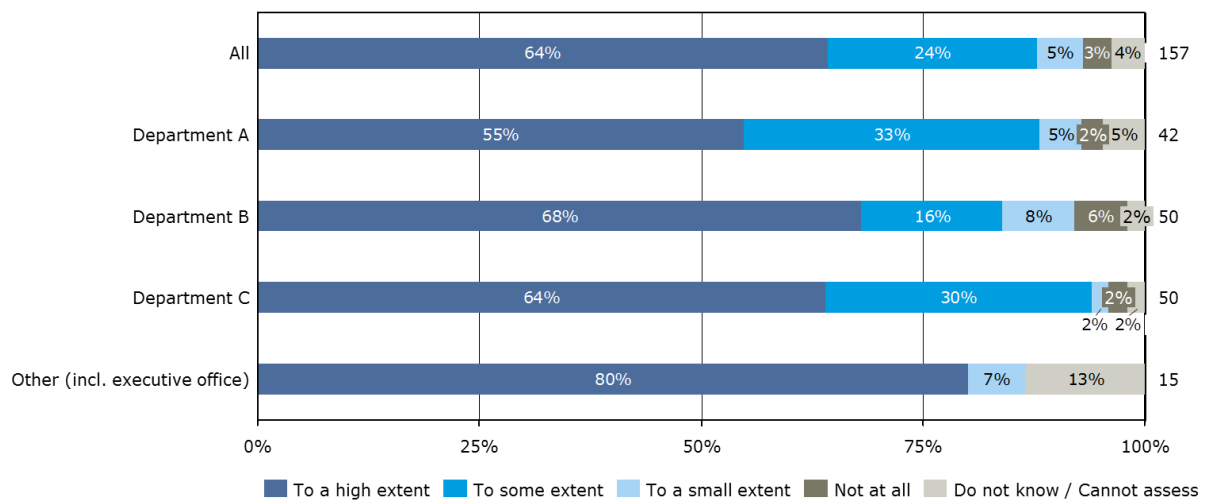
The case study on this topic found that EMSA's management at the executive, departmental and unit levels consider that the performance monitoring system used is effective in delivering sufficient and timely information about the performance of the agency. The survey also shows that EMSA's staff consider that they have sufficient knowledge of the extent to which their targets are being met. It should be noted that the KPIs focus on measuring the performance of the Agency's external services, which is why the assessment by staff from Department A (Corporate Services) is somewhat lower than that of other departments.

Figure 59: To what extent do you agree with the following statement? - I have sufficient knowledge of the extent to which we are meeting our targets within my area of work. (Responses per department, N=157.)
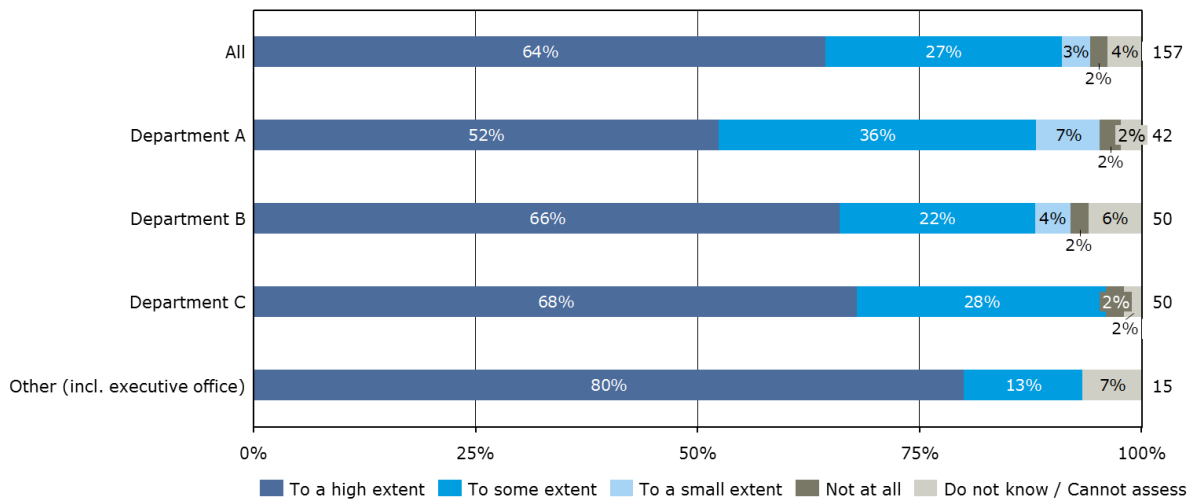
The discussions with the Executive Director and Heads of Departments showed that the development of the system over time has improved their ability to carry out their managerial tasks, enabling them to see a full picture of the progress of their operational activities and horizontal indicators at any given moment.

The streamlining of different reporting process over the years has embedded these activities in the ongoing management and coordination processes, and according to the management staff interviewed, the transparency of the system also makes it easy to detect potential issues and deploy the planned risk mitigation measures to address them.

Another observation regarding the present set of the KPIs used is that they are overwhelmingly output-related, and have hardly any outcome indicators. This is an area where the Agency could try to develop higher-level indicators and measures of its own performance, so as to facilitate the overall evaluation of its effectiveness.

4.2.5.6   External communication

EMSA has implemented a range of communication activities that target its stakeholders, and these are assessed positively. While there is a general increase in the Agency's use of communication products, some suggestions were made for further improvements.

EMSA has adopted a Communication Strategy for 2014-2020. EMSA's Communication Strategy covers the various communication activities of the Agency which aim to deliver objective, reliable and easily understood information to the public and any interested parties (see Figure 52).[106] The communication channels outlined in the strategy include:

• EMSA website
• Publications
• Technical publishing
• Media relations
• Social media
• Events

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[106] EMSA Communication Strategy 2014-2020.

The strategy takes into account the specifics of the audience profile groups for the Agency, and considers the relevance and effectiveness of the diverse communication activities for these various groups.

Figure 60: EMSA Audience Profile Groups

EMSA AUDIENCE PROFILE GROUPS

1	INTERNAL COMMUNITY	250
2	EMSA COMMUNITY	3,000
3	MARITIME & RELATED INDUSTRIES	200,000 - 10,000,000
4	GENERAL PUBLIC, EU CITIZENS	500,000,000
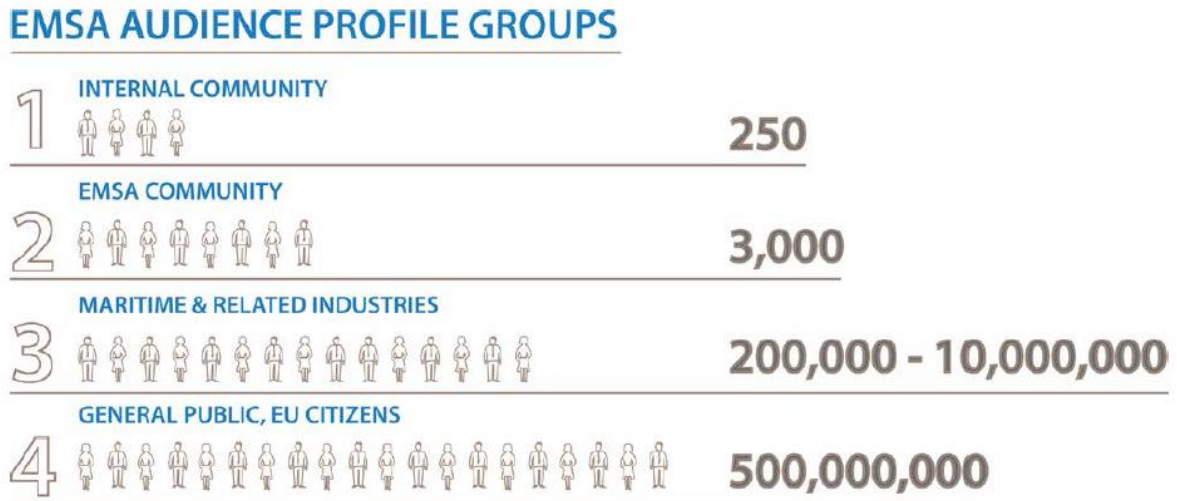
Source: EMSA Communication Strategy

The planned outputs for EMSA's external communication activities have been achieved. A review of the KPIs and targets set in this area for 2015 shows that EMSA produced 18 publications during the year and organised 50 events with a total of 1250 participants. All these results exceeded the targets set for the year.

Stakeholders are familiar with the different communication activities and channels. The survey organised for the evaluation asked all the respondents to indicate the communication activities and products of EMSA they are familiar with. As can be seen from Figure 61, 73% of all respondents are familiar with EMSA's website, and more than half of all respondents are familiar with the events and seminars organised by EMSA and the annual work programmes and reports. Among the communication channels listed, EMSA's social media platform is the one that the stakeholders are least aware of. It should be noted that the responses are also largely similar across the different stakeholder groups surveyed.

Figure 61: Which of the following communication activities/products of EMSA are you familiar with/have you taken part in? (Multiple-choice, N=249.)

Brochures	36%	90
Events/seminars	61%	153
Social media	14%	35
Newsletter	38%	94
Website	73%	181
Work programmes and annual reports	57%	141
None of the above	10%	24
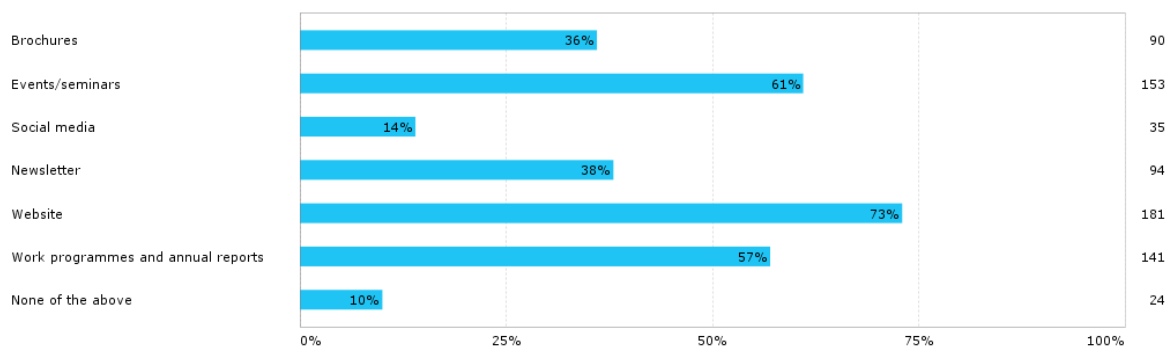
Note: This question was <u>not</u> posed to EMSA staff.

The use of different communication channels and products has increased overall. Analysis of the data on the usage of different communication channels shows a mixed picture, but overall the uptake of communication activities seems to have increased. EMSA monitors different indicators for the use of its communication channels, and the following figures are based

on information provided by the Agency. The number of website sessions shown in the figure below has fluctuated over the years, with 2016 being low overall, but with a significant increase towards the end of the year. The total number of users of the website as of 2016 was approximately 1.1 million, with 58% of all visitors to the website being unique, while 42% were returners.

Figure 62: Number of sessions – EMSA website
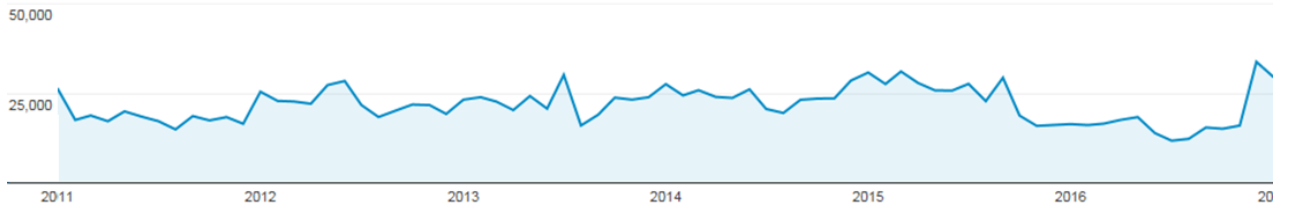
EMSA measures the number of downloads of the various materials available on its website. Among the most popular publications are the monthly newsletters published by the Agency, and as the next table shows, downloads of these have increased over the years. In 2016, there was a total of more than 23,600 downloads of the newsletters, with each individual newsletter achieving close to 2000 downloads.

Figure 63: Newsletter downloads
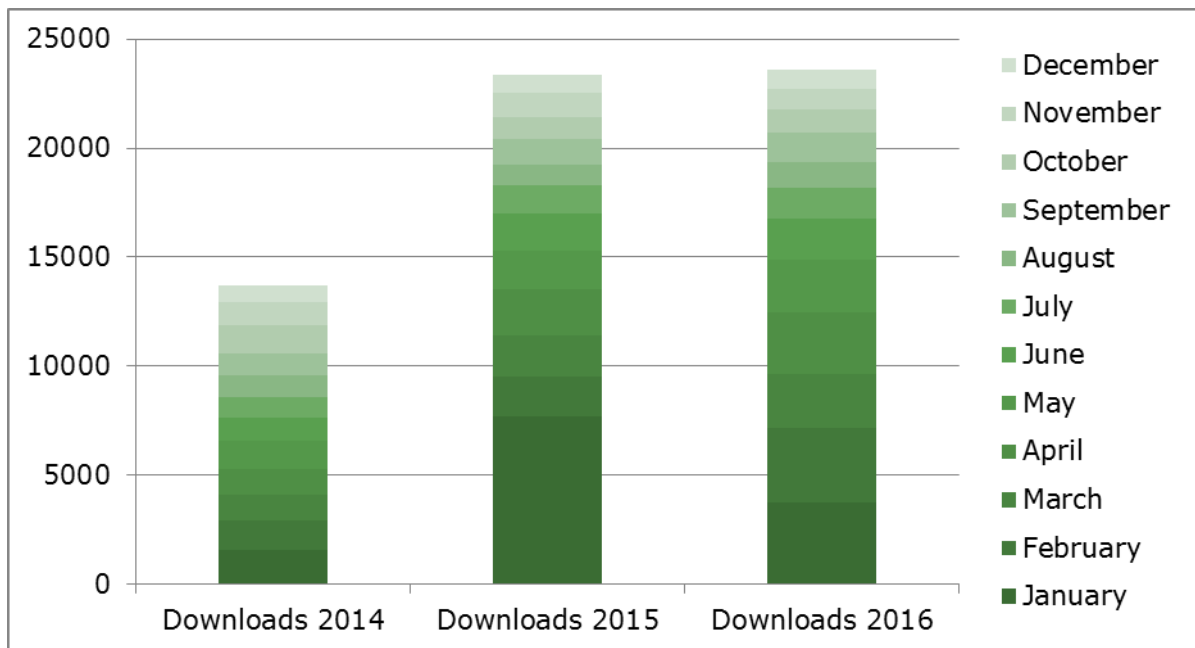
The number of publications produced by the agency has increased over the years, while the number of events and event participants is largely stable with the exception of 2014, which saw a peak for both indicators (see Figure 64).

Figure 64: External communication activities – events and publications
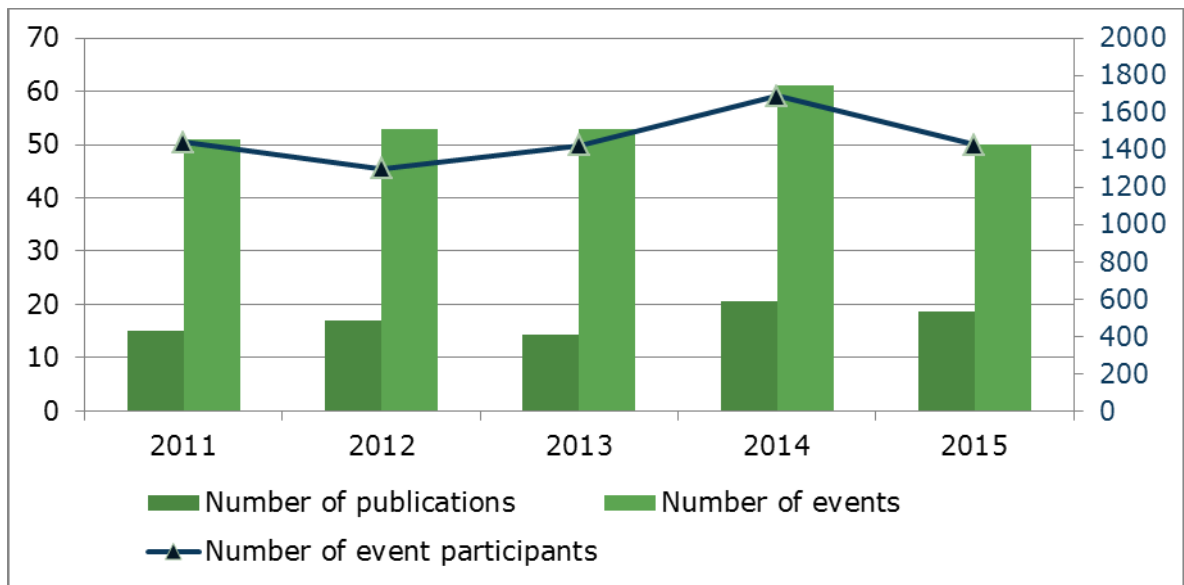
EMSA is also present on social media – specifically, on LinkedIn, Twitter, Facebook and YouTube. As can be seen from the figure below, the number of followers on Twitter and LinkedIn has increased over the years, in line with the increase in its newsletter subscriptions.

Figure 65: Subscribers and followers of different communication channels
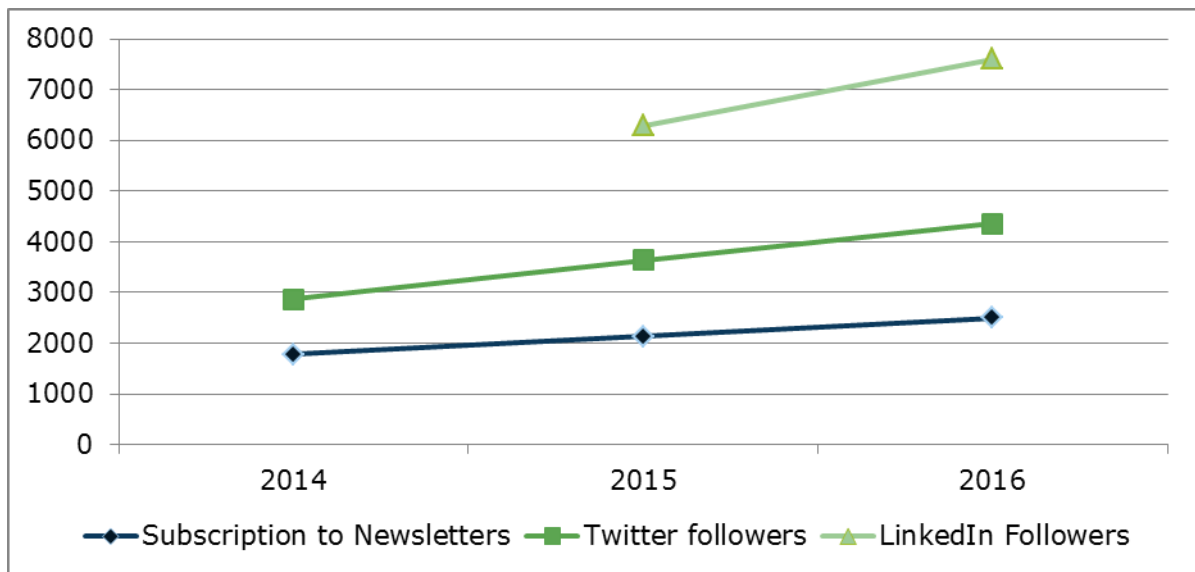
Looking further into EMSA's use of social media, it is interesting to compare the Agency's Twitter activity and followers with those of other EU agencies. As can be seen from the figure below, EMSA's count of Twitter followers is lower than EASA's, although EMSA sees a greater volume of the content on its account being shared than any of the other agencies in the sample.

Figure 66: Social media activity of EU agencies - Twitter
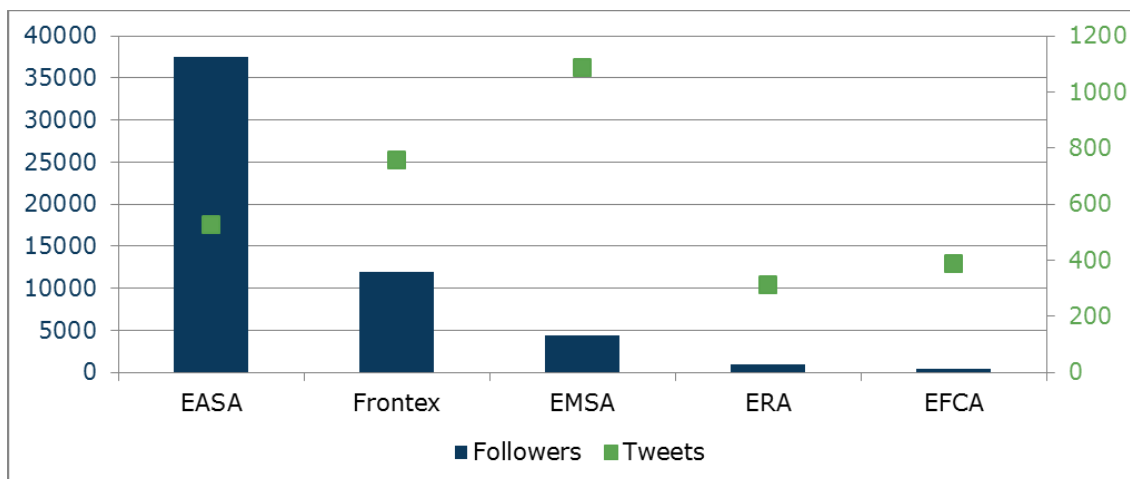
Source: Ramboll Management Consulting, based on data as of 5 February 2017

The survey respondents were also asked to assess the extent to which EMSA's communication activities and products provide sufficient information for the stakeholders to remain aware and up-to-date regarding the Agency's work. Overall, the majority of respondents assessed this positively, but it should be noted that the responses of maritime industry representatives as well as "others" suggest that for them, the communication activities are not so effective in providing them with the information they need. This view is also shared by several members of the Administrative Board of the Agency in the context of a discussion that took place during a meeting organised for this evaluation.

Figure 67: In your opinion, to what extent do EMSA's communication activities/products provide sufficient information for you/your organisation to remain aware and up-to-date regarding EMSA's work? (N=224)
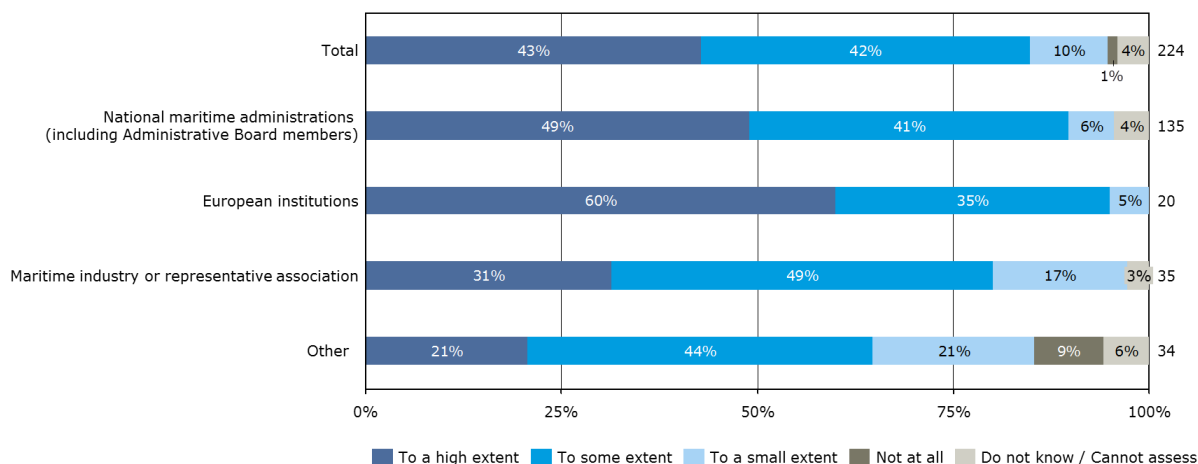
Note: *This question was posed to all respondents who indicated in a previous question that they were aware of at least one of EMSA's communication activities/products (see Figure 61).*

All respondents to the survey except EMSA's staff members were asked to provide suggestions on how to increase the general awareness about EMSA's work. A total of 73 answers were provided, and the suggestions offered included broader dissemination of EMSA's newsletter, more direct communication to academic institutions of topics of interest, and organising broader maritime industry events with the participation of maritime administrations, training institutions and industry representatives.

4.2.6 Which other factors (positively or negatively) influenced the achievement of the desired outputs and results? (EQ8)

This section assesses to what extent the achievement of the outputs and results described in sections 4.2.1 to 4.2.3 has been influenced by external factors such as processes and tools, external support or constraints, and by other stakeholders.

> ***Methodology and sources:***
> *The assessment presented in this section is based on the qualitative norm of whether stakeholders identify factors such as processes, tools, external support or constraints, or even other stakeholders as having an influence on the achievement of results in specific activities. The findings presented in this section stem primarily from the stakeholder consultation, namely interviews, case studies and the survey. Furthermore, they take into account the assessments made about EMSA's outputs and results in sections 4.2.1 to 4.2.3.*

> **Evaluator's assessment:**
> There are a number of factors which influence the extent to which EMSA is able to achieve its targeted outputs and results. Based on the stakeholder views collected on the achievement of different outputs and results for the four work areas, it can be assessed that stakeholders from different types of organisations but also from different Member States vary in their perception of EMSA's effectiveness. Hence, their considerations with regard to the influence of external factors also differ.
>
> EMSA is acting in a context that involves a variety of stakeholders with different visions for the Agency's activities. The Agency is primarily dependent on the Member States' willingness to cooperate in the different working areas. Cooperation with other stakeholders is key to EMSA's success, both in terms of short-term view of achieving specific outputs (such as the collection of data to populate its IT systems) and the long-term view (such as ensuring the preparation and implementation of legislation).

Based on the stakeholder interviews and desk research, several factors influencing the achievement of outputs and results of EMSA's different activities have been identified.

There are clear differences between the expectations of stakeholders with regard to which outputs and results should be prioritised. EMSA provides its stakeholders (the Member States, the Commission DGs and other EU Agencies) with different services. The stakeholder consultation showed that these same stakeholders vary a lot in their perception of whether EMSA is able to achieve its set goals. Some of the Member States, for example, consider the focus on services for the Commission to be very strong, and suggest that EMSA should prioritise the Member States' needs.

Needs and expectations also vary across Member States. This is due to differences in the degree of sophistication of the national legislation and the national systems in place, as well as variations in the capacity level of the national maritime administrations. Again, these factors demonstrate the subjective nature of the stakeholders' effectiveness judgement of EMSA's activities.

EMSA acts in a context of numerous stakeholders influencing the development of maritime safety and security, as well as the marine environment. The Agency achieves its targets in combined efforts with international organisations, such as the ILO, IMO and with the European Union institutions and Member States. The desk based research showed and stakeholders underlined that the targets for maritime safety and security and the marine environment are not being achieved by EMSA unaided. Their achievement rests on close coordination between the ILO and IMO, the Commission, Member States and EMSA in the

development and implementation of legislation. For example, EMSA is closely involved in the work of the IMO and is well aware of new legislation that is being prepared, allowing the Agency to predict forthcoming training needs.

EMSA is highly dependent on the Member States for the achievement of its outputs and results. To a large degree, EMSA shows to be reliant on the Member States to cooperate and provide input for the Agency's tasks. The Member States need to provide EMSA with data and information for the different maritime data and information systems. This means that the Member States have to collect data in a specific format, transmit it to the Agency, and agree that EMSA may share this data with the other Member States, and also with further stakeholders where applicable. This can be difficult in situations where the Member States differ in their understanding of the need for data protection. The evidence shows that the Member States are generally willing and able to provide and share the necessary data, but some concerns remain with regard to third-party access to this data.

Beyond its access to data, EMSA relies at a more general level on the Member States' willingness to cooperate in the individual work areas. Not all Member States rely on EMSA's services to the same extent, and are therefore willing to create common systems (as was discussed in section 4.1); nevertheless, the members of EMSA's Administrative Board need to reach agreements on the annual work programmes. In the creation of the National Single Window, for example, EMSA relies on the cooperation of different authorities within the Member States and their willingness to harmonise procedures. As the example shows, this has not been successful so far.

EMSA also cooperates with a number of external partners, such as other EU Agencies, the different DGs of the Commission, and industry and regional agreements. With all these stakeholders, EMSA needs to ensure positive working relations. Overall, the evidence shows positive feedback regarding EMSA's capacity to cooperate with these various stakeholders, in particular in the exchange of data and information and in the combined implementation of activities. This requires constant attention and effort.

Finally, EMSA relies on external service providers. In particular, EMSA's activities in the areas of Monitoring, Surveillance and Information, as well as Information, Knowledge and Training, rely on data and information provided by external service providers. A complex system is in place to obtain access to the various data elements from several data providers. This is recognised as being an important challenge for EMSA in the delivery of its services, in particular the IMS.

4.3   Impact

This section looks at the impact of EMSA's work, and assesses whether its objectives have been achieved, and to what extent these outcomes can be attributed to the work of the Agency. The section is a response to EQ9: "*To what extent has EMSA's work contributed to:*

- *High, uniform and effective level of maritime safety and security in Europe*
- *Effective and uniform prevention of and response to marine pollution caused by ships and by oil and gas installations*
- *The establishment of a European Maritime Transport Space without Barriers*?"

Methodology and sources:

The present evaluation is a theory-based evaluation. This means that it follows (in accordance with better regulation guidelines) a theory-oriented model based on a theory of change (intervention logic) to make assumptions about how and why an intervention will work. (see section 2.1.4)

The assessment on the extent to which EMSA contributes to achieving these impacts, therefore, is based on the assessment of whether EMSA's activities were found by this evaluation to generate the desired outputs and results (as presented in Section 4.2) and the extent to which these outputs and results can be considered to contribute to the impacts targeted by EMSA. The judgement is informed by the criteria of whether there is an overall positive assessment of EMSA's effectiveness and ability to generate the desired outputs and results.

The impacts have been identified based on the intervention logics presented in section 3.3. These are based on the objectives laid down in the EMSA Regulation and are listed in EQ9 (see the introduction to this section).

The judgement is complemented by analysing an additional set of indicators against the achievement of the following norms:

- *An observed decrease in the number of work accidents on board ships sailing under EU Member State flags since 2008*
- *An observed decrease in the number of accidents involving ships sailing under EU Member State flags since 2008*
- *A majority of the stakeholders agree that maritime safety and security has reached a more uniform and effective level*

The extent to which the achievement of EMSA's objectives (or a lack thereof) can be attributed to external factors is further considered, using the following judgement criteria: A majority of the stakeholders agree that EMSA's work has contributed to reaching the targeted impacts.

Finally, the section examines the impact of the EMSA Regulation beyond its stated objectives and considers potential economic, environmental and social impacts. The assessment is based on a combination of findings from all data sources.

The findings presented in this section primarily stem from the different stakeholder consultations through interviews, the survey and the case studies. Additional desk research has been conducted including EMSA's annual overviews of marine casualties and accidents and the 2012 evaluation of the Blue Belt Pilot Project.

Evaluator's assessment:

Based on the findings, it is assessed that EMSA's work has contributed to the targeted impacts of "A high, uniform and effective level of maritime safety and security in Europe", "Effective and uniform prevention of and response to marine pollution caused by ships and by oil and gas installations" and "The establishment of a European Maritime Transport Space without Barriers".

The assessment of EMSA's impacts has been limited by the data available and the fact that EMSA's impact on maritime safety, the marine environment and the maritime transport sector cannot be singled out among impacts of other stakeholders. Based on statistics on marine casualties and incidents it is not possible to show an improvement in maritime safety and security in Europe. As there were no mayor oil spills in the last years, it has also not been possible to assess whether the response to marine pollution has improved.

Often, achievements of the targeted impacts are based on international and/or European legislation which has been developed by the IMO, the ILO or the European institutions and is being implemented by the Member States. It is thus for example not possible to consider improvements in maritime safety as being based on EMSA's work alone. Also where a need for further work to achieve targeted impacts was identified in the findings, changes depend on numerous stakeholders and EMSA alone will rarely be able to achieve an impact by itself.

Nevertheless, it can be assessed that EMSA has been able to contribute to the three targeted impacts. A majority of stakeholders agree that EMSA's work has contributed to reaching the targeted impacts. The judgement criterion is thus met.

However, the findings show that EMSA contributed to the targeted impacts to varying degrees: important achievements have been made in the area of maritime safety and security, as well as the prevention of, and response to, marine pollution. EMSA's support to the implementation of EU and international legislation have improved safety on ships and at sea as non-conform practices are highlighted during visits and officials as well as seafarers receive training to increase their understanding of the requirements laid down in the legislation. These activities have a similar impact in reducing the risks of pollution through ships and oil and gas installation. EMSA's various data systems provide access to important information increasing security and reducing risks for pollution. However, concrete evidence with regard to a reduction in marine casualties as a consequence of EMSA's activities is absent.

The establishment of a European Maritime Transport Space without Barriers could be described as a secondary objective (though listed as an objective in Article 1 of the founding regulation), as it is only directly addressed under ancillary tasks and represents something of a side benefit arising from EMSA's core tasks. As legislation is implemented in a harmonised manner across the Member States, based on better understanding of requirements and visits and inspections verifying application, barriers in the maritime transport space are reduced. The contribution towards this objective relies to a large extent on the Commission and the Member States taking further steps.

As sections 4.2.1 to 4.2.3 show, an overall positive assessment has been made of EMSA's effectiveness with regard to generating the desired outputs and results.

The survey results show a very positive picture with regard to EMSA's ability to contribute to the targeted impacts. For all three impacts, a majority of the survey respondents indicated that EMSA had contributed to them to a high extent or to some extent (the survey figures for each impact are presented below); less than 3% of respondents indicated that EMSA had made no contribution at all. EMSA's staff and the respondents from the Maritime Authorities were even more positive in their assessment for all three of the intended impacts. The discrepancy is largely due to a higher number of "*do not know*" responses from other stakeholders, demonstrating their difficulty in assessing these abstract objectives.

A comparison of the survey responses shows that EMSA's contribution to *maritime safety and security* is the most clearly recognised; a little less well, but still very clearly, to the *prevention of and response to marine pollution;* and least of all, to the *establishment of a European Maritime Transport Space without Barriers*. Similar findings were made in the interviews. The Agency's contribution to *maritime safety and security* was

easily recognised by the stakeholders. This was also the case for the *prevention of and response to marine pollution*. However, the assessment of EMSA's contribution to this second impact was slightly less positive. The stakeholders are uncertain about the impact of EMSA on pollution response, since there has been no major incident in recent years. Finally, of the three impacts in question, EMSA's contribution towards a *European Maritime Transport Space without Barriers* is estimated by the survey respondents to have been the lowest, with 11% of respondents suggesting that its contribution was small (compared to 3.4% for the impact on maritime safety and security). The objective of the *establishment of a European Maritime Transport Space without Barriers* was only introduced into EMSA's Founding Regulation with the amendment of 2013[107]. EMSA has had comparatively little time to establish activities that contribute to this impact. The interview responses also show the difficulty the stakeholders had in conceptualising this objective.

4.3.1 Intended impact: High, uniform and effective level of maritime safety and security

The Agency has contributed to a *high, uniform and effective level of maritime safety and security* by: Improving the application of international and EU legislation in the Member States; increasing technical capacities in the Member States; provision of reliable data; and promoting cooperation between the Member States.

However, it was not possible to establish to what extent the number of marine casualties and incidents has been reduced in the last five years as a consequence of EMSA's activities.

As the Agency is acting in the context of other stakeholders, its achievements towards reaching these objectives need to be considered as combined efforts and are not a stand-alone success of EMSA. At the same time, EMSA relies on these stakeholders to make progress towards the targeted impacts.

A majority of stakeholders agree that maritime safety and security have achieved a more uniform and effective level, and that EMSA's work has contributed to this. As Figure 68 below shows, more than 80% of survey respondents think that EMSA's work contributed to this impact to some extent or to a high extent. The responses are very similar across the different stakeholder groups, though a comparably high proportion of those respondents who were not EMSA staff or representatives of national maritime administrations were unable to provide a response.

Figure 68: In your opinion, to what extent has EMSA's work contributed to a high, uniform and effective level of maritime safety and security in Europe? (N=415)
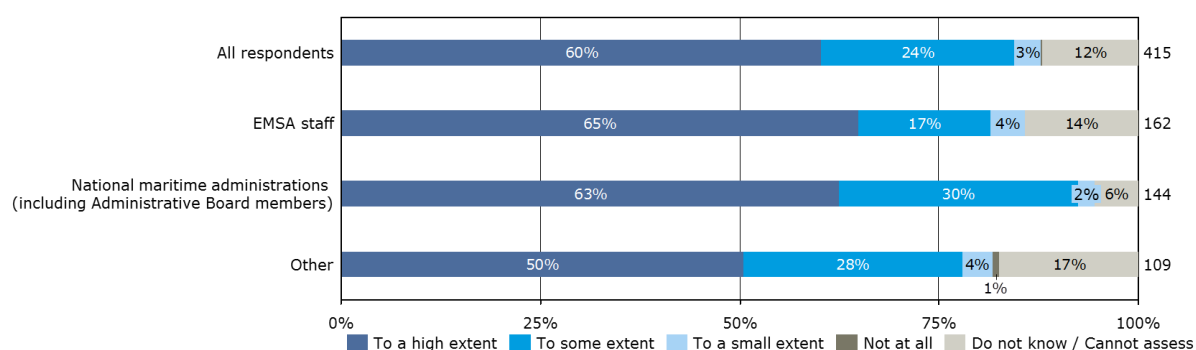
There is a clear link between the identified outputs and results of EMSA's activities and the Agencies' contribution to a high, uniform and effective level of maritime safety and security in Europe. Based on the interviews and exemplified by the case studies, a number of outputs and results that contributed to this link have been identified. EMSA has contributed to a high, uniform and effective level of maritime safety and security by improving the application of

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[107] Regulation (EU) No 100/2013 of the European Parliament and of the Council of 15 January 2013, L39 30

international and EU legislation in the Member States, such as through its training activities and undertaking country visits. These activities have also increased the technical capacities of the Member States. Access to reliable data on maritime traffic, safety and security has been increased. Finally, the promotion of cooperation between the Member States has also contributed to the impact.

EMSA acts in the context of legislation set by the IMO, the ILO and the European Union, so not all the achievements attained in the area of maritime safety and security can be attributed to EMSA alone. The Agency acts in cooperation with other organisations that are pursuing the same objective. Important legislation to improve maritime safety and security has been put in place by the IMO and the ILO as well as by the European Union; EMSA has contributed to the implementation of this legislation.

There is no evidence for a decline in the number of accidents involving ships sailing under Member States' flags in the past five years. As shown in Figure 69, the number of marine casualties and incidents reported since 2011 has strongly increased. While the number of very serious incidents has stayed stable, the number of serious and less serious incidents reported has more than doubled. It is likely that this figure mainly reflects the increased reporting of incidents since the establishment of Directive 2009/18/EC [108], and that there is still considerable underreporting[109]. At the same time, Eurostat data shows that maritime traffic has slightly decreased. Between 2011 and 2015, the number of vessels in the main ports of the EU decreased by 11%. There is therefore no clear evidence of a decrease in the number of marine casualties and incidents arising from a higher level of maritime safety and security in Europe.

Figure 69: Marine traffic and number of marine casualties and incidents[110]
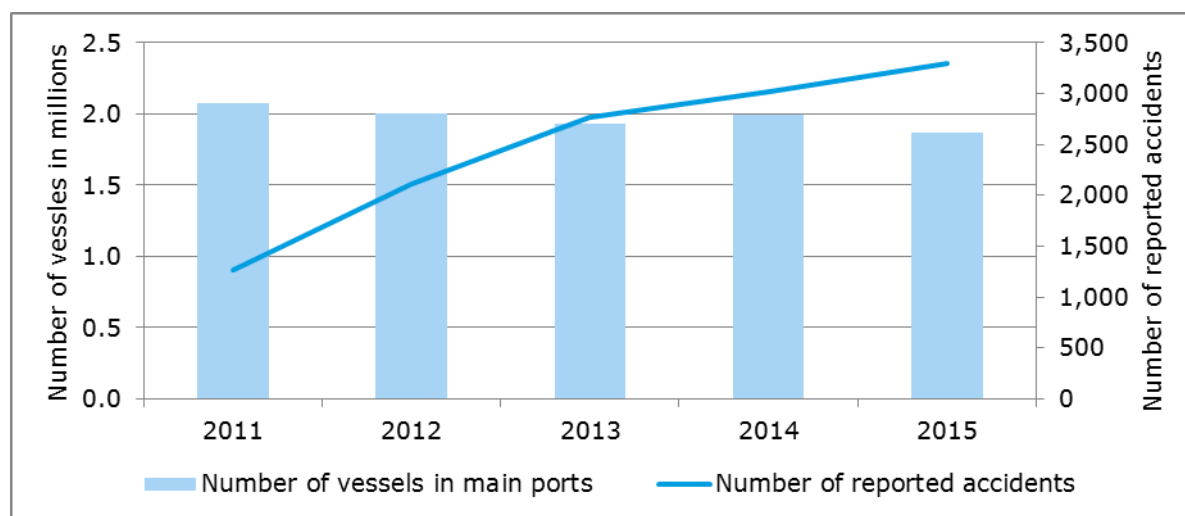
4.3.2 Intended impact: Effective and uniform prevention of and response to marine pollution caused by ships and by oil and gas installations

EMSA has contributed to the *effective and uniform prevention of, and response to, marine pollution caused by ships and by oil and gas installations* by: Improving the application of international and EU legislation in the Member States; providing

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[108] Directive 2009/18/EC of the European Parliament and of the Council of 23 April 2009 establishing the fundamental principles governing the investigation of accidents in the maritime transport sector and amending Council Directive 1999/35/EC and Directive 2002/59/EC of the European Parliament and of the Council.

[109] EMSA (2016): Annual overview of marine casualties and incidents 2016.

[110] Sources: EMSA (2016): Annual overview of marine casualties and incidents 2016; Eurostat: Country level - Number and Gross Tonnage of vessels in the main ports (based on inward declarations), by type of vessel [mar_mt_am_csvi]

surveillance data and information to the Member States; and promoting cooperation and the exchange of data between the Member States.

A majority of the stakeholders agree that the prevention of, and response to, marine pollution caused by ships and oil and gas installations has become more effective and uniform. As Figure 70 below shows, across the different types of stakeholders there is agreement that EMSA has contributed to some extent or to a high extent to the effective and uniform prevention of and response to marine pollution. Compared to the responses regarding the contribution towards maritime safety and security, the overall picture is slightly less positive. This is due on the one hand to a higher number of "*do not know*" answers, showing that there is more awareness about EMSA's contribution towards maritime safety and security, but it is also due to a lower share of respondents selecting the answer option "*to a high extent*". The interview results indicate that this is most likely due to the scarcity of evidence for an improvement in the response to pollution, as there have been no major pollution incidents in recent years.

Figure 70: In your opinion, to what extent has EMSA's work contributed to the effective and uniform prevention of, and response to, marine pollution caused by ships and by oil and gas installations? (N=415)
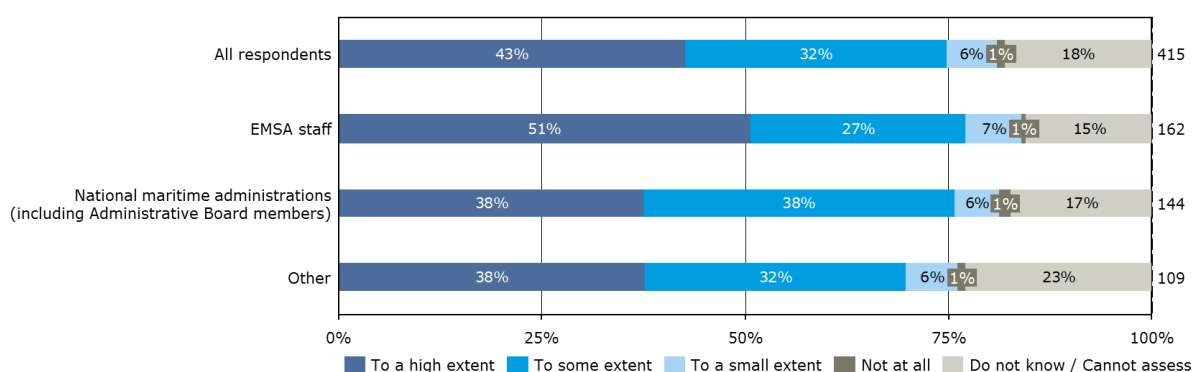

There is a clear link between the identified outputs and results of EMSA's activities and the Agencies' contribution to the effective and uniform prevention of and response to marine pollution caused by ships and by oil and gas installations. During the interviews, stakeholders referred to a number of EMSA's activities and their outputs and results that have contributed to the effective and uniform prevention of and response to marine pollution. EMSA has increased the prevention of pollution by improving the application of international and EU legislation in the Member States. Similarly, the promotion of cooperation and exchange of data between the Member States has rendered both the prevention and the response to pollution more uniform. The provision of surveillance data and information to the Member States integrated from multiple sources into a single common platform has facilitated the monitoring of the seas and hence the identification of polluters. This renders the response to pollution more effective, and also deters potential future polluters. The absence of any incidents in which EMSA could have proved that the effectiveness of its response to oil spills made it difficult for interviewees to assess EMSA's contribution to this impact. At the same time, this also suggests that the existing pollution prevention measures are effective. EMSA has contributed to this by supporting the implementation of higher standards for ships across the EU.

There are limits to what EMSA alone can achieve in the area of protection of the marine environment. While EMSA has clearly contributed to the effective and uniform prevention of and response to pollution, there are a number of other actors involved in this area. On the one hand, the IMO and the Commission are the legislators in this field, and EMSA is only acting to support the implementation of their legislation. The achievements attained thus have to be viewed as a combined effort. On the other hand, EMSA is heavily reliant on the Member States' willingness to implement the legislation and cooperate in exchanging the necessary data, and on its ability to

draw on their capacities in relation to its own oil pollution response: EMSA's oil spill response vessels are only intended to top up the capacities of the Member States.

There is limited evidence of any improvement in the effectiveness of the response to marine pollution caused by oil spills, because there have been no major incidents of this kind in recent years. EMSA has put in place a system of oil spill response vessels across the European seas, topping up the individual capacities of the Member States with regard to their ability to respond to large spills. The fact that this system in particular, as well as the coordination of Member States' capacities, has not been tested by an incident in recent years has caused the stakeholders to be very cautious in their assessment of EMSA's contribution regarding the evaluation impact of 'effective and uniform prevention of and response to marine pollution'. Only a real incident will show whether oil spills can be identified earlier and responded to in more effectively than previously.

4.3.3 Intended impact: The establishment of a European Maritime Transport Space without Barriers

The Agency has contributed to the *establishment of a European Maritime Transport Space without Barriers* by: Implementing pilot projects, and by supporting the implementation of harmonised legislation in order to create a level playing field for operators.

However, the findings show that the contribution to this impact was comparably smaller than for the other two impacts. A need to further political advancements on the topic has been identified in order to allow EMSA to make further contributions to this impact.

A small majority of stakeholders agree that EMSA's work has seen some achievements towards establishing a European Maritime Transport Space without Barriers. As Figure 71 below shows, more than 50% of the survey respondents from all categories of stakeholders think that EMSA's work has contributed to a high extent or to some extent to the establishment of a European Maritime Transport Space without Barriers. This can be largely explained by a high number of "*do not know*" answers. This objective is still a rather novel component of EMSA's Founding Regulation – it was only introduced with the amendment of 2013[111] – and the concept of a maritime transport space is difficult to grasp, as the interviews demonstrate. The number of "*do now know*" answers is lower, and the share of positive answers ("*to a high extent*" or "*to some extent*") was higher when the stakeholders were asked whether EMSA had contributed to efficient European maritime traffic and transport.

Figure 71: In your opinion, to what extent has EMSA's work contributed to the establishment of a European Maritime Transport Space without Barriers? (N=415)
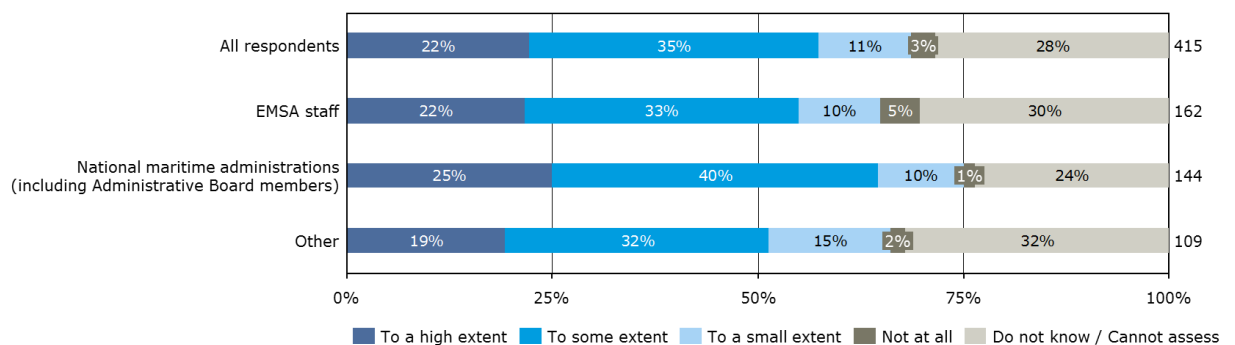
Some of EMSA's activities are contributing to the establishment of a European Maritime Transport Space without Barriers, but this is mainly done indirectly by contributing to

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[111] Regulation (EU) No 100/2013 of the European Parliament and of the Council of 15 January 2013, L39, p.30.

the other impacts. EMSA has conducted some activities that have made small contributions towards a European Maritime Transport Space without Barriers, such as the Blue Belt pilot project and its work on the national Single Window. However, any further achievements on EMSA's part will require changes in the legal framework, as indicated by the evaluation of the Blue Belt pilot project[112], and on the cooperation of various authorities in the Member States (including the maritime authorities and customs authorities). EMSA is also making a contribution towards this impact by following up its activities to increase maritime safety and security, as well as to improve environmental protection. By supporting the implementation of more harmonised regulation across the Member States, EMSA is contributing to the creation of a level playing field for operators and is accordingly facilitating vessel movements across the EU. In the end, the contribution of establishing a European Maritime Transport Space without Barriers is mainly happening indirectly through the contribution to the other impacts. In the EMSA Regulation, the Agency's core tasks are directed towards achieving the other two impacts, and the European Maritime Transport Space is only addressed as one component of EMSA's ancillary tasks (see Article 2a.3).

EMSA will be dependent on the political advancement of the file at EU and Member State level, if further progress towards this impact is to be achieved. A lot remains to be done to achieve a European Maritime Transport Space without Barriers. The interviews and the survey revealed some uncertainty among the stakeholders concerning the scope of this objective and the activities that need to be implemented in order to attain it (see, for example, the description of the issue of the national Single Window in section 4.2.1.3). At the same time, there was clear support among the members of EMSA's Administrative Board for the notion that this is a relevant objective.

4.3.4 Contribution to impacts beyond the objectives stated in the EMSA Regulation

This section considers the economic, social and environmental impacts of EMSA's activities.

To a limited extent the Agency has a primarily indirect economic and social impact.

An environmental impact by reducing the risk for pollution can be clearly identified.

EMSA's activities have only an indirect economic impact. EMSA's economic impact can be considered in terms of the impact on the competitiveness of the European shipping sector and the administrative costs for Member States. By supporting the Commission and the Member States in the implementation of their regulatory activities, EMSA indirectly benefits the shipping sector. On the long term, movements of goods across the EU will become simplified. EMSA's activities are not creating any administrative burden for the Member States but services such as the different data systems reduce costs for the Maritime Administrations of the Member States as they do not have to maintain their own systems and have access to EU wide data when needed.

There is little evidence on any social impact of EMSA. As a comparably small EU agency, EMSA has no direct social impact. Based on the support to the Commission and the Member States to implement EU and international legislation on working and living conditions of seafarers EMSA can be said to have an indirect positive social effect. This impact stems however primarily from the legislation.

EMSA has a positive impact on the maritime environment. As presented in section 4.3.2 EMSA contributes to effective and uniform prevention of pollution at sea. The Agency has a direct impact by providing monitoring data for quick action in case of an accident and ensuring increased security of vessels through inspections, as well as an indirect impact by supporting the implementation of legislative acts concerning safety measures.

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[112] EMSA (2012): Blue Belt Pilot Project, Evaluation report.

4.4   Efficiency and cost effectiveness

Efficiency considers the relationship between the resources consumed by an intervention and the changes generated by it (which may be positive or negative). The assessment of the *efficiency* of EMSA considers the relationship between the resources used by the Agency and the changes generated by its activities. The objective is to help both policy-makers and stakeholders draw conclusions about whether the costs of the intervention (in this case the operation of the Agency) are proportionate with respect to the benefits.

In this section, the following evaluation questions are answered:

*   To what extent have the Agency's outputs and results been produced at a reasonable cost, in terms of the human and financial resources deployed? (EQ11)
*   To what extent have different (internal and external) factors influenced the efficiency of the Agency? (EQ12)
*   To what extent is there a potential for the simplification and rationalisation of the Agency's tasks/activities? (EQ13)

This section of the evaluation thus comprises a response to the evaluation question: To what extent are the services and functions performed by the Agency cost-effective, compared to previous, existing or potential equivalent services and functions performed at a more subsidiary level (e.g. regional, national or local)? (EQ14).

4.4.1   To what extent have the Agency's outputs and results been produced at a reasonable cost, in terms of human and financial resources deployed? (EQ11)

Methodology and sources:

This section presents the findings related to the efficiency of as well as the evaluators assessment of these. The efficiency analysis aims at assessing the extent to which the Agency offers value for money, in relation to the resources used and the changes generated by the Agency's interventions? The assessment is made on the basis of analysis of the resources available to the agency (section 4.4.1.1), the ability of the agency to take on new tasks given the available resources (improvements in efficiency) (section 4.4.1.2), and the agency's ability to provide value for money (section 4.4.1.3) and contribute to reducing the administrative burden of stakeholders (section 4.4.1.4).

The assessment of effectiveness of the activities is based on a comprehensive set of norms listed in the evaluation matrix. A selection of these is presented in the following list:

*   *Difference in resources expended on operational vs. horizontal activities, taking into account outputs produced/tasks undertaken*
*   *Resources spent on horizontal and operational activities have remained the same or decreased compared with the 2008 baseline, taking into account changes in mandate/tasks*
*   *The majority of stakeholders agree that EMSA's resources have been used effectively*
*   *The majority of stakeholders agree that EMSA's work has contributed to reduced administrative burdens at national/industry level*

The findings stem from desk based review of financial records and documents, including EMSA's (Consolidated) Annual Reports, the reports of the European Court of Auditors and reports of the other agencies of the European Union for the purpose of benchmarking. Data from the survey and interviews are presented. Results from the cases studies have also been used.

Evaluator's assessment:

The Agency offers value for money, in relation to the resources used and the changes generated by the Agency's interventions.

While the budget of the Agency has remained relatively stagnant over the years, the allocation of expenditure within the Agency has changed, with an increasing proportion of costs being allocated towards operational expenditures which points to the presence of efficiency gains. While the share of administrative expenditure is higher than that of other EU Agencies of comparable size, it is assessed that it reflects the particulars of EMSA's size and role.

It is assessed that EMSA has improved its efficiency by achieving the intended results with fewer resources and additional tasks. The performance management system implemented by the Agency is contributing to this result.

EMSA provides value for money within the context of the EU maritime sector and within all its areas of activity. In the area of Environmental Challenges and Response, though positive, the value-for-money assessments of pollution prevention and response activities reflected the concerns shared by some stakeholders regarding the effectiveness of these activities.

EMSA's activities are also assessed to contribute to reducing the administrative burden for Member States and to improving Member States' efficiency in implementing their legal obligations. However, there is room for improvement with regard to reducing the administrative burden for the maritime industry.

4.4.1.1 Evolution of the Agency's resources

EMSA's subsidy from the European Commission has remained relatively static over the years despite the increased tasks allotted to the Agency.[113] The share of budget appropriations is high. The allocation of expenditure has changed over the years, with an increasing proportion of costs being allocated towards operational expenditures.

EMSA is an entity of the EU and its budget is subject to the EU's Financial Regulations and Staff Regulations.

EMSA's expenditures fall under these five headings:
- ➔ staff
- ➔ administrative expenditure
- ➔ operational expenditure
- ➔ anti-pollution measures
- ➔ project-financed actions

The financial resources available to the Agency have remained static. Total commitment appropriations for 2016 totalled EUR 70 m, and the following table shows how revenues and expenditures have evolved during the period covered by the evaluation. As can be seen from the table, subsidies from the European Commission have historically accounted for the majority of EMSA's budget, but operational income has increased since 2014.

Table 10: EMSA's annual budgets in EUR (millions, 2011-2016)

Heading	2016	2015	2014	2013	2012	2011
Revenues (Commitment appropriations)						
Subsidy from the Commission	54.8	54.2	52	57.4	54.6	56.1
Operational income	15.4	12	5.6	0.2	1.9	1.3
Total	**70.2**	**66.2**	**57.6**	**57.6**	**56.5**	**57.4**

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[113] The temporal scope of the evaluation is the period from 2011 to 2016, with an emphasis on the past three years since 2013, therefore before the increase of the subsidy related to the Coastguard package.

Expenditures (Commitment appropriations)						
Staff	20.9	21	19.7	20.7	20.8	18.8
Administrative expenditure	4	4.2	4.6	4.3	4.6	4.2
Operational expenditure	8.7	8.9	6.9	32.5	31.1	31.3
Anti-pollution measures	21.6	21.4	18.6			
Project-financed actions	14.9.	10.6	5.8			
Expenditure — Total	**70.2**	**66.2**	**55.6**	**57.6**	**56.5**	**54.4**

The share of budget appropriations is high. An important budgetary indicator of efficiency is the share of budget appropriations. Budget execution in 2015 was high at 99.23% of the total budget for the year in commitment appropriations, and 96.52% in payment appropriations, representing a considerable improvement on the previous year, when the Agency was penalised for a budget execution that had fallen below 95% for the first time since the Agency was established (see also Figure 11).[114]

Human resources have been stagnant. It should be noted that EMSA is under a general constraint to curb its financial and human resources in line with Communication COM(2013) 519 final, which stipulated that there must be a yearly 1% reduction over a period of five years aggregated across all decentralised agencies (equivalent to a net reduction of 276 posts relative to the 6,050 posts authorised in 2013).[115] To meet the need for additional human resources in some agencies, the Commission also proposed to create a 'redeployment pool' by applying an annual 1% levy on the posts of all agencies which would then be allocated to 'start-up phase' agencies and 'new tasks' agencies. In budgetary terms, and as a result of the changes in staffing levels, the Communication foresees a relatively modest increase in the EU budget contribution to the agencies, from EUR 758 in 2014 to EUR 821 in 2020.[116]

As can be seen from the figure below, since 2010 the staff numbers at EMSA have changed only minimally.

Figure 72: Evolution of human resources (Agency staff) over the evaluation period
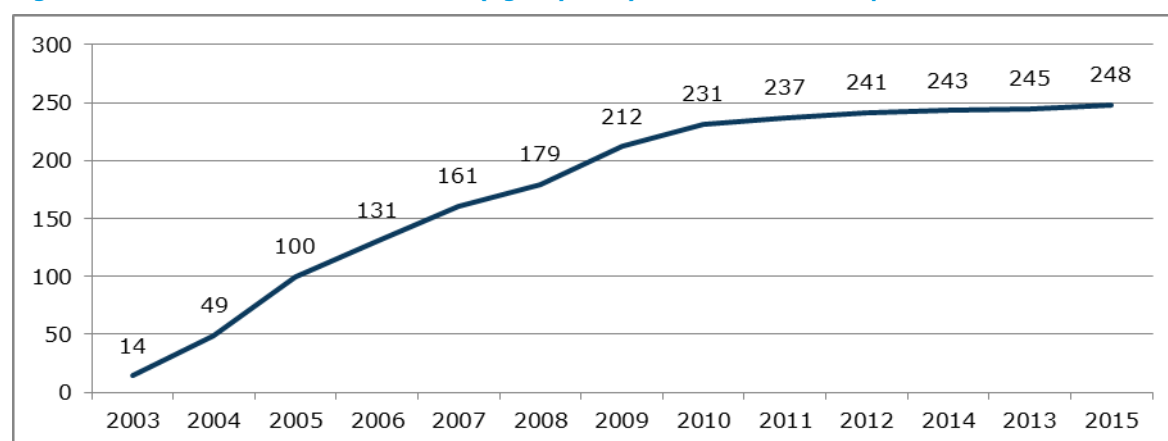
Source: Ramboll, based on EMSA's Annual Reports

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[114] CAAR 2015.

[115] Communication COM(2013) 519 final on 'Programming of human and financial resources for decentralised agencies 2014-2020', 10 July 2013.

[116] https://euipo.europa.eu/tunnel-web/secure/webdav/guest/document_library/contentPdfs/euagencies/the_cost_of_non_agencies.pdf

The share of operational expenditure at EMSA has increased slightly. As a further measure of efficiency, it is relevant to consider the share of operational expenditure relative to total expenditure. The Framework Financial Regulation (Regulation 1271/2013) establishes an obligation for all European Union bodies to carry out a benchmarking exercise with the aim of reviewing the efficiency of each Union body's horizontal activities. As a first step, the exercise is being undertaken by EU Agencies as an analysis of the ratio of administration jobs versus coordination jobs. According to the Agency's estimates for 2015, EMSA's total overheads figure (corresponding to the 'corporate category') was 21.7%, slightly lower than the 22.5% figure reported for 2014. This reflects the efficiency gains that were achieved in 2015.

Figure 73: Share of operational and administrative expenditure at EMSA
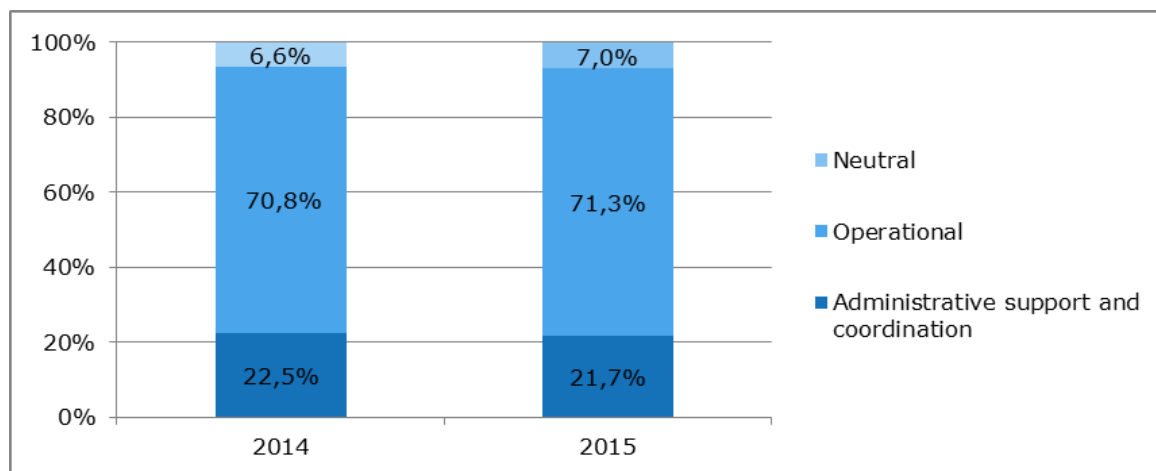
Source: EMSA 2015 CAAR

The share of administrative expenditure is higher than that of other EU Agencies of comparable size, but reflects the particulars of EMSA's size and role. EMSA's share of administrative expenditure is somewhat higher than the share reported by other agencies – e.g. the European Aviation Safety Agency (EASA) reported 13.8% of administrative expenditure in 2015. The difference is also apparent when a comparison is made with agencies of comparable size to EMSA; the European Centre for Disease Prevention and Control (ECDC) with 260 staff members had a 16.9% share of administrative expenditure, while the European Environmental Agency with 198 staff had 13.9%.

Figure 74: **Comparison of EU Agencies – staff and budgets, 2015**
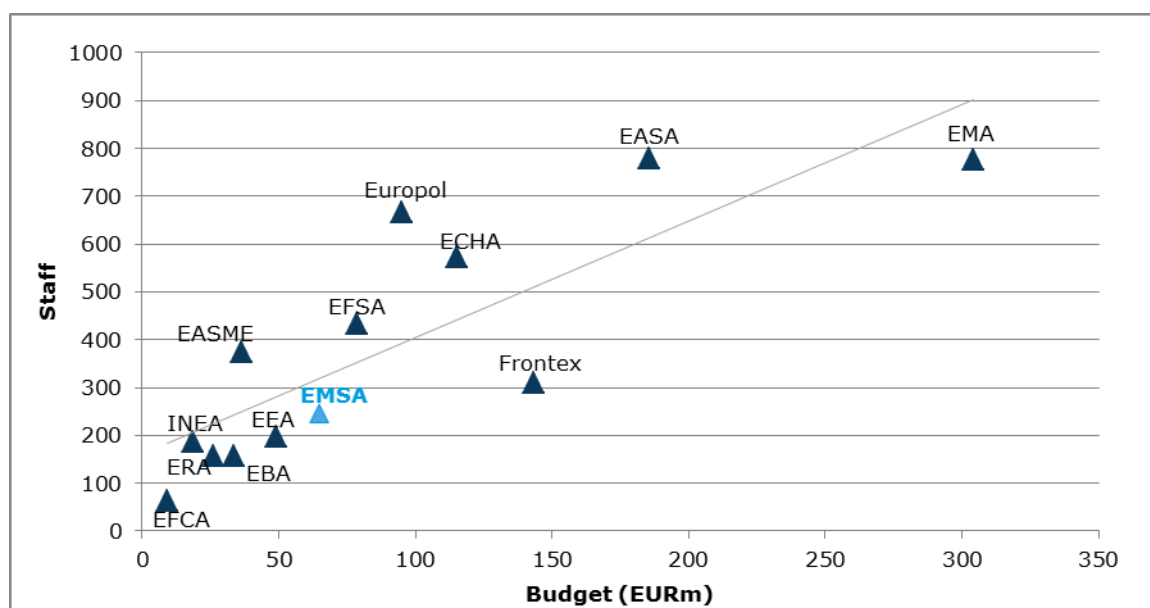
Source: Ramboll Management Consulting, based on ECA Agency audits (2016)

Representatives of DG MOVE and the European Parliament underlined the inherent difficulty in comparing the efficiency of EU Agencies given the very different scope of the tasks they are carrying out, and acknowledged the challenge presented to mid-size agencies like EMSA in terms of cutting back their administrative resources. According to a representative of DG MOVE, one example of the limits to lowering administrative expenditure concerns the resources spent on reporting activities – this is a critical task for the functioning of every agency, and each one would ideally have 10 - 14 people managing this task. This is a challenge, particularly for an agency of only moderate size, and given the goal of cutting staff by 2% a year, it could become critical for the actual functioning of the agency. According to DG MOVE, the agency is in fact performing well in this regard.

4.4.1.2 Improvements in efficiency

EMSA is applying a range of budget planning, monitoring and reporting practices and tools which are contributing to the effective management of the Agency. The Agency has managed to increase its outputs despite its additional tasks and static resources.

The Agency has been applying an activity-based approach to budgeting and reporting. One of the key elements of activity-based budgeting and reporting is the detailed programming in of all the activities, and allocating the necessary resources to each one. The lifecycle ranges from the initial planning of the draft budget preparation, which starts towards the end of year N-2, to the final presentation of actuals in the Consolidated Annual Activity Report in year N+1. Activity-Based Budgeting (ABB) codes are tagged to commitments and payments, tracking the cost of both direct and indirect activities. Direct staff is allocated to one operational activity, in accordance the prevailing function of the staff. Indirect staff, overhead and administrative costs are distributed across operational activities, based on the number of direct staff allocated to each activity.[117]

EMSA is applying a range of budget planning, monitoring and reporting tools which are contributing to the effective management of the Agency. EMSA continuously monitors the consumption of budgetary commitments, e.g. through monthly reports on budget, procurement and financial management which provide information on budget execution per budget line for all

[117] EMSA Consolidated Annual Activity Report 2015

funding sources, as well as per unit and budget line; financial and accounting information including transfers, commitments *a posteriori*, open invoices, guarantees and recovery orders; and procurement information, including the progress of planned procurement and contracts, negotiated procedures, comparison with other procedures, and expiring contracts.

The case study on EMSA's performance management system found that the monitoring and reporting process in place for horizontal and operational activities is conducive to the effective management of changes in relation to tasks and resources. Specifically, EMSA's management staff pointed to the frequent monitoring of operational activities and horizontal indicators, e.g. relating to financial performance, as a means of identifying opportunities and the need for changes throughout the year. The developments in the system as of 2016 in terms of streamlining in the schedule for operational and budgetary monitoring have contributed to this – the fund release exercise and cash flow exercise are timed to coincide with the report on the implementation of the work programme which is due every 4 months, and gives the management certain information about, and flexibility in, the potential for the reallocation of financial resources within the Agency.

The Agency has managed to increase its outputs despite its additional tasks and static resources. As was discussed in section 4.2.5, analysis of the Key Performance Indicators and the targets set for the agency shows that over the years it has been possible to reach and sometimes exceed the targets for at least 90% of all the indicators. In addition, it should be noted that the number of KPIs has increased, and that the targets for certain indicators have also been raised over the years to reflect expectations concerning efficiency gains and the increased take-up of the Agency's products and services. One example of an activity where the resources allocated have remained relatively stable while the outputs have increased is the training activities organised by EMSA. The case study on training also shows that EMSA has been able to increase the efficiency of its trainings for Member States by increasing the number of participants per training session. In 2011, 23 persons on average participated in the training sessions for Member States. In 2015, an average of 27 participants was achieved. A large audience can thus be reached with each training session.

The survey addressed this issue with EMSA's staff and Administrative board. Overall, both stakeholder groups had a positive assessment, but it should be noted that the administrative board had a more favourable view than the Agency's staff.

Figure 75: In your opinion, to what extent has EMSA been able to maintain its performance level despite the reductions in budget/staff resources in some areas? (N=175)
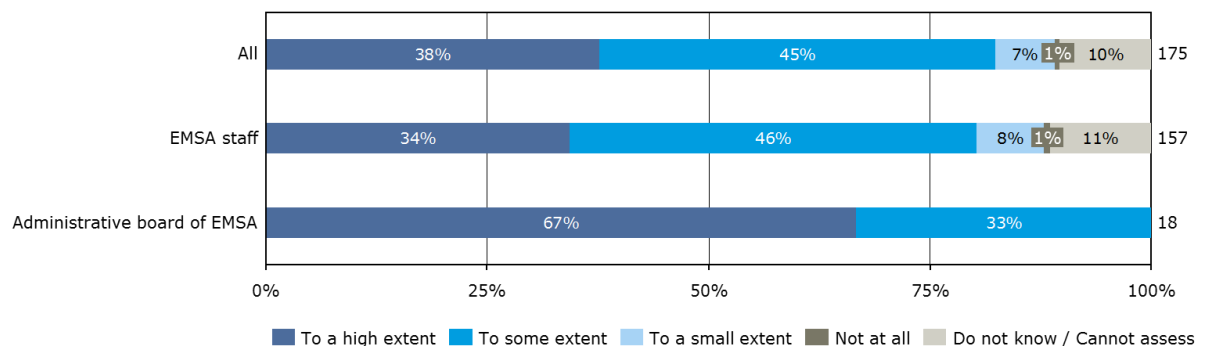
The stakeholders consulted through interviews also had a generally positive assessment of the efficiency of the agency and its ability to increase its operational output despite the restrictions imposed on its resources. Interviewees offered different examples of how the Agency strives to improve its efficiency. One of these examples is the proposal by EMSA to the Administrative Board to charter vessels for the oil pollution response activities for a period of three years (now four) instead of on an annual basis, which has had a positive impact on the costs for this activity.

In conclusion, over the evaluation period the implementation of EMSA's activities and their reach have increased, even as the Agency's financial resources and human resources have remained broadly stable. Considering that the Agency has fully implemented its Annual Work Programmes over the evaluation period, and that staffing levels have remained broadly the same, it is fair to argue that the efficiency of the Agency has increased over the years.

4.4.1.3 Providing value for money

According to its stakeholders, EMSA provides value for money within the context of the EU maritime sector and within all its areas of activity. EMSA's activities also indirectly help reduce the administrative burden borne by Member States for their compliance with EU legislation.

EMSA's activities in each work area generate high value for money. The assessment of this descriptor is made on the basis of survey results and the interviews conducted. The survey asked EMSA's Administrative Board and staff of national maritime authorities to assess the value for money of EMSA's activities. As can be seen from Figure 76, a clear majority of respondents agree that EMSA's activities in each work area generate high value for money.

Figure 76: Assessment of the extent to which EMSA's activities provide value for money, aggregated per work area (based on respondents' selection of up to three services, N=124)
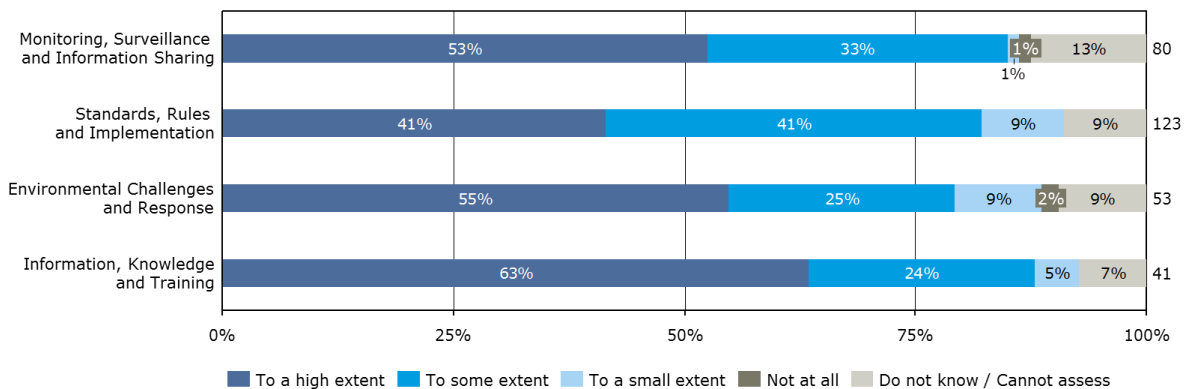
Note: This question was posed to members of EMSA's Administrative Board and to national maritime authorities. The figure has been compiled on the basis of the assessments of the individual activities in the four work areas.

The survey also asked the respondents to assess the value for money of the three activities in each of the areas they were most familiar with. In the area of *Monitoring, Surveillance and Information*, SafeSeanet and THETIS and associated modules were rated the highest – an assessment confirmed by the interviews, in which stakeholders highlighted the importance of economies of scale when such large systems are delivered by EMSA.

In the area of *Standards, Rules and Implementation* the assessment of STCW activities and Port State Control activities was rated highly by more than half of all respondents who reported being familiar with EMSA's activities in this area. It should be noted that 65% of the 20 respondents who indicated being familiar with EMSA's work on monitoring the implementation of other EU maritime administrations reported that EMSA provides value for money only to some extent.

In the area of Environmental Challenges and Response, there was strong support for EMSA's activities on Earth Observation, CleanSeaNet and illegal discharges. Though positive, the value-for-money assessments of pollution prevention and response activities reflected the concerns shared by some stakeholders regarding the effectiveness of these activities.

The value for money of EMSA's activities in the area of Information, Knowledge and Training was also assessed highly.

4.4.1.4 Reducing administrative costs for stakeholders

The evaluation finds that different activities carried out by EMSA have a role in reducing the administrative burden for Member States and help improve Member States' efficiency in implementing their legal obligations.

EMSA's activities contribute to reducing the administrative burden for Member States. In order to discuss EMSA's impact on administrative burden for Member States it is important to clearly define the understanding of the administrative burden concept. Administrative burden refers to the administrative costs borne by entities due to their compliance with legal obligations.[118] Since EMSA does not create any legal obligations for Member States, EMSA's activities do not directly impose any administrative burden on Member States or other entities. EMSA's activities can however affect the administrative burdens borne by stakeholders complying with EU law and specifically have a role in lowering these.

One example of this is EMSA's work on STCW inspections of third countries. As detailed in the case study on EMSA's inspections work, the consulted Member States were of the opinion that it is one of EMSA's tasks which most substantially reduce costs at a national level related to the implementation of legal obligations. In the absence of EMSA, each Member States would be obliged to inspect all third countries in relation to STCW. This would make a massive duplication of inspections among the Member States.

Another interesting case is EMSA's work on Integrated Maritime Services (IMS). As explained in detail in the case study on this topic, Member States continue to use, maintain and develop their own national systems and for various legal, technical and institutional reasons, it is not expected that the IMS will be able to fully replace national systems in the foreseeable future. The IMS are not in a position to reduce costs for administrations at national level as all MS are expected to continue to maintain their own systems in the foreseeable future. However, the case study findings show that the work of EMSA to centralise all relevant data elements, host them on common servers and associated IT infrastructure, build a common interface and common algorithms for ABM on behalf of more MS generates economies of scale by alleviating the need for Member States to perform certain upgrades to their own system in order to reach the same level of service as the IMS. Furthermore it has brought a similar level of information previously available only to maritime authorities or other key authorities in the Member States at no marginal cost to other institutional actors within the Member States.

Furthermore, the IMS have had a demonstrable effect on the efficiency of the users at national level by making resources available for other work in certain elements or by alleviating the need for MS to make some upgrades to their systems which are otherwise available through the IMS or associated systems.

As noted in sections 4.1.1 and 4.1.2, stakeholders have called on EMSA to take a larger role in addressing the administrative burden imposed on the shipping industry. Especially the concept of 'European single window' has the potential to address a need for reducing administrative burdens for the industry.

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[118] European Commission, Better Regulation Guidelines http://ec.europa.eu/smart-regulation/guidelines/tool_53_en.htm

4.4.2 To what extent have different (internal and external) factors influenced the efficiency of the Agency? (EQ12)

Methodology and sources:

The efficiency analysis also considers the extent to which different (internal and external) factors influenced the efficiency of the Agency. This assessment is mainly based on the factors (processes, tools, external support or constraints, other stakeholders) identified by stakeholders to influence the efficiency of the Agency.

The analysis of internal and external factors affecting the efficiency of the agency relies on desk research and feedback gathered through the case studies and interviews.

Evaluator's assessment:

EMSA's efficiency has increased in response to the budgetary and human resource constraints imposed by the European Commission and the introduction of well-developed monitoring and control processes.

The introduction of well-developed monitoring and control processes has had a positive influence on EMSA's efficiency. As was discussed in the case study on performance management with EMSA, its current planning, monitoring and reporting processes focus on a variety of performance indicators and budgetary metrics. These are reviewed frequently and therefore give the Agency the opportunity to react to developments throughout the year with a more flexible application of financial resources. The Heads of Department interviewed in the context of the case study on EMSA's performance management system pointed to the usefulness of the information collected through the planning and reporting system for the optimisation of planning – e.g. using the inputs and outputs for a given activity in year X, the management can more accurately estimate the inputs and outputs needed for year X+1.

The budgetary and human resource constraints imposed on EMSA by the European Commission are influencing the efficiency of the Agency. As was discussed in Section 4.4.1.1, a variety of budgetary and human resource constraints plus specific measures that are intended to improve the efficiency of the Agency have been imposed by the European Commission. In particular, the lowering of expenditure on administrative tasks is regarded as representing an improvement in the efficiency of the Agency.

4.4.3 To what extent is there a potential for the simplification and rationalisation of the Agency's tasks/activities? (EQ13)

Methodology and sources:

This section considers the extent to which there is potential for the simplification and rationalisation of the Agency's tasks/activities. The assessment was based on analysis of evidence of redundant or less relevant/useful activities and identified cases where improvements can be introduced to the management and organisation of certain activities or there are potential opportunities for synergies and complementarity with work carried at national level.

The assessment of this question uses evidence collected through the case study and interviews with stakeholders, making reference to the evaluation of effectiveness of EMSA's activities in different work areas.

Evaluator's assessment:

The evaluation assesses that none of EMSA's activities are redundant, and EMSA's work is complementary to that of the Member States. In a number of areas, there is potential of

simplification or rationalisation of the Agency's tasks/ activities – these have been addressed in the evaluation recommendations.

None of EMSA's activities have been assessed as being redundant. As was discussed in sections 4.4.1 and 4.4.2, the overall assessment of efficiency and cost effectiveness was positive, and the evaluation did not identify any instances of redundant activities in the work areas evaluated. As discussed in the following chapter, the added value of the Agency's activities depends on the capacities of national administrations, but overall it is assessed positively.

EMSA's work is complementary to that of Member States and takes advantage of available synergies.
The effectiveness and relevance analysis in sections 4.1 and 4.2 confirms that the Agency's work is relevant and is being used by the Member States, with multiple examples offered as evidence. Furthermore, EMSA's activities are assessed as generally adding value (see section 4.5).

In a number of areas, there is potential of simplification or rationalisation of the Agency's tasks/ activities. On the basis of the analysis of the agencies activities and the feedback on potential for improvements of the effectiveness and efficiency of the Agency's activities provided by stakeholders, a number of cases have been identified. While section 6 presents all recommendations made by the evaluation in detail, the following list highlights the areas where concrete improvements to efficiency can be expected:
- In the area of information systems, their continued development and improvement could be based on increased monitoring and analysis of the use of the underlying services via refined usage statistics. This could help prioritise IT development and direct resources more efficiently.
- In the area of oil pollution preparedness and response, an updated oil spill risk assessment would help the Commission and the co-legislators (Council and Parliament) to build consensus on the scale of EMSA's allocated resources in the next financial framework (2021-2028) and help achieve optimal efficiency.

4.4.4 To what extent are the services and functions performed by the Agency cost-effective compared to previous, existing or potential equivalent services and functions performed at a more subsidiary level (e.g. regional, national or local)? (EQ14)

Methodology and sources:
This section considers the extent to which the services and functions performed by the Agency are cost-effective compared to alternative options. This analysis was chiefly based on the examples offered by stakeholders in the context of interviews and case studies as well as survey results.

Evaluator's assessment:
EMSA's services and products are cost-effective. A number of EMSA's activities provide high value for money compared with alternative models of provision at the national or regional level.

The cost effectiveness of the EMSA is assessed positively. The issue of cost effectiveness was addressed by representatives of national maritime administrations in the survey carried out for this evaluation. As can be seen from the figure below, close to 70% of the surveyed representatives of national maritime administrations assessed that EMSA's work produces similar results at less cost than similar work performed at the national level.

Figure 77: In your opinion, to what extent does EMSA's work produce similar results at lower cost compared to a situation where the work was performed at the national level? (N=133)
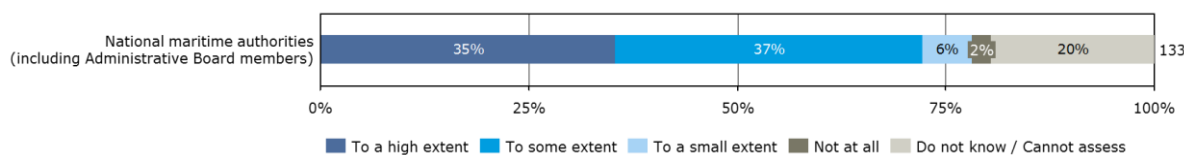
The case studies and interviews revealed several particularly strong instances of the cost effectiveness of EMSA-provided services:

One example is EMSA's procurement of **satellite imagery**, for which EMSA pools resources and buying power and is able to achieve results on a much larger scale and at lower cost than Member States would be able to manage on their own.

EMSA's provision of large-scale **monitoring and information systems** is also very cost-effective, as similar large-scale solutions would not be feasible at the same cost if they were set up individually or even on the basis of regional cooperation. EMSA facilitates the investment required for the development of such systems, and also the exchange of information between Member States.

Several stakeholders mentioned the **LRIT system** as one example of a case where Member States would have to develop their own data collection system in order to comply with the LRIT requirements; this would have required (more than) 28 times the amount of EMSA's investment.

STCW inspections, especially to third countries, were also assessed by Member States as being cost-effective, since in the absence of EMSA's services the Member States would all be obliged to inspect all third countries in relation to STCW, which would lead to a massive duplication of inspections among the Member States.

The Agency's provision of **trainings** was also deemed to be cost-effective – without it, the Member States would have to organise all staff training individually and pay for external lecturers, and the facilities would not offer the opportunity to meet inspectors from other countries unless their expenses were covered.

One activity where the assessment of the stakeholders generated contradictory views is EMSA's work on **oil pollution response and preparedness**. In a study dedicated to this subject,[119] theoretical models indicate that EMSA's oil pollution response activities would be cost-effective when compared to alternative shoreline clean-up. The study also shows that there is no obvious option for maintaining the same level of protection at a lower cost. However, the system in place appears to be very costly (it represents close to 40% of EMSA's budget), and has never been used. For those reasons, some stakeholders are questioning its cost effectiveness.

Some room for improvement has been identified in the context of several activities, but mainly from the point of view of improving their effectiveness (outputs and results) rather than lowering their resource inputs. These have been discussed under the effectiveness analysis and taken up as recommendations where relevant.

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[119] Ramboll Management: Study on the cost efficiency of EMSA's oil pollution response services.

4.5   Added value

According to the Commission's Better Regulation Guidelines, EU added value means that an intervention achieves changes which it can reasonably be argued are due to EU intervention rather than to any other factors. In many ways, the evaluation of EU added value brings together the findings of the other criteria, presenting the arguments relating to causality and drawing conclusions from the evidence at hand about the performance of the EU intervention.[120]

The following section responds to two evaluation questions:
- To what extent could the outputs delivered and the results produced by EMSA have been achieved without the existence of an EU agency in the field of maritime safety? (EQ15)
- How would a discontinuation of EMSA's work or a reduction of its mandate impact the level of maritime safety and security in Europe? (EQ16)

4.5.1 To what extent could the outputs delivered and results produced by EMSA have been achieved without the existence of an EU agency in the field of maritime safety? (EQ15)

Methodology and sources:

This section presents the findings and provides an assessment of the added value of EMSA, understood as the extent to which outputs and results could have been achieved without the Agency. This is assessed based on the extent to which EMSA's activities have strengthened existing EU or national initiatives (section 4.5.1.1) and the extent to which stakeholders agree that the same results could not have been achieved without the existence of a dedicated EU agency (section 4.5.1.2). The assessment of added value is based on the following norms:
- *Assessment of evaluation questions on effectiveness and impact.*
- *Documentation (quantitative and qualitative) shows that the establishment and operations of EMSA have boosted maritime safety and not just shifted tasks from national authorities to EMSA.*

The findings build upon the previous sections and additionally stem from stakeholder consultations in interviews and from the survey as well as data from case studies and desk research.

Evaluator's assessment:

EMSA is creating added value with its tasks and for all its stakeholders. The added value of EMSA stems from:
- A European centre for maritime technical competence and data that contributes to deeper and broader services, better-quality legislation and standards, the exchange of reliable data and information, and the improved applicability of the EU's maritime legislation
- A high level of harmonisation of implementation of legislation which contributes to legal clarity across the EU and a level playing field for businesses.

With its various activities and services EMSA provides relatively greater value to the small Member States than to the large ones.

Overall, the evaluation assesses that the results achieved by EMSA could not have been achieved to the same extent through efforts made at the national and/or international level. This is particularly the case in the area of Monitoring, Surveillance, and Information Sharing.

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[120] Better Regulation, Tool #42: Identifying the evaluation criteria and questions.

EMSA has an important coordination and aggregation role which creates multiplier effects and efficiency gains. The Agency plays a central role in coordinating and bringing together experts and knowledge. The Agency helps coordination across the Member States, the Commission, and other stakeholders. The existence of EMSA and its coordination and facilitation of the exchange of information and best practices have generated much greater value than information shared bilaterally between national systems or experts (the multiplier effect). This can also ultimately result in efficiency gains. The judgement norm for added value is clearly met.

It is not likely that similar results to those delivered by EMSA could have been achieved at an international level, such as via the IMO. In any decision-making efforts and processes that involve 160 different countries sitting around a table, it can be considered much more difficult to agree on activities to be conducted at the same level as those of EMSA. Not only would it take a very long time to prepare the legislation or standards, but they would also tend be very general, and their application would therefore be inconsistent, since this would depend on the interpretation of the national administrations.

4.5.1.1 Strengthening existing national or EU initiatives

The stakeholders have identified many areas and mechanisms through which EMSA is reinforcing EU or national initiatives by coordinating and aggregating expertise and knowledge, by harmonising the implementation of legislation and practices, and by topping up the capabilities of the Member States.

EMSA is considered to top up the EU and the Member States' capacity and credibility in relation to an increasingly complex and demanding international maritime landscape. Member States — especially small ones – find it beneficial to receive support from a recognised agency that is known for providing services of a high standard. The interviews indicate that some Member States are very dependent on EMSA, as the requirements for Member States have become increasingly complex. Having access to the knowledge and services provided by EMSA is therefore very important. EMSA has also become extremely important to the Member States in relation to third countries and the STCW area.

Paradoxically, EMSA's contribution may also be having an unintended and prejudicial substitution effect. EMSA's success in creating added value may in some cases be leading to the Member States reducing their own capabilities on the basis that because EMSA is providing this service, an administration can conserve its own resources or switch them to other areas, as transpired from interviews with Member States. It is important in this regard for Member States to maintain effective maritime administrations to enable them to fulfil their obligations as flag states, and so that the Member States' organisations can evolve in parallel with EMSA.

EMSA, along with the Commission and the Member States, has contributed to a high degree of harmonisation of rules and standards. If EMSA did not exist, each of the Member States would most likely be implementing legislation differently, and the benefits of harmonised interpretations and procedures would be lost. Stakeholders see an important role for EMSA in ensuring that Member States adopt similar practices when they implement legislation, and the awareness of standards would be unlikely to have materialized as quickly and as efficiently as is the case today.

A residual risk of duplication has been identified by stakeholders in relation to the work performed by other international organisations or large maritime Member States. Some of the areas or organisations mentioned by interviewees are the Paris MoU, the IMO and the International Hydrographic Organisation. Some interviewees have also pointed to a certain degree of discontent towards the perceived dominant role of EMSA, The evaluation does not find evidence that actual duplication work is taking place. EMSA is naturally working together with

many other international stakeholders in the same areas, and should build on the strengths of these to co-create the best possible maritime services, to the benefit of the maritime community.

4.5.1.2   Potential to achieve the same results at the national or international level

> **Overall, the stakeholders find that the results achieved by EMSA could not have been achieved fully through efforts made at the national and/or international level. This is particularly the case in the area of Monitoring, Surveillance, and Information Sharing. This finding is less applicable in the area of Environmental Challenges and Response, where the tasks have until recently been carried out solely by the Member States.**

The stakeholders generally considered that the results achieved by EMSA could not have been achieved at the national and/or international level. The figure below indicates a positive added value overall, with a very small minority of respondents considering that at the national and/or international level the same results could have been achieved. According to the survey, *Monitoring, Surveillance, and Information Sharing* is the area that creates most added value, while areas such as *Standards, Rules, and Implementation* and *Environmental Challenges and Response* are creating comparably less.

Figure 78: Imagine that EMSA did not exist: To what extent could similar results be achieved through efforts at national and/or international level in the area of…? (N=226)[121]
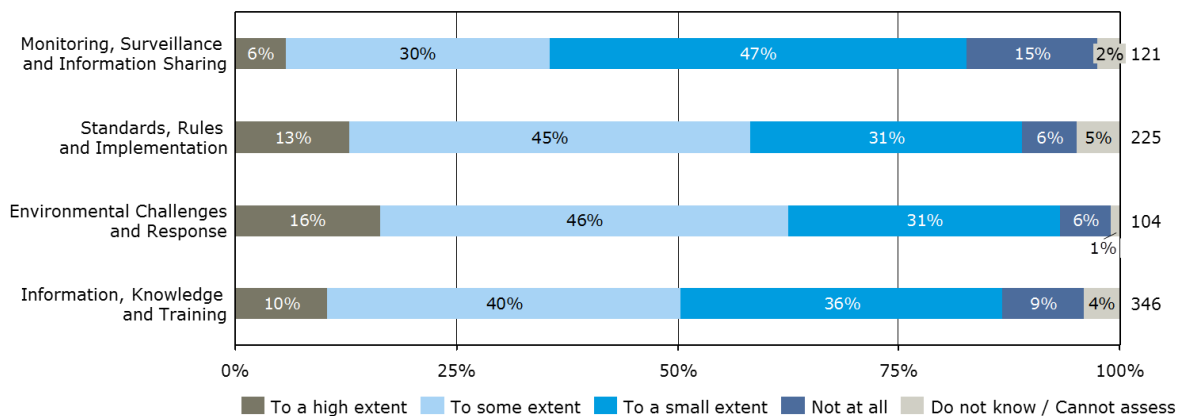
Zooming in on the Member States, including EMSA's Administrative Board, the assessment of added value shows a similar picture, with the exception of the area of *Information, Knowledge and Training,* which receives a slightly more negative assessment than in the overall assessment. The large number of respondents responding to the work area *Standards, Rules, and Implementation* suggests more awareness and visibility of this working area compared with other areas.

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[121] The figure is compiled on the basis of the assessments of the individual activities in the all of EMSA's work areas. Respondents were able to provide responses concerning several activities across all areas. The number of respondents (N) is therefore lower than the sum of individual responses received for each of the activities (indicated in the figure at the end of each row). This applies to all the survey figures presented in this section.

Figure 79: Assessment of added value aggregated per work area (national maritime administrations only, including members of EMSA's Administrative Board, N=132)
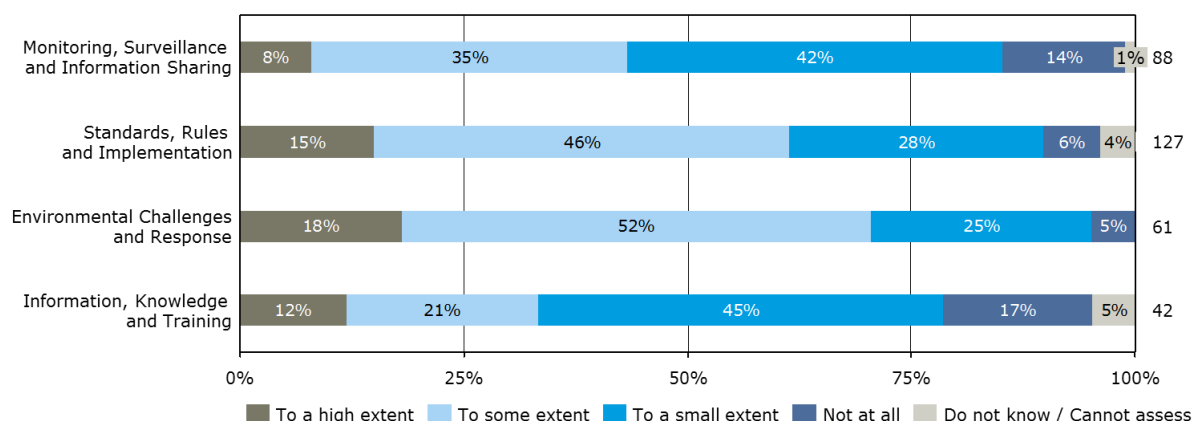
In the interviews, the stakeholders were highly positive about EMSA's achievements and the added value that the Agency has generated. All the various stakeholders' tasks which EMSA covers are capable of generating a highly positive assessment of the added value created by EMSA.

The stakeholders strongly consider that the same results could not be achieved at the national and/or international level in the area of monitoring, surveillance, and information sharing. Without an agency like EMSA providing such capabilities as satellite monitoring, the generation of information, and data platforms, it would not make economic sense for an individual Member State to invest and dedicate the resources and competences required to provide these services. Moreover, its services would be limited in geographical scope, and they could not be delivered to the EU as a whole. For a limited geographical area, the systems and data would lack relevance, but over a larger area and with substantial data it is possible to obtain relevant data every day. EMSA is storing its data, making it possible to produce a historical analysis of a kind that would not be possible without the Agency. Big and complex systems like THETIS or SafeSeaNet would probably not be developed by the Member States, and even if they were, the existence of incompatible country-specific systems which could not benefit from each other would be problematic. Exactly how difficult it is for the Member States to jointly produce a system that works well is illustrated by the Maritime Single Window projects, which EU legislation requires all ships to report to; each country currently still has its own system. This creates a lot of frustration and a large administrative burden for the shipping business. Acknowledging the associated challenges, many stakeholders see a need for EMSA to take charge of this problem and address it, even though it does not fall within EMSA's mandate, and build a well-functioning European Single Window.

Furthermore, the interviews indicate that EMSA's involvement in the area of information and data systems is encouraging the Member States to build customized capabilities on top of those systems, and in that sense EMSA is indirectly leading by example and delivering added value to the individual Member States and its stakeholders.

Figure 80: Imagine that EMSA did not exist: To what extent could results similar to the following EMSA activities in the area of Monitoring, Surveillance and Information be achieved through efforts undertaken at the national and/or international level? (N=84)
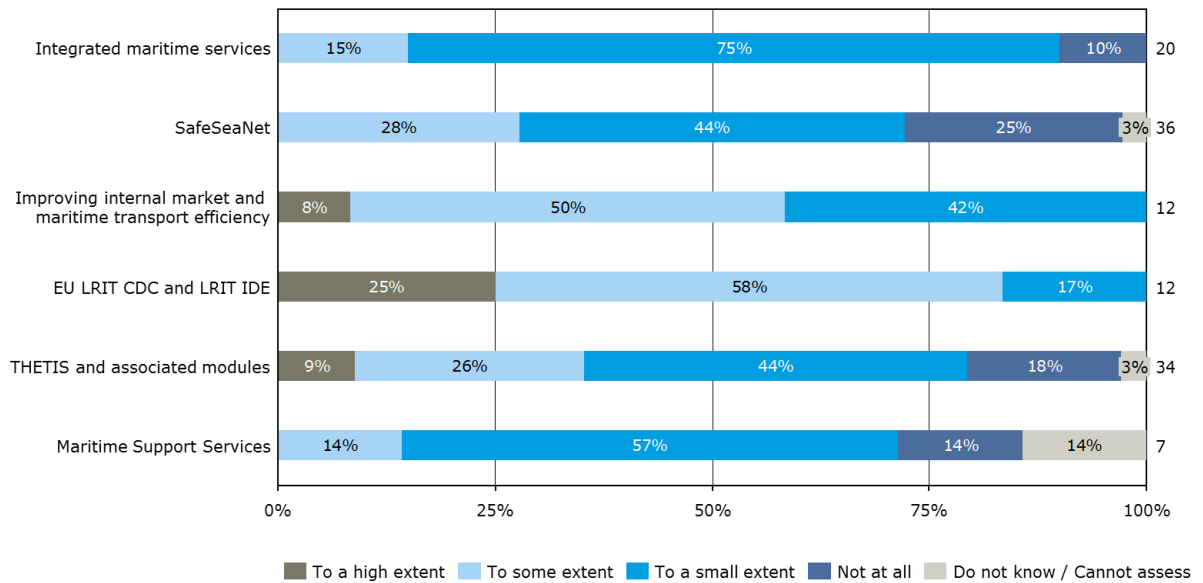
The stakeholders strongly consider that the same results could not be achieved at the national and/or international level in the area of Standards, Rules, and Implementation. However, the Member States are more inclined to assess that they themselves could fulfil these tasks to some extent. This does not come as a surprise, since these tasks represent areas where Member States have competences and experience and are still responsible for carrying out tasks.

Figure 81: Imagine that EMSA did not exist: To what extent could results similar to the following EMSA activities in the area of Standards, Rules, and Implementation be achieved through efforts conducted at the national and/or international level? (N=150)
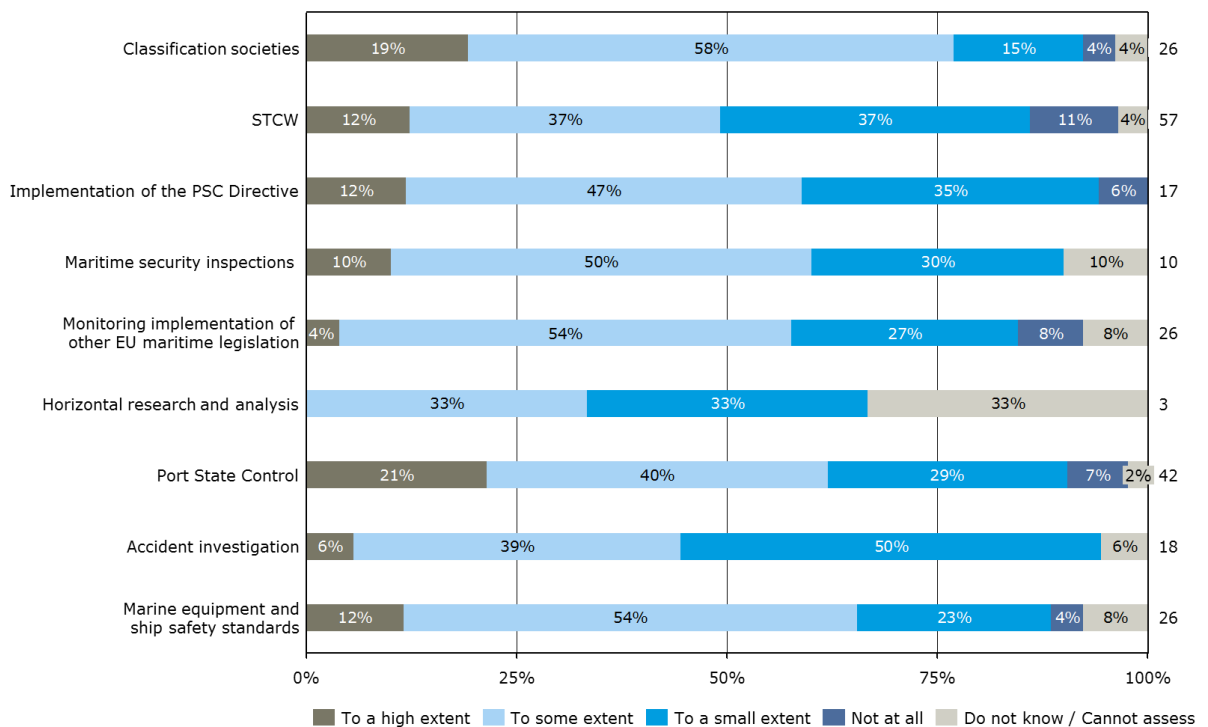
The stakeholders consider that the same results could probably not be achieved at the national and/or international level in the area of Environmental Challenges and Response. In this area, the tasks have traditionally been carried out solely by Member States. Member States believe they could to some extent achieve similar results. As the interviews have also indicated, the information systems (in this case CleanSeaNet and THETIS) are areas where the Member States especially are in agreement that EMSA has created results which would not have been possible if the Agency did not exist.

Figure 82: Imagine that EMSA did not exist: To what extent could results similar to the following EMSA activities in the area of Environmental Challenges and Response be achieved through efforts at the national and/or international level? (N=69)
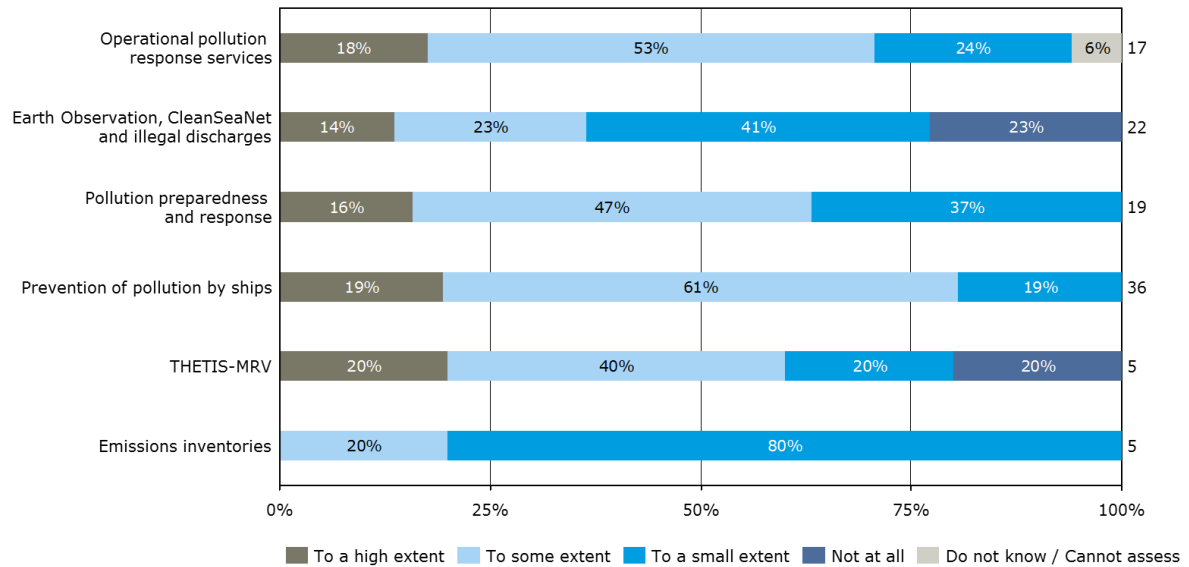
The stakeholders consider that the same results could not be achieved at the national and/or international level in the area of Information, Knowledge, and Training. EMSA's added value is very evident to stakeholders in this area.

Figure 83: Imagine that EMSA did not exist: To what extent could similar results of the following EMSA activities in the area of Information, Knowledge and Training be achieved through efforts at national and/or international level? (N=66)
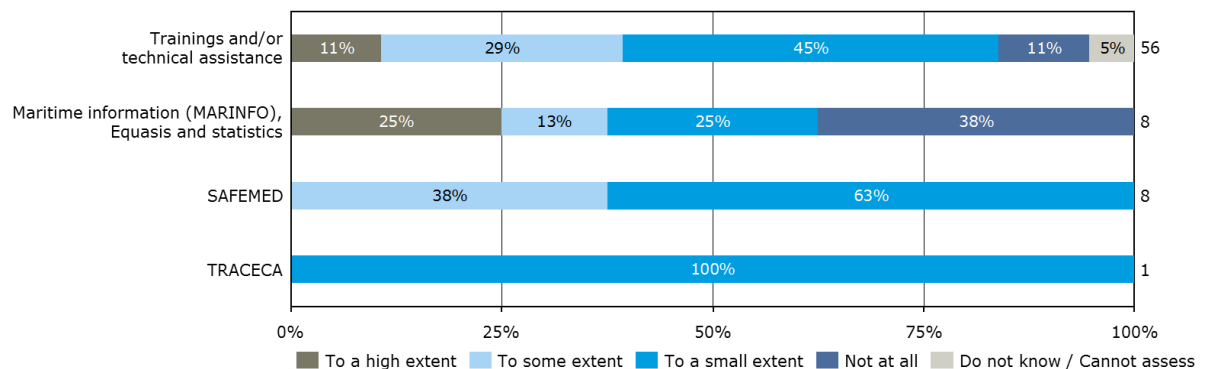
4.5.2 How would a discontinuation of EMSA's work or a reduction of its mandate impact the level of maritime safety and security in Europe? (EQ 16)

Methodology and sources:
In the following, added value is assessed based on the extent to which stakeholders assess that a discontinuation of EMSA's work or a reduction of its mandate would impact negatively on the level of maritime safety and security in Europe (section 4.5.2.1) and the extent to which stakeholders are able to identify (and agree on) areas of EMSA's work where it would not impact

the level of maritime safety and security in Europe if its work was discontinued, or continued at a more subsidiary level (section 4.5.2.2).

The assessment of added value is based on the following norms:
- *A majority of the stakeholders consulted agree that a discontinuation of EMSA's work or a reduction of its mandate would impact negatively on the level of maritime safety and security in Europe*
- *A majority of stakeholders identify (and agree on) areas of EMSA's work where it would not impact the level of maritime safety and security in Europe if work was discontinued, or continued at a more subsidiary level.*

The findings are based on the previous parts of this chapter. Additional input stems from the stakeholder consultations in interviews and the survey and from the five case studies.

Evaluator's assessment:

A discontinuation or a reduction of EMSA's mandate would have significant negative impacts on maritime safety and security in Europe. Amon g the survey respondents 85% agreed that a discontinuation of EMSA's work or a reduction of the Agency's mandate would have to some or to a high extent a negative impact on the maritime safety and security in Europe. Stakeholders did not suggest any areas of EMSA's work that could be discontinued without an impact on the level of maritime security and safety in Europe. The judgement criteria for added value have thus been met. EMSA has become an important and respected player in the maritime community, and the discontinuation of EMSA would have concrete negative impacts: standards and practices in the field of safety and security would be significantly less harmonised, there would be less sharing of data, information and practices, and this would ultimately have a negative impact on maritime safety and security.

The evaluation considers that it is important for EMSA to continue with the progress it has made up to now. In terms of added value, EMSA has, and will continue to have, the potential to create a high degree of added value. In particular, its ability to build on its existing competences in collecting data and making it accessible and usable for its stakeholders will be increasingly important in a digital data-driven future.

4.5.2.1 Consequences of a discontinuation of EMSA or a reduction of the mandate

Stakeholders strongly agree (85%) that a discontinuation of EMSA would have negative implications for maritime safety and security. EMSA is considered to be an integral part of the European maritime community, and it plays a role that cannot be replaced by any other stakeholder at a national, regional or international level.

EMSA is an established, highly recognised and respected maritime stakeholder which is known for its high maritime standards. Today, EMSA is considered to be an integral and important part of the European maritime community. It is an effective bridge between the legislative power of the Commission and the implementing activities of the Member States, contributing technical competences and services that support and enhance the application of legislation and standards.

A discontinuation in or reduction of EMSA's mandate would have a negative impact on maritime safety and security in Europe. This assertion is clearly supported by data from the survey, where approximately 85% of the respondents assessed *to a high extent* or *to some extent* that a discontinuation of EMSA or a reduction of its mandate would have negative impacts on maritime safety and security.

Figure 84: Imagine that EMSA ceased to exist or reduced the scope of its activities: To what extent would this have a negative impact on the level of maritime safety and security in Europe? (N=250)
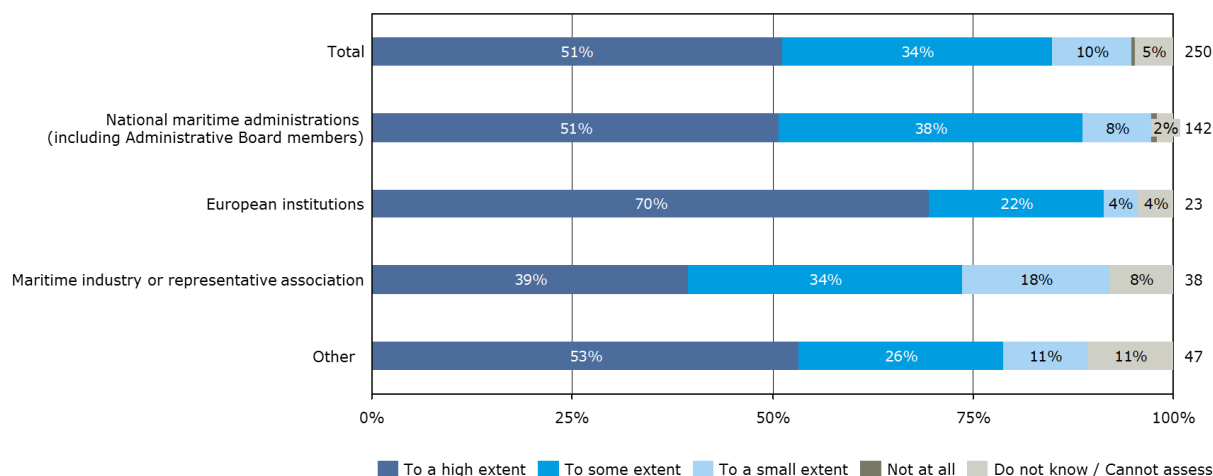
4.5.2.2 Potential of continuation of EMSA's work at a subsidiary level

The stakeholders find that EMSA is creating added value in all its areas of activity, and that none of these areas could be discontinued or continued at a subsidiary level without adversely affecting maritime safety and security.

It was not possible to identify any individual area where the level of maritime safety and security in Europe would not be affected if EMSA's work was discontinued or continued at a more subsidiary level. In the course of more than 100 interviews, the evaluation did not come across a single interviewee who argued that a particular EMSA activity was not contributing to maritime safety and security in relation to the tasks currently being carried out by the Agency. The potential concern raised by stakeholders is that EMSA cannot continue to deliver at a high level if more tasks are placed on it while its budgets remain static. In this context, some tasks are perceived to be more important or relevant for EMSA.

5.   CONCLUSIONS

This section contains the conclusions reached by the *Evaluation on the implementation of the Regulation (EC) no 1406/2002 establishing a European Maritime Safety Agency (EMSA)*.

The section begins with a summary of the assessments made by the evaluators on each evaluation criterion. A final conclusion, presenting the main lessons learned from the evaluation, wraps up this chapter.

5.1   Relevance

The evaluation criterion of relevance looks at the relationship between the needs and problems that exist in a society and the objectives of a given intervention. This section provides overall conclusions regarding the question, "*Is it (still) relevant to have a decentralised EU Agency dedicated to maritime safety?*" Specifically, two evaluation questions are covered:

- To what extent have the objectives and tasks set out for the Agency's work in the founding Regulation proved to be relevant to the work of EMSA and the needs in the field of European maritime safety so far, and to what extent are they pertinent to addressing emerging needs? (EQ1)
- To what extent is there a need to amend the EMSA Regulation to accommodate future developments and challenges in the European maritime sector? (EQ2)

Overall, EMSA's objectives, activities and outputs, in particular in terms of maritime information, visits and inspections, trainings and technical assistance meet the needs and expectations of National Maritime Administrations, the European Commission and other stakeholders active in the maritime domain. Looking forward, the stakeholders expect EMSA to continue to play an important role in the maritime safety domain and to produce outputs in line with its current mandate.

Overall, EMSA's Founding Regulation (as amended) has succeeded in addressing emerging needs in the past and is in a position to do so in the future. The evaluation finds that most future challenges facing the European maritime sector[122] are well covered under the current EMSA Regulation.

However, an enhanced mandate may be required to better address administrative burdens on the maritime industry and to support the creation of a 'European Transport Space without Barriers'.

5.2   Effectiveness and utility

This section covers the evaluation criteria of effectiveness and utility. Effectiveness analysis considers how successful an EU action has been in achieving or progressing towards its objectives. This section presents overall conclusions regarding the following questions: "*To what extent has EMSA been successful in achieving the objectives set for its work?*" and "*To what extent do the activities conducted and the results produced by EMSA satisfy (or not) the needs of the Agency's key stakeholders?*"

This section is structured in a manner that corresponds to the four work areas presented in EMSA's 5-year strategy, namely *Monitoring, Surveillance and Information Sharing* (EQ3)*; Standards, Rules and Implementation* (EQ4)*; Environmental Challenges and Response* (EQ5); and *Information, Knowledge and Training* (EQ6).[123] The way in which internal organisation and other factors influence results is also presented.

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[122] A range of new environmental legislation as well as new technology will likely change the maritime sector dramatically. The evaluation assesses that EMSA will remain highly relevant in this context.

[123] The assignment of activities into the four areas has been made in agreement with EMSA. Not all the activities fall clearly into a single area.

5.2.1 Monitoring, Surveillance and Information Sharing

The activities of EMSA in the area of *Monitoring, Surveillance and Information Sharing* include:

- Integrated Maritime Services
- SafeSeaNet
- EU LRIT and LRIT IDE (EU Long-Range Identification and Tracking Cooperative Data Centre and LRIT International Data Exchange)
- THETIS information system
- Maritime Support Services (helpdesk) (MSS).

Given its links with SafeSeaNet[124], this evaluation has also included within this section EMSA's activities connected with the implementation of the National (and potentially European) Single Windows, supporting the implementation of the Reporting Formalities Directive (2010/65/EU) that is intended to promote the efficiency of European maritime traffic and transport.

> ***Effectiveness of Monitoring, Surveillance and Information Sharing:***
>
> *EMSA's activities of collecting, aggregating and enhancing relevant maritime data and information have created a common, global, integrated maritime situational picture. Specifically, the Integrated Maritime Services (IMS), its underlying systems and shared data elements (i.e. Automatic Identification Systems (AIS); Long-Range Identification and Tracking (LRIT); additional ship and voyage information; synthetic aperture radar satellite images (SAR imagery); optical satellite images; meteorological-oceanographic data and other data sources from national systems[125]) have improved and enhanced the maritime situational awareness of most Member States.*
>
> *By covering a larger area (i.e. globally and Europe-wide) than the national systems of most Member States are able to cover on their own; by providing some data elements previously unavailable to most Member States; by enhancing existing data points and by providing a common situational picture to authorities and agencies which previously did not have access to a maritime situational picture, it can be concluded that EMSA's information systems have improved the quality and accessibility of objective, reliable and comparable information to the European Commission, Member States, EU agencies and the maritime community.*
>
> *Furthermore, the accessibility of the systems at a low cost for the users and their ease of use have enhanced cooperation between the Member States and different agencies within individual Member States, as partners and neighbours now have access to a common, comprehensive, situational picture.*
>
> *In addition, the users of EMSA's services derive a broad range of secondary benefits from the services offered by EMSA, (backup for national systems, integration tool providing global coverage, operational tool for mobile devices).*
>
> *While all the Member States find value in using the data provided by EMSA, different Member States derive different benefits from the use of EMSA's systems. This should be unsurprising, as the value derived depends to a high extent on the needs of the Member States in question, the degree of sophistication of their own systems, the particular maritime circumstances, the capacity of their administration, and many other factors.*

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[124] The information exchange requirements of the Reporting Formalities Directive are integrated in the PORT+ message, and are therefore covered by the SafeSeaNet indicators.

[125] http://emsa.europa.eu/combined-maritime-data-menu/data-sources.html

Nevertheless, it is a positive to find that the extensive scope of the service makes it highly adaptable to the broad range of needs of the Member States and stands as proof that its users can derive a variety of benefits from the data provided.

EMSA has taken effective steps to significantly increase the number and diversity of users of the underlying systems, within the limits of existing access rights. Progress in this area remains possible through increasing even further the number of users and generating a more in-depth understanding of the levels of actual usage of the various functionalities and sub-services provided by the systems. This Could be enabled by a policy discussion of Member States and Commission how to simplify and relax access rights.

As a result, the evaluation concludes that EMSA's activities in the area of Monitoring, Surveillance and Information Sharing have been highly effective in terms of the results achieved.

With respect to specific activities that are intended to support the efficiency of European maritime traffic and transport, EMSA has provided technical support for the implementation of the Reporting Formalities Directive (2010/65/EU). Still, significant efforts (by all stakeholders involved) are needed in order to establish a European Maritime Transport Space without Barriers.

5.2.2 Standards, Rules and Implementation

The activities of EMSA in the area of Standards, Rules and Implementation comprise of:

- Inspections of classification societies
- Inspections of third countries and visits to Member States (STCW)
- Visits to Member States
- Maritime security inspections in the Member States, Norway and Iceland (Regulation (EC) No 725/2004)
- Horizontal research and analysis on Member States' application of EU law
- Support to the PSC system in line with the PSC Directive
- Accident investigation
- Technical assistance to the Commission and Member States for marine equipment and ship safety standards.

Effectiveness of Standards, Rules and Implementation:

The Agency has been successful in delivering tasks and activities in line with its internal strategic processes and activity plans and in doing so it has contributed significantly to improved quality of maritime legislation and standards, improved application of legislation, increased sharing of best practices between Member States and improved quality and availability of objective, reliable and comparable information and data to the Commission and the Member States.

EMSA has specifically achieved significant results in the following areas:
(i) Inspections of ROs and third countries (STCW) – The inspections are internationally acknowledged as 'top class', very professional, thorough and quality-focused inspections that contribute significantly to maritime safety.
(ii) Visits to Member States – EMSA thoroughly monitors maritime legislation, thereby contributing to a very high level of harmonisation between Member States.

Considering these assessments, the evaluation concludes that EMSA is highly effective in the area of Standards, Rules, and Implementation.

In spite of the progress achieved from recent initiatives, some room for improvement remains, especially in the way in which visits to Member States are conducted. The evaluation finds EMSA

should continue and further develop a responsive and purpose driven approach to its visits to the Member States to complement a strict legal focus.

The activities on horizontal analysis on common issues, root-causes, good practices and possible ways forward to improve implementation have the potential to meet a strong demand for improved contribution to the exchange of information and best practices within and between Member States. However, the activities [conducted by EMSA] on horizontal analysis are not maximising their potential as Member States often do not have sufficient information on the existence of EMSA's outputs in this area, where to find them and how to make best use of them.

A combination of better implementation from EMSA and a stronger awareness from Member States on how to disseminate and apply horizontal analysis should increase the value of the horizontal analysis activities.

5.2.3 Environmental Challenges and Response

The activities of EMSA in the area of *Environmental Challenges and Response* comprise of:

- Oil pollution response services
- Earth Observation, CleanSeaNet and illegal discharges
- Cooperation and information relating to pollution preparedness and response
- Prevention of pollution by ships
- THETIS-EU and THETIS-MRV
- Emissions inventories project
- Technical assistance to the Commission and Member States in the development and implementation of relevant EU legislation

Effectiveness of Environmental Challenges and Response:

EMSA's oil pollution response capacities have been established in accordance with the Action Plan for Oil Pollution Preparedness and Response[126] within the financial envelope provided for this purpose[127], while EMSA's information systems (CleanSeaNet, THETIS and all other systems contributing to providing Earth observational data) are delivered as planned and often with a quality level (n.b. KPIs) exceeding the set target.

EMSA's work in the area of oil-pollution preparedness and response has topped up the capacity of Member States to respond to oil spills from ships and oil and gas installations, and has contributed to creating a more uniform level of protection across the various regions of the EU. Thanks to an innovative service delivery model, EMSA's oil pollution response vessels provide top-up oil pollution response capacity which cannot be established at lower costs, however, as no major oil pollution incident has taken place in recent times, the costs associated with the provision of the services are being questioned. While, residual risk acceptance can only be set by coastal Member States, the absence of detailed and quantifiable assessments outlining the environmental risks and their potential impacts makes it difficult to determine the cost-effective level of oil pollution response capacity which should be established to mitigate them. This lack of information is the source of the concern expressed by some stakeholders relative to the costs dedicated to oil pollution response and implemented by EMSA.

The provision of satellite imagery, Earth observation data and other data relevant to pollution and emission monitoring is supporting the responses of the Member States and the Commission

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[126] Originally adopted in 2004 and updated in 2013 with the expansion of the mandate to cover pollution originating from oil and gas installations, as covered by Regulation (EU) 100/2013 amending Regulation 1406/2002 to address marine pollution from oil and gas installations.

[127] Regulation No 911/2014 of 23 July 2014 established a Multiannual Funding framework (MAF II) with the purpose of securing the implementation of EMSA's tasks in the field of marine pollution detection and response caused by ships and oil and gas installation.

to marine pollution (e.g. by decreasing reaction times) and improving the application and enforcement of maritime legislation (e.g. by identifying possible polluters).

The stakeholders are generally satisfied with EMSA's work in the area of Environmental Challenges and Response. They report that EMSA's services satisfy their needs. Particularly positive assessments have been made in the context of Earth observation, CleanSeaNet, illegal discharges, and cooperation and information regarding pollution preparedness and response.

As a result, the evaluation finds that EMSA's activities in the area of Environmental Challenges and Response have achieved their intended outputs and results.

5.2.4 Information, Knowledge and Training

The activities of EMSA in the area of Information, Knowledge and Training comprise of:
- Training and technical assistance for Member States and officials from enlargement countries
- Ship inspection support (maritime information (MARINFO), Equasis, RuleCheck, MaKCs and statistics)
- TRACECA II
- SafeMed III.

Effectiveness of Information, Knowledge and Training:

The Agency has been successful in delivering training activities to officials from Member States and third countries, in providing technical assistance to TRACECA and SafeMed beneficiary countries, and in making information and statistics available to various stakeholders in line with its plans and ambitions. In doing so, EMSA has indirectly contributed to an improved application of maritime legislation by the Member States and third countries; increased cooperation and the sharing of best practices between Member States; and improved the quality and availability of information and data.

EMSA's training courses are found to indirectly contribute to the improved application of both international and EU maritime legislation by the Member States. While this contribution is very high in some of the Member States, where training courses have led to changes in national practices, there is also some room for improvement. The sharing of best practices and cooperation between Member States is considered to be an important result of training activities. There is some concern among the Member States that the planned increasing use of distance learning practices (DLPs) will lead to fewer possibilities to exchange.

EMSA's activities in third countries are contributing to the improved application of both international and EU maritime legislation through a strengthening of administrative capacities and the generation of knowledge and awareness. Limitations have been observed where beneficiary countries are not willing or able to participate in the activities.

There is high satisfaction among the participants of training courses and participants find the training activities to be of high utility for them and their work. As processes have been put in place to identify the Member States' needs and to conceive and provide training in line with them, it can be assessed with some certainty that EMSA will continue to provide value in this area.

An assessment of the use of the outputs in the area of Information, Knowledge and Training also shows a positive picture, with only a few activities being less used. In this work area, EMSA's training courses for officials from Member States are certainly the most-used activity. Some of the activities are not reaching all the targeted beneficiaries (TRACECA and SafeMed) due to external influences, while others are widely used but not primarily by the Member States (Equasis).

On this basis, the evaluation finds that EMSA's activities in the area of Information, Knowledge and Training have been effective.

5.2.5 Organisation and internal processes

The assessment of this question examines various aspects of EMSA's organisation and internal processes:

- Resource allocation and outputs
- Internal cooperation and exchange of information
- The management structures and organisation of the Agency
- Organisation and processes
- Awareness among external stakeholders

Impact of the organisation and internal processes on effectiveness:

The evaluation assesses that the organisational and internal processes of EMSA have been effective and conducive for the Agency's execution of its tasks and the delivery of its planned outputs and results.

EMSA is completing its tasks in a timely manner and in line with the quality expectations of stakeholders.

The internal performance management processes and appropriate changes to the organisational structure are assessed to effectively facilitate the implementation of changes to the tasks and resources of the Agency, e.g. by allowing for frequent monitoring of the implementation of planned activities and the timely reallocation resources.

As regards cooperation and information exchange between different units at EMSA, it is assessed that the current levels are generally sufficient for EMSA's ability to perform its tasks. However, there is room for improvement in terms of the internal communication (from management to units; between departments) and the ability of staff members from different units and departments to effectively exchange information and cooperate.

The evaluation assesses that the management structures and organisation of the Agency are generally conducive to the organisation's performance on the basis of input from the survey of staff. However, it is also assessed that some room for improvement may be found in making the organisation model better suited for the evolving cross-cutting activities of the Agency, on the basis of analysis of the comparative advantages of different organisational models and the suggestions made by different staff members.

EMSA has implemented a range of communication activities in relation to its stakeholders in order to raise awareness of its own activities, products and services, and to provide stakeholders and the general public with information about recent developments. While there is a general increase in the use of the Agency's communication products via different communication channels (website; social media platforms), there is also room for improvement in further increasing awareness of EMSA in the core stakeholder community, as well as in the maritime industry more broadly.

The evaluation therefore concludes that the organisational and internal processes of EMSA have had a positive impact on the Agency's effective execution of its tasks and on the delivery of planned outputs and results

5.2.6 Factors influencing EMSA's effectiveness

This section presents the conclusions on the extent to which the achievement of the outputs and results described above has been influenced by external factors such as processes and tools, external support or constraints, as well as other stakeholders.

> *Factors influencing EMSA's effectiveness: A number of factors influence the extent to which EMSA is able to achieve its targeted outputs and results.*
>
> *EMSA is acting in a context that involves a variety of stakeholders with differing visions for the Agency's activities. This leads to varying expectations with regards what EMSA should achieve and differing judgements on whether EMSA is successfully achieving its targets or if external influences represent obstacles. Some of the Member States, for example, consider the focus on services for the Commission to be very strong, and suggest that EMSA should prioritise the Member States' needs. However, the Founding Regulation clearly indicates that a majority of EMSA's tasks are to provide assistance to the Commission and to facilitate cooperation between the Commission and the Member States. Nevertheless, as the assessment of the effectiveness of the four work areas has shown, EMSA is assessed to be effective in carrying out its diverse tasks.*
>
> *The Agency is primarily dependent on the Member States' willingness to cooperate in the different working areas. But also cooperation with other stakeholders is key to EMSA's success, both in terms of the short-term view of achieving specific outputs (such as the collection of data) and the long-term view (such as ensuring the preparation and implementation of legislation).*
>
> *Additionally, in a context that includes numerous stakeholders, EMSA is acting in order to influence the development of maritime safety and security, as well as the marine environment. The Agency is achieving its targets in combined efforts with international organisations such as the ILO and IMO, as well as the European Union. EMSA also cooperates with a number of external partners, such as other EU agencies and the different DGs of the Commission, as well as with the maritime industry, regional agreements and external service providers. With all these stakeholders, EMSA needs to ensure positive working relations in order to be effective.*

5.3 Impact

According to the Founding Regulation, EMSA's work is intended to contribute to the following impacts:

- A high, uniform and effective level of maritime safety and security in Europe
- Effective and uniform prevention of and response to marine pollution caused by ships and by oil and gas installations
- The establishment of a European Maritime Transport Space without Barriers.

The following section presents the conclusions on the extent to which EMSA has been able to contribute to these general objectives.

> *Impacts: As observed in the conclusions to the evaluation questions on effectiveness, EMSA has been able to generate the desired outputs and results within the four working areas of the Agency's Five-year Strategy. These outputs and have contributed to EMSA's targeted impacts, albeit to varying degrees.*
>
> *Based on all assessments made in this report, the evaluation concludes that the Agency has contributed to a high, uniform and effective level of maritime safety and security by:*
> *• Improving the application of international and EU legislation in the Member States*
> *• Increasing technical capacities in the Member States*
> *• Improving the quality and accessibility of objective, reliable and comparable maritime information*
> *• Promoting cooperation between the Member States*

The evaluation also concludes that EMSA has contributed to the effective and uniform prevention of and response to marine pollution caused by ships and by oil and gas installations by:
• Improving the application of international and EU legislation in the Member States
• Providing surveillance data and information to the Member States
• Promoting cooperation and the exchange of data between the Member States
• Establishing additional tier-III oil spill response capacity across the EU

The Agency has had only a minor impact towards the establishment of a European Maritime Transport Space without Barriers. Towards this final impact, EMSA's role has been limited to a small number of activities (e.g. pilot project and technical support to MS). Although it is clearly mentioned in EMSA's Regulation, this appears to be a secondary objective of EMSA, as it is only directly addressed under the heading of ancillary tasks, and is something of a side benefit arising from EMSA's core tasks. Further instructions by the EU legislator and an enhanced mandate is required if this objective is to be pursued further.

As the Agency is acting in the context of other stakeholders, the contribution towards all three objectives needs to be considered in the context of combined efforts from all actors involved and is not the stand-alone success of EMSA.

5.4   Efficiency and cost effectiveness

The assessment of the *efficiency* of EMSA considers the relationship between the resources used by the Agency and the changes generated by its activities. The evaluation also examines the *cost effectiveness* of the services and functions performed by the Agency compared to previous, existing or potential equivalent services and functions performed at a more subsidiary level (regional, national or local).

Efficiency and cost effectiveness: *The evaluation finds that the efficiency of the Agency has been increasing, as evidenced by a lower share of overhead expenditure, the take-up of new tasks without additional resources. This improvement is partially due to the positive effect of the performance management system used by the Agency, which sets multiannual objectives and quarterly KPI indicators as one element in the periodic monitoring of the implementation of the annual work programmes.*

EMSA's subsidy from the European Commission has remained relatively static over the years, despite an increase in the scope of the tasks allocated to the Agency. Although the share of administrative expenditure is higher than that of other EU Agencies of comparable size, this reflects the particularities of EMSA's size and role. The allocation of expenditure has changed over the years, with an increasing proportion of costs allocated towards operational expenditures.

The recent introduction of well-developed monitoring and control processes has had a positive influence on EMSA's efficiency: EMSA uses a range of budget planning, monitoring and reporting tools which contribute to the effective management of the Agency. EMSA continuously monitors the consumption of budgetary commitments. This includes: monthly reporting on budget, procurement and financial management which provides information on budget execution per budget line for all fund sources, as well as per unit and budget line; financial and accounting information including transfers, commitments a posteriori, open invoices, guarantees and recovery orders; and procurement information including progress of planned procurement and contracts, negotiated procedures, comparison with other procedures and expiring contracts.

The cost effectiveness of the Agency's activities is assessed positively. EMSA provides value for money within the context of the EU maritime sector and within all areas of work: EMSA's services and products are generally assessed to be cost-effective. A number of activities provide high

value for money compared to alternative models of provision at the national or regional level. EMSA's activities are also assessed to contribute to reducing the administrative burden for Member States and to improving Member States' efficiency in implementing their legal obligations. However, there is room for improvement with regard to reducing the administrative burden for the maritime industry.

None of EMSA's activities are redundant; EMSA's work is generally, complementary to that of the Member States. In a number of areas, there is potential of simplification or rationalisation of the Agency's tasks/ activities – these have been addressed in the evaluation recommendations.

5.5   EU added value

This section concludes on the extent to which outputs delivered and results produced by EMSA could have been achieved without the existence of an EU agency in the field of maritime safety.

Added value:

Operating as an EU level Agency, the EU added value of EMSA can be found in the fact that the Agency offers:

- *The existence of EMSA has contributed strongly to a high level of harmonisation of the implementation of legislation, which could not have been accomplished by other stakeholders on a national, regional or global level. This contributes to stability and a level playing field for business.*
- *The existence of EMSA has created s European centre for maritime technical competence and data that contributes to deeper and broader services, better-quality legislation and standards, the exchange of reliable data and information, and the approved applicability of the EU's maritime legislation.*

The evaluation finds that EMSA provides relatively greater value to the small Member States than to the large ones, contributing to a more uniform level of maritime safety.

The evaluation has identified many areas and mechanisms through which EMSA reinforces EU or national initiatives by coordinating and aggregating expertise and knowledge, by harmonising the implementation of legislation and practices, and by topping up capability in the Member States.

Overall, the evaluation finds that the results of EMSA's work could not have been achieved fully through efforts made at a national and/or international level. This is particularly the case in the area of Monitoring, Surveillance, and Information Sharing. The findings are more nuanced in the area of Environmental Challenges and Response, where the tasks have until recently been carried out solely by the Member States.

A discontinuation or a reduction of EMSA's mandate would have significant, negative impacts on maritime safety and security in Europe. EMSA has become an important and respected player in the maritime community, and its discontinuation would have concrete negative impacts: standards and practices in the field of safety and security would be significantly less harmonised, there would be less sharing of data, information and practices, and this would ultimately have a negative impact on maritime safety and security.

The evaluation concludes that EMSA is creating added value in all in all work areas, providing added value (in various degrees) for all stakeholders. No areas could be either discontinued or continued at a subsidiary level without negatively impacting maritime safety and security.

5.6   Overall assessment

EMSA contributes to a safer and more secure maritime environment as well as to the increased ability of Member States to prevent and to respond to Marine Pollution by pursuing activities and objectives which correspond to the needs of the EU in the area.

Overall, EMSA's activities, outputs and objectives are well aligned with the needs of the Commission, Member States, and other maritime stakeholders. By providing highly appreciated services (i.e. information, knowledge, additional capacity and advice), tailored to the needs of its stakeholders, EMSA plays an important role in increasing the safety and security of the maritime domain and contributes to the prevention and response to Marine Pollution.

The impact of EMSA's work on the safety and security of the maritime domain becomes evident when considering EMSA's contribution to the provision of data and information to key stakeholders (through information systems), to the improved application and further development of maritime legislation (through visits, inspections, and technical assistance) and to increasing the technical capacities of Member States (through training and practical advice).

The development and operation of integrated information systems for the monitoring and surveillance of vessel traffic and maritime pollution provided by EMSA, the CleanSeaNet and SafeSeaNet systems, the visits and inspections[128] undertaken have become ubiquitous elements of the European maritime safety domain, helping make EMSA a highly respected player in the field. In addition, EMSA continues to address the needs of the Commission by providing technical and scientific assistance on a range[129] of issues informing policy related issues in a manner that is helping the Commission improve the development EU legislation.

More work is needed in order to reduce administrative burdens in the maritime domain.

One of the stated objectives of EMSA is to support the establishment of a *European Maritime Transport Space without Barriers*, which aims to increase the efficiency of maritime transport by reducing administrative burden on operators when conducting operations in EU waters. EMSA has contributed positively in this respect, in particular by helping Member States implement the Reporting Formalities Directive (2010/65/EU). Overall contribution, however, is limited and operators continue to face high administrative burdens. The disappointing progress in this area can be attributed to weaknesses at the policy and legislative level (which are currently under evaluation and revision), rather than being attributed to EMSA's work. Depending on the political advancement of the area, a clear, reinforced mandate for EMSA is necessary in order for the Agency to make a sizeable contribution towards achieving this goal. As it stands now, the placement of activities contributing to this objective under "ancillary tasks"[130] further relegates this objective to a secondary one.

The creation of a 'European Transport Space without Barriers' is yet to be achieved. Administrative burdens for the maritime sector remain a problem. Given its competences and track record in building and maintaining information and data systems for the maritime sector, EMSA would be ideally suited to help implement technical solutions which aim to reduce duplications. Action by EMSA in this area, however, requires a clarified mandate based on a wide agreement on the policy and technical solutions to be implemented.

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[128] Inspections of ROs and third countries (STCW) – The inspections are internationally acknowledged as 'top-class', very professional, thorough and quality-focused inspections that contribute significantly to maritime safety

[129] E.g. Oil and hazardous and noxious substance (HNS) marine spills; advice on chemical substances in maritime emergencies; Dispersant Usage Evaluation Tool; Emission of carbon dioxide from maritime transport; Sulphur content of marine fuels; EU Ship Recycling; Anti-fouling systems

[130] Article 2a Regulation (EC) No 1406/2002 of the European Parliament and of the Council of 27 June 2002 establishing a European Maritime Safety Agency (consolidated version)

EMSA's current mandate enables the Agency to address current and future needs, but budget constraints are increasingly lowering its ability to address emerging needs

The EU maritime domain is defined by global, growing or emerging challenges and needs. These include: the protection of the maritime environment, the prevention of pollution, safety of life at sea, regulatory developments at EU and IMO level and continued administrative burdens.

In the area of information systems, many possibilities for targeting new needs and providing improved services exist (e.g. expansion of the number of users within Europe and beyond, providing innovative digital solutions in line with technological developments[131], continuous improvement of the services based on user needs). EMSA is well placed to take on these challenges under its current mandate.

Regulation and the implementation of legislation are perceived as becoming increasingly complex, creating challenges to implementation and enforcement challenges for the Member States. Under its current mandate, EMSA remains in a position to provide technical assistance and concrete practical advice to Member States, through guidance documents, workshops, visits, trainings or other activities. The European Commission, however, remains responsible for providing interpretations of EU law when needed.

Overall, given its successful track record of continuously adapting to changes in the external environment, there is little concern that the agency will be unable to deliver on emerging needs in line with (or above) expectations. However, while EMSA has been able to respond to emerging needs and challenges so far, tight budget constraints may hamper this adaptability in the future. EMSA is facing stronger budget constraints today compared with earlier years. This can make it more difficult for EMSA to meet future needs and challenges.

EMSA generates significant added value by operating at a European scale

The challenges faced by the maritime sector cannot be overcome at national level. By operating at EU level, EMSA is providing significant added value to the Member States. In the absence of EMSA, the activities the Agency undertakes would not be carried out at the same level (or would not be conducted at all). The provision of satellite imagery, earth observation data and other data relevant to pollution and emission monitoring (e.g. CleanSeaNet, SafeSeaNet), for example, would be available to only some of the larger Member States in the absence of EMSA's intervention and would likely come at a lower level of service and higher cost. Furthermore, EMSA's work and technical assistance creates little (or none) administrative burden for the Member States. To the contrary, EMSA's assistance, in particular regarding the different maritime data services, allows national maritime administrations and other authorities make savings and better use their resources carrying out their normal responsibilities

EMSA's working practices, its planning and priority setting have a positive impact on its performance

The evaluation shows that the Agency's staff (management and operational) is ambitious in the way it seeks avenues for improvement of their services and operations, follows up on them and continues to seek opportunities for embarking on new activities which operationalise the mandate of the Agency and implement its 5-year strategy.

The continuous development of EMSA's performance management system has allowed EMSA to set and measure performance along key performance indicators and targets for the quantity,

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[131] E.g. there are ongoing global discussions on the future of autonomous vessels

quality and timeliness of the Agency's outputs. The processes and tools used by the Agency also allow for frequent monitoring and reaction to developments through reallocation of human and financial resources that helps ensure that the activities of the Agency are effective and efficient.

EMSA is becoming more efficient with time, producing more with similar resources

The period under evaluation was characterised by 'zero-growth budgets', which has spurred a different organisational and management mind-set in order to match the tasks and expectations of the Agency to the budgets. Within the period evaluated, the Agency has managed to increase its outputs despite additional tasks and static resources.

Nevertheless, the budgetary and human resource constraints are limiting the ability of the agency to take on new (ancillary) tasks or respond to emerging challenges. Resources in Department A and other support functions are particularly under pressure.

EMSA manages the critical task of engaging in constructive relationships with its stakeholders in spite of the complex maritime stakeholder landscape

The most important challenge faced by EMSA is that it is heavily reliant on external stakeholders (especially, the Member States) for inputs (e.g. maritime data, national experts, factual information, etc.) critical to the delivery of some of its services. While legislation plays an important part in ensuring that critical inputs are available to EMSA, commitment from the stakeholders responsible for providing data to EMSA, beyond the minimum level required by the legislation, is necessary. For this reason, it is critical for EMSA to engage in constructive relationships with its stakeholders. EMSA also cooperates with other EU Agencies, the different DGs of the Commission, and industry and regional agreements. With all these stakeholders, EMSA needs to ensure positive working relations.

This challenge drives EMSA to engage with its stakeholders, actively cooperate and coordinate its activities and take on a "user-centric" approach to the delivery of its outputs, whether delivering input to the Commission or services to the Member States. However, as not all Member States rely on EMSA's services to the same extent, the willingness to engage and support EMSA's activities differs across the EU and across the different services.

Overall, the study uncovered positive feedback regarding EMSA's capacity to cooperate with these various stakeholders, in particular in the exchange of data and information and in the combined implementation of activities. This requires constant attention and effort.

6. RECOMMENDATIONS

On the basis of the findings and conclusions of the *Evaluation on the implementation of the Regulation (EC) no 1406/2002 establishing a European Maritime Safety Agency (EMSA)*, this section makes recommendations for the future development of the Agency. To this end, two formative questions have been answered:

- What actions could be taken to improve the Agency's overall performance, added value and relevance?
- What actions could be taken to optimise the organisation and structures of the Agency?

The recommendations are presented along with suggestions for their implementation:
- A justification for the necessity of implementing the suggested change
- Main benefits
- Risks and potential mitigation strategies
- Conditions for the implementation
- Principal actors that need to be involved in the implementation
- Timing (short/medium/long-term/ ongoing)
- Any potential budget implications
- Priority of implementation

Note that these recommendations are not presented in the order of importance; instead, they follow the structure of the report.

Table 11: Recommendation 1 / Reporting Formalities Directive

Recommendation	**Support the Commission and Member States in ensuring the effective implementation of the Reporting Formalities Directive, but condition any significant investment by EMSA on a political consensus regarding the way forward.**
	EMSA should continue to support the EU Member States in implementing the National Single Windows. However, even though the main focus of EMSA remains maritime safety, the agency could also take additional steps to promote the objective of improving internal market and maritime transport and traffic efficiency within the remit of its mandate.
	In this area, the latter can be achieved through:
	• Continued involvement in the REFIT review of Directives 2002/59/EC on Vessel Traffic Monitoring and Information System (VTMIS) and Directive 2010/65/EU on Reporting Formalities for ships arriving in and/or departing from the ports of the Member States (RFD) and in the related impact assessment.
	• Operational development and revision (as necessary) of SafeSeaNet, in order to mitigate incoherencies reported by the industry[132].
	However, it is not advisable for EMSA to invest further in the European Single Window without a clear consensus by the Member States and the Commission regarding the way forward.
Justification	EQ3: The National Single Window concept, which aims to reduce administrative burdens, is not viewed as a success by the stakeholders. This is due to a wide range of factors, most of which are beyond EMSA's

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[132] Good examples, already achieved by EMSA, include: the consolidation of various notification forms used in different ports into one waste message (thereby solving the problem of different notification forms) and the inclusion of exemptions into the system of reporting.

	control, and which are being evaluated in great detail in a series of studies[133].
	Because the Commission is well aware of the issues reported, a REFIT evaluation of the VTMIS Directive and the RFD has been launched. This evaluation aims to answer whether the harmonisation and simplification of the reporting requirement can be better achieved through a European Single Window environment.
	Without any prejudice to the future results and conclusions of the above-mentioned studies, additional action to ensure a more effective application of the "reporting-once" principle as specified in the relevant EU legislation[134] is likely to be required. Potential actions required may range from a continuation of the implementation and development of the National Single Windows concept under the current legislative environment, with further adjustments to resolve or mitigate identified weaknesses and incoherencies (i.e. baseline scenario), up to the full EU harmonisation of reporting requirements and the wider coverage of formalities through a European Maritime Single Window environment.[135]
	As EMSA has been working on the development of the SafeSeaNet to bring it in line with the legislative requirements, and has been working with Member States to support the technical implementation of the National Single Windows, and has also worked on the development of the EMSW environment under a pilot project launched in 2015 by the Commission (the e-Manifest), it is in a unique position to support the Commission and the Member States in identifying appropriate, proportionate and cost-effective solutions to resolve the issues identified. EMSA's contribution may come in the form of input to the planned impact assessment.
Main benefits	Implementation support would increase the effectiveness of the Reporting Formalities Directive as regards trade facilitation and contribute to a high extent to increasing the efficiency of Maritime transport and traffic (transport facilitation) and the reduction of administrative burdens for industry.
	Expert input provided by EMSA to the Commission and the Member States may contribute to identifying appropriate, proportionate and cost-effective solutions to resolve the issues surrounding the implementation of the Directives and the achievement of the stated policy goals.
Risks	Continued support to EU Member States in implementing the National Single Windows, within the status quo scenario, is not likely to involve major risks for EMSA, taking into account the appreciation shown by the Member States on the support provided so far. Similarly, revision of

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[133] As the Commission is well aware of the issues reported, a REFIT evaluation of Directives 2002/59/EC on Vessel Traffic Monitoring and Information System (VTMIS) and Directive 2010/65/EU on Reporting Formalities for ships arriving in and/or departing from ports of the Member States (RFD) has been launched, and is due to present its detailed findings on the drivers of the problems recognised in this area. This REFIT evaluation will aim to answer whether the harmonisation and simplification of the reporting requirement can be better achieved through a European Single Window.

[134] Articles 3 and 5 of Directive 2010/65/EU of the European Parliament and of the Council of 20 October 2010 on reporting formalities for ships arriving in and/or departing from ports of the Member States and repealing Directive 2002/6/EC – OJ L 283, 29.10.2010, and Annex III of Directive 2002/59/EC of the European Parliament and of the Council of 27 June 2002 establishing a Community vessel traffic monitoring and information system and repealing Council Directive 93/75/EEC – OJ L 208, 5.8.2002.

[135] Commission staff working document on the implementation of the EU Maritime Transport Strategy 2009-2018 SWD(2016) 326 final, page 12, reports that the shipping industry urges further progress towards the full EU harmonisation of reporting requirements and the wider coverage of formalities through a harmonised electronic cargo manifest (e-Manifest), which could be implemented through a European Maritime Single Window. However, It should be noted that a number of Member States have expressed disagreement on the creation of another platform (i.e. a Single European Window), as they have already developed national systems and have incurred costs for compliance with the RF Directive.

	SafeSeaNet, in order to mitigate operational incoherencies is well within the ability of EMSA to pursue without major risks. Similarly it seems reasonable for EMSA to remain involved in the on-going REFIT. Nevertheless, any enhanced involvement in the implementation the European Single Window environment without a clear consensus by the Member States and the EU Commission on the way forward is likely to involve major financial and reputational risks for the Agency. As a result, conditioning further investment by EMSA on the European Single Window until consensus on the way forward is reached would help reduce the risk exposure of the Agency.
Conditions	*Evaluation:* Any action needs to be built on a thorough evaluation of Directives 2010/65/EU and 2002/59/EC, and in particular, on the status of the implementation, on the work already conducted, on the effectiveness of its measures, and on clearly identified weaknesses. *Involvement*: All key stakeholders (e.g. Member States, the Commission and the shipping industry) should be able to provide their input to the process in order to ensure that EMSA's involvement is in line with the expected results for the European Single Window environment and the particular course of action required to ensure its effectiveness. *Consensus:* Action in the area going beyond the baseline scenario requires consensus from key stakeholders (Member States, EU Commission and Industry). *Request from the Commission:* As the evaluating party, the European Commission should request input from the Agency in the context of the REFIT review of the VTMIS Directive and the RFD. *Consensus and mandate:* Potential *a*ction in the area going beyond the baseline scenario (i.e. maintaining the status quo) requires agreement from key stakeholders (Member States, European Commission and Industry) and a clear mandate to be given to EMSA.
Principal actors involved	European Commission / EMSA / Member States / Industry
Timing	Ongoing
Budget implication	Maintaining the status quo (i.e. continuing to provide implementation support to at the request of Member States, and developing SafeSeaNet) does not have major budgetary implications for EMSA. However, additional action related to potential development of the EMSW is likely to have a significant impact on the budget and staff requirements for the Agency.
Priority	High

Table 12: Recommendation 2 / Information systems (1)

Recommendation	**Continue development and improvement of EMSA's information systems, taking into account Member State needs. Development and improvement, however, should be based on increased monitoring and analysis of the use of the underlying services based on refined usage statistics.** EMSA should continue to deliver high-quality Monitoring, Surveillance and Information Sharing systems to its users. However, constant improvement and adjustments to changing user needs is required.

	The following possible improvements are identified by the evaluation: • Continue the work on providing IMS by supporting enhanced system-to-system integration[136] • Provide users with broader access to historical data • Continue work on improving the functioning of the European Marine Casualty Information Platform (EMCIP) **[137]** • Increase the amount of training opportunities available in line with the growing number of individual users (this is especially relevant for Member States with multiple organisational users) • Increase the user-friendliness of the graphical user interface (GUI) of the IMS, and continue work on reducing latency and increasing the speed of the application[138] • Maintain the current level of stakeholder engagement (which has been praised in the context of this evaluation) as a forum for maintaining the relevance of the systems for the users • Continue to engage with Member States to provide additional data elements and indicators that are tailored to the needs of the users (taking into account the resources necessary for generating such data elements) • Continue to allow Member States to define and configure their own scenarios and alerts in the context of the ABM services, and ensure that Member States are aware of the possibility of doing so. • Continue work on providing intelligence services in the form of the Common Ship Database (CSD)[139] • The prioritisation of actions to be taken, as well as the identification of additional avenues for continuous improvement of the service and its adaptation to the changing needs of the stakeholders should be driven by an increased understanding of the use of the underlying services (e.g. through increased usage of statistics and analytics, such as number of daily log-ins, number of queries related to particular data elements, active use of the various services provided, etc.)
Justification	EQ3: While noting the overall positive assessment and overall high levels of satisfaction with EMSA's services, areas of continuous improvement have been identified by stakeholders. However, EMSA's systems do not easily generate detailed user statistics and analytics that would support the understanding of the patterns of use of EMSA's systems. For instance, it is not possible to assess the extent of "active" use, which would aim to quantify, in a more detailed manner, the level of use of EMSA's services and the activity observed within the platforms. Going beyond the limitation to the evaluation itself, an internal analysis of such types of indicators (i.e. by EMSA), at least at an aggregated level (i.e. protecting the privacy and anonymity of the individual users) may help EMSA improve the level of use (hence utility) of specific aspects of the broad range of services being offered, and hence prioritise their development and improvement.
Main benefits	Prioritise IT development and direct resources more efficiently.

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[136] An IMS Group Working Group tasked to collect the user requirements has been set up, and an internal EMSA project team has been tasked to work on its implementation.

[137] At the time of drafting of the report, the Agency was already taking action in this direction.

[138] It is noted that there is an ongoing project (STAR) with the aim of decreasing latency and increasing the capacity for processing additional maritime data, as well as improving the application's back-end response times.

[139] This development is already envisioned, as the Common Ship Database (CSD) will be integrated into IMS in 2017.

	Increase the quality, use, effectiveness and added value of EMSA's monitoring, surveillance and information-sharing systems
Risks	*Privacy issues*: Given the sensitivity surrounding analytics of user behaviour (especially in the context of organisational users which require data for law enforcement purposes), the definition, analysis and reporting of indicators of active use should be done with due regard for protecting the privacy of the users (e.g. aggregation / anonymization, etc.). To alleviate concerns, analysis should be done in anonymised form for internal use only. *Technical limitations:* The extraction of relevant "use" indicators requires technical development. Not all indicators are readily available.
Conditions	Efficient development of EMSA's services requires an improved understanding of usage and user needs, broken down by individual service. Generating relevant indicators of active use will require some IT development.
Principal actors involved	EMSA, Member States
Timing	Ongoing
Budget implication	Although costs for improvement and functionalities are likely to be involved in the implementation of this recommendation, the over-arching assumption is that, overall, it should fall within the scope of current levels of costs for improvement and development. Part of this recommendation deals with the need to prioritise and target developments based on a deeper knowledge of the actual use of the systems, and the aim is to leverage existing resources already dedicated to the information services and increase the efficiency of the underlying services, focusing resources to those functionalities providing the highest added value and reducing resources dedicated to those shown to be of lower utility.
Priority	Medium

Table 13: Recommendation 3 / Information systems (2)

Recommendation	**Increase user base by opening access to systems and facilitate the sharing of non-sensitive maritime data to relevant users whose access is currently restricted.**
Justification	EQ 3: EMSA's information systems are widely used by the stakeholder community[140]. However, there is a potential for EMSA to increase the total number of individual users, as the pool of users who are likely to find the services provided by EMSA highly relevant is not yet exhausted. This includes additional individual users within organisations already covered (e.g. additional desk officers within organisations already serviced) as well as other authorities not yet covered within some Member States (e.g. customs authorities, border control, police and anti-terrorism authorities, etc.). At the same time, restrictions corresponding to the data owners' data policies[141] apply, and will continue to be an external barrier to the effectiveness of the information systems being developed. Increasing the user base should be done without prejudice to the rights and

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[140] For example, the IMS has more than 900 unique users.
[141] For THETIS, Access rights are governed by a EU legal act.

	wishes of data owners, in particular Member States.
Main benefits	Leverage EMSA's investment in information systems. Leverage own and third-party information and data.
Risks	Data restrictions are a major challenge which will continue to place barriers on what data can be shared with which stakeholder types. Increasing the user base will increase the complexity of the underlying systems[142].
Conditions	*Identification of users and needs:* EMSA would have to identify and target relevant users and their legitimate data needs (e.g. third countries which could be granted access to certain elements of SafeSeaNet; additional customs authorities, border control, police and anti-terrorism authorities in the Member States could be granted access to IMS services; MAOC-N could be granted access to the Common Ship Database, which would include a list of vessels banned from EU ports, etc.) *Brokering data access:* Ensuring authorisation from data owners to make data available to additional users in an efficient manner requires an established procedure with clear principles and accepted communication channels. Policy discussions by Member States and the Commission should aim for a more relaxed data access rules and a limitation of the number and variation of access rights.
Principal actors involved	EMSA and Member States as (data owners) in the High-Level Steering Group for Governance of the Digital Maritime System and Services Member States and other stakeholders as potential users European Commission (as facilitator, if necessary)
Timing	Ongoing
Budget implication	Although user management may entail additional workload following the implementation of this recommendation, there should be no major implications in terms of number of staff, as it would seek to leverage existing resources already dedicated to the information services. However, in certain cases, it may involve additional budget for the scalability of systems (in cases where upgrades are necessary[143] to deal with the increase in number of users) as well as increase the costs for software licenses which are based on number of users.
Priority	Medium

Table 14: Recommendation 4 / Visits to Member States (horizontal analyses)

Recommendation	**Continue the development and implementation of a more open, responsive and purpose-driven approach to visits to Member States.** The methodology to the visits to Member States have over the years developed towards a more open and responsive approach. Even if **EMSA needs to maintain the audit element of its visits due to its statutory role under the Founding Regulation** there is a strong demand from Member States to continue this trend of focusing resources on areas where there is a strong need and purpose for EMSA to play. This could further improve value and effectiveness by:

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[142] EMSA's systems are designed to manage data access in accordance with the restrictions imposed by the owners of the data. The solutions put in place to manage data access appear to scale up well with the number of users, hence minimising the risks attached to an increase in the user base. However, this aspect of issue was not analysed in depth in the context of this evaluation, hence a potential risk from increasing the number of users exists in this respect.

[143] Existing systems could still cope with an increased number of users without the need for upgrades, while some may require such upgrades, depending on the relative increase.

	• **Being more purpose-driven** – more focus on actual risks for maritime safety and security in relation to the Member State visited, and less focused on rigid implementation of legislation/procedures/manuals/checklists (control of control systems). • **A more open, responsive approach** to create the best agenda for the visits. EMSA discusses with the Member States and the Commission the biggest challenges and needs prior to visits (e.g. pre- cycle workshops and questionnaires and pre-visit questionnaires), however if considered relevant – part of the visit (e.g. 1 day) could be focused on the specific needs of the individual Member State. • **More horizontal communication of findings from visits** to better share best practices and improve synergies between the Member States (already in the EMSA methodology (2015) for visits[144] but results not yet observable). • **Member States should also be more responsive**. The above initiatives are only relevant and valuable if Member States are committed to be a constructive collaborative partner and work together with EMSA to highlight areas of interest for the visit. Member States should therefore takes active steps to make use of the possibilities to interact with EMSA provided by the methodology.
Justification	EQ4: After more than ten years of visits, EMSA has contributed significantly to the harmonious legal implementation of maritime legislation in the EU and beyond. In accordance with the mandate, there is still a requirement for EMSA to assist the Commission in checking the effective implementation of legislation but this requirement could be fulfilled through a broader, more advisory and supporting role for facilitating best practices in the maritime safety and pollution prevention areas in Europe, without prejudice to the need to identify any non-conformities or breaches of legislation. It is acknowledged that EMSA has already taken steps in this direction and it is reflected in the new methodology for visits adopted in 2015. The new Methodology already requires, among other things, EMSA to address other issues, with (i) the pre-cycle workshop and questionnaire; (ii) providing technical support to the MS (advisory report and assistance with Corrective Action Plans) and (iii) inquiry/discussion centred on eliciting horizontal issues and implementation difficulties which can be addressed through Horizontal Analysis/Cost Efficiency Analysis. However, the implementation of the methodology has yet to show impact and effect to the Member States and the change in the methodology has yet to become more visible for Member States. It may take some time before the new methodology begins showing the results and impacts mentioned by the Member States demands. Until such time, a more open, collaborative and purpose-driven mind-set would continue to appear to have the potential of bringing more added-value for the Member States and the Commission alike. The 2015 methodology for visits envisages more horizontal analysis, and EMSA is currently implementing this approach. However, Member States would like EMSA to continue to improve the implementation of horizontal analysis and the exchanges of best practice between Member States. In our assessment this requires efforts to be made by both EMSA, as well as the Member States.
Main benefits	A greater added-value for all (Commission, Member States and external stakeholders) with a bigger impact on safety and pollution prevention and a better fit with the needs of Member States for more-holistic and tailor-made visits and support in the implementation of maritime legislation.

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[144] Methodology for visits to Member States, adopted by the EMSA Administrative Board at its 43rd meeting on 18 November 2015.

Risks	Striking the right balance between the requirements of the mandate and the views of the maritime administrations in relation to the visits to Member States.
Conditions	Member States need to be responsive and communicative regarding how EMSA and Member States can benefit most from the interaction, and from the visits in particular, e.g. contributing pro-actively to the workshops held by EMSA and ensuring proper follow-up on the horizontal analyses EMSA needs to continue adapting the allocation of its resources adequately to move away from a pure visit/report process to a more collaborative and analytical process implementing, in this regard, the methodology developed in 2015 has taken important steps. It's effects will become more visible in the coming cycles of visits.
Principal actors involved	EMSA, Member States and Commission.
Timing	Immediately
Budget implication	Would probably require small amount of additional resources to cope with the multifaceted needs in a more open, responsive and purpose-driven approach.
Priority	Medium

Table 15: Recommendation 5 / Support to Member States in implementation of legislation

Recommendation	**Support Member States in the early implementation of new maritime legislation** Some Member States would like to receive support from EMSA in understanding new legislation and ensuring appropriate, harmonised and effective application of the rules, including technical assistance. However, it is not in EMSA's mandate to interpret legislation (and will not be as this is a Commission role). Nevertheless, such a need may be accommodated within the current mandate. For example EMSA support can be provided early in the process of implementing new rules through holding a workshop with Member States at the start of a new cycle of visits, as set out in the 2015 methodology and in dialogues around Visits to member States.
Justification	EQ1: Small maritime Member States with few resources and competences are often challenged by the complexity of maritime legislation. These Member States see EMSA as well placed to provide technical assistance with the application of new legislation.
Main benefits	Increased collaboration between EMSA and the Member States. Improved application of legislation.
Risks	At the limit of Commission, EMSA and Member States' competencies as regard to the interpretation of legislation.
Conditions	Clear delineation of EMSA's responsibility as regards the extent of the support that can be provided to the Member States. Implementation of the 2015 methodology.
Principal actors involved	European Commission and EMSA
Timing	Ongoing

Budget implication	This will moderately increase costs for EMSA and the Commission compared with current tasks/set-up.
Priority	Low

Table 16: Recommendation 6 / Inspections of ROs

Recommendation	**A quicker debriefing to Recognised Organisations to precede the final inspection report could be implemented.** To improve effectiveness of ROs' inspections by EMSA, it is recommended to put together a provisional written statement to be sent shortly (e.g. within 2 weeks) after inspection. At present an informal oral briefing is often given by EMSA but there is no requirement to do so. A provisional statement should include the most important findings to the RO. The statement would be <u>preliminary and non-binding</u>, as changes could be still included in the final report. Without reducing the quality and accuracy of the final report, it would allow the ROs to take action in relation to the findings sooner.
Justification	EQ4: The draft inspection report is circulated by EMSA at the latest after 75 days; however, RO's argue that it can take up four months before they receive a final report. ROs perceive this timing to be too long, considering the need to take corrective action resulting from the inspections.
Main benefits	Improve the effectiveness, impact and usefulness to ROs of EMSA's inspections by helping/guiding them to make relevant changes. It would also serve to minimise criticism directed at the Agency claiming that EMSA's reporting is too slow, This action would therefore help increase the reputation and perceived added value of the Agency.
Risks	*Political barriers:* It is currently within EMSA's mandate to assist the Commission in inspections, and the Commission must become convinced of the need for a more open, cooperative approach to inspections in order to generate benefits for the ROs. *Practical feasibility and coherence –* A quicker reporting entails less time for analysis and quality assurance, and ultimately runs the risk of being less thorough and/or accurate than the final report which is issued after proper factual verification, validation and quality checks. This risk should be mitigated through careful wording and clear warnings that the findings may change.
Conditions	A provisional written account provided by EMSA inspectors to the ROs shortly after the visit, even non-binding, would require small additional resources to be allocated during the inspection to ensure sufficient quality control in order to avoid subsequent objections by the ROs if/when the provisional account does not exactly match the inspection report's contents and conclusions. The provisional report would have to be carefully worded with some "*potential findings under review*" and a clear warning that the list of findings may change. The quality of the inspections needs to be maintained. For this reason a quicker, provisional feedback, preceding the official report could be a good approach, provided that small additional resources are committed to cope with the need for increased quality control.
Principal actors	ROs, EMSA, European Commission

involved	
Timing	Medium-term
Budget implication	Would require small amount of additional resources to cope with the need for increased quality control.
Priority	Low

Table 17: Recommendation 7 / Oil spill response capacities

Recommendation	**Perform an oil spill risk assessment to analyse the efficiency of oil pollution response services.** EMSA should work with all regional agreements and coastal Member States in order to determine the environmental risk of oil spills and potential impacts in order to help inform decisions on the efficient level and options for response.
Justification	EQ 5: Regulation No 911/2014 of 23 July 2014 established a Multiannual Funding Framework (MAF II) with a total financial envelope for EMSA's oil pollution response activities of €160 million for the period from 1 January 2014 to 31 December 2020. The in-depth study on the cost efficiency of EMSA's oil pollution response capacity commissioned by EMSA and undertaken in parallel with this evaluation has concluded that EMSA has successfully implemented the mandate it was given by topping up Member States' capacities and providing Tier III response vessels. Despite this generally positive assessment from the evaluators and the widespread agreement among the stakeholders (see the survey findings and in-depth interviews) that EMSA has had a positive effect on the capacity of EU Member States to respond to large oil spill incidents, in the context of the in-depth interviews a minority of Member States have expressed some concern regarding the overall cost of the service. While some regional agreements (e.g. HELCOM, BONN) have already made progress in assessing the oil pollution risks within their regions[145], they do not provide a detailed and quantifiable assessment of the environmental risks and potential impacts (economic, social, etc.). While, residual risk acceptance can only be set by coastal Member States, the absence of detailed and quantifiable assessments outlining the environmental risks and their potential impacts makes it difficult to determine the cost-effective level of oil pollution response capacity which should be established to mitigate them. At the moment, there are no objective measurements and budgets dedicated to response reflect a political choice. This lack of information is the source of the concern expressed by some stakeholders relative to the costs dedicated to oil pollution response and implemented by EMSA.
Main benefits	An updated risk assessment would help the Commission and the co-legislators (Council and Parliament) to build consensus on the scale of EMSA's allocated resources in the next financial framework (2021-2028) and help maximise optimal efficiency.
Risks	*Data and methodological limitations:* There is insufficient historical data to inform an assessment of the risks, based on observable cases alone. As a

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[145] E.g. Brisk; BEAWARE, etc.

	result, a modelling based methodology would have to be applied. The modelling of risks, the quantification of economic costs of non-action and the estimation of what may constitute an "efficient" level of protection to mitigate such risks is surely not a straightforward process; available data is limited and potentially expensive to produce. Ultimately, a political decision would still be necessary by co-legislators to determine optimal levels.
Conditions	Sufficient budget for conducting a methodologically sound study covering all EU regions.
Principal actors involved	EMSA / Regional Agreements / Marine Environmental Consultants
Timing	Medium-term
Budget implication	Approx. > €500,000, subject to specific decisions regarding scope, objectives and the methodology to be applied.
Priority	Low

Table 18: Recommendation 8 / Communication activities

Recommendation	**Improve awareness of EMSA among its stakeholders through reinforced communication activities** With respect to the Agency's core stakeholder community, and the maritime industry more broadly, awareness can be increased by improving the visibility of its existing functionalities and products. Suggested measures include: • Relaunching subscription services to reach out to more stakeholders in the maritime industry – adding the possibility for users to select topics for which they want to receive press releases[146], and directly communicating these to the stakeholders by e-mail, as well as publicising this information on EMSA's website, can be expected to raise awareness of this feature and attract new subscribers. • Promoting EMSA's current communication activities among current stakeholders with simple-to-implement promotion activities, such as encouraging EMSA staff to add a link to EMSA's newsletter or LinkedIn page to their e-mail signature, could improve awareness of the Agency's existing communication activities among current stakeholders and first-time contacts in the maritime industry. A **one-off publication focused on communicating EMSA's role in improving maritime safety and security to the general public** could also be considered. The publication would focus on providing examples of selected activities of EMSA which could be most easily understood by a non-specialised audience or members of the maritime industry who were encountering EMSA's work for the first time, focusing on building narratives and including testimonies from stakeholders.[147] Such a publication, or similarly targeted shorter brochures, could be distributed through the European Commission's communication services via its representations in Member States and the communication activities they organise, as well as through Europe Direct Information Centres.
Justification	The analysis of EMSA's current communication and awareness-raising activities shows that there is some room for improvement in the effectiveness of communication, which will also address the concerns of the

[146] An example of the application of this approach can be found on the website of the European Aviation Safety Agency (EASA) https://www.easa.europa.eu/newsroom-and-events/connect-with-us

[147] One example of such a publication is the "12 seconds to decide" publication by Frontex, http://frontex.europa.eu/assets/Publications/General/12_seconds_to_decide.pdf

| | members of EMSA's Administrative Board regarding the insufficient understanding and awareness of EMSA and its activities in the stakeholder community.

The proposed additional communication activities directed at the core stakeholder community and the maritime industry more broadly would not require the production of additional communication material and products, but would instead focus on improving the awareness and use of existing/planned ones.

As is recognised in the current communication strategy for the Agency, while the technical nature of EMSA's work is unlikely to lead to a strong demand for information from all EU citizens, building narratives and case studies about the Agency's work and garnering publicity for them via the general media may prove to be useful tools for raising EMSA's profile. The proposed narrative-focused publication could be effective in this direction. |
|---|---|
| **Main benefits** | Increased awareness among the stakeholder community of EMSA's work can be expected to improve the understanding and utilisation of EMSA's products and services and contribute to increasing the effectiveness of the Agency.

Increasing awareness of EMSA among the broader community and the general audience will contribute to improved awareness of the added value of the European Union's contribution to maritime safety and security. |
Risks	None
Conditions	None
Principal actors involved	EMSA communication team; EMSA staff
Timing	Short- to medium-term
Budget implication	• The recommended actions to improve awareness of existing communication products will be approximately cost-neutral compared with current tasks/set-up.
• The publication of a one-off communication product targeted to the general public will involve one-off costs of production and distribution in the range of the costs involved in the production of the types of studies and reports that the Agency currently produces.
Priority	Medium

Table 19: Recommendation 9 / Internal communication and organisational processes

| **Recommendation** | **Further improve internal communication and organisational processes to facilitate better cooperation between staff**

Internal work processes related to communication, coordination and management could be improved so as to *further* enhance staff engagement and collaboration.

Concrete measures include:
• more frequent department-level and agency-level meetings;
• increased involvement of staff in decision-making processes affecting their tasks through participation in management meetings on new initiatives or involvement in steering groups for major processes within the agency;
• ensuring that EMSA's corporate values promote an organisational culture of transparency and collaboration within the agency. |
|---|---|

	It could be relevant for EMSA to consider elements of a horizontal or matrix-style organisational structure in order to directly facilitate the increased involvement of staff in decision-making processes and prevent the development of organisational silos. Current practices for the set-up of cross-department or cross-unit task forces for specific projects could become the basis for more concerted efforts in this area.
Justification	The evaluation finds that EMSA has become a mature organisation with well-functioning management and working processes. However, like all modern organisations, EMSA needs to evolve organisationally to ensure that its maturity does not become an obstacle to its effectiveness and efficiency. The perception among some staff members regarding organisational obstacles to the effective cooperation and exchange of information within the Agency indicates the need to consider measures that improve the environment and incentives for such processes. The perception of the current organisational structure and culture within the Agency as vertical and hierarchical can be addressed through concerted measures to facilitate cooperation between departments and promote a culture of transparency, openness and cooperation towards shared organisational goals.
Main benefits	The recommended measures are expected to enhance staff engagement and collaboration and thereby contribute to the improved effectiveness of the Agency, especially in the delivery of complex products and services which require good collaboration and coordination between staff across the various departments and units.
Risks	Cultural barriers could be an obstacle to the successful implementation of the proposed measures – it is typical for processes connected to organisational change to generate a fear of loss of control and insecurity about new roles if it is not implemented in a way that motivates staff and instils a sense of ownership.
Conditions	It is important that staff at different levels see the commitment of the Agency's management to any initiated organisational change process. This can be operationalised through clear communication about any new initiatives, the engagement of staff in discussions ('local consensus discussions'), the setting of clear action plans, and the monitoring and reporting of progress.
Principal actors involved	EMSA management, EMSA staff.
Timing	Short- to medium-term
Budget implication	Approximately cost-neutral compared to current tasks/set-up
Priority	Low

APPENDIX 1
EVALUATION QUESTION MATRIX

Sub-questions	Descriptor	Norm/Judgement criteria	Data collection/sources[148]	Main target group(s)
Relevance: *To what extent is it (still) relevant to have a decentralised EU Agency dedicated to maritime safety?*				
1. To what extent have the objectives and tasks set out for the Agency's work in the founding Regulation proven to be relevant to the work of EMSA and the needs in the field of European maritime safety so far, and to what extent are they pertinent to addressing emerging needs?	1.1 Extent to which the objectives and tasks set out in the Regulation have matched the needs of stakeholders in the field of European maritime safety

1.2 Extent to which emerging needs are sufficiently addressed by the EMSA Regulation, as amended in 2013, and/or by the recent amendment under implementation | At least 70% of MS' representatives agree that EMSA's work in the past has matched the problems and needs in the field of European maritime safety

The majority of other stakeholders agree that EMSA's work in the past has matched the problems and needs in the field of European maritime safety

The majority of stakeholders agree that EMSA's mandate and tasks match emerging problems and needs in the field of European maritime safety | Interviews

Survey

Case studies

Desk research, including:

EMSA's strategic survey

2008 Evaluation of EMSA | EMSA staff

MarAds

EU institutions

EU Agencies |
| 2. To what extent is there a need to amend the EMSA Regulation to accommodate future developments and challenges in the European maritime sector? | 2.1 Extent to which the evaluation has identified needs and challenges (current or future) that are addressed neither by the EMSA Regulation, as amended in 2013, nor by the recent amendments under implementation (assessment of EQ 1)

2.2 Extent to which stakeholders agree that these should be incorporated by the Agency's mandate and tasks | A majority of the consulted stakeholders agree that an extension of EMSA's mandate and tasks is required to accommodate future developments or challenges | Focus on stakeholder consultations:

Interviews

Case studies | MarAds

EC

EMSA staff |

[148] The data sources indicated in the cells below should be considered as an indicative, non-exhaustive list; once the case studies have been scoped in more detail and EMSA task managers have been consulted in this regard, more relevant data may be identified and taken into account.

Sub-questions	Descriptor	Norm/Judgement criteria	Data collection/sources[148]	Main target group(s)
	2.3 Extent to which this requires an amendment of the EMSA Regulation			
Effectiveness: To what extent has EMSA been successful in achieving the objectives set for its work?				
3. To what extent and in what ways have EMSA's activities in the area of **Monitoring, Surveillance and Information Sharing** been successful in achieving the desired outputs and results?	3.1 Extent to which EMSA's activities have produced the planned/desired outputs 3.2 Extent to which the outputs (i.e. products/services) are being used by beneficiaries 3.3 Extent to which the outputs produced have contributed to: • Improved quality and availability of objective, reliable and comparable information and data to the EC, MS, EU agencies and the maritime community more broadly • Improved application of international/EU maritime legislation by the EC and MS • Improved cooperation between MS	Achievement of set output indicators/KPI for different EMSA units working with tasks related to Monitoring, Surveillance and Information Sharing Organisations and administrations using monitoring services from EMSA have improved the performance of their tasks and fulfilment of obligations At least 70% of MS' representatives and the majority of other stakeholders agree that EMSA's activities in the field have contributed to the desired results	Desk research, incl.: EMSA Core Business Statistics KPIs for activities 2.1, 2.2, 2.4, 3.2, 3.4, 4.2, 4.4. SafeSeaNet data quality reports and statistics ROs performance table Marine Casualties and Incident reports (on EMCIP), Annual Overviews of Marine Casualties and Incidents Survey on user perception of MSS Data on the use of EMSA systems Interviews Survey Case study: Vessel Traffic Surveillance and Monitoring	EC (DG MOVE, GROW, TAXUD) MarAds EMSA staff EU agencies Competent authorities Shipping sector MET institutions
4. To what extent and in what ways have EMSA's activities in the area of **Standards, Rules and Implementation** been	4.1 Extent to which EMSA's activities have produced the planned/desired outputs 4.2 Extent to which the outputs	Achievement of set output indicators/KPI for different EMSA units working with tasks related to Standards, Rules and	Desk research, incl.: EMSA Core Business Statistics KPIs for activities 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 4.1.	EC (DG MOVE) ROs Competent Authorities

Sub-questions	Descriptor	Norm/Judgement criteria	Data collection/sources[148]	Main target group(s)
successful in achieving the desired outputs and results?	(i.e. products/services) are being used by beneficiaries 4.3 Extent to which the outputs produced have contributed to: • Improved quality of updated and newly developed EU legislation and standards • Improved EU contribution to the development of international maritime legislation by providing assistance to the EC • Improved application of international/EU maritime legislation by the EC and MS • Improved application of international/EU maritime legislation by third countries (EFTA, IPA, ENP) that have entered into agreements with the Community • Increased cooperation and sharing of best practices between MS • Improved quality and availability of objective, reliable and comparable information and data to the EC and MS	Implementation At least 70% of MS' representatives and the majority of other stakeholders agree that EMSA's activities in the field have contributed to the desired results	Lists of visits and inspections Visits and inspections statistics Technical studies, reviewed IMO submissions. Data related to the use of RuleCheck by PSC officers. Interviews Survey Case studies: Inspections of Classification Societies + STCW inspections Visits to MS	MET institutions
5. To what extent and in what ways have EMSA's	5.1 Extent to which the activities have produced the	Achievement of set output indicators/KPI for different EMSA	Desk research, incl.:	EC (DG MOVE, DG ENV)

Sub-questions	Descriptor	Norm/Judgement criteria	Data collection/sources[148]	Main target group(s)
activities in the area of **Environmental Challenges and Response** been successful in achieving the desired outputs and results?	planned/desired outputs 5.2 Extent to which the outputs (i.e. products/services) are being used by beneficiaries 5.3 Extent to which the outputs produced have contributed to: • Improved ability of the EC and MS to prevent and respond to marine pollution • Improved application of international/EU maritime legislation by the EC and MS • Improved cooperation between MS and third countries in addressing marine pollution • Improved contribution of the EC to the work on marine pollution of international technical bodies • Increased cooperation and sharing of best practices between MS	units working with tasks related to Environmental Challenges and Response At least 70% of MS' representatives and the majority of other stakeholders agree that EMSA's activities in the field have contributed to the desired results	EMSA Core Business Statistics KPIs for activities 5.2, 5.3. Pollution Prevention and Response Activities reports (only available until 2013) Data relating to the use of EMSA systems (MAR-CIS, DUET, THETIS-S & MRV) Data on EMSA's facilitation activities for Regional Agreements and international technical group. Data on EMSA's EMPOLLEX programme. Interviews Survey Case study: Vessel Traffic Surveillance and Monitoring (CleanSeaNet)	MarAds Competent authorities MAR-ICE (CEFIC, CEDRE) Technical partners
6. To what extent and in what ways have EMSA's activities in the area of **Information, Knowledge and Training** been successful in achieving the desired outputs and results?	6.1 Extent to which the activities have produced the planned/desired outputs 6.2 Extent to which the outputs (i.e. products/services) are being used by beneficiaries 6.3 Extent to which the outputs	Achievement of set output indicators/KPIs for different EMSA units working with tasks related to Information, Knowledge and Training At least 70% of MS' representatives and the majority of other stakeholders agree that	Desk research, incl.: EMSA Core Business Statistics KPIs for activities 4.1, 4.3, 4.5, 7.1, 7.4. Internal report statistics on training. Data related to the use of EMSA	EC (DG MOVE, NEAR) EMSA staff and HoDs MarAds Competent Authorities Shipping sector (for Equasis)

Sub-questions	Descriptor	Norm/Judgement criteria	Data collection/sources[148]	Main target group(s)
	produced have contributed to: • Improved quality and availability of objective, reliable and comparable information and data to the EC and MS • Improved application of international/EU maritime legislation by third countries (EFTA, IPA, ENP) that have entered into agreements with the Community • Increased cooperation and sharing of best practices between MS • Improved application of international/EU maritime legislation by the EC and MS • Improved ability of the EC and MS to prevent and respond to marine pollution	EMSA's activities in the field have contributed to the desired results	systems (MARINFO, EQUASIS, MaCKs). Data related to the production of analyses for EMSA staff and based on EMSA's internal system MARINFO. Interviews Survey Case study: Training	Third Countries
7. To what extent have the organisation and internal processes of the Agency been effective and conducive for performing the tasks and achieving the results defined by the Regulation?	7.1 Extent to which tasks are completed on time and meet expectations in terms of quality 7.2 Extent to which sufficient resources and appropriate processes are in place for completing tasks in accordance with time and quality expectations	*(Assessment of questions 3-6, at output indicator level)* Achievement of output objectives in terms of timely completion and quality criteria set in AWPs Meeting stakeholder expectations, e.g. as expressed in participant evaluations	Desk research, incl.: AWP, AAR. EMSA Core Business Statistics KPIs on timely completion (5, 13, 19, 20, 22, 23, 78, 79, 83, 84, 85). EMSA user and beneficiary surveys	EC EMSA staff and HoDs

Sub-questions	Descriptor	Norm/Judgement criteria	Data collection/sources[148]	Main target group(s)
		The majority of stakeholders assess that the Agency has sufficient resources to complete its tasks in accordance with time and quality expectations	Interviews Case studies Survey	
	• 7.3 Extent to which internal cooperation and exchange of information (within the Agency) have proven conducive to the Agency's ability to perform its task	The majority of EMSA's internal stakeholders find that internal cooperation and information exchange is sufficient and conducive to their work Information management complies with internal standards or with best practice (from other organisations or agencies). External communication strategy addresses all important stakeholders; reach of external communication activities The majority of external stakeholders assess that EMSA's external communication is creating sufficient awareness of the Agency's work	Interviews Case studies Survey Desk research, incl.: EMSA internal control standards Data related to the production of analyses for EMSA staff and based on EMSA's internal system MARINFO. Communication strategy	EMSA staff and HoDs EC (DG MOVE) MarAds Shipping sector Third countries
	7.4 Extent to which the management structures and organisation of the Agency has proven conducive to the organisation's performance 7.5 Extent to which EMSA management and staff find that the organisation and internal processes are adequate and	The majority of EMSA staff consider that the existing organisational structures within EMSA enable and support the delivery of quality work on time Qualitative examples of how the organisation has been able to adjust to changes in the past	Interviews Survey Desk research, incl.: EMSA internal control standards	EMSA staff and HoDs EC (DG MOVE)

Sub-questions	Descriptor	Norm/Judgement criteria	Data collection/sources[148]	Main target group(s)
	flexible enough to adjust to changes, tasks and resources	without jeopardizing performance The majority of EMSA staff and members of the Administrative Board agree that the organisation is adequate and flexible enough to adjust to changes		
	7.6 Extent to which the Agency has been able to effectively adapt its organisation and processes in order to undertake an increased number of tasks while maintaining high-quality performance, based on: • Extent to which changes in the mandate/tasks of the Agency have spurred organisational changes • Extent to which new(er) tasks are assessed by EMSA staff as being well-integrated in the organisation's work and structure 7.7 Extent to which current communication activities generate sufficient awareness of the Regulation among stakeholders	A majority of stakeholders agree that the Agency has been able to effectively adapt its organisation and processes to enable it to undertake an increased number of tasks while maintaining high-quality performance	Interviews Case studies Desk research, incl.: EMSA AARs EMSA Core Business Statistics KPIs 2008 Evaluation of EMSA IAS reports EMSA internal control standards	EMSA staff and HoDs EC (DG MOVE)
8. Which other factors (positively or negatively) influenced the achievement of the desired outputs and	8.1 Extent to which the achievement of the desired outputs and results (or lack of them) can be attributed to other (external) factors outside the	Stakeholders identify factors (processes, tools, external support or constraints, other stakeholders) influencing the achievement of	Focus on stakeholder consultations: Interviews	EMSA staff and HoDs Partners and beneficiaries MarAds

Sub-questions	Descriptor	Norm/Judgement criteria	Data collection/sources[148]	Main target group(s)
results?	Agency's control	results in specific activities	Survey Case studies	
Impact (of the Regulation): To what extent have the objectives of the EMSA Regulation been achieved, and to what extent can they be attributed to the work of the Agency?				
9. To what extent has EMSA's work contributed to: • High, uniform and effective level of maritime safety and security in Europe? • Effective and uniform prevention of and response to marine pollution caused by ships and by oil and gas installations? • The establishment of a European Maritime Transport Space without Barriers?	9.1 Extent to which EMSA's activities are assessed as having generated the desired outputs and results	(Overall) positive assessments of EMSA's effectiveness and ability to generate the desired outputs and results (answers to EQs 7-10)		
	9.2 Extent to which the outputs and results generated from EMSA's work are considered as having contributed to: • High, uniform and effective level of maritime safety and security in Europe • Effective and uniform prevention of and response to marine pollution caused by ships and by oil and gas installations • The establishment of a European Maritime Transport Space without Barriers 9.3 Extent to which the achievement (or lack of them) of EMSA's objectives can be attributed to external factors 9.4 Extent to which the stakeholders find that maritime safety and security within the	Observed: Decrease in number of work accidents on board ships sailing under EU MS flags since 2008 Decrease in number of accidents involving ships sailing under EU MS flags since 2008 A majority of the stakeholders agree that maritime safety and security has reached a more uniform and effective level and that EMSA's work has contributed to this	Focus on stakeholder consultations: Interviews Survey Case studies Desk research, incl.: Annual Overviews of Marine Casualties and Incidents 2012 Evaluation of the Blue Belt Pilot Project	MarAds Maritime security organisations (RSO) Competent authorities Shipping sector

Sub-questions	Descriptor	Norm/Judgement criteria	Data collection/sources[148]	Main target group(s)
	Community has reached a more uniform and effective level (since 2008) 9.5 Extent to which the stakeholders find that the increase in maritime safety and security within the European Community (or its lack) can be attributed to the work of EMSA			
Utility: To what extent do the activities conducted and the results produced by EMSA satisfy (or not) the needs of the Agency's key stakeholder?				
10. To what extent do the effects of the Agency's activities satisfy (or not) stakeholders' needs?	10.1 Extent to which EMSA's stakeholders say that they are satisfied with EMSA's work 10.2 Extent to which EMSA's stakeholders find that the outputs and results produced by the Agency match their needs 10.3 Extent to which the degree of satisfaction differs according to the different stakeholder groups 10.4 Extent to which stakeholders' satisfaction with the effects of EMSA's work differs in accordance with the agency's various tasks	At least 70% of MS' representatives and the majority of other stakeholders agree that they are satisfied with EMSA's work At least 70% of MS' representatives and the majority of other stakeholders agree that EMSA's work matches their needs	Focus on stakeholder consultations: Interviews Survey Case studies Desk research, incl.: 2014 Strategic Survey results Internal report statistics on training Survey on user perception of MSS	All
Efficiency: To what extent does the Agency offer value for money, in relation to the resources used and the changes generated by the Agency's interventions?				
11. To what extent have the Agency's outputs and results been produced at a reasonable cost, in terms	11.1 Extent to which EMSA's activities are assessed as having generated the desired outputs and results (i.e. assessment of	Overall) Positive assessments of EMSA's effectiveness and ability to generate the desired outputs and	Desk research, incl.: EMSA's annual budget and financial reports	EC Administrative Board

Sub-questions	Descriptor	Norm/Judgement criteria	Data collection/sources[148]	Main target group(s)
of the human and financial resources deployed?	Agency's effectiveness, EQs 7-10) 11.2 Extent to which the resources available to the agency have evolved 11.3 Extent to which the Agency has been able to improve its efficiency by • Achieving the same results with fewer resources • Taking on new tasks and produce more/new outputs without an increase in resources 11.4 Extent to which the work performed by EMSA can be said to: • Produce similar results at lower cost, or • Produce improved results at similar cost (…Also compared to other EU agencies (similar in nature and scope) 11.5 Extent to which MS agree that EMSA's work provides value for money 11.6 Extent to which there are differences between the tasks performed by EMSA and the stakeholders' assessment of the	results (answers to EQs 3-8) Difference in resources expended on operational vs. horizontal activities, taking into account outputs produced/tasks undertaken Resources spent on horizontal and operational activities have remained the same or decreased compared with the 2008 baseline, taking into account changes in mandate/tasks The majority of stakeholders agree that EMSA's resources have been used effectively The majority of stakeholders agree that EMSA's work has contributed to reduced administrative burdens at national/industry level	EMSA Work Programmes EMSA AAR budget and human resources data European Court of Auditor reports Interviews Survey Case studies	EMSA staff and HoDs Maritime industry representatives

Sub-questions	Descriptor	Norm/Judgement criteria	Data collection/sources[148]	Main target group(s)
	extent to which they provide value for money			
	11.7 Extent to which EMSA's work has contributed to reduced administrative burdens at national/industry level			
12. To what extent have different (internal and external) factors influenced the efficiency of the Agency?	12.1 Extent to which the Agency's efficiency (or lack thereof) can be attributed to other (external) factors outside the Agency's control	Negative assessment of EQ 11.

Stakeholders identify factors (processes, tools, external support or constraints, other stakeholders) influencing the efficiency of the Agency | Focus on stakeholder consultations:

Interviews

Case studies | EMSA staff and HoDs

EC

Administrative Board |
| 13. To what extent is there potential for the simplification and rationalisation of the Agency's tasks/activities? | 13.1 Extent to which certain activities of the Agency have been identified as redundant or less relevant/useful

13.2 Extent to which room for improvement has been identified in the management and organisation of certain activities

13.3 Extent to which potential opportunities for synergies and complementarity with work carried at national level are being exploited | Certain activities and services are not reaching/benefiting their target users/beneficiaries as intended

A majority of target users/beneficiaries of EMSA services agree that an activity is redundant or less relevant/useful | Focus on stakeholder consultations:

Interviews

Case studies | Administrative Board

EMSA staff and HoDs MarAds |
| **Cost effectiveness: To what extent is it cost-effective to have an EU agency dedicated to improving maritime safety and security in Europe, as opposed to it being pursued solely from a decentralised level?** | | | | |
| 14. To what extent are the services and functions | 14.1 Extent to which the work performed by EMSA can be said | Comparative analysis of budget spending (across years) shows | Desk research, incl.:

EMSA's annual budget and | EC |

Sub-questions	Descriptor	Norm/Judgement criteria	Data collection/sources[148]	Main target group(s)
performed by the Agency cost-effective compared to previous, existing or potential equivalent services and functions performed at a more subsidiary level (e.g. regional, national or local)?	to: • Produce similar results at lower cost, or • Produce improved results at similar cost… …compared to a situation where the services and functions were produced at a more subsidiary level 14.2 Extent to which EMSA activities are resulting in increased efficiency for MarAds. 14.3 Extent to which stakeholders agree that it is more cost-effective to have the services and functions performed by EMSA rather than at decentralised level 14.4 Extent to which there are differences between the different services and functions performed by EMSA in terms of their assessed cost effectiveness	that despite reductions in budget in some areas, the Agency has been able to maintain or even increase its level of activity/volume of work Stakeholders agree that EMSA has offered better services and worked more cost-effectively despite budget cuts/after taking over a task previously conducted by other organisations MarAds are able to reduce administrative costs in the areas that EMSA is now managing	financial reports EMSA Work Programmes EMSA AAR budget and human resources data Interviews Survey Case studies	MarAds
Added Value: What is the added value of having an EU agency dedicated to improving maritime safety and security as opposed to working with this issue only at the national and international level?				
15. To what extent could the outputs delivered and results produced by EMSA have been achieved without the existence of an EU agency in the field	15.1 Extent to which EMSA's activities have strengthened existing EU or national initiatives 15.2 Extent to which stakeholders agree that the same results could not have been achieved without the existence of a dedicated EU	Assessment of EQs on Effectiveness and Impact. Documentation (quantitative and qualitative) shows that the establishment and operations of EMSA has boosted maritime safety	Focus on stakeholder consultations: Interviews Survey Case studies	EC MarAds Administrative Board EU agencies

Sub-questions	Descriptor	Norm/Judgement criteria	Data collection/sources[148]	Main target group(s)
of maritime safety?	agency	and not just shifted tasks from national authorities to EMSA.	Desk research	Competent authorities Maritime sector
16. How would a discontinuation of EMSA's work or a reduction of its mandate impact the level of maritime safety and security in Europe?	16.1 Extent to which stakeholders assess that a discontinuation of EMSA's work or a reduction of its mandate would impact negatively on the level of maritime safety and security in Europe 16.2 Extent to which stakeholders are able to identify (and agree on) areas of EMSA's work where it would not impact the level of maritime safety and security in Europe if its work was discontinued, or continued at a more subsidiary level	A majority of the stakeholders consulted agree that a discontinuation of EMSA's work or a reduction of its mandate would impact negatively on the level of maritime safety and security in Europe A majority of stakeholders identify (and agree on) areas of EMSA's work where it would not impact the level of maritime safety and security in Europe if work was discontinued, or continued at a more subsidiary level	Focus on stakeholder consultations: Interviews Survey Case studies	EC MarAds Competent authorities Classification Societies
Formative evaluation questions – the extent to which the findings across evaluation criteria point towards a need for change in the Regulation and/or working practices of the agency				
17. What actions could be taken to improve the Agency's overall performance, added value and relevance?	Result of the summative evaluation of the criteria listed above and: Extent to which room for improvement has been identified in certain aspects or areas of the Agency's work Extent to which good practices have been identified that could potentially improve the Agency's performance	Stakeholders identify sources of challenges to the effectiveness of the Agency in completing tasks and producing outputs. Stakeholders identify good practices in the completion of tasks and production of outputs.	Focus on stakeholder consultations: Survey Interviews Case studies Desk research, incl.: Reports, evaluations of EMSA activities.	All stakeholders

Sub-questions	Descriptor	Norm/Judgement criteria	Data collection/sources[148]	Main target group(s)
18. What actions could be taken to optimise the organisation and structures of the Agency?	Result of the summative evaluation of the criteria listed above and: Extent to which room for improvement has been identified in the management and organisation of particular activities Extent to which good practices have been identified that could help to optimise the organisation and structure of the Agency	Stakeholders identify solutions to improve the management and organisation of activities and optimise the structure of the agency Recommendations from previous evaluations have not yet been implemented	Focus on stakeholder consultations: Survey Interviews Case studies Desk research, incl.: Reports, evaluations of EMSA's organisation and structure	EC EMSA staff and HoDs MarAds

**APPENDIX 2
SURVEY QUESTIONNAIRE**

**APPENDIX 3
SURVEY REPORT**

APPENDIX 4
CASE STUDY 1 VISITS TO THE MEMBER STATES

APPENDIX 5
CASE STUDY 2 INSPECTIONS OF CLASSIFICATION SOCIETIES

APPENDIX 6
CASE STUDY 3 INTEGRATED MARITIME SERVICES

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CASE STUDY 4 TRAINING ACTIVITIES

APPENDIX 8
CASE STUDY 5 PERFORMANCE MANAGEMENT

**APPENDIX 9
LIST OF INTERVIEWS**

Interview type	Stakeholder type	Member State	Name	Position	Interview status
In-depth interview	EMSA Administrative Board Members	National Maritime Administration of France	Vincent Denamur	Head of Maritime Safety Division	Interview conducted
In-depth interview	EMSA Administrative Board Members	National Maritime Administration of Lithuania	Robertinas Tarasevičius	Director	Interview conducted
In-depth interview	EMSA Administrative Board Members	National Maritime Administration of Sweden	Pernilla Wallin	Head of Personnel and Qualifications Unit - Deputy Civil Aviation and Maritime Director	Interview conducted
In-depth interview	EMSA Administrative Board Members	National Maritime Administration of Luxembourg	Robert Biwer	Commissaire du Gouvernement aux Affaires Maritimes	Interview conducted
In-depth interview	EMSA Administrative Board Members	National Maritime Administration of Denmark	Andreas Nordseth	Director General	Interview conducted
In-depth interview	EMSA Administrative Board Members	National Maritime Administration of Estonia	Tarmo Ots (alternative to Rene Arikas)	Director General	Interview conducted
In-depth interview	EMSA Administrative Board Members	National Maritime Administration of Cyprus	Ioannis Efstratiou	Acting Director Department of Merchant Shipping	Interview conducted
In-depth interview	EMSA Administrative Board Members	National Maritime Administration of Germany	Achim Wehrmann	Director of Shipping, Deputy Chairman of EMSA's Administrative Board	Interview conducted
In-depth interview	EMSA Administrative Board Members	National Maritime Administration of Slovenia	Jadran Klinec	Director	Interview conducted
In-depth interview	EMSA Administrative Board Members	National Maritime Administration of Bulgaria	Zhivko Petrov	Executive Director	Interview Conducted
In-depth interview	EMSA Administrative Board Members	National Maritime Administration of Greece	Agisilaos Anastasakos	Director for Shipping Policy and Development	Interview conducted
In-depth interview	EMSA Administrative Board Members	National Maritime Administration of Latvia	Jānis Krastiņš	Chairman of the Board	Interview conducted
In-depth interview	EMSA Administrative Board Members	National Maritime Administration of Poland	Wojciech Zdanowicz	Deputy Director Department for Maritime Transport and Shipping Safety	Interview conducted
In-depth interview	EMSA Administrative Board Members	National Maritime Administration of Czech Republic	Ctirad Pacák	Captain	Interview conducted
In-depth interview	EMSA Administrative Board Members	National Maritime Administration of Portugal	Miguel Sequeira	Director General	Interview conducted
In-depth	EMSA	National Maritime	Josef Mrkva	Head of Maritime	Interview

Interview type	Stakeholder type	Member State	Name	Position	Interview status
interview	Administrative Board Members	Administration of Slovakia		Office	conducted
In-depth interview	Member State Maritime Administrations	National Maritime Administration of Italy	Piero Pellizzari	Italian Coast Guard - Headquarters	Interview conducted
In-depth interview	Member State Maritime Administrations	National Maritime Administration of Netherlands	Hans Bogaerts	Chief inspector Human Environment and Transport Inspectorate	Interview conducted
In-depth interview	Member State Maritime Administrations	National Maritime Administration of Ireland	Brian Hogan	Chief Surveyor, Marine Survey Office	Interview conducted
In-depth interview	Member State Maritime Administrations	National Maritime Administration of Sweden	Monica Sundklev	Nautic Administrator	Interview conducted
In-depth interview	Member State Maritime Administrations	National Maritime Administration of Finland	Juha-Matti Korsi	Head of Department	Interview conducted
In-depth interview	Member State Maritime Administrations	National Maritime Administration of Lithuania	Mindaugas Česnauskis	Deputy director	Interview conducted
In-depth interview	Member State Maritime Administrations	National Maritime Administration of Estonia	Alar Siht		Interview conducted
In-depth interview	Member State Maritime Administrations	National Maritime Administration of Latvia	Raitis Murnieks	Director of Maritime Safety Department	Interview conducted
In-depth interview	Member State Maritime Administrations	National Maritime Administration of Greece	Konstantinos Pardalis		Interview conducted
In-depth interview	Member State Maritime Administrations	National Maritime Administration of Portugual	Conceição Gallis	Head of Regulation and International Affairs Unit	Interview conducted
In-depth interview	European Commission	DG NEAR	Talander Jansen	Transport Programme Manager	Interview conducted
In-depth interview	European Commission	DG MOVE	Barbara Sellier	Deputy Head of Unit	Interview conducted
In-depth interview	European Commission	DG MOVE	Paloma Aba Garrotte	Head of Unit Financial Resources in the Shared Resources Department	Interview conducted
In-depth interview	European Commission	DG ENV	Francois Wakenhut	Head of unit C3 – Clean Air in Directorate General Environment	Interview conducted
In-depth interview	European Commission	DG MOVE	Christine Berg	Head of Unit Maritime Safety	Interview conducted
In-depth interview	European Commission	DG MARE	Christos Economou	Head of Unit Maritime Policy – Mediterranean and Black Sea	Interview conducted

Interview type	Stakeholder type	Member State	Name	Position	Interview status
In-depth interview	European Parliament	Budget committee	Rudofls Verdins		Interview conducted
In-depth interview	EU Agencies	EFCA	Pascal Savouret	Executive Director	Interview conducted
In-depth interview	EU Agencies	MAOC(N)	Michael Risley	Maritime Analysis and Operations Centre (Narcotics) - MAOC(N) Joint Operations Coordination Centre (JOCC) Portugal	Interview conducted
In-depth interview	EU Agencies	European Space Agency	Gordon Campbell	Science, Applications and Future Technologies Department - Directorate of EO Programmes	Interview conducted
In-depth interview	EU Agencies	EU NAVFOR	Simon Church		Interview conducted
In-depth interview	EU Agencies	FRONTEX	Piotr Malinowski	Frontex Situation Centre's Coordinator for Eurosur Integration and Implementation	Interview conducted
In-depth interview	Third country	Tunisia	Youssef Ben Romdhane	DGTMP / Ministry of Transport	Interview conducted
In-depth interview	Regional agreements	Secretariat of the Paris MoU	Richard Schiferli	Secretary General	Interview conducted
Explorative interview	EMSA Administrative Board Members	Belgium Service public fédéral Mobilité et Transports	Frans Van Rompuy	Charman of the Board	Interview conducted
Explorative interview	EMSA Administrative Board Members	Finnish Transport Safety Agency	Tuomas Routa	n/a	Interview conducted
Explorative interview	EMSA Administrative Board Members	Ireland Department of Transport	Deirdre O'Keeffe	n/a	Interview conducted
Explorative interview	EMSA Administrative Board Members	Italian Coast Guard	Nicola Carlone	n/a	Interview conducted
Explorative interview	EMSA Administrative Board Members	Malta Merchant Shipping Directorate	Ivan Sammut	n/a	Interview conducted
Explorative interview	EMSA Administrative Board Members	Netherlands' Shipping Inspectorate	Arnold van Vuuren	n/a	Interview conducted
Explorative interview	EMSA Administrative Board Members	Spain Ministerio de Fomento	Benito Nunez Quintanilla	n/a	Interview conducted

Interview type	Stakeholder type	Member State	Name	Position	Interview status
Case study interview	EMSA Staff	EMSA	Mario Mifsud		Interview conducted
Case study interview	European Commission	DG MOVE – Unit 2	John Burke		Interview conducted
Case study interview	Member State Maritime Administration	Slovenian Maritime Administration	Primoz Bajec		Interview conducted
Case study interview	Member State Maritime Administration	Danish Maritime Authority	Pernille Palmelund Sørensen		Interview conducted
Case study interview	Member State Maritime Administration	Danish Maritime Authority	Torsten Arnt Olsen		Interview conducted
Case study interview	Member State Maritime Administration	Italian Coastguard	Luigi Giardno		Interview conducted
Case study interview	Member State Maritime Administration	Danish Maritime Authority	Martin John		Interview conducted
Case study interview	EFTA State	Ministry for the Environment and Natural Resources	Helga Jónsdóttir		Interview conducted
Case study interview	Member State Maritime Administration	Finnish Transport Safety Agency	Aleksi Uttala		Interview conducted
Case study interview	EFTA State	Icelandic Transport Authority	Geir Þór Geirsson		Interview conducted
Case study interview	EMSA Staff	EMSA	Mike Hunter		Interview conducted
Case study interview	Industry stakeholder	Bureau Veritas	Patrick Le-Dily		Interview conducted
Case study interview	Member State Maritime Administration	Luxemburg Maritime Administration	Alain Hoffmann		Interview conducted
Case study interview	Industry stakeholder	Lloyd's Register	Andrew Sillitoe		Interview conducted
Case study interview	Industry stakeholder	Lloyd's Register	James Henton		Interview conducted
Case study interview	Industry stakeholder	Lloyd's Register	Theodosia Manousaki		Interview conducted
Case study interview	European Commission	DG MOVE	Laurent Prat		Interview conducted
Case study interview	Industry stakeholder	American Bureau of Shipping	Stephen Hryshchyshyn		Interview conducted
Case study interview	Industry stakeholder	American Bureau of Shipping	Adam W. Moilane		Interview conducted
Case study interview	Member State Maritime Administration	Federal Ministry of Transport, Building and	Jürgen Göpel		Interview conducted

Interview type	Stakeholder type	Member State	Name	Position	Interview status
		Urban Affairs - Germany			
Case study interview	European Commission	DG MOVE –	Marietta Asik		Interview conducted
Case study interview	Member State Maritime Administration	Danish Maritime Authority	Klaus Frost Geertsen		Interview conducted
Case study interview	Member State Maritime Administration	Danish Maritime Authority	Michael T. Wimberley		Interview conducted
Case study interview	Industry stakeholder	DNV-GL	Frankie Ho		Interview conducted
Case study interview	Industry stakeholder	DNV-GL	Helge Kjeøy		Interview conducted
Case study interview	Third country	Maritime Authority of Jamaica	Claudia Grant		Interview conducted
Case study interview	Third country	Australian Maritime Safety Authority	Mark Eldon-Roberts		Interview conducted
Case study interview	EMSA Staff	EMSA	Georgios Christofi		Interview conducted
Case study interview	EMSA Staff	EMSA	Giuseppe Russo		Interview conducted
Case study interview	EMSA Staff	EMSA	Nikolaos Katsoulis		Interview conducted
Case study interview	Deputy Head of Unit	European Commission, DG MOVE	Barbara Sellier		Interview conducted
Case study interview	Member State Maritime Administration	Norwegian Maritime Authority	Thor Clausen		Interview conducted
Case study interview	European Commission	DG Maritime Transport - Policy Support	Els Claeys		Interview conducted
Case study interview	Member State Maritime Administration	Poland Ministry of Maritime Economy and Inland Navigation	Agnieszka Piotrowska		Interview conducted
Case study interview	Member State Maritime Administration	Ministry of Transport, Information Technology & Communications of the Republic of Bulgaria	Albena Kaitina		Interview conducted
Case study interview	EMSA staff	EMSA	Markku Mylly		Interview conducted
Case study interview	EMSA staff	EMSA	Isabel Torné		Interview conducted
Case study	EMSA staff	EMSA	M. Tomassini		Interview

Interview type	Stakeholder type	Member State	Name	Position	Interview status
interview					conducted
Case study interview	EMSA staff	EMSA	Leendert Bal		Interview conducted
Case study interview	EMSA staff	EMSA	Mario Mifsud		Interview conducted
Case study interview	EMSA staff	EMSA	Lazaros Aichmaloditis		Interview conducted
Case study interview	EMSA staff	EMSA	Ivo Kupsky		Interview conducted
Case study interview	EMSA staff	EMSA	Marin Chintoan-Uta		Interview conducted

APPENDIX 10
STAKEHOLDER MAPPING

The organisations listed are first categorised according to whether they are a European body/organisation, competent authority, intergovernmental organisation, representative association for the maritime sector e.g. industry, labour, or other; or as another type of organisation, e.g. a technical organisation. The category it falls into is identifiable by the colour of the organisation's name. The colour coding is explained in the legend.

Secondly, the organisations are defined as either direct or indirect stakeholders. The main criterion for distinguish between these categories is the nature of their relationship to EMSA, i.e. whether they are providers or beneficiaries of EMSA's activities. As a provider, the stakeholder supplies data to EMSA, effectively contributing to its activities. Beneficiaries are recipients of EMSA's assistance, support and services. Partnering stakeholders involved in a cooperation agreement with the Agency may be both providers and beneficiaries.

Direct stakeholders:
EMSA's direct stakeholders are those most closely linked to the Agency's activities. For example, they are the beneficiaries of support and assistance in the implementation and enforcement of the EU's maritime legislation. These are mainly the Commission (DG MOVE) and the Member States, while other Commission DGs and EU agencies have cooperation agreements with EMSA regarding the implementation of specific projects within their field. EMSA develops or provides access to information systems to these other agencies (EUNAVFOR, EFCA, FRONTEX), or receives support for the development of its IT tools (JRC) and the operation of the satellites for SafeSeaNet and CleanSeaNet (ESA).

Indirect stakeholders (partners/providers):
EMSA's partners and providers are distinguished from the rest of the Agency's indirect stakeholders by the nature of their relationship, which is based on a cooperation or data provision agreement. Cooperation may imply beneficiary and/or provider relationships. External stakeholders include specialised technical (EU or international) organisations which operate the satellites for its Earth observation systems (e.g. space agencies) or the detection of oil spills (e.g. WMO, RBINS). A number of maritime industry organisations also cooperate with EMSA on MAR-ICE and the Blue Belt project (e.g. CEDRE and CEFIC; WSC and ECSA).

Indirect stakeholders:
Included among the indirect stakeholders are the competent authorities which receive training from EMSA experts and information from its systems and publications, while also receiving visits and inspections in connection with their implementation of, and compliance with, EU legislation. PSC MoUs are indirect stakeholders connected with the exchange of information with EMSA within (for example) the Memorandum of Understanding for Equasis.

There are also organisations which may have similar objectives and also operate within the maritime sector, yet whose limited interaction with EMSA makes them more remote stakeholders. In other words, these organisations do not directly stand to benefit from EMSA's activities, as there may be one or more intermediary organisations involved in the relationship. For example, this category includes UN agencies (IMO, ILO) whose policy-making work is absorbed by the Commission before EMSA contributes to its implementation. Maritime industry organisations and some European bodies (Council, Parliament, and other EU organisations) are also included, due to their interest in, but limited influence over and involvement in, EMSA's work on maritime safety.

Table 1: Direct EMSA stakeholders

Direct stakeholders	Stakeholder relationship	Description/role of the organisation	Related EMSA activities	Nature of the relationship
European Commission DG Transport and Mobility (MOVE)		Main objectives are to promote efficient, safe, secure and environmentally friendly mobility, and to create the conditions for a competitive industry generating growth and jobs. http://ec.europa.eu/transport/about-us/index_en.htm	- Assistance in the development and implementation of maritime legislation relating, *inter alia*, to ship construction and planned maintenance, ship inspection and the reception of ship waste in EU ports, certification of marine equipment, ship security, the training of seafarers in non-EU countries and Port State Control. - Monitoring of the maritime safety system in place (monitoring practices and procedures). - Provision of information, statistics and analyses. - Maritime emergencies, including marine pollution preparedness, monitoring and response. - Assist in implementing Commission projects: Blue Belt project (easing customs formalities).	DG MOVE is the main contact point within the Commission and with EMSA, particularly Unit D2 Maritime safety. DG MOVE is part of the Administrative Board and regulates EMSA's activities by defining its mandate. - DG MOVE and DG ECHO have operational agreements with EMSA on maritime emergencies. - Cooperation on the Blue Belt project between EMSA, MS customs authorities, DG TAXUD and DG MOVE, ECSA, and the WSC.
Member States (MS)		European Member States' governments and administrations (see also National Maritime Administrations below).	EMSA activities under all four themes (Monitoring, Surveillance and Information Sharing; Standards, Rules and Implementation; Environmental Challenges and Response; Information, Knowledge and Training).	EMSA acts as a bridge between the EC and MS. Most of EMSA's work relates to assisting MS. MS are part of the Administrative Board.
National Maritime Administrations (EU28)		Ensure maritime safety within flag state and national jurisdiction. Implement EU and international maritime legislation at the national level.	EMSA activities under all four themes (Monitoring, Surveillance and Information Sharing; Standards, Rules and Implementation; Environmental Challenges and Response; Information, Knowledge and Training).	- MarAds receive assistance/support from, and provide information and data to, EMSA in relation to many topics. - MarAds represent MS on EMSA's Administrative Board.
European Commission DG Maritime Affairs (MARE)		Main responsibility is the implementation of the Common Fisheries policy and the Integrated Maritime Policy. http://ec.europa.eu/dgs/maritimeaffairs_fisheries/index_en.htm	- Provide technical assistance for maritime safety of fishing vessels on behalf of the EC in international working groups.	- EMSA represents DG MARE in the Arctic Council's Emergency Prevention, Preparedness and Response (EPPR) Working Group.
European Commission DG Internal Market, Industry, Entrepreneurship and SMEs (GROW)		European Commission service responsible for: - completing the Internal Market for goods and services; - helping turn the EU into a smart, sustainable, and inclusive economy; - reducing the administrative burden on small businesses; facilitating access to funding; and supporting access to global markets. - delivering the EU's space policy via the two large-scale	- Assist in implementing Commission projects: Copernicus Security Service (maritime surveillance).	- Operational partner: Cooperation Agreement between EC, DG GROW and EMSA on the implementation of the maritime surveillance component of the Copernicus Security Service.
Legend (types of organisations): **European body/organisation** ; **Competent authority ;** **Intergovernmental organisation ; Representative association for the maritime sector (industry or other) ;** *other type of organisation (e.g. technical organisations).* *Legend (stakeholder relationships):* ■ : **provider** *(of tools, services, data; within a contract) or* **partner** *(cooperation on a project);* ■ *: direct* **beneficiary** *of EMSA activities (assistance, provision of tools and services, data);* ■ *:* **probable provider/**			*Legend (related EMSA activities):* *Information on EMSA activities, to identify the* **linkages between EMSA and the stakeholder,** *including* **EMSA services from which the stakeholder benefits.**	*Legend (nature of the relationship):* *Information to identify* **provider/partner relationship between EMSA and the stakeholder;** *and available information on the* **influence of the stakeholder on EMSA.**

Direct stakeholders	Stakeholder relationship		Description/role of the organisation	Related EMSA activities	Nature of the relationship
	🟦	🟥	programmes, Copernicus (European Earth observation satellite system) and Galileo (European global navigation satellite system). https://ec.europa.eu/growth/about-us_nn		
European Commission DG Taxation and Customs Union (TAXUD)	🟦	🟥	Main objectives are to: - manage, defend and develop the customs union as a vital part of protecting the external borders of the EU; - tackle the tax obstacles that currently prevent individuals and companies from operating freely across borders and taking advantage of the full benefits of the Internal Market - Facilitate better cooperation between Member States to combat tax and customs fraud. http://ec.europa.eu/taxation_customs/common/about/welcome/index_en.htm	- Assist in implementing Commission projects: Blue Belt project (easing customs formalities).	- Cooperation on the Blue Belt project between EMSA, MS customs authorities, DG TAXUD and DG MOVE, ECSA, and the WSC.
European Commission DG Humanitarian Aid & Civil Protection (ECHO)	🟦	🟥	Provides emergency assistance and relief to the victims of natural disasters or armed conflict outside the European Union. Aims to save and preserve life, prevent and alleviate human suffering, and safeguard the integrity and dignity of populations affected by natural disasters and man-made crises. http://ec.europa.eu/echo/index_en	- Assist in preparedness, monitoring and response to maritime emergencies (e.g. marine pollution).	- Working arrangement on cooperation in the framework of maritime emergencies, including marine pollution preparedness, monitoring and response.
European Commission DG Neighbourhood and Enlargement Negotiations (NEAR)	🟦	🟥	Main mission is to take forward the EU's neighbourhood and enlargement policies, as well as to coordinate relations with EEA-EFTA countries insofar as Commission policies are concerned. DG NEAR closely monitors the progress of enlargement countries towards the EU and supports accession negotiations as required by the Council. http://ec.europa.eu/enlargement/about/directorate-general/index_en.htm	- Assist in implementing Commission projects: TRACECA Maritime Safety and Security II, SafeMed III.	- Grant contract for the implementation of TRACECA Maritime Safety and Security II. - Grant contract for the Implementation of SafeMed III. - Preparatory measures for the participation of Enlargement countries.
European Commission DG Environment (ENV)	🟦	🟥	Aims to protect, preserve and improve the environment for present and future generations, proposing and implementing policies that ensure a high level of environmental protection and preserve the quality of life of the EU's citizens. http://ec.europa.eu/dgs/environment/index_en.htm	- Assist in implementing EU legislation: The Sulphur Directive.	- Technical Assistance for various initiatives, including the development of inventories of shipping emissions and support of the implementation of the Sulphur Directive (2012/33/EU) (THETIS-S).
European Commission DG Regional Policy (REGIO)	⬜	⬜	Main objective is to strengthen economic, social and territorial cohesion by reducing disparities between the regional and national levels of development in the European Union. http://ec.europa.eu/regional_policy/index.cfm/en/	- Provides support to Member States' coastguard authorities.	- Operational agreement connected with the proposed European Border and Coast Guard Agency that would replace FRONTEX.
EP Transport Committee (TRAN)			Advises the Commission with reports, amendments to draft legislation, and draft legislative resolutions in relation to EU transport legislation. http://www.europarl.europa.eu/committees/en/tran/home.ht	All EMSA activities.	The Transport Committee influences maritime legislation at EU level and can vote and propose amendments to EMSA's founding Regulation EC 1406/2.

| Legend (types of organisations): **European body/organisation ; Competent authority ; Intergovernmental organisation ; Representative association for the maritime sector (industry or other) ;** *other type of organisation (e.g. technical organisations).*
Legend (stakeholder relationships):
🟦 : **provider** *(of tools, services, data; within a contract)* or **partner** *(cooperation on a project);*
🟥 *: direct* **beneficiary** *of EMSA activities (assistance, provision of tools and services, data);*
⬛ *:* **probable provider/** | Legend (related EMSA activities):
Information on EMSA activities, to identify the **linkages between EMSA and the stakeholder,** *including* **EMSA services from which the stakeholder benefits.** | Legend (nature of the relationship):
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Direct stakeholders	Stakeholder relationship	Description/role of the organisation	Related EMSA activities	Nature of the relationship
		ml		
EP Budget Committee (BUDG)		Advises the Commission with reports, amendments to draft legislation, and drafting of legislative resolutions in relation to the EU budget. http://www.europarl.europa.eu/committees/en/budg/home.html	All activities within EMSA's EU budget.	The Budget Committee votes on EMSA's budget, with corresponding consequences for EMSA's resources.
EU Council Working Party on Shipping	🟥	Prepares and negotiates legislation in the field of shipping, including coordinating positions to be taken on international level. Its work prepares the ground for the Transport, Telecommunications and Energy Council configuration. http://www.consilium.europa.eu/en/council-eu/preparatory-bodies/working-party-shipping/	- Assistance with the development (technical assistance) and implementation of maritime legislation and standards at national and regional/local level. - Monitoring of the maritime safety system in place (monitoring practices and procedures). - Provision of information, statistics and analyses.	EMSA participates in meetings of the Working Party on Shipping and organises workshops, and provides technical support to assist in the development and implementation of legislation, e.g. regarding ballast water, passenger ship safety, ship recycling, etc.
EU Council Working Party on the Law of the Sea		Handles work relating to the law of the sea, based on the United Nations Convention on the Law of the Sea (UNCLOS). - preparing draft EU positions within bodies set up under the UNCLOS - drafting common positions on foreign policy issues of general interest concerning the development of the Law of the Sea and its repercussions on EU foreign policy - examining the consistency of projects and proposals submitted to the Council concerning the Law of the Sea, and in particular of the UNCLOS http://www.consilium.europa.eu/en/council-eu/preparatory-bodies/working-party-law-sea/	- EMSA facilitates the implementation of UNCLOS as it is transposed in EU maritime legislation (including implementation of underlying conventions, e.g. SOLAS etc.). - Technical assistance with the development of maritime legislation based on UNCLOS.	- The Working Party on the Law of the Sea is a legislating body able to indirectly influence EMSA's mandate on the basis of its assessment of the measures necessary to implement UNCLOS.
FRONTEX/European Border and Coast Guard Agency	🟦🟥	Frontex promotes, coordinates and develops European border management in line with the EU fundamental rights charter, applying the concept of Integrated Border Management. Frontex helps border authorities from different EU countries to work together. The agency was set up to reinforce and streamline cooperation between national border authorities. http://frontex.europa.eu/	- Development of vessel traffic-monitoring IT tools: IMDatE (Eurosur Fusion Services).	- EMSA and Frontex have a service level agreement for the development of a pilot monitoring service to assist and support Frontex in its surveillance operation to address irregular migration and cross-border crime along European borders. The service includes provision of data and a tailored user interface. Frontex pays 5 staff members within EMSA who are dedicated to these tasks.
JRC	🟦	European Commission's science and knowledge service supporting EU policies and developing new methods, tools and standards. https://ec.europa.eu/jrc/	- Monitoring of maritime accidents and casualties.	- The JRC provides services to EMSA for EMCIP (development and hosting of the web platform).
European Fisheries Control Agency (EFCA)	🟦🟥	Promotes common standards for control, inspection and surveillance under the Common Fisheries Policy. Organises coordination and cooperation between national control and inspection activities so that the rules of the CFP are respected	- Development of vessel traffic-monitoring IT tools, e.g. IMDatE.	- ESA, EFCA and EMSA are collaborating to develop a maritime surveillance service for monitoring fisheries activities. EMSA provides
Legend (types of organisations): **European body/organisation ; Competent authority ; Intergovernmental organisation ; Representative association for the maritime sector (industry or other) ;** *other type of organisation (e.g. technical organisations).* *Legend (stakeholder relationships):* 🟦 : **provider** (of tools, services, data; within a contract) or **partner** (cooperation on a project); 🟥 : direct **beneficiary** of EMSA activities (assistance, provision of tools and services, data); ⬛ : **probable provider/**			*Legend (related EMSA activities):* Information on EMSA activities, to identify the **linkages between EMSA and the stakeholder**, including **EMSA services from which the stakeholder benefits.**	*Legend (nature of the relationship):* Information to identify **provider/partner relationship between EMSA and the stakeholder;** and available information on the **influence of the stakeholder on EMSA.**

Direct stakeholders	Stakeholder relationship	Description/role of the organisation	Related EMSA activities	Nature of the relationship
		and applied effectively. http://www.efca.europa.eu/		the main operational ICT platform and relevant maritime vessel position data, while EFCA provides fishing-vessel position data and campaign-specific information (e.g. fishing areas). The data is combined and displayed on a nautical chart, available via a restricted web interface designed for EFCA's monitoring purposes.
European Union Naval Forces (EUNAVFOR)		Forces of Operation Atalanta deter, prevent and repress acts of piracy and armed robbery off the Somali coast. EU Naval Force protects vessels of the World Food Programme (WFP) delivering aid to displaced persons in Somalia. http://eunavfor.eu/mission/	- Development of vessel traffic-monitoring IT tools (maritime surveillance).	- Collaboration on maritime surveillance with the delivery of an integrated maritime anti-piracy monitoring service, MARSURV. - Data Access Agreement defining the conditions for the use of SAT-AIS data provided by EMSA for the purpose of the EUNAVFOR-MED operation.
European Space Agency (ESA)		Operates space-based systems (satellites). http://www.esa.int/ESA	- Vessel traffic monitoring and oil spill detection (SafeSeaNet, CleanSeaNet).	- Framework for cooperation in the field of maritime monitoring and surveillance using satellite observation. EMSA depends on satellite systems operated by ESA.

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Table 2: Direct EMSA stakeholders (partners and providers)

Indirect stakeholders (partners / providers)	Stakeholder relationship	Description/role of the organisation	Related EMSA activities	Nature of the relationship
International Mobile Satellite Organisation (IMSO)		Intergovernmental organisation whose primary purpose is the oversight of certain public satellite safety and security communication services provided by mobile satellite communication systems. Appointed LRIT Coordinator, thus in charge of the review of the performance of the LRIT system on an annual basis and the submission of related reports to the IMO Maritime Safety Committee. http://www.imso.org/Public/	- Technical development, operation, and maintenance of the LRIT Cooperative Data Centre (CDC). - Facilitate exchange of data from LRIT via the International LRIT Data Exchange (IDE).	- Services agreement between EMSA and IMSO for the EU LRIT Cooperative Data Centre (CDC) and International Data Exchange (IDE). IMSO conducted audits of the EU LRIT CDC run by EMSA.
Canadian Space Agency		Operates space-based systems (satellites). http://www.asc-csa.gc.ca/eng/	- Vessel traffic monitoring and oil spill detection (CleanSeaNet).	- Framework for cooperation in the field of maritime monitoring and surveillance using satellite observation. CSA operates satellite(s) used for CleanSeaNet.
Italian Space Agency		Operates space-based systems (satellites). http://www.asi.it/en	- Vessel traffic monitoring and oil spill detection (CleanSeaNet).	- Framework for cooperation in the field of maritime monitoring and surveillance using satellite observation. ISA operate(d) one satellite used for CleanSeaNet.
French Ministry of Ecology - Direction des Affaires Maritimes		The Ministry is a founding member of Equasis. http://www.developpement-durable.gouv.fr/Les-systemes-d-information.html	- Management of information systems: Equasis.	- The Direction des Affaires Maritime and EMSA are both part of the Equasis supervisory committee. EMSA manages Equasis since 2009.
World Shipping Council (WSC)		Represents the liner shipping industry to policy-makers. The WSC and its member companies partner with governments and other stakeholders to collaborate on solutions to transportation problems. Develops programmes to improve maritime security without impeding the free flow of commerce. The 26 members of the World Shipping Council represent approximately 90 per cent of the global liner vessel capacity. http://www.worldshipping.org/about-the-council	- Assists in implementing Commission projects: Blue Belt project (easing customs formalities).	- Cooperation on the Blue Belt project between EMSA, MS customs authorities, DG TAXUD and DG MOVE, ECSA, and the WSC. - Potentially has indirect influence on EMSA via lobbying activities relating to EU policy.
European Community Shipowners' Associations (ECSA)		Trade association representing the national ship owners' associations of the EU and Norway. ECSA promotes the interests of European shipping so that the industry can best serve European and international trade and commerce in a competitive free-enterprise environment to the benefit of shippers and consumers and help formulate EU policy on critical maritime transport-related issues. http://www.ecsa.eu/	- EMSA's activities in PSC. - Assists in implementing Commission projects: Blue Belt project (easing customs formalities).	- Cooperates with EMSA to ensure port checks of foreign-flagged ships. - Cooperation on the Blue Belt project involving EMSA, MS customs authorities, DG TAXUD and DG MOVE, ECSA, and the WSC. - WSC facilitates communications between EMSA and ship owners. - Potentially has indirect influence on EMSA via lobbying activities relating to EU policy.
European Chemical		Represents 29,000 chemical companies, interacting on behalf	- Supports EU States in responding to marine pollution	- Cooperation between CEFIC, CEDRE and EMSA

Indirect stakeholders (partners / providers)	Stakeholder relationship	Description/role of the organisation	Related EMSA activities	Nature of the relationship
Industry Council (CEFIC)		of the industry with EU institutions, NGOs, and other stakeholders. http://www.cefic.org/	emergencies by providing information on chemical substances via the MAR-ICE network.	in the Mar-ICE Network to provide information and advice in the event of a maritime incident involving chemicals. CEFIC is EMSA's connection to the chemical industry when expert knowledge is required in the event of a chemical incident. - Potentially has indirect influence on EMSA via lobbying activities relating to EU policy.
Centre of Documentation, Research and Experimentation on Accidental Water Pollution (CEDRE)		Not-for-profit association providing advice and expertise in the management of accidental water pollution/spill. http://wwz.cedre.fr/en/	- Support EU States in responding to marine pollution emergencies by providing information on chemical substances via the MAR-ICE network.	- Cooperation between CEFIC, CEDRE and EMSA in the Mar-ICE Network to provide information and advice in the event of a maritime incident involving chemicals.
Royal Belgian Institute of Natural Sciences (RBINS) - Operational Directorate Natural Environment		Conducts fundamental and applied research of biodiversity and ecosystems. https://www.naturalsciences.be/en/science/template/2644	- Oil spill detection.	- Cooperation agreement. The RBINS operates an oil spill drift service for EMSA.
MARETEC-IST		Research Centre of Information Systems and technology for Marine, Environment and Technology Center. Main activity is modelling of marine and land systems. http://www.maretec.org/	- Oil spill monitoring.	- Cooperation Agreement between MARETEC-IST and EMSA regarding oil spill modelling.
Maritime Analysis and Operations Centre – Narcotics (MAOC-N)		The Centre provides a forum for multilateral cooperation to suppress illicit drug trafficking by sea and air. Initiative involving 7 EU Member Countries: France, Ireland, Italy, Spain, Netherlands, Portugal and the UK, with financial support from the Prevention against Crime Programme of the European Union, European Commission – Directorate – General Home Affairs. http://maoc.eu/	- EMSA integrated maritime services and vessel traffic monitoring.	- Agreement enabling MAOC-N to have access to EMSA's IMDatE providing integrated vessel information for monitoring and tracking suspect vessels operating in the Atlantic and Mediterranean.
EMETSAT		Global operational satellite agency whose purpose is to gather satellite data on weather, climate and the environment, and to deliver them to partners and users worldwide. http://www.eumetsat.int/website/home/AboutUs/index.html	- Monitoring of pollution and coordination of rescue efforts.	- Cooperation agreement, assistance to EMSA's monitoring of pollution, and coordination of rescue efforts. EUMETSAT data and products are highly relevant for a number of the Agency's tasks, such as the monitoring of pollution and the coordination of rescue efforts.
Swedish Meteorological and Hydrological		Expert agency under the Swedish Ministry of the Environment and Energy. "Through unique expertise in meteorology, hydrology, oceanography and climatology, SMHI contributes	- Monitoring of ship-sourced oil pollution via CleanSeaNet (spill detection).	Cooperation in the fields of oil spill modelling through the exchange of EMSA CleanSeaNet oil spill detection data and numerical modelling results of

Indirect stakeholders (partners / providers)	Stakeholder relationship	Description/role of the organisation	Related EMSA activities	Nature of the relationship
institute (SMHI)		towards greater public welfare, increased safety and a sustainable society". http://www.smhi.se/en/services/professional-services/shipping		detected spills to improve the identification of vessels responsible for an illegal discharge and the prediction of spill drift. The cooperation aims to support decision-making processes for pollution response activities.

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Table 3: Indirect EMSA stakeholders

Indirect stakeholder	Stakeholder relationship	Description/role of the organisation	Related EMSA activities	Nature of the relationship
Coastguard Authorities		Monitor the coastlines of Member States. May also be responsible for customs, oil pollution response and search-and-rescue activities.	Depending on the mandate and areas of responsibility assigned to the coastguard of a given Member State, they can make use of: - Ship casualty and maritime assistance service - Maritime safety, including vessel traffic management - Maritime accident and disaster response - Maritime, ship and port security - Maritime environmental protection and response - Maritime monitoring and surveillance	- EMSA provides tools and services to coastguards. - Depending on the responsibilities of the individual coastguard authorities, they may receive EMSA's support with regard to vessel traffic management, the CleanSeaNet system for preventing pollution and catching polluting ships as well as with oil pollution services and equipment, and with chemical emergency services and information, etc. - Established inter-agency cooperation with Frontex and EFCA on national coastguard functions.
EU Port State Control Authorities (PSCA)		Inspect foreign ships in national ports to verify that the condition of the ship and its equipment complies with the requirements of international regulations, to ensure that ships sailing in EU waters comply with the international maritime conventions in force, and that they are adequately maintained. http://www.emsa.europa.eu/visits-to-member-states/visits-member-states.html	- Management of information systems: THETIS, SafeSeaNet and Equasis. - Monitoring of inspection practices and procedures, training of inspectors, and recommendations to improve inspection systems based on data collected from all MS. -	- PSCAs share data with EMSA for THETIS, SafeSeaNet and Equasis. Good cooperation is essential. - EMSA's risk assessment studies, combined with statistical research, provide results which are used to develop objectives and procedures for the continuous improvement of EU Port State Control performance. -
Accident Investigation Bodies		Conduct investigations following maritime accidents. Each Member State should have an impartial permanent investigative body competent in matters relating to marine casualties and incidents. Other national authorities might also be involved.	- Provide support and solutions in the field of accident investigation and maritime casualties. - Manage the database containing accident investigation data (EMCIP).	- Accident investigation bodies submit their reports to EMCIP. EMSA produces analyses based on those reports (e.g. the Annual Marine Casualties and Incidents report).
Place of Refuge authorities		Authorities responsible for assessing the situation regarding the accommodation of ships in need of assistance. Designated authorities can be coastguards, port authorities, national transport/maritime authorities and agencies, etc. http://www.emsa.europa.eu/implementation-tasks/places-of-refuge.html	- Support the harmonisation of practices in MS offering a place of refuge to ships in distress, e.g. drafting of operational guidelines.	- Place of Refuge authorities benefit from EMSA's support in handling situations where ships need assistance.
Recognised Organisations		Develop and apply technical standards for the design, construction and survey of ships and carry out surveys and inspections on board ships. Flag States can authorise Recognised Organisations (RO) (classification societies) to act on their behalf to carry out statutory survey and certification work involving their ships.	- Assist the EC in assessing each of the EU-recognised organisations once every two years. EMSA has been entrusted by the Commission with the task of carrying out the necessary inspections. - Carry out the necessary inspections of organisations for which recognition has been requested by a	- Recognised Organisations are reliant on EMSA inspections to maintain their status as Recognised Organisations (status defined by the EC).

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Indirect stakeholder	Stakeholder relationship	Description/role of the organisation	Related EMSA activities	Nature of the relationship
		http://www.emsa.europa.eu/visits-a-inspections/assessment-of-classification-societies.html	Member State. - Collect data and manage information systems: Equasis.	- RO/CS provide data to EMSA for Equasis.
Recognised Security Organisations (RSO)		RSOs are in practice the same organisations as classification societies. Ensure security of ships and ports, address risks to people and surrounding communities and the potential risk of attacks. Conduct maritime security inspections and implement legislation relating to maritime security. http://www.emsa.europa.eu/visits-a-inspections/maritime-security.html	Monitor RSO's activities. Inspect national administrations responsible for ship security, verifying the maritime security system in place, including the systems and procedures the Member States have put in place; their procedures and practical arrangements for carrying out administrative and control tasks; and the human resources they have assigned to the various tasks.	RSOs receive EMSA inspections regularly.
Notified Bodies (MarED)		Are assigned by and for each MS. Perform conformity assessments on marine equipment for certification in accordance with the Marine Equipment Directive (96/98/EC) within MarED, the coordination group for the Notified Bodies. Notified Bodies also maintain the MarED database of approved equipment. See http://www.mared.org/	EMSA activities in relation to marine equipment: - Ensuring adequate monitoring and support in the development of marine equipment standards (requirements, testing standards, updating Directive 96/98/EC's technical annexes). - Development and management of the MarED database of conformity-assessed (approved) equipment.	Notified Bodies interact with EMSA in relation to marine equipment standards and the management of the MarED database.
Paris MoU		MoU on PSC to eliminate the operation of substandard ships through a harmonised system of Port State control. Members: Belgium, Bulgaria, Canada, Croatia, Cyprus, Denmark, Estonia, Finland, France, Germany, Greece, Iceland, Ireland, Italy, Latvia, Lithuania, Malta, the Netherlands, Norway, Poland, Portugal, Romania, the Russian Federation, Slovenia, Spain, Sweden and the United Kingdom https://www.parismou.org/about-us/organisation	- Management of information systems: THETIS, SafeSeaNet and Equasis. - Publication of statistics of performance (flag states, recognised organisations, banned ships). - Assistance in the implementation of PSC legislation. - PSC activities (training of officers, visits, inspection reports).	- Data is shared from MoU PSCAs with EMSA for THETIS, SafeSeaNet and Equasis. Good cooperation is essential. EMSA and the Secretariat of the Paris MoU cooperate to improve the implementation and compliance with the PSC regime.
Mediterranean MoU		MoU on PSC financed by the EC and under the umbrella of ILO and IMO. Goal is to increase maritime safety and the prevention of pollution. Members: Algeria, Cyprus, Egypt, Israel, Jordan, Lebanon, Malta, Morocco, Tunisia, Turkey. http://www.medmou.org/	- Management of information systems: Equasis. - Assist in implementing Commission projects: SafeMed III.	- Data is shared from MoU PSCAs with EMSA for Equasis. Good cooperation is essential. - Assistance to third countries in the implementation of EU legislation and harmonisation of practices: SafeMed programme.
Black Sea MoU		(Similar to Paris MoU) MoU on PSC to eliminate the operation of substandard ships through a harmonised system of port State control. Members: Bulgaria, Georgia, Romania, Russian Federation, Turkey, Ukraine. www.bsmou.org	- Management of information systems: Equasis. - Assist in implementing Commission projects: TRACECA Maritime Safety and Security II.	- Data is shared from MoU PSCAs with EMSA for Equasis. Good cooperation is essential. - Assistance to third countries in the implementation of EU legislation and the harmonisation of practices: some selected Black Sea MoU countries are beneficiaries of the TRACECA II programme.
Regional Agreements		Agreements signed by countries around a particular sea area to plan for pollution preparedness and coordinate responses in case of a large-scale marine pollution incident. Relevant	- Provide technical assistance and support in the field of pollution preparedness and response. - Facilitate cooperation and information exchange	The Agency participates as part of the European Union delegation in relevant Regional Agreement meetings and contributes to relevant working groups

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Indirect stakeholder	Stakeholder relationship	Description/role of the organisation	Related EMSA activities	Nature of the relationship
		Regional Agreements include the Bonn Agreement, HELCOM, REMPEC, Black Sea Commission and Lisbon Agreement. http://www.emsa.europa.eu/technical-ppr/international-forums.html	relating to pollution preparedness and response. - Provide secretarial role for Regional Agreements.	by submitting papers, participating in discussions and being involved in operational exercises organised around Europe.
UN International Maritime Organisation (IMO)		UN agency and global standard-setting authority for the safety, security and environmental performance of international shipping. Its main role is to create a regulatory framework for the shipping industry that is fair and effective, universally adopted and universally implemented. http://www.imo.org/en/About/Pages/Default.aspx	- (Technical) assistance in the development and implementation of maritime legislation and standards at national and regional/local level. - Monitor the maritime safety system in place (monitoring practices and procedures). - Provision of information, statistics and analyses. - Represent the EC in IMO technical groups, e.g. PPR OPRCHNS.	EMSA has some direct interaction with the IMO (e.g. in technical group meetings), however the EC is an intermediary. The work of the IMO in developing international maritime legislation affects EMSA's work in assisting in its implementation. EMSA provides technical assistance for the development of the legislation.
UN International Labour Organisation (ILO)		UN agency and global standard-setting authority for workers' safety. Develops legislation to address social justice and social issues for workers (including seafarers), e.g. in relation to working and living conditions (work environment, on-board accommodation). http://www.ilo.org/global/lang--en/index.htm	EMSA's activities in safety, working and living conditions of seafarers (e.g. trainings on labour legislation).	EMSA has some direct interaction with the ILO; however, the EC is an intermediary.
Maritime Education and Training (MET) institutions		Maritime universities, nautical schools and training centres providing maritime education, training and certification of seafarers.	- Standards of training for seafarers (STCW).	- MET institutions receive EMSA visits verifying their training standards. - The Member States have delegated their required periodical evaluations of METs to be conducted by EMSA.
European Sea Ports Organisation (ESPO)		Represents the port authorities, port associations and port administrations of the seaports of 23 Member States of the European Union and Norway at the EU's political level. ESPO is the principal interface between European seaports and the European institutions and its policy-makers. http://www.espo.be/	- All EMSA activities affecting sea ports: e.g. training of sea port authorities in implementing EU legislation and harmonising ship inspection and detention practices; inspections, visits.	ESPO and EMSA collaborate on issues related to ship and port safety, e.g. the development of the Operational Guidelines on Places of Refuge.
International Association of Classification Societies (IACS)		Represents classification societies. "Dedicated to safe ships and clean seas, IACS contributes to maritime safety and regulation through technical support, compliance verification and research and development." http://www.iacs.org.uk/	- Management of information systems: Equasis. - Work on ship safety technical standards (implementation).	- Provides data to EMSA for Equasis. - IACS has similar objectives to EMSA in maritime safety. - Potentially has indirect influence on EMSA via lobbying activities relating to EU policy.
International Transport Workers' Federation (ITF)		International trade union federation of transport workers' unions. Represents the interests of transport workers' unions in bodies which take decisions affecting jobs, employment conditions or safety in the transport industry, such as the ILO and IMO. ITF has its own global network of inspectors checking working and living conditions.	- EMSA's activities in safety, working and living conditions of seafarers (e.g. trainings on labour legislation).	Potentially has indirect influence on EMSA via lobbying activities relating to EU policy.

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Indirect stakeholder	Stakeholder relationship		Description/role of the organisation	Related EMSA activities	Nature of the relationship
			http://www.itfseafarers.org/about.cfm		
International Association of Marine Aids to Navigation and Lighthouse Authorities (IALA)			Non-profit, international technical association developing standards and guidelines for best practices in navigation to reduce maritime accidents and protect the marine environment. It gathers together marine aids to navigation authorities, manufacturers, consultants and scientific and training institutes from all parts of the world, and offers them the opportunity to exchange and compare their experiences and achievements. http://www.iala-aism.org/	- Activities related to marine equipment standards and vessel traffic monitoring for maritime safety.	- Similarly to EMSA, IALA provides technical support in the field of maritime safety to countries, and has similar objectives. - IALA develops guidelines and standards for VTS and e-Navigation (data models/formats) and provides tools for risk assessment.
International Chamber of Shipping (ICS)			Principal international trade association for the shipping industry, representing ship owners and operators in all sectors and trades. Also develops best practices and guidance for ship operators. http://www.ics-shipping.org/	- Assistance in the development and implementation of maritime shipping safety standards.	Potentially has indirect influence on EMSA via lobbying activities relating to EU policy.
International Association of Independent Tanker Owners (Intertanko)			Independent oil and chemical tankers, non-oil tankers and non-state-owned tankers. Estimated 80% of world ship fleet is a member of Intertanko. Mediates between industry and policy-makers. https://www.intertanko.com/	- Management of information systems: Equasis. - Monitoring of ship inspection procedures, implementation of guidelines, training of inspectors.	- Provides data to EMSA for Equasis. - Cooperates with EMSA on the implementation of various inspection guidelines. - Potentially has indirect influence on EMSA via lobbying activities relating to policy.
International Association of Dry Cargo Shipowners (Intercargo)			Represents ship owners, managers and operators of dry cargo vessels. "Members commit to a safe, efficient, high-quality and environmentally friendly dry cargo shipping industry." Works with Intertanko, BIMCO and International Chamber of Shipping, which jointly comprise the Round Table of International Shipping Associations. http://www.intercargo.org/en/	- Management of information systems: Equasis. - Support in the implementation of maritime shipping safety standards.	- Provides data to EMSA for Equasis (List of ships entered by members of the Association). - Potentially has indirect influence on EMSA via lobbying activities relating to EU policy.
International Group of Protection & Indemnity Clubs (IGP&I)			Unincorporated association of the 13 principal underwriting Associations (Clubs) and their Affiliated Associations which together provide liability cover for almost 90% of the world's ocean-going tonnage. http://www.igpandi.org/	- Management of information systems: Equasis. - Management of information systems: THETIS (inspection system through which ship insurance is also verified).	- IGP&I provides data to EMSA for Equasis. - Cooperates with EMSA on liability and compensation for maritime claims. - Potentially has indirect influence on EMSA via lobbying activities relating to EU policy.
European Ships and Maritime Equipment Association (Sea Europe)			Represents the European maritime technology industry (building, construction, maintenance and repair of all types of ships and other relevant maritime structures). http://www.seaeurope.eu/aboutUs	EMSA's work in ship safety related to marine equipment, namely: - Maintenance of the MarED database. - Training and visits of ship safety inspectors (PSC). - Technical studies on ship safety (for IMO).	- Sea Europe and EMSA collaborate on work related to marine equipment, e.g. within the MarED group of Notified Bodies (of which Sea Europe is an observer) and meetings regarding the Marine Equipment Directive. - Potentially has indirect influence on EMSA via lobbying activities relating to EU policy.
Baltic and International			Accredited as NGO with all relevant organs of the UN. International shipping association actively promoting the	- Implementation of maritime shipping safety standards as a means of facilitating the commercial operation of	- BIMCO and EMSA collaborate on safety issues relating to shipping of goods, e.g. oil tanker

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Indirect stakeholder	Stakeholder relationship	Description/role of the organisation	Related EMSA activities	Nature of the relationship
Maritime Council (BIMCO)		application of globally agreed regulatory instruments and facilitating the commercial operations of members by developing standard contracts and clauses, and by providing information, advice and education. https://www.bimco.org/	ships.	safety. - Potentially has indirect influence on EMSA via lobbying activities relating to EU policy.
European Telecommunications Standards Institute (ETSI)		Produces globally-applicable standards for Information and Communications Technologies (ICT). http://www.etsi.org/about	- Activities related to marine equipment standards and vessel traffic monitoring for maritime safety.	- Memorandum of Understanding on Marine equipment.
EP Fisheries Committee (PECH)		Advises the Commission with reports, amendments to draft legislation, and draft legislative resolutions. http://www.europarl.europa.eu/committees/en/pech/home.html	- EMSA's work in maritime safety for fisheries.	- Maritime safety is part of the Fisheries Committee's agenda, but is not a high priority.

| Legend (types of organisations): **European body/organisation ; Competent authority ; Intergovernmental organisation ; Representative association for the maritime sector (industry or other) ; other type of organisation (e.g. technical organisations).**
Legend (stakeholder relationships):
: **provider** (of tools, services, data; within a contract) or **partner** (cooperation on a project);
: direct **beneficiary** of EMSA activities (assistance, provision of tools and services, data);
: **probable provider/** | Legend (related EMSA activities):
Information on EMSA activities, to identify the **linkages between EMSA and the stakeholder**, including **EMSA services from which the stakeholder benefits.** | Legend (nature of the relationship):
Information to identify **provider/partner relationship between EMSA and the stakeholder;** and available information on the **influence of the stakeholder on EMSA.** |

APPENDIX 11
OVERVIEW OF THE IMPLEMENTATION OF RECOMMENDATIONS FROM THE 2008 EVALUATION OF EMSA

RECOMMENDATIONS OF THE INDEPENDENT EXTERNAL EVALUATION

Topic	Recommendation of the independent external evaluation	Recommendation of the Administrative Board	Status	Detailed description of implementation
Governance and working practices	**Recommendation 1: Develop a strategy plan covering a 3-5 year perspective** A strategy plan, to be approved by the Administrative Board, will be a useful tool for fostering further dialogue among stakeholders and increasing common understanding of EMSA's role. The strategy plan will also respond to a need for multiannual planning, which is evident concerning a majority of EMSA's tasks. The strategy plan should set out strategic direction taking into account the mandate as given by the EMSA Regulation. […]	**Develop a strategic plan covering a 5 year perspective** A Strategic Plan should be developed to provide an overview of the situation for EMSA over the next 5 years. This rolling plan should outline where the Agency wants to be in a 5 year time span and indicate priorities and the high-level objectives of the Agency, taking into account its mission, the multi annual staff policy plan, the Action Plan for Oil Pollution Preparedness and Response (Oil Action Plan) and key documents and influences that will affect its work in the coming years. […]	Implemented	EMSA's 5-year strategy (2014-2019) was published in May 2014. The strategy sets multi-annual objectives for each area of activity.
Governance and working practices	**Recommendation 2: Develop the annual work programmes to function as operational action plans for the given year** The annual work programmes should function as operational action plans for the given year, focusing on the planned activities and the associated budget for the year (activity based budgeting/costing). […] It is recommended that the work programmes should be considerably shorter than today and consist of mainly tables with overviews of activities and budget supplemented by explanatory notes where necessary. The link between activities and budgets should be clarified. […]	**Structure the annual work programmes to function as operational action plans for the given year** The annual work programme should function as operational action plan for the given year, focusing on the planned activities and the associated budget for the year (activity based budgeting/costing). The work programme should be […] giving a benchmark against which the activities and budgets can be implemented and progress can be monitored. The description of targets, milestones, expected outputs and expected outcomes should also be included in the annual work programme. […]	Implemented	Annual work programmes published by the Agency include descriptions of targets, KPIs, expected outputs and expected outcomes as well as the associated human and budget resources.
Governance	**Recommendation 3: Develop the annual**	**Develop the annual report to reflect**	Implemented	Annual reports published by the Agency

Topic	Recommendation of the independent external evaluation	Recommendation of the Administrative Board	Status	Detailed description of implementation
and working practices	**reports to reflect actual achievements against targets** There is a need to develop the annual reports as a management tool for the Agency and its Board. The annual reports should refer directly to the annual work programmes and provide information on the actual activities carried out and the actual expenditure compared to planned activities and budgets. In case of deviations (positive or negative) these should be explained. […]	**better actual achievements made against the targets** Annual reports, as provided for in EMSA's Founding Regulation, target two different audiences. On the one hand they serve to inform the political level, maritime stakeholders and the public at large of the main developments in EMSA. On the other hand they serve as a management tool for the Administrative Board to monitor progress and performance of the Agency at different levels. In is recommended to strengthen this latter function by including the required detailed information for the Board on actual activities, achievements and expenditure at project level in a separate section of the report. […]		report on the attainment of targets, KPIs, outputs and outcomes as well as the used human and budget resources.
Governance and working practices	**Recommendation 4: Develop a direct link between project, unit and annual work programmes** At present, the individual units develop annual plans and related project fiches for individual activities. It is recommended that this practise is continued, but it needs to be linked to the annual work programmes so that the work programme is reflected directly in the plan for the individual unit and so that the individual projects are linked to specified activities - and vice versa.		Implemented	As identified in the current evaluation's case study on the PMS at EMSA, bottom-up and top-down planning and reporting approaches coexist, with differences between organisational reporting at unit and department level, adapted to different needs and specificities, and a harmonised agency-wide approach based on the annual work programmes and the main organising category of "activity" . The two approaches feed into each other and where cross-referencing of performance information (outputs, performance indicators, objectives,

Topic	Recommendation of the independent external evaluation	Recommendation of the Administrative Board	Status	Detailed description of implementation
				outcomes etc.) is not explicit it is usually evident. For financial information, individual planned/actual expenditure or procurement is always attached to a "work programme" activity (activity based costing/budgeting). This allows for cross-referencing of organisational unit vs activity. Furthermore, operational planned procurement and the estimated enveloped are detailed per activity in the Indicative Procurement Plan.
Governance and working practices	**Recommendation 5: Introduce activity based costing and budgeting** In order to ensure this in the future, EMSA needs to implement an activity-based budgeting and accounting system. Such a system will allow EMSA to assign budget to activities and relate this to actual expenditure thereby enabling monitoring of progress. In EMSA, this need is recognised and the first steps to implement a system have been taken by implementing a pilot system with posting criteria in the accounting system. [...]	**Continue in the efforts towards activity based costing and budgeting** EMSA needs to implement an activity based budgeting and accounting system as far as practicable, taking into consideration the existing constraints (budget structure, functionalities of ABAC system, etc). Such a system should allow EMSA to assign budget to activities and relate this to actual expenditure thereby enabling monitoring of progress. The first steps to implement such a system have been already taken in the Agency, by implementing a pilot system with posting criteria in the accounting system. It is recommended that EMSA assigns high priority to developing activity based budgeting and accounting. […]	Implemented	Activity based budgeting is being used in the Agency.
Oil pollution preparedness	**Recommendation 6: Improve the action plan for oil pollution preparedness and**	[…] Concerning the Action Plan for Oil Pollution Preparedness and Response,	Implemented	EMSA's mandate in the area of oil pollution and response was further

Topic	Recommendation of the independent external evaluation	Recommendation of the Administrative Board	Status	Detailed description of implementation
and response	**response with inclusion of strategic elements** It is a key element emphasised in the action plan that EMSA should "top-up" the efforts of coastal states and should not replace existing capacities. There is a need to develop a common understanding of the implications of this strategy in terms of the roles and responsibilities of the involved stakeholders and to clarify and make explicit the longer term priorities guiding EMSA's work. It is recommended that the action plan is revised and transformed into a Strategic Action Plan. The action plan should present the longer term strategic considerations, consider the strategic implications of the "top-up" philosophy in the light of the lessons learned and provide the background against which strategic choices are made. It should also be explicitly stated in the amended action plan under which conditions and for how long Member States can contract the services of EMSA's pollution response vessels. The Action Plan in its current form contains some vaguely formulated intentions. There is a need for clearer guidelines in this area.	strategic elements should also be included in its presentation in order to develop a common understanding of the implications of this strategy in terms of the roles and responsibilities of the involved stakeholders and to clarify and make explicit the longer term priorities guiding EMSA's work.		expanded in 2013 with Regulation (EU) 100/2013 amending Regulation 1406/2002 to address marine pollution from oil and gas installations. EMSA's Action Plan for Oil Pollution Preparedness and Response (2004) was updated in 2013 with the expansion of the mandate, as well as in the in the context of the Annual Work Programmes of the Agency. The revised Action Plan formulated a strategy for implementing the enhanced mandate ("EMSA's pollution response strategy for spills from offshore installations will be based on 'topping-up' the Member States response capacities, taking into account the various national policies for pollution response, industry resources, as well as EMSA's existing pollution response capabilities") and further operationalised the new mandate (to include equipment assistance services and dispersant stockpiles, in addition to vessels able to deal with highly volatile substances) which illustrated an evolution of EMSA's understanding of its activities under the mandate. The decisions taken are well substantiated. The roles and responsibilities of the involved stakeholders in relation to the use of EMSAs capacities in the area are

Topic	Recommendation of the independent external evaluation	Recommendation of the Administrative Board	Status	Detailed description of implementation
				clear, as they are also the object of yearly drills and exercises. In a wider sense, the extent to which this recommendation referred to "strategic implications" other than the ones mentioned above is unclear. In the absence of sufficient clarity of the recommendation, the assessment is based on the understanding expressed by EMSA in the course of this evaluation. Nevertheless, this evaluation also looks into this area and has issued a more concrete recommendation which partially considers the strategic direction of EMSA's actions in the future.
Inspections	**Recommendation 7: Streamline inspections in Member States** EMSA is carrying out inspections in Member States to monitor the implementation of Community Law in a number of areas. The number of inspections has increased considerably in the past year and is likely to increase further. It is recommended that EMSA, in a dialogue with Member States, explore options for achieving synergy effects and economies of scale in the process of carrying out inspections. These options could include further coordination of data collection prior to missions, utilising IT-based forms of	-	Implemented	The visits to Member States are carried out in accordance with 'methodology for visits to Member States' adopted by the EMSA administrative board, 2015. The methodology describes and operationalises how visits are organised in cycles on behalf of wishes from the Commission. The methodology is detailed in how the visits should be conducted in all phases. EMSA has also developed THETIS, an information system that support the inspection regime with data. It makes among other things a risk-based

Topic	Recommendation of the independent external evaluation	Recommendation of the Administrative Board	Status	Detailed description of implementation
	data collection and creation of data banks to store collected data in a structured way so that it may be used by other mission teams			approach possible by using the information system THETIS, which enables EMSA to identify risk patterns and profiles to ships, areas, and countries.
Training	**Recommendation 8: Apply a strategic and needs-oriented approach to training activities** The Member States are highly satisfied with the training offered by EMSA and the data collected for this evaluation suggests that the demand for training exceeds what is currently offered by EMSA. At the same time, there is general consensus that EMSA should not compete with the commercial training market. It is recommended that EMSA considers and makes explicit its strategy for the training activities with a view to further optimising the training in view of the needs of the Member States. In this connection, it is suggested that EMSA carries out a training needs assessment among the Member States. It is suggested that EMSA develops a rolling calendar of events, including training, workshops and seminars, and makes it available on the web-site.	-	Implemented	EMSA has set up a network of one focal point per Member State which is responsible to coordinate on the training activities. The work of the group called CNTA has been formalised in the past years. They meet at an annual meeting where the training topics for the coming year are selected. In preparation for this meeting, EMSA provides the Member States with a list of possible topics for training. Each Member State provides a ranking of these courses leading to a list of priorities. Member States can also suggest additional topics. If a majority of Member States support a suggestion, EMSA will take this suggestion on board and provide the requested training. Through these meetings, the CNTA focal points are well in advance aware of the training sessions planned for the next year.
Governance and working practices	**Recommendation 9: Develop project management capacity through staff training** This evaluation has pointed to new, complex tasks requiring multidisciplinary work as an	**Develop the project management capacity** This evaluation has pointed to new, complex tasks requiring multidisciplinary work as an area with a scope for improving EMSA's	Implemented	EMSA's "Project Management Guidelines for operational ICT based development projects", which may also be used for non-ICT projects, have been in place since 2014. In parallel,

Topic	Recommendation of the independent external evaluation	Recommendation of the Administrative Board	Status	Detailed description of implementation
	area with a scope for improving EMSA's effectiveness. There is a need to increase the flexibility of the organisation and to further encourage cross-unit and cross-disciplinary cooperation. It is recommended to focus on further development of the project management capacity as a tool in this regard. The Agency should develop its project management capacity and ensure that projects are an integral part of the planning and monitoring system. The Commission has good project cycle management guidelines available which should be adopted by the Agency - and staff should be trained in planning and managing projects following such guidelines.	effectiveness. There is a need to increase the flexibility of the organisation and to further encourage cross-unit and cross-disciplinary cooperation. It is recommended to focus on further development of the project management capacity as a tool in this regard. The adoption of project management guidelines within EMSA is recommended and staff should be trained in planning and managing projects following such guidelines.		training in project management has been provided regularly since 2014 – there are 1-2 sessions per year with approx. 14 trainees in each. The guidelines and the training are based on the Prince II methodology.
Governance and working practices	**Recommendation 10: Improve the use of IT** At present, some administrative procedures are handled manually by the Agency. There is scope to make the administration more efficient by introducing IT-based procedures. It is recommended that the Agency increase its use of IT, specifically in relation to for instance payments and recruitment	-	Implemented	Over the years the Agency has introduced a number of IT solutions to facilitate a number of working processes and procedure.
Governance and working practices	**Recommendation 11: Improve the communication plan** Members of the Administrative Board need more detail than the current annual work plans and annual reports provide. On the other hand, this level of detail will not be relevant for the general public. It is	**Improve the communication plan** The current annual work plans and annual reports serve two different audiences. On the one hand, the Administrative Board will require detailed information to monitor progress using budget information, as set out in the third point of these	Implemented	EMSA's Communication Strategy (2014-2020) outlines different activities (to be) implemented by EMSA in order to effectively reach its different audiences. EMSA prepares detailed programming and reporting documents for its

Topic	Recommendation of the independent external evaluation	Recommendation of the Administrative Board	Status	Detailed description of implementation
	recommended that the Agency modifies its communication policy and practise to reflect this. The Agency can choose to present two different reports, one for each of the respective audiences. Another option is to provide one report where overall information for the general public is published complete with all the detailed information for the Administrative Board on budgets, activities, achievements and accounts in annexes. Either way, it is suggested that the publication targeted at the wider public include a broad description of the key issues in the sector and the main outcomes and achievements as a result of actions taken by EMSA. It is also recommended that EMSA reconsiders the set-up and editorial aspects of the web-site. Among other things, the web-site would benefit from a searchable database on publications.	recommendations. On the other hand, this level of detail will not be relevant for the general public. It is recommended that the Agency modifies its communication policy and practise to reflect this. In fact, the Agency has started to implement this recommendation with the adoption of the 2007 Annual report, where overall information for the general public is published in the main section and is complemented with detailed information for the Administrative Board on budgets, activities, achievements and accounts in its annexes. In following this issue, this approach will be further fine-tuned.		Administrative Board and condensed versions for the rest of its audience. For example, Outlook 2917 represents a condensed version of the Single Programming Document which sets the concrete action and steps the Agency plans to take in 2017 to deliver on its multi-annual strategic objectives

OTHER RECOMMENDATIONS OF THE EMSA ADMINISTRATIVE BOARD

Topic	Recommendation	Status	Detailed description of implementation
Governance and working practices	**Recommendation 1: Amend Article 22 of Regulation 1406/2002 to provide for regular evaluations of the implementation of the EMSA regulation (every 5 years)** The evaluation exercise has shown its merits, and should be performed on a regular basis. The next and subsequent formal evaluations should examine also the extent to which Member State administrations have been able to make savings in activities formerly carried out at national level on account of EMSA's activities, as well as seeking stakeholders' views on the value of EMSA activities which are seen as additional or complementary. Consequently, it is recommended to carry out such evaluations once every 5 years and to amend the aforementioned Article 22 accordingly at the next revision of the EMSA founding Regulation.	Implemented	Article 22 of Regulation 1406/2002 as amended by Regulation (EU) No 100/2013 requires that "At regular intervals and at least every five years, the Administrative Board shall commission an independent external evaluation on the implementation of this Regulation."
Governance and working practices	**Recommendation 2: Continue to focus on activities which add value for its stakeholders (the Commission, Member States and citizens of the EU)** EMSA should continue to focus on activities which add value for the Commission, Member States and EU citizens, avoiding duplication or undue overlap with activities carried out at other levels, for example by Member State administrations. **EMSA's activities should be additional or complementary to those of other tiers of administration**, or should progressively substitute, where it has been agreed that specific tasks can be carried out more appropriately, more effectively or more efficiently at EU level (examples of additional activities include EMSA's supplementary oil pollution response capability in several regions and the development of the European LRIT system. Seafarer training and certification audits in third countries is an example of an activity where EMSA's role should progressively substitute for that of individual Member State administrations.). However, **added value and a community approach should be demonstrated before a new task is assigned to EMSA. Corollary to this, the outcomes of the activities carried out by EMSA should also be evaluated and their benefits should be extolled. Furthermore, EMSA should use its position and neutrality to report on trends observed in the course of its activities so as to provide an overview of the functioning and evolution of the maritime world to its stakeholders.**	Implemented	The present evaluation address the positively implementation of this recommendation through various activities analysed in section 4 of the evaluation report.