

EBA/Op/2024/04

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19 July 2024

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# Opinion of the European Banking Authority on the 2022 Discharge Report of the European Parliament

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## Introduction and Legal Basis

This opinion provides a formal response to the observations made by the Parliament during the 2022 discharge process. It was approved by the EBA Board of Supervisors on 19 July 2024, based on the following provisions:

- Article 64 of the European Banking Authority (EBA) Regulation<sup>1</sup>, which sets out the arrangements for the implementation and control of the EBA's budget. Based on Article 64(11) EBA Regulation, the Authority shall provide a reasoned opinion on the position and on any other observations of the European Parliament (EP) during the discharge procedure.
- Article 105(1) of the EBA Financial Regulation<sup>2</sup>, which states that the EP, upon recommendation from the Council, shall, before 15 May of year N+2 where otherwise provided in the constituent act, give a discharge to the Executive Director for the implementation of the budget for year N.
- Article 107 of the Financial Regulation, which states that the Executive Director shall take all appropriate steps to act on the observations accompanying the EP's discharge decision and, on the comments, accompanying the recommendation for discharge adopted by the Council.

## General Comments

The Authority welcomes the approval by the EP of the closure of EBA accounts for the financial year 2022 and the decision of the EP to grant EBA's Executive Director discharge in respect of the implementation of budget for the said financial year.

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<sup>1</sup> Regulation (EU) No 1093/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Banking Authority) amending Decision No 716/2009/EC and repealing Commission Decision 2009/78/EC (OJ L 331, 15.12.2010, p. 12) <https://eur-lex.europa.eu/eli/reg/2010/1093/>

<sup>2</sup> <https://eba.europa.eu/sites/default/documents/files/documents/10180/15784/fe13ff98-3990-42a7-84d1-9fd96e46144f/EBA%20Financial%20Regulation%202019.pdf>

Equally, the EBA welcomes the feedback received during the discharge process which is an essential exercise for the evaluation of the Authority's performance. It provides an external point of view to the actions undertaken by the Authority during the year as well as current practices.

As requested by the Parliament, the EBA hereby provides its response to the observations received from the Parliament's resolution in the suggested tabular format.

## EBA responses to the Observations of the European Parliament

	OBSERVATIONS OF DISCHARGE AUTHORITY (REPORT ADOPTED ON 11 APRIL 2024 EP PLENARY)	EBA RESPONSE AND MEASURES TAKEN BY EBA	STATUS / REFERENCE
Paragr.			Information on the action such as ongoing, implemented, partially implemented, not implemented and any other necessary information <sup>3</sup> .
Recitals			
A	whereas, according to its statement of revenue and expenditure <sup>4</sup> , the final budget of the European Banking Authority (the ‘Authority’) for the financial year 2022 was EUR 50 315 014; whereas the Authority is primarily financed by a contribution from the Union (EUR 18 685 999), and contributions from national supervisory authorities of the Member States and observers (EUR 31 629 015);	The EBA takes note of the recital.	Not applicable (N/A)
B	whereas the Court of Auditors (the ‘Court’), in its report on the annual accounts of the	The EBA takes note of the recital.	N/A

<sup>3</sup> The format of the table follows the guidance provided by the European Parliament’s Budgetary Control Committee (CONT) via the EU Agency Network which suggests three columns, including one to indicate the status of a follow-up action. For the status column the guidance included the following:

- Ongoing: an action that has started and that has no end-date (e.g. is repeated annually, or for new staff). Example: awareness raising for fraud is an ongoing activity.
- Implemented: an action that has been implemented (e.g. the initial issue was that a certain IT-system (ARES) or procedure needed to be designed and implemented and that is now operational/ in use). The activity is finished.
- Partially implemented: an action that is started, but not yet finished (e.g. a procedure is developed but not yet adopted by the appropriate authorities). It would be good if there is some explanation as to what has been implemented and what is not in this case.
- Not implemented: an action that still needs to start. In this case, also an explanation is desirable as to why the implementation has not started yet.

<sup>4</sup> OJ C 73, 28.2.2023, p. 102.

	<b>OBSERVATIONS OF DISCHARGE AUTHORITY (REPORT ADOPTED ON 11 APRIL 2024 EP PLENARY)</b>	<b>EBA RESPONSE AND MEASURES TAKEN BY EBA</b>	<b>STATUS / REFERENCE</b>
	European Banking Authority for the financial year 2022 (the ‘Court’s report’), states that it has obtained reasonable assurance that the Authority’s annual accounts are reliable and that the underlying transactions are legal and regular;		
<b>Budget and Financial Management</b>			
1	Notes with satisfaction that the budget monitoring efforts during the financial year 2022 resulted in a budget implementation rate of current year commitment appropriations of 99,56 %, representing an increase of 1,05 % compared to 2021; further notes that the rate of execution of current year payment appropriations was 87,00 %, representing an increase of 3,00 % compared to 2021;	The EBA appreciates the fact that the discharge authority recognises the high budget implementation rate of current year commitment appropriations and rate of execution of current year payment appropriation with increases in both relative to 2021.	N/A
<b>Performance</b>			
2	Welcomes the fact that the Authority continues to use certain measures as key performance indicators to assess its activities and the results thereof with respect to achieving the objectives of the work programme; observes that for 2022, the Authority has defined five vertical priorities (e.g. monitoring and updating the prudential framework for supervision and resolution, revisiting and strengthening the EU-wide stress testing framework) and two horizontal priorities (providing tools to measure and manage environmental, social, and governance (ESG) risks and monitoring and mitigating the impact of COVID-19) for its work programme; notes that in 2022, the Authority	The EBA takes note of the discharge authority’s observations in relation to KPIs and the EBA’s execution of its work programme.  Furthermore, the EBA appreciates the fact that the discharge authority recognises the improvement of the Authority compared to 2021 regarding the execution of the work programme.	N/A

	<b>OBSERVATIONS OF DISCHARGE AUTHORITY (REPORT ADOPTED ON 11 APRIL 2024 EP PLENARY)</b>	<b>EBA RESPONSE AND MEASURES TAKEN BY EBA</b>	<b>STATUS / REFERENCE</b>
	executed 95 % of the approximately 250 tasks set out in its work programme, including 15 % of tasks which had to be added to the work in the course of the year; further recognises that this is an improvement compared to the previous year;		
3	Is aware that Russia’s unjustified war of aggression against Ukraine has led the Authority to consider challenges and uncertainties arising from that conflict for areas within its remit and to address them accordingly; welcomes the fact that, as a result, the Authority placed a significant focus on assessing the risks for banks and the financial sector, and took action to monitor that sector; notes furthermore that the Authority focused on efforts contributing to the application and enforcement of imposed sanctions and, on a level which is more immediately relevant for people affected by that conflict, welcomes the efforts of the Authority to provide guidance to facilitate access to the financial system;	The EBA appreciates the discharge authority’s recognition of its work in response to Russia’s unjustified war of aggression against Ukraine.	N/A
4	Observes that some of the important drivers of the Authority’s activity in 2022 were contributing to shaping the legislative procedures which led to the adopt of Regulation (EU) 2022/2554 <sup>5</sup> and Directive (EU)	The EBA takes note of and appreciates the observation of the discharge authority.	N/A

<sup>5</sup> Regulation (EU) 2022/2554 of the European Parliament and of the Council of 14 December 2022 on digital operational resilience for the financial sector and amending Regulations (EC) No 1060/2009, (EU) No 648/2012, (EU) No 600/2014, (EU) No 909/2014 and (EU) 2016/1011 (OJ L 333, 27.12.2022, p. 1).

	<b>OBSERVATIONS OF DISCHARGE AUTHORITY (REPORT ADOPTED ON 11 APRIL 2024 EP PLENARY)</b>	<b>EBA RESPONSE AND MEASURES TAKEN BY EBA</b>	<b>STATUS / REFERENCE</b>
	<p>2022/2556<sup>6</sup> (the Digital Operational Resilience Regulation and Directive) and of Regulation (EU) 2023/1114<sup>7</sup> (the Markets in Crypto-Assets Regulation) by way of the response provided to different calls for advice on digital finance and related issues; notes that another point of focus lied on preventing the use of the financial system for the purposes of money laundering and terrorist financing (ML/TF); further notes that developing a relevant environmental, social and governance (ESG) framework for banks, and monitoring the impact of COVID-19 on their balance sheets remained at the forefront of the Authority’s work; acknowledges that the Authority also updated its Peer Review work plan for the period 2022-2023, in accordance with Regulation No 1093/2010;</p>		
<b>Efficiency and Gains</b>			
5	<p>Welcomes that in the area of procurement, the Authority takes the approach of inviting other agencies to participate in its open procurement procedures, whenever there is a possibility of interest by other agencies; notes that in 2022, the Authority was the lead agency on one inter-institutional procurement procedure in which the European Securities and Markets Authority (ESMA) and the European Insurance and</p>	<p>The EBA welcomes the discharge authority’s observation regarding procurement.</p>	<p>The EBA acknowledges that this observation represents an ongoing effort and is one the EBA shall strive to continue, especially with ESMA and EIOPA.</p>

<sup>6</sup> Directive (EU) 2022/2556 of the European Parliament and of the Council of 14 December 2022 amending Directives 2009/65/EC, 2009/138/EC, 2011/61/EU, 2013/36/EU, 2014/59/EU, 2014/65/EU, (EU) 2015/2366 and (EU) 2016/2341 as regards digital operational resilience for the financial sector (OJ L 333, 27.12.2022, p.153).

<sup>7</sup> Regulation (EU) 2023/1114 of the European Parliament and of the Council of 31 May 2023 on markets in crypto-assets, and amending Regulations (EU) No 1093/2010 and (EU) No 1095/2010 and Directives 2013/36/EU and (EU) 2019/1937 (OJ L 150 9.6.2023, p. 40).

	OBSERVATIONS OF DISCHARGE AUTHORITY (REPORT ADOPTED ON 11 APRIL 2024 EP PLENARY)	EBA RESPONSE AND MEASURES TAKEN BY EBA	STATUS / REFERENCE
	Occupational Pensions Authority (EIOPA) participated; notes furthermore that the Authority has also participated in many inter-institutional procedures led by other Union institutions, bodies, offices or agencies, predominantly those run by the Commission; observes that in 2022, 77 % of the Authority’s 96 framework contracts in force were procured by other Union institutions, bodies, offices or agencies;		
6	Notes that the Joint Committee of the European Supervisory Authorities, which brings together the Authority, EIOPA, ESMA, the Commission and the European Systemic Risk Board, is a key forum to discuss common regulatory issues and agree joint initiatives; recalls that joint initiatives bring together diverse perspectives, reduce duplication of effort, enhance learning and strengthen relationships between the participants;	<p>The EBA takes note of the discharge authority’s observation concerning the Joint Committee of the European Supervisory Authorities (ESAs).</p> <p>The EBA highlights the importance of the work conducted jointly with the two other ESAs, the Commission and the ESRB. The EBA will continue to collaborate on joint initiatives and common regulatory issues.</p>	This represents an ongoing effort.
7	Welcomes the fact that the Authority engages in extensive cooperation and resource sharing initiatives with various agencies, such as sharing accounting services with ESMA, sharing a security officer with EIOPA, joint IT projects, investment in career development and providing experiences to assist other agencies in obtaining EMAS certification; further emphasises the horizontal benefits of working together and adapting best practices;	<p>In general, the EBA has continued to develop its synergies with other agencies, and the EBA welcomes the discharge authority’s recognition of this effort.</p> <p>The EBA further appreciates the discharge authority’s recognition of its EMAS certification, which was obtained in August 2022. The certification acknowledges the EBA’s sustained efforts to continuously improving its environmental performance and reducing its carbon footprint.</p>	This represents an ongoing effort.

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8	Commends the Authority for having taken various initiatives such as process optimisation, resource management, digitalization, collaboration enhancement, and fostering a continuous improvement culture; notes that key strategies include process automation (financial paperless transactions, mass payment load, workflow tools), resource optimisation, data-driven decision-making, technology integration (cloud services, HR digitalization), collaboration through cross-functional teams and project management;	The authority welcomes the discharge authority's recognition of the progress it has made and the initiatives taken in all the mentioned areas .	This represents an ongoing effort.
9	Underlines that the Authority is an active member of the EU Agencies Network, and synergies are constantly being developed with the other European Supervisory Authorities, such as the sharing of recruitment reserve lists between the Authority, ESMA and EIOPA;	The EBA welcomes the discharge authority's recognition of the EBA's efforts to develop its synergies. The EBA notes that developing synergies is an ongoing effort and the EBA will continue to commit in this regard.	This represents an ongoing effort.
<b>Staff Policy</b>			
10	Notes that, on 31 December 2022, the establishment plan was 98,14 % implemented, with 159 temporary agents appointed out of 162 temporary agent posts authorised under the Union budget (the same number of authorised posts as in 2021); notes that, in addition, 44 contract agents (out of 50 authorised) and 13 seconded national experts (out of 19 authorised plus six cost-free seconded national experts) worked for the Authority in 2022;	The EBA takes note of the discharge authority's observation regarding the establishment plan.	N/A



	<b>OBSERVATIONS OF DISCHARGE AUTHORITY (REPORT ADOPTED ON 11 APRIL 2024 EP PLENARY)</b>	<b>EBA RESPONSE AND MEASURES TAKEN BY EBA</b>	<b>STATUS / REFERENCE</b>
11	<p>Observes that the overall turnover rate in 2022 was 11,5 % (compared to 12 % in 2021); notes that the overall turnover rate includes the end of contract of seconded national experts whose contracts run shorter term by nature whereas the staff turnover rate for statutory staff (temporary agents and contract agents) was 9 % (being slightly higher for contract agents than temporary agents); highlights that since 2020, the Authority has started enriching its talent management approach with further measures to empower staff and support long-term engagement (strong employee value proposition, tailored career development programmes such as mentoring, work-life initiatives such as social club, etc.);</p>	<p>The EBA takes note of the discharge authority's observation regarding staff turnover and appreciates the recognition of the EBA's efforts concerning the approach to talent management.</p> <p>As a matter of clarification, while the turnover rate for Seconded National Experts (SNEs) is by nature fluctuating due to the specificity of their contracts and willingness of the Member States, the EBA had over the last three years a rather stable turnover below 10%: 7 % in 2021, 8 % in 2022 and 6% in 2023.</p>	N/A
12	<p>Notes the gender distribution within the Authority's senior and middle management, with 16 out of 29 senior and middle management members being men (55 %), and within the Authority's overall staff, with 114 out of 222 members of staff being men (51 %); supports that the Authority has adopted the Charter on Diversity and Inclusion of the EU Agencies Network; notes that the Authority is member of the "Choose Paris Region" network of international organisations promoting a diverse, inclusive and equitable workplace and provides specific accommodations to persons with disabilities as part of the recruitment process;</p>	<p>The EBA appreciates the discharge authority's observation recognising the EBA's efforts in promoting diversity and gender balance across senior and middle management, and across the EBA as a whole.</p> <p>The EBA further appreciates the recognition of the EBA's adoption of the Charter on Diversity and Inclusion of the EU Agencies Network.</p>	N/A

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13	Is aware that a Staff Engagement Survey (SES) was launched in 2022 resulting in a response rate of 71 %; notes that the overall total favourable score which represents staff engagement was 65 % – higher by 1 % than in the previous SES of 2019 (despite the challenging COVID-19 period) and compared to the EU Interagency benchmark;	<p>The EBA takes note of the discharge authority's observation regarding its 2022 Staff Engagement Survey.</p> <p>The EBA would also like to report that building on the good momentum observed in 2022 a new SES run in 2024 resulted in a response rate of 85% and an overall favourable score of 72%.</p>	N/A
<b>Prevention and management of conflicts of interest and transparency</b>			
14	Welcomes that in 2022 the Authority streamlined the ethics process, in particular through the introduction of an electronic workflow system including a closer and more efficient assessment of notifications regarding potential conflicts of interest of departing staff and notifications of post-employment activities;	The EBA welcomes the discharge authority's observation regarding the streamlining of the ethics process.	N/A
15	Highlights that the guidelines on whistleblowing, encompassing anti-corruption guidelines, have been incorporated into the course material of the Authority's training programmes focusing on ethics and integrity;	The EBA welcomes the discharge authority's observation regarding the incorporation of whistleblowing and anti-corruption into the EBA's ethics training programmes.	N/A
16	Appreciates that in 2022, the Board of Supervisors adopted an amendment to its Rules of Procedure, as well as to those of the Management Board and to the mandates of the Standing Committees on resolution and on anti-money laundering and countering the financing of terrorism, obliging members who	The EBA appreciates the discharge authority's observation recognising the adoption of amendments to the Rules of Procedure for its governing bodies.	N/A

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	have declared a conflict of interest to be absent from both the vote and the discussion itself, without exception;		
17	Notes that following the closure of an OLAF investigation with no indication of irregularities regarding compliance with the relevant legal framework, the Authority received a recommendation to take administrative actions, particularly concerning senior management employment contracts; observes that the investigation revealed a lack of contractual provisions related to gardening leave or a ‘cooling-off’ period; highlights that in response, the Authority introduced a new article in contracts for directors, advisers, and above in February 2022; notes that, due to limitations within the Staff Regulations legal framework, the Authority informed OLAF that it cannot impose requirements on staff outside that framework, such as providing compensation when a former staff member is restricted from pursuing an occupational activity or faces substantial conditions in doing so;	The EBA takes note of the discharge authority’s observation.	N/A
18	Welcomes that the Authority discloses all staff meetings with external private sector stakeholders within a period of two weeks following the meeting for the Chairperson, pursuant to Article 49a of Regulation (EU) No 1093/2010, and that this is applied in the same way to the Executive Director, although Article 52a of that Regulation requires meetings of the	The EBA appreciates the discharge authority’s observation regarding the disclosure of management and staff meetings with external private sector stakeholders.	N/A

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	Executive Director to be made public but does not specify how soon after they are held; notes that in the meetings of other staff with private sector stakeholders, disclosure is done on a quarterly basis;		
19	Draws attention to the closure of one whistleblowing case in 2022; notes that actions taken involved contacting a national competent authority to understand the allegations and actions being taken domestically, which resulted in the closure of the case without any action required from the Authority;	<p>The EBA takes note of the discharge authority's observation.</p> <p>The EBA has implemented a platform facilitating receipt of whistleblowing notifications and communication with whistleblowers. The EBA continues to provide training on whistleblowing as part of its regular ethics training for new joiners and all staff.</p>	N/A
20	Recalls that CVs of members of governing bodies and alternate members, senior managers and directors are published on the Authority's websites; notes that those CVs include information regarding professional experience and education; notes furthermore that as regards experts, the Authority publishes the CVs of the Banking Stakeholder Group;	The EBA takes note of the discharge authority's observation.	N/A
<b>Procurement</b>			
21	Notes that according to the Court the Authority sought to procure services in two open tenders, one for market research for financial services and another for consultation on data protection; notes that in one tender there was an overlap between the selection and award criteria; highlights that such an overlap goes against Article 167 of the Financial Regulation,	<p>The EBA takes note of the discharge authority's observation in relation to procurement procedures.</p> <p>One section in the EBA's updated guidance for selection committees relates specifically to the distinction between award and selection criteria. The EBA conducts market research by publishing "prior information notices" in the Official Journal in</p>	Measures to address observation implemented, and accepted by Court. Observation closed.

	OBSERVATIONS OF DISCHARGE AUTHORITY (REPORT ADOPTED ON 11 APRIL 2024 EP PLENARY)	EBA RESPONSE AND MEASURES TAKEN BY EBA	STATUS / REFERENCE
	<p>which stipulates that there must be complete separation between selection and award criteria; states that selection criteria are used to evaluate the capacity of the tenderers and award criteria are used to evaluate the price and quality of the offers; notes with regret that in both cases, the Authority overestimated the maximum value of the contracts because of shortcomings in the research on market prices it had carried out before launching the tender;</p>	<p>which it invites companies to respond to a questionnaire (public consultation) and asks for indicative prices to help it estimate contract value.</p> <p>In its draft 2023 audit report, the Court has indicated that this observation is Closed, indicating that the actions taken by the EBA are sufficient to address the observation.</p>	
22	<p>Notes that according to the Court the procurement weakness affecting two separate negotiated procedures reported in 2021 have been corrected as the Authority is now using the Commission’s templates, thereby bringing its procedures in line with the Court’s observation;</p>	<p>The EBA takes note of the discharge authority’s observation in relation to the use of Commission templates in procurement procedures, thereby bringing them in line with the Court’s observation .</p>	<p>Measures to address observation implemented, and accepted by Court. Observation closed.</p>
23	<p>Highlights that since the 2020 financial year, the Court has raised new procurement-related observations every year for four agencies, including the Authority; recalls that the objective of public procurement rules is to enable procuring entities to obtain the goods and services they need at the best price, while ensuring fair competition between tenderers and compliance with the principles of transparency, proportionality, equal treatment and non-discrimination; calls on the Authority to ensure full compliance with the applicable procurement rules to achieve the best possible value for money;</p>	<p>The EBA takes note of the discharge authority’s observation in relation to procurement.</p> <p>The EBA strives to achieve full compliance with the Financial Regulation and applicable procurement rules. The EBA considers the Court’s comments to be a useful input to the EBA’s ongoing work to be fully compliant. Other activities engaged in by the EBA as part of this work include:</p> <ul style="list-style-type: none"> <li>• EBA procurement staff regularly attend Commission training sessions and are active participants in the Agencies Network of Procurement Officers.</li> <li>• EBA procurement staff conduct regular training sessions within the EBA for staff involved in</li> </ul>	<p>This represents an ongoing effort.</p>

	OBSERVATIONS OF DISCHARGE AUTHORITY (REPORT ADOPTED ON 11 APRIL 2024 EP PLENARY)	EBA RESPONSE AND MEASURES TAKEN BY EBA	STATUS / REFERENCE
		<p>procurement procedures and contract management.</p> <ul style="list-style-type: none"> <li>• EBA conducts a lessons learned exercise after every competitive procurement procedure.</li> <li>• EBA continually updates its procurement process manual and guidelines, and communicates improvements internally.</li> <li>• EBA maintains a system of follow-up on internal control improvements, to ensure timely and appropriate action on agreed improvements.</li> </ul>	
<b>Internal control</b>			
24	<p>Recalls that the Authority started to work with a dedicated risk management partner to enhance the compatibility of the Authority's current risk management programme with the COSO Enterprise Risk Management (ERM) framework in 2021 and continued that work in 2022; notes that in order to further strengthen internal controls, the Authority plans to integrate its risk management programme into the COSO ERM framework, intensify ethics-related activities, and provide tailored internal controls training in 2023 with the goal of upholding and enhancing the effectiveness of the overall internal controls system;</p>	<p>The EBA takes note of the discharge authority's observation.</p> <p>The EBA has implemented its ERM framework and carried out two annual risk management cycles under the new framework and provided internal controls and risk management training to management and other relevant staff in 2023. Upholding high ethical standards continues to be a focus with an ongoing annual training programme for staff, annual declaration and assessment of interests and awareness-raising activities.</p>	N/A
25	<p>Notes that according to the Court the internal control weaknesses affecting recruitment</p>	<p>The EBA takes note of and appreciates the discharge authority's observation.</p>	N/A

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	procedures reported in 2021 have been corrected as the Authority modified its procedures accordingly;		
<b>Other comments</b>			
26	Welcomes that in 2022, the Authority continued to promote its work and deliverables via a wide range of communication channels such as the corporate website, press interviews and social media platforms; notes that the Authority also increased the number of dynamic data visualisations aimed at presenting large amounts of data in a more comprehensive and digestible manner and published 149 press releases and news items, promoted the Authority’s work in the press and media, conducting 74 interviews and briefings with the press, and responded to 706 queries via email;	The EBA appreciates the discharge authority’s observation regarding the EBA’s continued promotion of its work and deliverables over a range of communication channels.	N/A
27	Welcomes that in 2022, the Authority was awarded the Eco-Management and Audit Scheme (EMAS) certificate and successfully achieved its 2022 environmental objectives and targets in the areas of travel, energy, waste, procurement, and core business; highlights that those achievements include a reduction of at least 50 % in travel-related activities, a 10 % decrease in building energy consumption, a commitment to recycling at least 70 % of waste, and consideration of the environmental impact in 100 % of contracts procured by the Authority;	<p>The EBA welcomes the discharge authority’s observation regarding its first EMAS certification in 2022.</p> <p>In 2024, the EBA’s environmental statement (with data from 2023) was once again positively verified and validated by independent external auditors. The <a href="https://www.eba.europa.eu/about-us/sustainable-eba">document</a> is now published on the EBA’s website: <a href="https://www.eba.europa.eu/about-us/sustainable-eba">https://www.eba.europa.eu/about-us/sustainable-eba</a>.</p> <p>The EBA continues its efforts to continuously improving its environmental performance and reducing its carbon footprint. In 2023, the EBA managed to achieve all its environmental objectives.</p>	This represents an ongoing effort.

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28	Commends the Authority for undertaking to reduce energy consumption by 10 % in 2022 (compared to 2019); points out that in order to achieve that target, the Authority has introduced measures such as shifting heating schedules and decreasing setpoint temperatures on thermostats, switching energy supply fully to renewable energy sources, monitoring of meters on a daily basis to evaluate the results of the action taken, and conducting an energy saving awareness campaign for staff; notes that the energy reduction achieved by the end of 2022 (compared to 2019) was 16,4 %;	<p>The EBA welcomes the discharge authority's commending of the efforts undertaken to reduce its energy consumption.</p> <p>In 2023, the EBA managed to achieve its energy reduction targets and it committed to further reductions in subsequent years.</p>	This represents an ongoing effort.
29	Refers, for other observations of a cross-cutting nature accompanying its decision on discharge, to its resolution of 11 April 2024 <sup>8</sup> on the performance, financial management and control of the agencies.	See below.	

<sup>8</sup> Texts adopted, P9\_TA(2024)0280.



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**Performance**

24	Welcomes the cooperation and coordination of the work between agencies dealing in the same field, such as the European Supervisory Authorities (ESAs), the JHA agencies, the agencies in the area of employment, social affairs and inclusion, as well as others, but also cross-cutting cooperation between agencies from different policy areas;	The EBA takes note of the discharge authority's observation and appreciates the mention of the ESAs cooperating and coordinating of their work (and operations).	N/A
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**Staff Policy**

35	Notes with concern that, in 2022, the staff turnover rate was more than 5 % in 15 out of 33 agencies, whereas four of them exceeded the 10 % rate; commends the agencies (e.g. EBA) for the targeted measures they took to prevent high staff turnover rates; highlights the importance for all agencies to implement measures with a view to improving talent management and retention; counts on the EUAN to be a forum for its member agencies with regard to exchanging good practices and, where possible, joining forces in this matter;	The EBA takes note of the discharge authority's observation and appreciates the commendation regarding the targeted measures the EBA has taken to prevent high staff turnover rate.	N/A
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Prevention and management of conflicts of interest, and transparency			
49	<p>Notes from the EUAN’s follow-up report to the discharge for 2021 that in some cases, agencies consider their degree of exposure to risk of conflicts of interest and lobbyist pressure to be low, due to their missions, tasks they perform and the environment and context in which they operate, which has an impact on their consideration to what extent they need an anticorruption strategy, while other agencies, due to their higher exposure to such risk, have introduced fully fledged anticorruption strategies, in some cases developed with OLAF; reiterates, in this context, the need to regularly update the rules on transparency, incompatibilities, conflicts of interest and ‘revolving door’ situations, and illegal lobbying, as well as anti-fraud strategies; notes from the agencies’ follow-up report to the discharge for 2021, that most agencies do not plan to develop an internal anticorruption strategy, while in the case of some agencies (e.g. EBA, EIOPA), their anti-fraud strategies include an anti-corruption strategy;</p>	<p>The EBA takes note of the discharge authority’s observation and of the mention of the EBA as one of the agencies having included in their anti-fraud strategies an anti-corruption strategy.</p>	N/A

This opinion will be published on the EBA’s website.

Done at Paris, 19 July 2024

[signed]  
 Jose Manuel Campa  
 Chairperson  
 For the Board of Supervisors