

ESMA Risk AssessmentWork Programme 2017

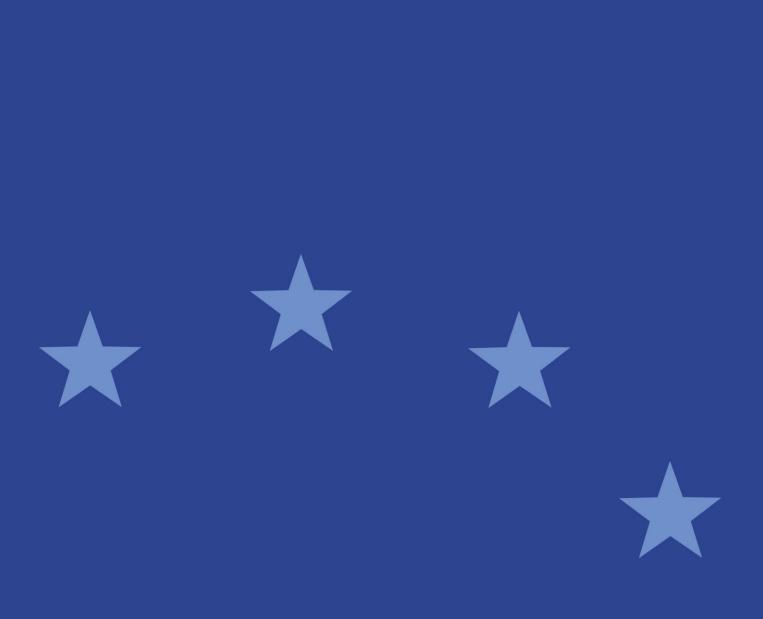




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1 Summary

This Risk Assessment Work Programme provides an overview of the analytical, research, data and statistical activities by ESMA scheduled to be undertaken in 2017.

ESMA's 2017 risk assessment agenda is focused on further developing ESMA's proprietary data sources and their analytical exploitation.

- As market data collected under the AIFMD, MiFID and EMIR mandates and others are becoming available, ESMA is – in close cooperation with the National Competent Authorities – completing the necessary technical infrastructure for their processing, programming routines for their management, and making them available for the relevant analytical evaluation.
- Analytically, ESMA is planning to enhance its risk monitoring capacities, generating market descriptive statistics as well as sophisticated risk indicators and metrics on the basis of new proprietary data. Complementing the existing risk analytical framework which currently draws primarily on commercially available market data, risk analysis based on ESMA regulatory data will mark an important progress towards a better and more comprehensive understanding of EU securities market risks. In addition, ESMA continues to pursue indepth research around key topics, including market and fund liquidity, fund leverage, and the impact of innovation especially in the areas of market infrastructures and investment advice.
- ESMA is set to continue its impact assessment activities, complementing the regulatory work programme, and will in close cooperation with the National Competent Authorities further enhance its stress testing work, aiming at successively more sophisticated Union-wide tests on Central Counterparties, and developing ESMA's approach to investment fund stress testing going forward.

The 2017 Risk Assessment Work Programme complements ESMA's activity reporting documents, most importantly the Single Programming Document, the Regulatory Work Programme, the Supervisory Work Programme and the Supervisory Convergence Work Programme. The risk assessment projects identified in the present document reflect the horizontal nature of the data and analytical work at ESMA, contributing to the overarching objectives and activities of the Authority. Additional analytical and data projects specifically related to individual regulatory, supervisory or convergence dossiers are highlighted in the respective work programmes.



2 Introduction

2.1 Objectives of ESMA Risk Assessment

In undertaking risk assessments, ESMA works on the basis of its mandate in the ESMA founding regulation¹. In particular, ESMA monitors and assesses market developments and new financial activities in its remit.

ESMA risk assessments are carried out with a view to supporting the Authority's objectives of promoting investor protection, orderly markets, and financial stability.

2.2 Coverage

This Risk Assessment Work Programme provides an overview of the main analytical projects and the underlying data and statistical operations to be undertaken by ESMA in 2017. The list is not exhaustive, the prioritisation of the projects may change, and new projects may be added to the portfolio.

ESMA risk assessment activities cover the monitoring and analysis of risks as well as developing the required data and statistical infrastructure.

2.2.1 Risk monitoring and analysis

Analytical activities are carried out as a horizontal function in ESMA, with data and analyses being contributed to a wide range of projects in support of ESMA's activities in the areas of regulation, supervision, supervisory convergence as well as ESMA risk assessment mandate.

In addition to the workstreams summarised in the Risk Assessment Work Programme, these activities form an essential part of a variety of operational projects which are presented in detail in the ESMA Work Programmes on supervision, the single rule book, and supervisory convergence, as well as ESMA's Single Programming Document.

ESMA risk assessment work is undertaken by ESMA staff in close cooperation with National Competent Authorities as well as expert consultative working groups. Depending on the mandates of individual workstreams, analytical outcomes are presented to or developed in close collaboration with ESMA's Committee on Economic and Market Analysis, the Financial Innovation Standing Committee and their consultative working groups. The analytical outcomes may also be presented to other policy standing committees. Ultimately the contribution and results of ESMA's risk assessment work feed into the consideration of the ESMA Board of Supervisors and much of ESMA's outputs, whether in the form of publications or other actions.

2.2.2 Data and statistics

Enhancing its data and statistical capabilities is a key strategic objective of ESMA. In 2017, existing mandates to collect proprietary data are being implemented – such as derivatives data on the basis of EMIR, market data on the basis of MiFID II-MiFIR, alternative fund data on the basis of AIFMD and others. In addition, future data mandates are being prepared – such as those specified in the Money Market Fund Regulation and the Securities Financing Transactions Regulation. As market data collected under the AIFMD, MiFID and EMIR

Regulation (EU) No. 1095/2010 of the European Parliament and of the Council of 24 November 2010 establishing a European Supervisory Authority (European Securities and Markets Authority), amending Decision No 716/2009/EC and repealing Commission Decision 2009/77/EC. Market monitoring and risk assessment cf. Arts. 8f, 8g, 23.1, 32, 32.3. Financial innovation cf. Arts. 9.2, 9.4. Product intervention cf. Art. 9.5.



mandates and others are becoming available, ESMA is – in close cooperation with the National Competent Authorities – completing the necessary technical infrastructure for their processing, programming routines for their management, and making them available for the relevant analytical evaluation.

3 Risk monitoring and analysis

3.1 Risk monitoring

ESMA risk monitoring activities are centred around periodic reports to the EU Institutions, which are publicly available on the ESMA webpage.

3.1.1 Reporting on Trends, Risks and Vulnerabilities

Semi-annual	ESMA Trends, Risks and Vulnera	abilities Report (TRV)					
Activities	markets under ESMA's remit, inclu	Informing stakeholders, markets, and the wider public of risks in the markets under ESMA's remit, including ESMA's ongoing risk assessment, risk alerts and risk warnings.					
	 Monitoring and assessment of market 	developments.					
	 Identification and measuring of systemic risks. 						
	 At least yearly assessments to the European Parliament, the Council, the Commission and the ESRB of trends, potential risks and vulnerabilities in its area of competence. 						
Deliverables	 Two semi-annual TRV reports for spring Financial Council meetings. TRV publication. 	oring and autumn European					
ESMA objectives	Financial stability ESMA activities	s Supervision					
	Orderly market ⊠	Single rulebook □					
	Investor protection ⊠	Convergence					
		Risk assessment ⊠					



Quarterly ESMA Risk Dashboard (RD)

quality _cii	Trion Buonso						
Activities	markets under	Informing stakeholders, markets, and the wider public of risks in the markets under ESMA's remit, including ESMA's ongoing risk assessment, risk alerts and risk warnings.					
	 Monitoring and a 	velopments.					
	 Identification and measuring of systemic risks. 						
	 At least yearly assessments to the European Parliamer Council, the Commission and the ESRB of trends, potential and vulnerabilities in its area of competence. 						
Deliverables	Four quarterly R	D report publications.					
ESMA objectives	Financial stability		Supervision				
	Orderly market	\boxtimes	Single rulebook				
	Investor protection		Convergence				
			Risk assessment	\boxtimes			

3.1.2 ESA Joint Committee risk reporting

Semi-annual Risk Report by the Joint Committee of the European Supervisory Agencies

Activities	 Monitoring and assessment of market developments. 							
	 Identification and measuring of systemic risks. 							
	 At least yearly assessments to the European Parliament, the Council, the Commission and the ESRB of trends, potential risks and vulnerabilities in its area of competence. 							
Deliverables	 Contribution to tw 	vo ser	mi-annual Risk Rep	orts.				
ESMA objectives	Financial stability	\boxtimes	ESMA activities	Supervision				
	Orderly market	\boxtimes		Single rulebook				
	Investor protection	\boxtimes		Convergence				
				Risk assessment	\boxtimes			

3.2 Risk analysis

ESMA analytical activities are grouped in thematic areas of research, and conducted by project teams led by ESMA's Risk Analysis and Economics Department, drawing on the in-house regulatory, supervisory, and convergence expertise, as well as close cooperation with national



authorities, political and market stakeholders as well as academia². In particular, ESMA is aiming to enhance its external research cooperation in 2017, to promote the public availability, exploitation and analysis of ESMA proprietary databases, and to encourage a better understanding of the markets under ESMA's remit and their risks beyond the analytical work undertaken directly by ESMA.

3.2.1 Securities markets, infrastructures, and investors

Liquidity situa	ation in EU secur	ities	markets			
Activities	 ESMA research on corporate and sovereign bond market liquidity. CEMA-led research project on corporate bond market liquidity. 					
Deliverables	 Ongoing analytical activity. Analytical input into ESMA regulatory activities and risk monitoring. 					
ESMA objectives	Financial stability	\boxtimes	ESMA activities	Supervision		
	Orderly market	\boxtimes		Single rulebook	\boxtimes	
	,			Onigio raiobook		
	Investor protection			Convergence		

Securities fina	ancing transacti	ons	and rep	o ma	rkets		
Activities		ESMA research on securities financing market activities and repomarkets, and the application of margins and haircuts.					
Deliverables	 Ongoing analyt monitoring. 	ical ir	put into	ESMA	regulatory work and	risk	
	 Contribution to 2 	2017 E	SRB ther	natic wo	ork on shadow banking		
ESMA objectives	Financial stability	\boxtimes	ESMA a	activities	Supervision		
	Orderly market	\boxtimes			Single rulebook	\boxtimes	
	Investor protection				Convergence	\boxtimes	
					Risk assessment	\boxtimes	

Further analytical work is undertaken by ESMA in the context of regulatory, supervisory or convergence projects which is specified in the respective work programmes.



Derivatives trading, market structures, and risks

Activities		of EMIR data towards ators for derivatives mar	the construction of risk ket monitoring.
	 CEMA-led resea 	ch project on Interest Ra	ate Derivatives.
Deliverables	 Ongoing analytimonitoring. 	cal input into ESMA	convergence and risk
ESMA objectives	Financial stability		Supervision
	Orderly market	\boxtimes	Single rulebook ⊠
	Investor protection	\boxtimes	Convergence 🖂
			Risk assessment ⊠

High frequency and algorithmic trading

Activities	ESMA research on high frequency and algorithmic trading.						
Deliverables	 Ongoing analytic monitoring. 	cal input	t into ESMA re	gulatory work and	risk		
ESMA objectives	Financial stability	⊠ E	SMA activities	Supervision			
	Orderly market	\boxtimes		Single rulebook	\boxtimes		
	Investor protection	\boxtimes		Convergence	\boxtimes		
				Risk assessment	\boxtimes		

Circuit breakers and trading halts

Activities		ESMA research on application and impact of circuit breakers and trading halts on trading venues in the EU.				
Deliverables	2017 analytical focus on liquidity effects of trading halts.Ongoing enhancement of risk monitoring tools.					
ESMA objectives	Financial stability Orderly market Investor protection		ESMA activities	Supervision Single rulebook Convergence Risk assessment		



Investment fund leverage and liquidity Activities ESMA research on liquidity as well as financial and synthetic leverage in UCITS and AIFMD funds. **Deliverables** Ongoing analytical input into ESMA supervisory convergence, risk monitoring and, potentially, rule-making. Contribution to 2017 ESRB thematic work on shadow banking. ESMA objectives Financial stability \boxtimes **ESMA** activities Supervision Orderly market Single rulebook \boxtimes Investor protection \boxtimes Convergence \boxtimes Risk assessment \boxtimes Alternative investment fund risk indicators Activities • ESMA analysis of AIFMD data towards the construction of risk

	metrics and indicators in the alternative funds industry.							
	 CEMA-led resea 	CEMA-led research project on AIFMD data.						
Deliverables	 Ongoing analyt monitoring. 	ical input into ESMA	convergence and	risk				
ESMA objectives	Financial stability	☐ ESMA activities	Supervision					
	Orderly market	\boxtimes	Single rulebook					
	Investor protection	\boxtimes	Convergence	\boxtimes				
			Risk assessment	\boxtimes				

Costs and per	rformance of inv	estn	nent products				
Activities	,	ESMA analysis of fees on investment products and their absolute and relative performance.					
Deliverables	 Ongoing analytical input into ESMA convergence, risk monitoring and, potentially, rule-making. 						
	 ESMA contributi Action Plan. 	on to	the EU Commission	n's Capital Markets	Jnion		
	Ongoing ESMA	survei	llance of closet inde	exing in the EU.			
ESMA objectives	Financial stability		ESMA activities	Supervision			
	Orderly market	\boxtimes		Single rulebook	\boxtimes		
	Investor protection	\boxtimes		Convergence	\boxtimes		
				Risk assessment	\boxtimes		



Impact assessments Activities Provision of ESMA impact assessments on Regulatory Technical Standards to be drafted in 2017. Further develop best practices and common standards for ESMA impact assessments. Fulfil cost-benefit analysis requirements set out in ESMA regulation. **Deliverables** Cost-benefit analyses for ESMA technical standards and guidelines in 2017, including the Benchmarks Regulation, the Securities Financing Transactions Regulation, MiFID II guidelines. For details see ESMA 2017 Regulatory Work Programme. **ESMA** objectives **ESMA** activities Financial stability X Supervision Orderly market Single rulebook \times XInvestor protection \boxtimes Convergence Risk assessment

Stress testing Activities Coordination of and contribution to ESMA stress testing activities, and coordination with National Competent Authorities. Further enhancement of stress testing concepts, methods, and scenarios. Coordination of cooperation with the ESRB. **Deliverables** ESMA 2017 Union-wide CCP stress test. Conceptual development of ESMA approach to stress testing in the asset management industry. For details see ESMA 2017 Supervisory Convergence Work Programme. ESMA objectives Financial stability **ESMA** activities Supervision \boxtimes Orderly market Single rulebook \boxtimes Investor protection XConvergence XRisk assessment



3.2.2 Financial innovation

Retail investor trend monitoring						
Activities	, ,	Identify changes in investor behaviour, and potential risks in the area of investor protection.				
 Identify issues that create investor harm. 						
Deliverables	 Ongoing monitor 	ing of	retail investors tren	nds.		
	 Share results wit 	h ESI	MA stakeholders.			
ESMA objectives	Financial stability		ESMA activities	Supervision		
	Orderly market			Single rulebook		
	Investor protection	\boxtimes		Convergence	\boxtimes	
				Risk assessment	\boxtimes	

Risk monitoring and analysis for Product Intervention

Activities			(= 0 1 1 1			
Activities	qualitative and qu	ntification and monitoring on the basis antitative risk metrics, market intelligend nnovation Scoreboard.				
	 Informing stakeholders, markets, and the wider public of risks in the markets under ESMA's remit, including ESMA's ongoing risk assessment, risk alerts and risk warnings. 					
	 Put in place a framework for the ESMA and the National Competent Authorities to prepare for product intervention powers, incl. training ESMA staff on use of powers, providing support to National Competent Authorities for implementation of powers. 					
		tion for National Competent Authorities on of powers under MiFIR Articles 39-43				
Deliverables	 Implement Procoperational from 	uct Intervention Framework in ord January 2018.	er to be			
	FISC, on the sco	s, through Product Intervention Task be and potential implications of the power investor protection, market integrity an	ers as they			
ESMA objectives	Financial stability					
	Orderly market	⊠ Single rulebo	ok 🗆			
	Investor protection		\bowtie			



Distributed Ledger Technology monitoring

■ ESMA's analysis of potential benefits of distributed ledger technology. ■ ESMA's analysis of risks it may pose from a regulatory and supervisory perspective. Deliverables ■ Ongoing analytical input into ESMA supervisory convergence and financial innovation monitoring as well as potential supervisory and regulatory activities at a later stage, ESMA objectives ■ Financial stability		_		
supervisory perspective. Ongoing analytical input into ESMA supervisory convergence and financial innovation monitoring as well as potential supervisory and regulatory activities at a later stage, ESMA objectives Financial stability Single rulebook Investor protection Convergence	Activities		s of potential benefit	ts of distributed ledger
financial innovation monitoring as well as potential supervisory and regulatory activities at a later stage, ESMA objectives Financial stability			, .	e from a regulatory and
Orderly market ⊠ Single rulebook □ Investor protection □ Convergence ⊠	Deliverables	financial innovati	on monitoring as well as	• •
Investor protection □ Convergence ⊠	ESMA objectives	Financial stability		Supervision
		Orderly market	\boxtimes	Single rulebook □
Risk assessment ⊠		Investor protection		Convergence 🖂
				Risk assessment ⊠

Crowdfunding supervisory convergence

Activities	discussion of c	Provide a forum for National Competent Authorities for informal discussion of challenges faced in the authorisation and supervision of investment-based crowdfunding.					
Deliverables	 Ongoing analytical innovation 	•		ervisory convergence	and		
ESMA objectives	Financial stability	\boxtimes	ESMA activities	Supervision			
	Orderly market			Single rulebook			
	Investor protection	\boxtimes		Convergence	\boxtimes		
				Risk assessment			



4 Data and statistics

4.1 Data management

Development	of s	statistical bas	is fo	or EMIR trade	repository data		
Activities	•	analysis of TR da calculations and	ta to i estab	initially support MiF lish, at a later stag	nagement and statis FID II interim transpar ge, a recurrent produ ta and Trade State d	ency ction	
Deliverables	•	the aggregates	nee	ded for MiFID	lculation, incl. provision II interim transpar mpetent Authorities.		
	•	Develop the procedures to analyse recurrently both trade activity and trade state data.					
	•	Establish ESMA reference data.	-wide	common definit	ions of categories	and	
	•	-	and	•	ning activities and o to incorporate refer		
	•	Define and implactivities.	emer	nt statistical analy	ses to support ES	MA's	
ESMA objectives	Fir	nancial stability	\boxtimes	ESMA activities	Supervision	\boxtimes	
	Or	derly market	\boxtimes		Single rulebook	\boxtimes	
	ln۱	estor protection			Convergence	\boxtimes	
					Risk assessment	\boxtimes	



AIFMD data quality enhancement

Activities	 Support NCAs in their obligation to populate the AIFMD register and the AIFMD systems in order to improve the completeness of the database, provide best practices examples and determine other consistency problems.
Deliverables	 Improve the completeness of the current AIFMD register and system by supporting NCAs.
	 Improve the consistency of the underlying information.
	 Provide further guidance to NCAs populating the register and the system.
	 Monitor continuously the information available at the register
	 Inform ESMA's governance bodies about the state of the databases.
	 Detect inconsistencies and quality flaws in the underlying information and report back to NCAs.
ESMA objectives	Financial stability ESMA activities Supervision
	Orderly market □ Single rulebook ⊠
	Investor protection ⊠ Convergence ⊠
	Risk assessment ⊠

CRA data quality enhancement

Activities	 Implement data quality analyses on CRA data (RADAR). 					
	 Develop recurre analysis activities 	ent reporting to suppose.	ort Supervisory and	Risk		
Deliverables	 Publish CRA dat 	a through CEREP.				
	 Develop and imr 	olement reports on CRA	\ activity from Super	ioion		
	and Risk analysis		activity from Superv	VISION		
ESMA objectives	• •		Supervision	VISION		
ESMA objectives	and Risk analysi	s.				
ESMA objectives	and Risk analysis	s. ESMA activities	Supervision	\boxtimes		



ESMA data continuity and accessibility

		•						
Activities	•	Identify internal and external databases and statistical information critical for ESMA's operation, their availability and quality.						
		Define efficient and robust procedures that ensure that ESMA can make use of its internal data in a timely manner.						
		• In case that ESMA needs to share information with external parties, define the legal framework, responsibilities and restrictions.						
Deliverables	continuity (redur	mapping of ESMA datal adancies in the access to contingency procedures)	the data, document					
		outcomes including desc d quality limitation that sion makers.	•	_				
ESMA objectives	Financial stability		Supervision	\boxtimes				
	Orderly market	\boxtimes	Single rulebook					
	Investor protection	\boxtimes	Convergence					
			Risk assessment	\boxtimes				

4.2 Statistics

Statistical exploitation of ESMA proprietary data Activities Provision of market descriptive statistics, risk indicators and metrics for ongoing risk monitoring, and primary statistical analyses for analytical projects. Data matching and data computation routines to achieve high level of data quality and automation of statistical processing. Statistical tools and algorithms for supervisory work at ESMA and at National Competent Authorities. **Deliverables** Publish transparency requirements for securities or sub-classes (as defined in MiFID II RTSs) that will be applicable in 2018. AIFMD statistical reporting. CRA statistical reporting. **ESMA** objectives Financial stability **ESMA** activities Supervision \boxtimes Orderly market \boxtimes Single rulebook \boxtimes Investor protection Convergence \boxtimes \boxtimes



5 External cooperation

5.1 ESRB

ESRB coordin	nation and analy	tical contribution	า			
Activities	 Contribute to the prevention or mitigation of systemic financial stability in the Union that arise from developmen the financial system. 					
	 Fulfil cooperation 	n requirement set out i	n ESMA regulation.			
Deliverables	 Participation in and contribution to ESRB General Board, Advisory Technical Committee, and associated groups. 					
	including Instrun	•	cipation in ESRB gr , Expert Group Invest up Shadow Banking.			
	Co-chairing of Ex	xpert Group Shadow E	Banking.			
ESMA objectives	Financial stability		s Supervision			
	Orderly market		Single rulebook			
	Investor protection		Convergence			
	•		Convergence			

5.2 FSB

FSB expert gr	ou	p participation	1					
Activities	•	Contribution to FSB work in order to support the prevention or mitigation of systemic risks to financial stability that arise from developments within the financial system; and bring securities market regulator perspective into FSB work.						
Deliverables	•	Participation in ar data and shadow		•	of FSB working group	s on		
ESMA objectives	Fir	nancial stability	\boxtimes	ESMA activities	Supervision			
	Or	derly market			Single rulebook			
	ln۱	vestor protection			Convergence			
					Risk assessment	\boxtimes		



5.3 IOSCO

IOSCO expert	group participat	tion						
Activities	Contribution to IC	Contribution to IOSCO Committee on Emerging Risks (CER) work.						
	 Monitor financial stability, orderly market and investor protection risks at a global level. 							
	 Bring EU-wide per 	erspe	ctive into the IOSC	O CER work.				
Deliverables	Contribution to o	utput	of IOSCO CER.					
ESMA objectives	Financial stability	\boxtimes	ESMA activities	Supervision				
	Orderly market	\boxtimes		Single rulebook				
	Investor protection	\boxtimes		Convergence				
				Risk assessment	\boxtimes			

