



European Union Agency for Cybersecurity (ENISA)

Minutes of the ENISA Management Board meeting held on 18-19 November 2020 (remotely as a videoconference)

Member States' Representatives: Reinhard POSCH (AT), Miguel DE BRUYCKER (BE), Krasimir SIMONSKI (BG), Mario POSAVEC (HR), Zdravko JUKIC (HR), Antonis ANTONIADES (CY), Jaroslav SMID (CZ), Thomas WULFF (DK), Raul RIKK (EE), Olli LEHTILÄ (FI), Heidi KIVEKAS (FI), Jean-Baptiste DEMAISON (Chair, FR), Aude LE TELLIER (FR), Martin BIERWIRTH (DE), Theofanis ANAGNOSTOPOULOS (EL), Eva SPINA (IT), Sanita ZOGOTA (LV), Rytis RAINYS (LT), François THILL (LU), H.L. (Hans) de VRIES (NL), Krzysztof SILICKI (PL), Lino SANTOS (PT), Dan CIMPEAN (RO), Rastislav JANOTA (SK), Marjan KAVČIČ (SI), Staffan LINDMARK (SE), Britt-Marie JONSON (SE)

Representatives of the European Commission: Jakub BORATYNSKI (DG CNECT), Miguel GONZÁLEZ-SANCHO (DG CNECT), Ken DUCATEL (DG DIGIT)

Apologies: MT, IS, IE, ES

In attendance: Sigurdur Emil PALSSON (IS), Hilde GOUTAL MULLER (NO), Saad KADHI (CERT-EU) - for item 2

Observers: Freddie Archie (MT), Andres RUIZ (ES), Lorena BOIX-ALONSO (DG CNECT), Polyxeni MITSAKI (DG CNECT), Martin SPAET (DG CNECT), Natalie WENKERS (DE), Alexandros GONIADIS (DG CNECT)

ENISA: Juhan LEPASSAAR (Executive Director), Laura HEUVINCK (Executive Director Support Team), Andreas MITRAKAS (Head of Data Security and Standardisation/Acting Head of HR), Steve PURSER (Head of Core Operations Department), Vangelis STAVROPOULOS (Executive Director Support Team), Ingrida TAURINA (MB Secretariat), Renata JANKOWSKA (MB Secretariat), Evangelia LANTZA (MB Secretariat), Jo DE MUYNCK (NIS-Cybersecurity Expert), Demosthenes IKONOMOU (Head of Operational Security), Evangelos OUZOUNIS (Head of Secure Infrastructure and Services)

Welcome

The meeting was opened by an introduction of the Chair who gave an update from the Executive Board meeting held on 21-22 October 2020. At the meeting, the EB prepared two MB decisions, discussed ENISA Programming Document 2021–2023 and budget 2021 as well as the way forward on structured cooperation between ENISA and CERT EU and setting up a local office in Brussels.

Initially, the two Decisions prepared by the EB were circulated prior to the MB Meeting for approval by written procedure, but on 17 November the Commission services suggested to ENISA some changes on the MB Decision on handling classified information, therefore this decision is being put on the agenda as a new item to inform the MB about the proposed changes.

The Chair concluded, that the decision on dates for meetings in 2021 will be adopted today with no comments raised by the Management Board.

The Chair welcomed the new MB members and new alternates since the previous meeting and gave the floor to Ms Aude Le Tellier from France to introduce herself and briefly outline her experience and background.

Apologies from absent members and presence of observers were announced. The floor was given to Ms Lorena Boix Alonso, the new appointed Director in H directorate in the Commission, who introduced herself.

Adoption of the Agenda

The Chair outlined the agenda and announced the invited guest, Mr Saâd Kad, Head of CERT EU, who would join to present Item 2.

The agenda was adopted with additional new item for a brief update on the Commission comments on the draft MB Decision on handling classified information and additional item under Any Other Business, a request from the former Executive Director for authorizing an occupational activity after leaving the service.

The Chair gave the floor to the ENISA Executive Director, who announced lockdown imposed in Greece and for the Agency. He continued with a presentation of the main Agency's achievements during his one-year directorate and acknowledged good commitment by the Hellenic Authorities as hosting country. He thanked the Chair for good leadership and the MB members as well as observers from the Commission for trust and engagement.

The Chair congratulated the Agency for providing such results.

Items A (adopted by written procedure prior to the MB meeting)

The Chair informed that the draft MB Decision on dates for meetings in 2021 was circulated prior to the meeting, where no objections were received, therefore the decision was adopted.

Item 1 Draft MB Decision on structured cooperation with CERT- EU (CSA Article 7)

The Chair outlined the background elements of the draft decision and informed that the Executive Board was consulted in preparing this draft and had agreed on the proposed text.

The floor was given to ENISA to present the document. The Executive Director introduced Mr Jo De Muynck, who was recently appointed as the Head of Operational Cooperation Unit and who participated in development of the structured cooperation with CERT-EU.

ENISA explained the concept of the structured cooperation, presented the proposal for its implementation, foreseen roles and activities with CERT-EU, benefits and foreseen domains for exchange of information. The governance structure was presented, which is outlined in the Memorandum of Understanding document, drafted by ENISA.

The meeting was also reminded that the draft MoU would be signed by both parties and that any change in the agreement would require endorsement of two entities.

The Chair provided an overview of the main comments and positive outcome of analysis of the proposed cooperation provided by the EB.

The MB continued with exchange of views on the proposal and related processes allowing reaching the outcome.

In line of the comments, the Chair noted support of the MB to the initiative. He informed that the draft MoU is currently in the process of review by the CERT EU Steering Board, which might result in some changes, therefore the Decision cannot be formally endorsed by the MB.

The Chair announced informal endorsement of the Decision and proposed to proceed with its adoption by written procedure as soon as the document is being finalised.

Item 2 Presentation by invited participant Saad Kadhi, CERT-EU

The Chair introduced the invited guest, Mr Saad Kadhi from CERT-EU, who shared with the MB his views on the proposed cooperation and longstanding engagement of both parties and elaborated how ENISA can help to fulfil the mandate of CERT-EU in terms of structured cooperation.

The Executive Director thanked Mr Kadhi and confirmed, that the vision for the structured cooperation reflects the mission of the Agency about building project and sharing information and underlined the advantage of a systematic way of cooperation combined with pragmatic approach.

Greece supported the work of ENISA and welcomed the new duties and objectives coming out from the CSA as this initiative promotes enhanced cooperation and strengthens the position of ENISA.

In discussion that followed, the MB exchanged views on possible practical examples of activities that should be done in the spirit of pragmatism and avoiding duplication of efforts.

The Chair thanked Mr Kadhi for joining the meeting.

Item 3 - Draft MB Decision on setting up a local office in Brussels (CSA Article 20.5)

The Executive Director announced appointment of Ms Ingrida Taurina as the Head of Executive Director's Office as of 1st January 2021, and invited her to present the item on setting up a local office in Brussels.

Ms Taurina reminded to the MB the background and objectives of the draft decision. The scope of activities of the local office, the status and next steps were presented. The MB was informed that the competent authorities of Greece and Belgium had already indicated their positive opinion, the EB endorsed the draft decision and the Commission had been informed and unofficially supported the initiative.

The MB was invited to endorse setting up the local office in Brussels. Once the Commission opinion is issued, the MB will be asked to adopt the relevant MB decision by written procedure.

In discussion that followed, the Greek representative confirmed Greece support for the proposal and informed that ENISA can expect the final confirmation letter from the relevant office of the Ministry of Digital Governance soon.

The Executive Director thanked the Greek Authorities for their support and clarified limit of size of a local office, which is set in the CSA and should not exceed 10% of the total number of ENISA's staff located in Athens, Greece.

The Commission confirmed that the ENISA request is under internal formal consultation and the reply can be expected by the end of the year.

Since there were no reservations to the draft Decision, the Chair announced informal endorsement by the MB and informed that the document will be processed for formal adoption by accelerated written procedure as soon as the Commission issues its formal consent.

New Item - Draft MB Decision on handling classified information (CSA Article 27.4., Article 43)

The Chair explained that although the draft Decision was discussed at the EB level, on 17 November the Commission services suggested further modification to the draft text and therefore the decision is put for discussion.

ENISA presented the suggested changes, which had been introduced in the text of the draft Decision in agreement with the Commission services.

The MB exchanged views regarding MSs experience in dealing with classified information, the process of handling such information and its complication. In terms of the procedure for adopting internal rules, it was clarified that according to the CSA the implementing rules could be set by the Executive Director and based on the Decision 2015/443 and 2015/444. It was also agreed that ENISA will share with the Board the draft internal security rules prior to their adoption internally.

In addition, the Executive Director explained that the full clarity on the financial implication of this undertaking would be possible when it comes to its implementation. However, the Agency had already foreseen in its budget a provisional investment for equipment and following the endorsement of the Decision would proceed with clearance of staff.

The Chair concluded that except the comments about the challenging process, no obstacles were raised, therefore he proposed to proceed with a written procedure for adoption of the final version of the Decision as presented.

Item 4 - Update by the European Commission

The European Commission presented update on cybersecurity work in some current EU Initiatives: Joint Cyber Unit, European Cybersecurity Certification Framework, European Cybersecurity Industrial, Technology & Research Competence Centre & Network of National Coordination Centres, NIS Review and Cybersecurity of 5G networks – the EU's Toolbox of risk mitigating measures.

The Executive Director congratulated the Commission for the achievements, thanked the colleagues from DG CNECT for good cooperation and reassured ENISA willingness to contribute in new tasks in good spirit.

**Item 5 - Draft Single Programming Document 2021-2023;
Draft Statement of Estimates 2021; Draft Establishment plan 2021**

The Chair outlined the work done on the Draft Single Programming Document 2021-2023 together with the associated draft Statement of Estimates 2021 and the Establishment plan for 2021.

The document includes the new tasks of the Agency as stated in the Cybersecurity Act. The strategic objectives have been aligned with the new ENISA Strategy and a new set of KPIs have been designed which is subject to further development.

It was underlined that the feedback received from the MB members and the formal opinion from the Commission were duly addressed in the presented version. It was also noted that the document was streamlined and provides solid basis for future SPDs. The final figures of the budget and the establishment plan can be considered final only after the publication of the EU general budget of 2021.

The Chair gave the floor to ENISA. Objectives, expected results and outputs were presented as well as KPIs and metrics per activity. In addition, the highlights of the feedback received from the MB members were outlined.

The proposal of the budget process (considering various scenarios) and the draft budget forecast per activity and per output were presented. ENISA also presented the key highlights of the changes in the 2021 budget structure and the next steps within the timeline of the MB meetings.

The board was reminded that the statutory deadline for adoption of the SPD is 30 November 2020.

Following the request for clarification from NL on reduction of the ICT budget, the Executive Director explained, that investments in IT had been front-loaded with 2020 amending budget, which will be committed in 2020 and absorbed as C8 funds next year. Further ICT investments in 2020 had been destined aiming to address the security needs of the Agency, including for the handling of classified information. Altogether, these steps brought about a nominal reduction of the budget for ICT next year, whereas in reality there would be many ICT investments. Moreover, as of next year, expenditures for all IT systems for operational needs of the Agency were planned to be consolidated in Title 3.

The Commission expressed appreciation for smooth cooperation with the Agency in all processes and satisfaction that the major comments raised in its Opinion had been taken into consideration. Consistency of the new SPD and alignment with Covid-19 restrictions were welcomed.

The Commission also outlined some linguistic irregularities that should be corrected. It was also noted, that the proposed modification of the budget structure could be introduced only in the SPD 2022-2024 version. The Executive Director explained that the proposed amendments should be considered as simplifications and clarifications, not structural changes, as the aim was to consolidate similar expenditures, such as expenditure for operational ICT, under operational Title 3, and link them with specific activities they serve (currently these types of expenditures are dispersed between Title 2 and 3). The modification is not major and is considered as alignment of the budget with activities foreseen in SPD. The Chair concluded that the proposed change in the budget structure was a logical step and waiting for one more year would be unnecessary. The Commission agreed to consult with their services with a view to accept the proposed modification in the budget structure.

The meeting continued the discussion about the introduced change in the Establishment plan 2021. ENISA explained that the proposal addressed the execution of the reclassification exercise. It was acknowledged that the proposed change for 2021 might be addressed through a process with the Budgetary Authority. It was also noted that the Financial Regulation allows such modification. The MB

has the capacity to update the establishment plan for up to 10%. It was clarified that the proposed change did not affect the number of posts in the Agency and had minimal impact on the cost estimate.

Following the explanation provided by ENISA, the Commission acknowledged the reasoning of the request and proposed to consult the proposal with the DG BUDG. It was agreed, that following the clarification from the Commission, the proposal would be brought for the MB consideration.

The Chair thanked the meeting for the exchange and concluded that ENISA should liaise with the Commission on eventual adjustments to the establishment plan 2021, while the budget 2021 structure shall remain as proposed and subsequently the MB would proceed with adoption of these documents by process of written procedure, to be concluded before 30 November 2020.

Item 6 - Single Programming Document – 2022- 2024 – timeline/approach

The Chair explained that the CSA requires the MB to approve the draft Single Programming Document 2022-2023 by 31 January 2021. The template agreed for the SPD2021-2022 will continue, with strategic objectives remaining as multiannual planning.

ENISA introduced the discussion on the SPD 2022-2024, where the statutory bodies of the Agency are mandated to propose new ideas and areas to be taken into consideration for the planning of future activities. The MB was informed that ENISA Advisory Group ran such exercise in its meeting on 11 November. The background information and outcome of the plenary discussion with the AG was outlined. The AG identified four proposals for new outputs: Mainstreaming cybersecurity policy, EU cyber insurance taxonomy, cybersecurity in education and sustainable digital products, services and processes.

The MB was invited to participate in a similar exercise by providing input on current and future activities and outputs, which would be taken into consideration for preparation of the SPD2022-2024. The MB members participated in the 30-minutes breakout sessions, randomly divided in four groups, where they reflected on the four identified proposals and discussed new ideas, fields and outputs for the SPD2022 that ENISA should focus on.

The summary of the breakout sessions were presented by the rapporteurs and the main outcomes and challenges were discussed in the plenary discussion that followed. One of the proposals concerned an output linked with environment. In this context, the ED informed the MB that ENISA had launched an internal process to evaluate possibilities for arranging work environment in manner of sustainability by creating a dedicated Task Force on the future of ENISA workplace.

The Chair thanked the MB for the dynamic exchanges in the breakout sessions, which brought some examples and new inspirations.

ENISA continued with conclusions about the next steps. The outcome of the discussion will be incorporated in the draft SPD2022 by 15 December. Then the MB will be invited to comment on the draft document by 8 January 2021. ENISA will take the received comments on board and the updated draft SPD2022 will be prepared for endorsement by the MB by written procedure before 31 January 2021.

AOB

1. After Action Report of BlueOLEx2020

The Netherlands briefly presented the After Action Report of BlueOLEx2020, which will be shared with the MB members electronically after the meeting.

2. Status update on the Reorganisation implementation

The Executive Director informed that over the past six months, the detailed tasks and functions of the new units and teams were decided. The new ENISA structure have been well established and aligned with the WP2021.

Status update on the assignment of the new Management (Heads of Units and Team Leaders) and pending recruitment for new posts was provided. The Establishment plan 2020 is expected to be fulfilled by the end of the year and implementation of the Establishment plan 2021 is under preparation. ENISA is working also on establishing mechanisms to develop implementation of the overall budget and IT oversight. Two respective management committees will be created to enable fulfilling horizontal context.

3. Status update on ENISA Headquarters relocation

The Executive Director provided the status update on the ENISA headquarters building in Athens. He informed the meeting that the responsible Minister of the Hellenic Authorities had confirmed his commitment to offer to ENISA a building from the short list suggested by the Agency. Currently ENISA is in the process of running technical and security evaluation of the offered building. It was explained that ENISA would not be part of the new lease agreement. Once the lease agreement is signed by the Hellenic Authorities, ENISA will have a 6 months transition period to finalise the relocation.

The Chair thanked the Hellenic Authorities for moving the process smoothly.

The MB exchanged views on organising offices and meeting space in the new building in the context of after Covid-19 reality and other existing binding policies. It was confirmed that ENISA is in contact with the Commission services to make sure that all requirements in this regards are met (including DG HR policy framework for teleworking). The work of the internal Task Force on the future ENISA workspace should be finalised by the end of December 2020.

4. New request from the former Executive Director for authorizing an occupational activity after leaving the service

The Chair briefly described a request received on 16 November 2020 from the former Executive Director, Mr Udo Helmbrecht asking for authorisation of an outside activity after leaving the service as a consultant.

The MB was informed that the EB had been consulted on this matter and a written procedure would be launched next week for approval by the MB.

Closure of the Meeting

The Chair reminded the MB members of providing to ENISA annual declarations of commitment and interest.

Following the fruitful discussions and decisions, the members can expect launch of few written procedures in the coming days

The Chair thanked the members of the Management Board, ENISA representatives and other observers for contribution to the discussions and closed the meeting.

AGENDA

DAY ONE

TIME	ITEM	SUPPORTING DOCUMENTS
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Registration

18 November 2020 15:00 – 17:00 Brussels time

You can connect as of 14:30 Brussels time to test the connection, while the actual meeting will start at 15:00 Brussels time.

15.00 -15.30	<p>Welcome Introduction by the Chair Introduction by the ENISA Executive Director – slide</p>	
	<p>Items A (adopted by written procedure prior to the MB meeting): Draft MB Decision on dates of meetings in 2021</p>	
15.30 -16:00	<p>Item 1 For discussion and possible adoption Draft MB Decision on structured cooperation with CERT- EU (CSA Article 7)</p> <p>Presentation by ENISA Exchange of views</p>	<p>Draft MB Decision on structured cooperation with CERT- EU (to be provided after 12.11.2020. Cover note</p>
16:00 – 16:15	<p>Item2 For information Presentation by invited participant Saâd Kadhi, CERT-EU</p> <p>Presentation by CERT EU Q&A</p>	
16:15 – 16:30	<p>Coffee break</p>	
16:30 – 16:45	<p>Item 3 For endorsement and conceptual agreement, pending COM's formal opinion Draft MB Decision on setting up a local office in Brussels (CSA Article 20.5)</p> <p>Presentation by ENISA Exchange of views</p>	<p>Draft MB Decision on setting up a local office in Brussels Cover note</p>
16:45 – 17:00	<p>NEW ITEM For discussion and possible adoption Draft MB Decision on handling classified information (CSA Article 27.4., Article 43)</p> <p>Item 4 For information Update by the European Commission</p>	<p>Draft MB Decision on handling classified information Cover note</p>

End of day 1

DAY TWO

TIME	ITEM	SUPPORTING DOCUMENTS
19 November 2020 10:00 – 12:30 Brussels time		
You can connect as of 9:30 Brussels time to test the connection, while the actual meeting will start at 10:00 Brussels time		
10.00 -10.05	Welcome	
10:05 – 10:30	<p>Item 5 TBD for decision</p> <p>Draft Single Programming Document 2021-2023 Draft Statement of Estimates 2021 Draft Establishment plan 2021 (Legal Basis – Cybersecurity Act Articles 15.1.(c), 24.3., 24.4., and 29.7)</p> <p>Presentation by ENISA Exchange of views</p>	<p>Draft MB Decision Draft SPD 2021-2023 clean Draft SPD 2021 – 2023 track changes Table with with comments Draft Statements of Estimates 2021 Draft Establishment plan 2021</p> <p>Slides</p>
10:30 – 12:15	<p>Item 6 For consideration and exchange of views Single Programming Document – 2022- 2024 – timeline/approach</p> <ol style="list-style-type: none"> 1) Introduction by Chair and by ENISA 2) Break out sessions (30 min) 4 groups: Discussions on the SPD 2022; Inspirations from Advisory Group proposals that met on 11.11.2020 3) Plenary: <ul style="list-style-type: none"> - 4 rapporteurs (MB members) to present the conclusions of discussions - Plenary discussion on SPD 2022 <p>(Legal Basis – Cybersecurity Act Articles 15.1.(c), 24.3., 24.4., and 29.7)</p> <p>Information by ENISA</p>	<p>Slides Advisory Group meeting outcome</p>
(at the request)	Coffee break	
12:15 – 12:30	<p>AOB</p> <p>After Action Report of BlueOLEx2020 Status update on the Reorganisation implementation Status update on ENISA Headquarters relocation Request from the former Executive Director</p>	<p>Slides Report</p>
End of day 2		