Participants:
Member States Representatives: Reinhard POSCH (Member, AT), Daniel LETECHEUR (Member, BE), Antonis ANTONIADES (Member, CY), Marie SVOBODOVA (Alternate, CZ), Flemming FABER (Member, DK), Jaak TEPANDI (Alternate, EE), Mari HERRANEN (Chair, FI), Jean-Baptiste DEMAISON (Alternate, FR), Roland HARTMANN (Alternate, DE), Ferenc SUBA (Vice Chair, HU), Alessandro RIZZI (Alternate, IT), Maris ANDZANS (Alternate, LV), Saulius STAROLIS (Member, LT), Charles MIFSUD (Member, MT), Edgar DE LANGE (Member, NL), Krzysztof SILICKI (Member, PL), Paulo MATEUS (Alternate, PT), Dan TOFAN (Alternate, RO), Peter BIRO (Member, SK), Gorazd BOZIC (Member, SI), Manuel ESCALANTE GARCIA (Member, ES), Jörgen SAMUELSSON (Member, SE), Giles SMITH (Alternate, UK).

Commission Representatives: Francisco GARCIA MORAN (Member, Director General DG Informatics), Paul TIMMERS (Member, Director DG CONNECT)

Stakeholders’ Representatives: Kai RANNENBERG (Academia Representative), Markus BAUTSCH (Consumer Representative)

EEA-Countries representatives: Björn GEIRSSON (Members, IS), Christine HAFSKJOLD (Alternate, NO)

ENISA: Udo HELMBRECHT (Executive Director), Steve PURSER (Head of Technical Competence Department), Ingrida TAURINA (Minutes)

Other Participants: Rogier HOLLA (DG CONNECT)

Apologies: Constantine STEPHANIDIS (Member, EL)

ITEM 1 Opening of the meeting and announcements of the Chair

The Chair opened the 22nd Meeting of the ENISA Management Board (MB) and welcomed the participants. She announced the opening address by Mr Polis MICHAILIDIS, Commissioner of Cyprus National Regulatory Authority OCECPR.

As the welcome note Mr Michailidis mentioned the Cyprus Presidency’s support to ensure continuation of the Agency and need to strengthen the Agency’s role in network and information security policy. In addition he noted that the Agency could assist European Commission in developing harmonised action plan for the European Union (EU) Network and Information Security.

He briefly outlined the situation in Cyprus regarding cyber security and informed the Meeting
about newly adopted National Cyber strategy. Finally, Mr Michailidis informed the Meeting about Cyprus Presidency’s priority to reach 1st reading agreement with European Parliament on the ENISA-regulation.

The Chair thanked Mr Michailidis for the opening address.

The Chair explained that, compared with the situation as of 20th March 2012, the composition of the ENISA Management Board had changed as follows:

**Commission representatives:**
- Mr. Paul Timmers, member;
- Mr. Giuseppe Abbamonte, alternate.

**Member State representatives:**
- **Belgium:**
  - Mr. Daniel Letecheur, member;
  - Mr. Stephane Van Roy, alternate;
- **Finland**
  - Mr. Pauli Pullinen, alternate.
- **Portugal**
  - Mr. Jose Torres Sobral, member;
  - Mr. Paulo Mateus, alternate.
- **Norway**
  - Ms. Christine Hafskjold, alternate.
- **Romania**
  - Mr. Liviu Nicolescu, member;
  - Mr. Dan Tofan, alternate.
- **Spain**
  - Mr. Manuel Escalante Garcia, member;
  - Mr. Ignacio Gonzalez, alternate.
- **Malta**
  - Mr. Charles Mifsud, member.

The Chair welcomed all new members and invited those presented to introduce themselves.

The Chair informed that Mr Stephanidis (EL) had sent apologies for not being able to participate in the meeting, had given a proxy to Cyprus (CY). Germany (DE) gave a proxy to France (FR) for the afternoon session. Finally, the Chair welcomed the observers from EEA countries and observer from the European Commission (COM).

**ITEM 2  Adoption of the Agenda (MB/22/1)**

The Chair presented and explained the agenda (see Annex I). The Agenda was unanimously adopted.
ITEM 3  Information by the Chair

The Chair informed the MB of the written procedures concluded since the previous MB meeting, in particular:

- Approval Meeting Minutes of the 21st ENISA Management Board Meeting, Athens, 20 March;
- Approval MB Opinion on the Annual Activity Report 2011;
- Approval MB Opinion on the Annual Accounts of the Year 2011.

The Chair recalled that the meeting minutes from the previous MB meeting are published on the ENISA website and on behalf of MB Secretariat reminded the Meeting to communicate promptly all documents related to reimbursement claims in order to finalise all payments in due course.

ITEM 4  Update by the Commission

The Commission (COM) provided an update on ENISA-related policy development since the last MB meeting:

Mr Garcia Moran gave an update on CERT EU latest developments as it has become a task force committed to provide services to the EU institutions, bodies and agencies. He informed about a Steering board established for strategic guidance and noted that currently CERT EU has team of 10 people, and stays in contact with national and governmental CERT units across the EU. Mr Garcia Moran noted the important role ENISA, and in particular the Management Board, had played in the establishment of CERT-EU, since the advisory body that had made recommendations on the establishment and evaluation of CERT-EU was comprised of MB members and the Executive Director, and one of the team members of CERT-EU had been a seconded staff member of ENISA.

Mr Timmers outlined the recent developments on the Proposal for a Regulation of the European Parliament and of the Council concerning the European Network and Information Security Agency (ENISA) (hereinafter – draft regulation). The Hellenic authorities agreed to support the establishment of an ENISA Branch office in Athens, which was an important step towards a compromise agreement between the legislators of the EU.

He outlined that ENISA will have a fresh start and expressed COM’s wish to reach a 1st reading agreement on the draft regulation. The main outstanding issues are the duration of the ENISA mandate and the tasks of the Agency. He mentioned that a first trialogue meeting is scheduled for the 23rd October, 2012.

He recalled the joint efforts of three Commissioners – Ms Kroes, Ms Ashton and Ms Malmström to present the EU Cyber Security Strategy by the end of 2012. This strategy will enhance cybersecurity throughout the EU, foster economic growth and jobs in the internal market of the EU and will help to better position the EU on international level. He pointed out that there will be a legislative proposal as part of the strategy. This proposal will be based on an impact assessment and will take into account the findings of a public consultation, which is still open for contributions until 15th October 2012. Mr Timmers stressed that ENISA should play an important role in supporting the Member States and the EU. The Cyber Security Strategy will contain actions for 2013 and beyond; the ENISA Work Programme 2013 should
provide the necessary support to reach the goals of the Cyber Security Strategy.

In addition, Mr Timmers informed the Meeting that ENISA will receive an invitation from the European External Action Service to take part in a programme to allow European Neighbourhood Policy (ENP) countries to become, in as far as possible and opportune, partners in the work of the EU agencies. There will be an information meeting on the 28th November 2012 in Brussels.

Following the COM update, a discussion on issues presented took place. The Netherlands (NL) thanked for explanation and update and asked for further clarification if Cyber Security Strategy and new legal initiative will be issued at the same time. In addition he asked the COM to indicate at which Council preparatory body (Working party) a new legislative initiative will be presented and if impact assessment of public consultation will be published before a new legal initiative.

Hungary (HU), as well as Latvia (LV) asked COM, if non-European countries will be included in the Cyber Security Strategy.

Denmark (DK) noted that so far the direction regarding the Cyber Security Strategy is not clear. He referred to the meeting of 5th July where several countries asked for another direction.

Austria (AT) asked for clarification, if this strategy document will cover cloud computing issues.

To the questions raised by the MB representatives COM explained that there is a request from Member States to continue the dialogue, after Cyber Security Strategy is adopted and this will be supported by COM. He recalled that there was alignment of thinking at the meeting earlier this year. Since the discussion and public consultation is on-going, it is too early to discuss the legislative proposal in detail.

In addition Mr Timmers highlighted that additional work will continue in 2013 as security elements are important in the cloud computing strategy as well. In addition, he mentioned that both the strategy document and the legislative proposal will be presented at the meeting of the Telecommunication Council of the EU in December 2012.

ITEM 5  Report by the Executive Director on the Activities of the Agency (MB/22/3, MB/22/4-1, MB/22/4-2, MB/22/5-1, MB/22/5-2)

The Chair informed the Meeting that discussion will be divided into two parts - general presentation of the ED will be followed by the discussion of Amending Statement of Estimates 2012.

The ED reported on ENISA activities and key achievements since the MB 21st Meeting.

5.1 Core activities
The ED highlighted status of implementation of Work Programme (WP) 2012 and gave additional overview on the deliverables of Work Stream 1 that have been restructured as well as some changes introduced in Work Stream 4.

The ED explained that the implementation of WP2012 is on track and gave an update on ENISA’s on-going activities. In addition he presented project support activities as well as
activities of stakeholders’ relations.

The current status of Article 10 requests was presented in detail as well as ENISA analysis of the Article 13a incident report of 2011.

The ED mentioned the MB Newsletter as a means to keep the MB updated on ENISA key deliverables and events.

5.2. Administration
The ED reported on consumption of ENISA Budget for 2012 with the current payment rate of 64 %. The ED informed that Amending Statement of Estimates 2012 (MB/22/5-1) has been submitted to the MB for adoption. The Amending Budget has been prepared as ENISA Budget 2012 was adopted by the Budgetary Authority with a remark that the amount of 391.985 EUR was put on reserve and would be released as soon as the new legal basis concerning the Agency was adopted. The amount was aligned to the recruitment of 3 Temporary Agents and 1 Contract Agent.

The ED briefly presented the organisational chart and provided an overview of the staff composition. He drew attention to the pie chart showing that 59% of ENISA staff is aged between 30-40 years.

As regards preliminary opinion of Court of Auditors for 2011, the ED noted that the Agency received three comments – a need to improve the documentation of fixed assets, the level of carry overs, and the transparency of recruitments. In reply to these comments the Agency pointed out that within the year 2012 will be implemented ABAC Assets (tool used by the COM), the Agency has issued recruitment guidelines addressing the comment on transparency. The implementation of MATRIX allows reducing the level of carry overs. In addition the ED informed the Meeting about preliminary findings of audit carried by Internal Audit Service this summer.

5.3. Public Affairs
The ED continued the presentation by mentioning ENISA’s recent activities in the field of Public Affairs. ENISA now has accounts on Twitter, LinkedIn and Facebook; a new look of the web site was issued at the end of September. Then, he mentioned the publication of General Report 2011 as well as the visits of European Parliament and European Ombudsman. The presentation was concluded with the first results of the outcome of Cyber Europe 2012 exercise.

The Chair noted the good job done by the Agency in implementing WP2012 and congratulated the quality of General Report.

Sweden (SE) asked for progress regarding the Court of Auditors observations on transparency in recruitment.

NL thanked for excellent update and asked for additional clarification regarding the source of

financial resources for the Branch office in Athens as well as the future usage of new building in Heraklion.

FR thanked for the briefing and congratulated ENISA on the excellent work done to organise the Cyber Europe 2012. FR welcomed ENISA getting involved in standardisation field. He outlined that FR supports the adoption of the mandate as soon as possible.

LV thanked for the excellent CE2012 and noted that this kind of activities in general increases recognition much better than other activities. The Exercise gave the great impact on general society, improving ENISA’s image. As regards the design of website, in his opinion the previous version was better.

Italy (IT) informed that IT supports the adoption of the mandate and believes that the compromise can be achieved successfully. As regarding the Branch office in Athens, he asked if there a real number of people willing to move to Athens.

Estonia (EE) joined the wave of positive feedbacks expressed on the Exercise and stressed the need to extend ENISA mandate as long as possible.

Slovenia (SI) outlined that SI supports the long term extension for ENISA mandate.

CY reflected a positive feedback on Cyber Exercise 2012 and noted that CY PRES is optimistic regarding the agreement with European Parliament on the new proposal of ENISA mandate.

The Chair reminded the Meeting that legislative bodies of the EU are European Parliament and the Council, not the MB, thus mandate issues should not be addressed in the MB meetings.

The ED, in response to the questions raised by members of the MB, gave brief outcome of discussion with Hellenic authorities regarding the ENISA’s Branch office and staff issues related to this move. Currently a reassignment of 1/3 of the ENISA’s staff is under the discussion. The rental costs will be covered by Hellenic Republic and now ENISA is looking for office in Athens with around 1500 square meters space. As regards the new building in Heraklion, he reminded the Meeting that construction of the building was launched in 2007 with the office space for a maximum of 180 staff members. As this building is in the campus area of the University, the latter can use it as well. To address transparency issues of the recruitment, the guidelines were issued on 2nd March 2012 with provision that the thresholds for selected candidates are now agreed before the interviews.

The Chair asked whether members of the MB have questions regarding the explanation on the proposal for the adoption of the Amending Budget 1/2012 and, if not, the MB is invited to adopt the Amending Statement of Estimates 1/2012.

The Amending Statement of Estimates 1/2012 was unanimously adopted.

ITEM 6 Draft Work Programme 2013 (MB/22/6, MB/22/7, MB/22/6-a)

The Chair informed that, based on the comments received, Work Programme (WP) 2013 has been updated and, due to the late arrival of the COM’s opinion, it will be adopted after the meeting by Written Procedure.
Comments received from the MB were presented by Mr Purser who gave a brief introduction to the procedure used to handle comments and presented changes introduced to the WP2013 since the MB meeting in March. ENISA replies (MB/22/7) to comments received were sent two weeks before the meeting. In addition Mr Purser proposed to vote on the inclusion of the European Security Month as an activity of WP2013.

The Chair opened the floor for the discussion.

EE, supported by LV, noted that a comment from Estonia on benchmarking was misunderstood. With this comment Mr Tepandi asked for a good practice guide on benchmarking needed for institutions like CERT to perform benchmarking themselves.

Consumer group representative asked to continue Cyber Security Month initiative and publications on awareness raising as this was well received.

DE expressed appreciation of the way the WP2013 was developed and noted a good cooperation to incorporate comments. Mr Hartmann believed that the amount of resources allocated to the WS2 is still too high under the current mandate.

NL asked if ENISA could introduce general strategic outlook for three years at the beginning of the document. He noted that Cyber Security Strategy could be used as input for WP2014 as there is still some ongoing discussions. As for the privacy elements of the WP2013, ENISA should focus only on the privacy of security. If ENISA wants to facilitate COM, it should stick only to the core tasks.

SE congratulated the introduction of the phase with comments and pointed out that ENISA does not do benchmarking.

Academia expressed compliments for the WP2013 drafting process and pointed out, that the initial proposal from ENISA was broader in its scope and that some of the narrowing, that claim to focus on the core mission of the Agency are actually cutting away important elements of an holistic and appropriate perspective on IT security, that is needed to fulfil the core mission and also make ENISA an attractive place to work for an excellent staff.

FR noted that WP2013 is better prepared than previous Work programme. In addition some concerns were expressed regarding the EISAS (European Information Sharing & Alert System) and network of CERT, more clarification is needed.

AT outlined that benchmarking is mentioned in the new draft ENISA regulation, but it should not be mentioned in Work programme before the actual adoption of the draft proposal.

COM asked ENISA to ensure continued support regarding the coordination of the Cyber security month.

EE noted that awareness raising is a huge topic and reminded the Meeting that the main client for ENISA is other institutions, like CERTs, and industry, not the individuals; ENISA could be a part of such activities, without direct involvement.

The Chair referred to the discussion in the MB meeting in March 2012 where it was agreed that the awareness raising activity has now been fully integrated into the core activities of the
Work Packages.

In reply to the comments expressed, Mr Purser noted that the introduction of new deliverables like the guide on benchmarking, is limited to the budget availability, but ENISA is positive to introduce a strategic outlook as a part of WP2013. Resources allocated to implement WS2 are foreseen to manage two different groups, respectively Art.13a and Art.4. Mr Purser provided the requested clarifications on EISAS, explaining that EISAS is open to any entity in the Members States. Regarding the activities on privacy, he noted that ENISA will continue the cooperation with the COM within the boundaries of the Agency’s mandate.

The discussion was concluded with the common agreement to include the Strategy outlook and European Cyber Security Month as a part of WP2013 and adopt the Document by Written Procedure. The ED noted that these changes do not create impact on the Statement of estimates for 2013.

ITEM 7    Statement of Estimates 2013 (MB/22/8); Staff Policy Plan 2013-2015 (MB/22/9)

The draft budget 2013 was presented by the ED, informing that it is in line with the tasks and activities mentioned in the draft WP2013. Modifications to WP2013, as agreed under the previous item of the Agenda, will not cause changes in the Statement of Estimates for 2013.

Since the Agency received COM comments on MSPP (Multiannual Staff Policy Plan) for 2013-2015 after the MB 21st meeting, the ED presented an updated proposal as well.

The Chair invited the MB to express comments and proceed with the adoption of the documents presented.

The Statement of Estimates 2013 and Multi-Annual Staff Policy Plan 2013-2015 were unanimously adopted.

Lunch break

The MB was informed that during the lunch break members are asked to fill in the informal questionnaire on usage of the MB Portal.

ITEM 8 Closed session

The Closed session items were discussed.

The MB adopted a decision appointing an Accounting Officer, to be published on the Agency’s website.

ITEM 9 Drafting Procedure for the Work Programme 2014

The ED gave an introduction to the lessons learn while the Work Programme is being prepared. Mr Purser continued with the presentation on the overall procedure with the timeline for further consideration.

The Chair thanked the Agency about the general improvement and clear procedure and opened the floor for the exchange of views.

AT noted that this issue has been discussed several times and expressed the need for ENISA to be better integrated in the discussion about electronic signatures. Mr Posch asked if the MB could be informed about COM’s agenda to allow a better reflection in the ENISA’s Work programme.

EE noted that there was no reactions after comments were posted in the MB Portal.

FR mentioned that process in general is satisfactory, but multiannual approach might be used in future and structure of the Work Programme could be discussed in the MB Informal meeting in November. It was suggested to use National Liaison Officers (NLO) network and to have a workshop during the summer, together with ENISA staff, to discuss Work Programme N+1.

NL supported AT proposal as structural discussion at the beginning of process is needed. The diversion of topics within the Work Programme should not be too wide.

United Kingdom (UK) outlined that process is clear and is an excellent way of an approach. Asked for explanation regarding the input from PSG (Permanent Stakeholders Group) prior the MB.

COM agreed that, from timeline perspective, the discussion on structure should be in line with the mandate discussion, in particular as regards the tasks.

The Chair mentioned that the MB is invited to put all concerns about the MB Portal in the questionnaire prepared by the MB Secretariat and noted that the MB has role to give strategic input.

The ED welcomed the comments expressed and agreed to use a multiannual approach in the future; as regards the NLO meeting in summer, such a meeting could be organised next year. He explained that PSG meeting prior to the MB strategy meeting gives the input from the industry, together with users and academia, perspective, which can be further discussed by the MB.

DE pointed out that the NLO network could be used as a main tool to draft a large degree of input for the Work Programme.

FR suggested that NLO network should be used as a central point for the interaction with the Member States.

The Chair thanked the MB for the discussion.

ITEM 10 Update of ENISA Internal rules of Operation and Procedure

The Chair referred to the COM’s presentation at the MB meeting last October, regarding the draft proposal to update internal rules of operation on declarations of interest, and asked the Commission to give an update on the issue.
Mr Timmers informed the Meeting about the Joint Statement of the European Parliament, the Council of the EU and the European Commission on decentralised agencies which highlights recent developments regarding the agencies.

Mr Holla reminded that the Rules of Procedure were adopted in 2004 and that the Rules of Operation were adopted in several stages. The COM noted that the Commission will make a proposal for updated Rules of Procedure and of Operation to bring the procedures into line with evolved practice and technical possibilities and to update the concept of the annual declarations of interest. COM’s proposal will take into account the report issued by the Court of Auditors on this matter. This declaration would stipulate that the member should abstain from voting if a conflict of interest is identified.

Regarding the question raised by FR, as to whether the alternates as well as the members of the MB should submit the annual declarations, and whether the text of the declarations is the same as for the ED, the COM confirmed both points.

The Chair thanked for the update and concluded that the MB supports these proposals and informed the Meeting that the draft MB decisions could be discussed and possibly adopted at the MB meeting in March next year after having received the proposals from the COM.


The Chair explained the Meeting that according to the Art.14 of the ENISA Establishing regulation, the MB had to adopt these rules within six months after establishment of the Agency. The ED clarified that after internal communication with COM services, this document is presented to the MB by ENISA.

The ED explained that this document is based on the best practices established by other agencies.


**ITEM 12** Date and venue of the future meetings

After a brief discussion, the MB approved the dates and venues for next MB meetings as follows:

- **Informal MB Meeting on Strategic Guidance for WP2014:** Wednesday, 28/11/2012, Brussels, Belgium;
- **MB-PSG Joint Meeting:** Tuesday, 12/02/2013, ENISA Branch Office, Athens, Greece;
- **MB 23rd Meeting:** Thursday, 21/03/2013, Heraklion, Crete, Greece.

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ITEM 13  Any Other Business

- **HU** informed the Meeting that EU FI-ISAC, Financial exchange mechanism, will have a meeting on 14th November, 2012; ENISA will be present as well.

- **The Chair** informed that two –and – a- half year period will be over by mid of next year and that she will not apply for the renewal of the position as the MB Chairperson. The Meeting was informed that names and those wishing to stand as candidates should be notified to the MB by the end of the 2012. The Chair announced that elections will take place at the MB meeting in March next year.

- **Academia** asked for clarification on whether the High Level Event, organised by ENISA at the end of November, is opened for all. The ED noted that delegates can participate by invitations only.

ITEM 14  Closure of the meeting

The Chair thanked the MB members for the fruitful participation and ENISA for the preparation of the meeting.

For the Management Board

Mari Herranen

Chairperson
Annex I: Agenda

Ref: MB/22/1

22\(^{nd}\) ENISA Management Board Meeting
Final Agenda

<table>
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<tr>
<th>Indicative timing</th>
<th>Item number</th>
<th>Item</th>
<th>Documents and Presentations</th>
<th>Action</th>
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| 9:00-9:20         | 1           | Opening of the meeting, opening address, announcements | - Opening of the meeting by the Chair  
- Addressing note from the Mr. Polis Michailidis, Commissioner of Cyprus NRA OCECPR  
- Announcements by the Chair (incl. new members) | Information |
|                   | 2           | Adoption of the agenda | Draft Agenda (ref.MB/22/1) | Adoption |
|                   | 3           | Information by MB Chair | Summary of Written Procedures (ref. MB/22/2) | Information |
| 9:20-09:50        | 4           | Update by the COM | Presentation by the COM | Information |
| 09:50-10:20       | 5           | Report by the Executive Director on the Activities of the Agency | - Report (ref. MB/22/3) including:  
- Work Programme 2012 progress report  
- Current status of Art.10 requests;  
- Art13a – incident reporting  
- CoA preliminary observations (ref.MB/22/4-1; MB/22/4-2)  
- Amendment to Statement of Estimates 2012 (ref.MB/22/5-1), note to the Amendment (ref.MB/22/5-2) | Information and Discussion |
|                   |             |                               | Adoption of Amending Statement of Estimates 2012 | |
| 10:20-10:35       |             | Coffee Break | | |
| 10:35-12:35       | 6           | Draft Work Programme 2013 | - Draft Work Programme 2013 (ref. MB/22/6; MB/22/7 (ENISA replies to comments))  
- Presentation (ref.MB/22/6-a), exchange of views | Information, discussion, adoption |
<table>
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<tr>
<th>Time</th>
<th>Session</th>
<th>Topic</th>
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<td>Draft staff policy plan 2013-2015 (ref.MB22/9)</td>
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<td>12:50-14:15</td>
<td>Lunch</td>
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<td>Questionnaire about usage of MB Portal, distributed at the meeting</td>
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<td>14:15-14:45</td>
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<td>CLOSED SESSION</td>
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<td>14:45-15:00</td>
<td>9</td>
<td>Drafting procedure for the Work-programme 2014</td>
<td>Presentation by ENISA for further procedure</td>
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<td>15:00-15:30</td>
<td>10</td>
<td>Update of ENISA internal rules of operation and procedure</td>
<td>Presentation by COM on a draft proposal for updates on internal rules of operation</td>
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<tr>
<td>15:30-15:45</td>
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<td>Coffee Break</td>
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<tr>
<td>16:15-16:20</td>
<td>12</td>
<td>Date and venue of future 2012 and 2013 meetings</td>
<td>-Informal strategy meeting for WP2014 – Wednesday, 28 November 2012, Brussels (TBD)</td>
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<td>-Informal joint MB-PSG meeting for WP2014 – Tuesday, 12 February 2013, Athens/Brussels (TBD)</td>
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<td>-23rd MB Meeting: Thursday, 21 March 2013, Heraklion (TBD)</td>
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<td>16:20-16:30</td>
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<td>Any other business</td>
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