



**Minutes of
a meeting of the Management Board
of the European Union Agency for Network and Information Security held on
4 October 2016 at the office of ENISA in Athens**

Participants:

Member States' Representatives: Reinhard POSCH (Member, AT), Daniel LETECHEUR (Member, BE), Krasimir SIMONSKI (Member, BG), Antonis ANTONIADES (Member, CY), Liis REBANE (Alternate, EE), Jean-Baptiste DEMAISON (Member, FR), Theodoros KAOUBALIS (Alternate, EL), Bela VERECKEI (Alternate, HU), Kevin FOLEY (Member, IE), Rita FORSI (Member, IT), Rytis RAINYS (Alternate, LT), Paul HERLING (Alternate, LU), Hans DE VRIES (Member, NL), Krzysztof SILICKI (Deputy Chair, PL), Rastislav JANOTA (Member, SK), Jörgen SAMUELSSON (Chair, SE), Heather BUTLER (Member, UK)

Representatives of the European Commission: Paul TIMMERS (Member, DG CNECT); Ken DUCATEL (Member, DG DIGIT)

EEA-Countries' representatives: Hans Einar NERHUS (Member, NO)

Proxies: from CZ to SK, from DE to FR, from DK to NL, from MT to BE, from SI to LU, from PL to AT, from PT to SE

Apologies: from CZ, DE, DK, IS, LV, MT, PL, PT, RO, SI

In attendance:

ENISA: Udo HELMBRECHT (Executive Director), Steve PURSER (Head of Core Operations Department), Paulo EMPADINHAS (Head of Stakeholders relations and administration department), Aidan RYAN (Head of Unit, Executive Director's Office), Ingrida TAURINA (MB Secretariat)

Observers: Roberto VIOLA (the European Commission), Gemma CAROLILLO (the European Commission), Thomas WULFF (DK), Miguel DE BRYCKER (BE), Argyro MAGANIOTI (EL)

Other participants: Vanessa LUDDEN from Ramboll (for agenda item 3 only, via a conference call)

ITEM 1 Opening of the meeting and announcements of the Chair

The Chair opened a meeting of the ENISA Management Board (MB) and announced apologies and proxy votes received.

The Chair welcomed a new member from PT Mr Pedro Veiga, who had sent apologies for not being able to participate at the meeting.

He also announced to the meeting that external experts have been invited to attend this meeting. In line with the Rules of Procedure, the MB authorised their attendance unanimously.

The Chair continued with a brief presentation of the agenda and invited the MB to adopt it. The Agenda was unanimously **adopted** (Annex 1).

The meeting continued with a welcome statement by the European Commission Director General for Communications Networks, Content and Technology Mr Roberto Viola. He gave a brief update on the recent topics addressed by the European Commission in the area of the cyber security such as autonomous cars, Internet of Things, cPPP, etc. He described to the meeting the role of ENISA as being a central element for

coordination, when addressing areas covered by the NIS Directive. He also noted that the Commission has launched the preparatory procedures for ENISA evaluation exercise and noted that the outcome of this evaluation would be reflected in the upcoming review of ENISA's mandate.

Some exchange of views took place between him and the MB regarding the public consultation, which would be conducted by the Commission for such review. Some members noted that an online tool to facilitate such consultation would be needed. Also, BG asked Mr Viola to clarify the role of the EU presidencies trio in the process of review of ENISA's mandate. COM replied that a proposal would be presented under EE presidency and would be further discussed under BG presidency.

The Chair thanked Mr Viola and invited the meeting to take a family picture.

At this point of the meeting the Commission representative Mr Timmers left the meeting.

ITEM 2 Report by Executive Director on the activities of the Agency

Before giving the floor to ENISA Executive Director to present his report, the Chair reminded to the meeting that a detailed report about the implementation of the Work Programme 2016 and about the administrative matters have been circulated to the MB before the meeting. A shorter version of the report (summary of main points) have been provided to the MB as well. These slides have been made available on the MB Portal before the meeting date.

The Executive Director continued with presenting the shorter version of his report with only key elements related to the implementation of the Work Programme 2016 and with a brief summary of the matters related to resources management. While having some budgetary constraints, the implementation of the Work programme 2016 was progressing well and no major issues were identified for reporting purposes.

He informed the meeting about the discharge report 2014 voted by the European Parliament. He also briefly mentioned to the MB that that all recommendations from the Internal Audit Service are implemented and that ENISA is considered to be a low risk agency. In September 2016 the Internal Audit Service conducted the risk assessment and that the audit plan for coming years would be circulated to the MB once available.

The Executive Director continued his report by informing the Board that the Amending budget 1/2016 is expected due to transfers between titles. This document would be tabled to the Board for decision later in Q4 2016.

No comments from the floor were received.

The Chair thanked the Executive Director for the presentation and closed the agenda item.

ITEM 3 Report by Ramboll on results of the ex post evaluation of ENISA activities carried out in 2015

A representative from Ramboll Mrs Vanessa Ludden joined the meeting via skype.

The Chair reminded to the meeting that ENISA has conducted an ex post evaluation of its activities as required under Art 29 (5) of the Financial Regulation, and that under the requirements of ENISA regulation (Art 11.2(f)) the Executive Director has to prepare an action plan following up on the conclusions of the retrospective evaluations and has to report on progress every two years to the Commission and regularly to the MB.

The representative from Ramboll presented the findings and the action plan proposed to ENISA as a result of the evaluation of its core operational activities carried out in 2015. The full report as well as slides was made available to the MB before the meeting date.

The Chair thanked the representative from Ramboll for the presentation and opened the floor for comments.

To the question from BG regarding the industry feedback, and in particular if different feedback have been received from different industry profiles, Mrs Ludden noted that for this particular exercise the industry was considered as a group. Case studies attached to the report provide more details.

The meeting shared views that for the following evaluations the quality of the KII as well as the actual impact should be analysed. The Board also noted that some overlap exist for some activities carried out by other EU agencies or by Member States. The Board suggested that ENISA should build on the experience carried out at the national level. Further to this, the representative from the Commission recommended ENISA to act as a “glue” rather than creating things from the scratch.

The meeting also suggested to ENISA that for ENISA’s future evaluations, an expectations and feedback from SMEs could be collected as well.

The Executive Director concluded that such evaluation of the activities carried out in the previous years was useful and brought necessary added value. He also noted to the meeting that the suggested action plan have some resource implications. He will consider the proposed actions and will decide whether and how to reflect them in the ENISA annual work programme.

The Chair thanked the Meeting for the discussion and closed the agenda item.

Before moving to the next agenda item, the meeting agreed to continue with agenda item 7 and return to the agenda item 4 afterwards.

ITEM 7 Presentation on WP 2018

The Chair gave the floor to the incoming chair Mr Jean Baptiste Demaison (FR) to present a proposal for drafting the work programme 2018. His slides were circulated to the Board before the meeting date and had been uploaded to the MB Portal as well.

Several members from member states welcomed this proposal. The new approach was well received by the representative from the COM as well, since this would allow the MB to focus on a high level programme. The meeting also concluded that the presented proposal would give guidance to the ENISA Executive Director to propose the actual work programme. In addition the meeting also suggested that the NLO network should be more involved with emphasis on dissemination and two way communication between ENISA and the Member State.

The meeting agreed to start this process by setting the multiannual priorities, followed by concrete goals for each objective. A detailed calendar for the work programme 2018 meetings would be made available on the MB Portal as well.

The meeting continued with a discussion about a possibility to have a collaboration platform. It was concluded that the Board might return to a discussion about the business requirements for a collaboration platform once the new process is in place and after the first draft would be prepared.

The Chair thanked the meeting for the discussion and closed the agenda item.

At this point of the meeting the Commission representative Mr Timmers returned to the meeting.

ITEM 4 MB Decision on appointing Accounting Officer of ENISA – Discussion on the procedure

The procedure for the selection of the accounting officer have been suggested by ENISA and shared with the MB. The document had been uploaded on MB Portal as well.

ENISA Legal Officer took the floor to explain the procedure described in the document. He advised that the selection panel should have 5 members.

The Chair noted to the meeting that in order to implement Article 50 (1) of the ENISA Financial Regulation, it is proposed that the MB is a part of the Selection Panel. The MB was invited by the Chair to discuss whether the Chair of the MB or the member of the MB shall be appointed as the chair of the Selection Panel for the ENISA Accounting officer.

It was proposed by the Commission representative that the MB member should act as the Chair of the Selection Panel, and the rest of the members of the Panel should be as follows: a representative from the Commission and a representative from other EU decentralised agency, one of the two having accountancy qualifications similar to what would be required for the job, a representative from ENISA at the Head of Unit level with HR experience, and a representative from the ENISA Staff Committee.

No further comments were received from the floor.

The MB unanimously nominated the current chair Mr Jorgen Samuelsson (SE) as the Chair of the Selection Panel for an accounting officer of ENISA.

The meeting noted that, in line with the procedure suggested by ENISA, once the selection of the ENISA Accounting Officer is completed, the Chair of the Selection Panel would report to the ENISA Executive Board, along with the draft decision of the Management Board appointing the accounting officer.

The meeting concluded that ENISA would formalise the procedure as follows: 1) an announcement would be published on the ENISA intranet site with a call for applications; 2) the Selection Panel (which would carry out the selection) would be established; 2) the Executive Board would receive results of the selection, accompanied with the Draft MB Decision on appointing the Accounting Officer.

Actions for ENISA would start as soon as possible with an aim to have the results presented at the next EB meeting scheduled for the 3rd November 2016.

The Chair thanked the Meeting for the discussion and closed the agenda item.

ITEM 5 Draft Work programme 2017

The Chair reminded to the meeting that ENISA had prepared an updated version of the draft Work Programme 2017. This updated version reflected the discussions at the MB Informal meeting held in Frankfurt on 7 September 2016. The subject of SNE's was closed since there were no expression of interest from the MB to second national experts in addition to those SNE positions already available in ENISA.

The meeting agreed that the agenda item placed under AOB was presented under this agenda item as well.

Jean Baptiste Demaison (FR) briefly presented the AOB agenda item "ENISA as a secretariat of the cPPP NAPAC Group (Public authorities)". This information was circulated to the MB before the meeting.

After his presentation, the Commission representative shared with the meeting the cPPP diagram. This diagram was sent to the MB List during the meeting as well.

SK, SE and FR representatives clarified that NAPAC countries were participating in this cPPP not only in their role as users but also as the policy makers and/or regulators.

The Meeting continued with a discussion on ENISA's role since there are two contractual parties – the Commission and the Association.

As a result of the discussion, the meeting agreed to adjust the text of the WP as follows: "ENISA will work closely with ECSO and cPPP on cybersecurity in order to align with the ENISA Work Programme. In addition

the agency will offer support to NAPAC (National Public Authority Representatives Committee) by offering a secretariat function.”

The Chair thanked the meeting for discussion and invited the MB to adopt the Work Programme 2017.

WP 2017 was adopted unanimously subject to clarification on ENISA’s role in cooperation with ECSO and NAPAK (Terms of reference will be adopted at the ECSO Programme board on 6 October 2016). FR would inform ENISA on outcome of this meeting and if needed the WP 2017 would be adjusted accordingly.

ITEM 6 Draft Statement of Estimates 2017; Draft Establishment plan 2017

The Executive Director briefly presented the draft Statement of Estimates 2017 and the draft Establishment plan 2017. He pointed out that the Agency has very limited resources to fulfil the role assigned to ENISA.

No comments from the floor received.

The Board unanimously adopted the Statement of estimates 2017 and the Establishment Plan 2017. The Statement of Estimates and the Establishment Plan would become final following the final adoption of the general budget of the European Union for 2017.

ITEM 8 Dates and venue for future meetings

The current composition of the MB Ad Hoc Group reached 21 members and therefore the Chair proposed to hold Informal MB meetings instead.

The meeting agreed to have the informal MB meeting on 4 November 2016 in Athens, Greece. The meeting of the Executive Board was scheduled for 3 November 2016 (afternoon only) in Athens, Greece.

The date and venue for the next MB Ordinary meeting was agreed as follows: 12 October 2017, ENISA offices in Athens, Greece.

AOB

UK stressed to the meeting that there is a need to prioritise the NIS work on the classification of DSPs, while noting that this fell into the work programme of 2016.

Closure of the meeting

The Chair thanked the Meeting for fruitful discussions and cooperation, and announced to the meeting that this is his last meeting as the Chair of the MB. He announced that the next meeting would be chaired by Jean Baptiste Demaison (FR).

He also thanked representatives Mr Letecheur (BE) and Mr Timmers (The Commission) as this was their last meeting in their capacity as the MB Members.

For the Management Board

[signed]
Jean Baptiste Demaison
The Chairperson

Management Board Ordinary Meeting

Meeting Date: 4 October 2016 9:00 – 18:00

Location: ENISA's office meeting room
Address: 1 Vasilissis Sofias Str, Maroussi, 151 24

Dinner: 3 October 2016 19:30 Restaurant Mono

UPDATED Agenda

Agenda item A - scrutinised by the Executive Board

Agenda item B – other items

INDICATIVE TIMING	ITEM NUMBER	ITEM	DOCUMENTS AND PRESENTATIONS	ACTION	
8:45	Registration, reimbursement claims, annual declaration forms				
9:00 – 9:10	1	Opening of the meeting, opening address, announcements Adoption of the agenda	Opening of the meeting by the Chair Announcements by the Chair Draft Agenda	Information Adoption	
(updated)					
9:10 – 9:30 Welcome statement By the European Commission Director General for Communications Networks, Content and Technology Mr Roberto Viola					
9:30: 10:00 Exchange of views with the Management Board					
2016 REPORTS					
10:00 – 10:30	B	2	Report by Executive Director on the activities of the Agency	1) The ED's Report-presentation including: - Work Programme 2016 implementation; - Implementation of Budget 2016; - Discharge report; - Current status of Art.14 requests; - Internal audit and Court of Auditors	Information/ Discussion
10:30 – 11:30	A	3	Report by Ramboll on results of the ex post evaluation of ENISA activities carried out in 2015	1) Final report and its annexes on ex post evaluation of the ENISA core operational activities carried out in 2015; 2) Presentation by Ramboll using teleconference)	Information/ Discussion
11:30	Family picture				
11:30 – 12:00	Coffee Break				
Implementation of the ENISA Regulation (EU) No 526/2013					
12:00 – 13:00	A	4	MB Decision on appointing Accounting Officer of	(updated) Discussion on the procedure	Discussion

			ENISA	Proposal sent to the MB on 30.09.2016.	
13:00-14:00	Lunch				
2017 PLANNING					
14:00 – 15:45	B	5	Draft Work Programme 2017	1) Draft Work Programme 2017; 2) Annexes with staff policy plan for multiannual planning; 3) Summary document of the MB Informal meeting on WP 2017; 4) Presentation	Possible adoption
15:45 – 16:00	Coffee Break				
16:00 – 16:30	A	6	Statement of estimates, Establishment Plan;	1) Draft statement of estimates 2017 2) Draft Establishment plan 2017 3) Presentation	Possible adoption
2018 PLANNING					
16:30 - 17:30	B	7	Multiannual and annual Work Programme 2018	Presentation on WP 2018: - an approach; - a timeline	Information/ Discussion
17:30 – 17:45	B	8	Date and venue for future meetings	1) <u>MB Informal meeting (for WP 2018):</u> Possible date: 10.11.2016. Athens(TBD) 2) <u>MB Ordinary meeting:</u> October 2017 (date/place TBC)	Adoption
17:45 – 18:00	B	AOB (updated) - Discussion: ENISA as a secretariat of the cPPP NAPAC Group (Public authorities)			
Closure of the meeting					