



**Minutes of
the meeting of the Management Board
of the European Union Agency for Network and Information Security
held on 12 October 2017 at the ENISA office in Athens**

Summary

- The Chair presented his and the Deputy Chair's vision for ENISA around 4 main objectives: impact, reputation, added-value, state-of-the-art. The Chair thanked the MB for its active participation in the newly established "thematic MB meetings" proven useful and in the drafting of the "guidelines" on ENISA's international relations and on the NLO network.
- The MB had a fruitful informal exchange on ENISA's new regulation proposal. The discussion will from now on take place in the Council of the EU and in the European Parliament.
- The Executive Director presented his annual report.
- On the PSG members' call, the MB agreed to proceed via written procedure following requests for clarification and some concerns expressed by several MB members.
- The MB supported the relocation of ENISA's Executive Director to Athens, following a suggestion made in this direction by the Greek authorities. A draft decision will be circulated for adoption via written procedure.
- The MB guidelines on ENISA's international relations (1) and on the NLO network (2) were successfully adopted. Their implementation by ENISA will be followed by the MB.
- On WP2018:
 - o A clarification on "infornotes" has been proposed and adopted distinguishing more clearly those related to "incidents" (restricted to the CSIRT network) and those on "general NIS issues" (public).
 - o The newly proposed output on cryptography, added by ENISA, was removed from the WP in the absence of consensus. A discussion on this issue will take place at the March 2018 thematic MB meeting.
 - o WP2018 will be adopted via written procedure.

The Deputy Chair presented the WP2019 drafting process proposal. The MB agreed that ENISA should come up with an initial proposal of outputs, according to the drafting process established last year.

Participants

Member States' Representatives: Jean-Baptiste DEMAISON (Chair, FR), Krzysztof SILICKI (Deputy Chair, PL), Reinhard POSCH (AT), Miguel DE BRUYCKER (BE), Krasimir SIMONSKI (BG), Antonis ANTONIADES (CY), Roman PACKA (CZ), Liis REBANE (EE), Johanna TUOHINO (FI), Arne SCHÖNBOHM (DE), Theofanis ANAGNOSTOPOULOS (EL), Rita FORSI (IT), Rytis RAINIS (LT), Hans Oude ALINK (NL), Przemek (JAROSZEWSKI, Alternate PL), Pedro VEIGA (PT), Rastislav JANOTA (SK), Dobran BOZIC (SI), Jörgen SAMUELSSON (SE).

Representatives of the European Commission: Despina SPANOU (DG CNECT); Grzegorz MINCZAKIEWICZ (DG DIGIT).

EEA-Countries' representatives: Martin KJELLEN (Member, NO).

Proxies: from IE to IT, LU to AT, UK to SE.

Apologies: from HR, HU, IE, LV, LU, MT, RO, ES, UK, IS, LI.

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), Rodica TIRTEA (Expert in Network and Information Security), Inma GARCIA (MB Secretariat).

Observers: Hans Christian STUDSTRUP (DK), Gemma CAROLILLO (EC), Martin SPAET (EC), Aristotelis Tzafalias (EC), Victor CAMBAZARD (FR), Ben SCOTT (UK).

ITEM 1 Opening of the meeting and announcements of the Chair

The Chair opened the meeting of the ENISA Management Board (MB) and announced apologies from absent members, presence of observers, and proxy votes received. The proxy votes were: From Mr Kevin Foley (Ireland) to Ms Rita Forsi (Italy), from Mr François Thill (Luxembourg) to Mr Reinhard Posch (Austria), and from Ms Heather Butler (United Kingdom) to Jörgen Samuelsson (Sweden).

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

ITEM 2 Welcome statement. Status report of the European Commission.

The Commission gave a presentation on the proposals contained in the new Regulation. Particular reference was made in relation to the certification framework, which is envisaged to meet the needs of the market and to be voluntary. Reference is also made to the blueprint which is proposed to deliver an effective response to large scale cyber incidents that have a cross border dimension. The Commission indicated that they propose having the new “Cybersecurity Act” adopted before the end of the current ENISA mandate.

ITEM 3 Informal exchange of views with the MB on the new ENISA regulation proposal.

Greece thanked the Commission for their work to date and supported the proposed Regulation and the proposed strengthening of ENISA.

Some countries indicated that the certification debate is important and should be concluded as soon as possible. A reference was made to the fact that much work has already been done in Europe in the area of certification and that any new proposals should complement the existing achievements.

Some countries made a reference to ENISA being at the heart of the CSIRT network, however they raise concerns in relation to the proposed “operational” role. There was support for ENISA being stronger and that it is important that ENISA is in a position to support small countries.

The Commission was thanked for their ambitious package and especially the blueprint.

The Commission thanked the Member States for their support and the exchange of views. The Commission indicated that there needed to be further discussions to ensure that there are no misunderstandings. The Commission was aware of the work of SOGIS but were also aware of the need for a certification framework for all Member States.

It was noted that the Commission proposal did not support the formalisation of the NLO network. Some countries emphasized the importance of identifying the added value that ENISA can bring and the need to ensure coordination across the EU.

ITEM 4 PSG call

The Executive Director gave an overview of the timings and process for the call. Having received the applications, thirty members were identified for appointment to the PSG. A further 101 were also put on the reserve list. The Executive Director gave an outline of the selection process and how experience,

background, nationality and gender were taken into account. Proposed candidates are drawn from the industry, SME, Academia and consumer sector.

Italy accepted that it was a difficult task finding a balance between nationality and gender.

The Commission indicated that they would have preferred to have more information on the candidates at an earlier stage. Similar remarks were expressed by Germany and Slovenia.

The Chair proposed that additional information on the new candidates that have been identified for appointment to the PSG be posted to the MB portal and that a written procedure be initiated to secure the necessary approval of the Management Board. This was agreed.

ITEM 5 Report by Executive Director on the activities of the Agency

A presentation was given by ENISA on the activities in the Core Operations department and in the Stakeholder Relations department. Topics covered included the European cybersecurity challenge, the budget, staff retention, communications and facilities management.

The Board were advised that the administrative overhead in the Agency was below the benchmarking level of 25% proposed by the Commission for Agencies.

ITEM 6 ENISA seat

The issue of the ED's relocation to Athens was discussed and in particular the letter of support from Secretary General Maglaras. Greece, Bulgaria, Sweden, Germany and Austria supported the proposed move. A draft MB Decision approving the move by the MB was circulated. The Commission indicated that they wished to refer it to their Legal Service and to revert with comments. It was agreed that the Decision could then be approved by written procedure.

ITEM 7 Draft guidelines of ENISA's international relations

The draft guidelines of ENISA's international relations had been circulated in advance to MB members. Following a clarification question from Slovenia, they were adopted. (Annex II to the minutes).

ITEM 8 Draft guidelines of NLO network

The Chair gave an overview on the draft guidelines and how the NLO network could be useful in finding national experts to liaise with ENISA and to improve information flow at both a national level and with ENISA. Following some brief discussion, the guidelines were adopted. (Annex III to the minutes).

ITEM 9 Programming document 2018 - 2020

The Chair opened the discussion by indicating that he wished to make the work programme shorter without compromising on substance.

The changes from previous version were explained, including the removal of priority 2 activities. In order to fit into available Multiannual Financial Framework budget and resources.

The Commission indicated that the work programme 2018-2020 reflects well on their priorities. However, they asked Output 2.2.5 on privacy and data protection, which is an activity 2 priority, be reinstated.

The ENISA proposal to include encryption related activities did not receive enough support and was

consequently removed.

In relation to Infonotes Output, it was agreed that the description of the Output will be modified to reflect two scenarios: One that refers to incidents where the CSIRT network is consulted, and the second on general topics not related to incidents. This was supported by the MB.

Concerning the newly proposed output “recommendations on cryptography” recently added by ENISA, several MB members expressed concerns. Others supported the inclusion of the output. The Chair recalled that this non-consensual topic had been discussed in the past and that the MB had removed this activity from previous Work Programmes. Considering the importance of the issue and the diverging views expressed, the Chair proposed to remove the output and to have a discussion about how could ENISA address the issue of cryptography at the first thematic MB meeting scheduled in March 2018, following a suggestion from the Deputy Chair.

ITEM 10 ENISA implementing rules

The Commission indicated that they had some comments that need to be addressed in relation to the four implementing rules submitted for consideration by the MB. It was agreed that ENISA would re-examine the implementing rules and submit them for approval via written procedure at a later date.

ITEM 11 From 2017 to 2018: Information by Chair and Deputy Chair. Next steps on WP2019.

In the context of the proposed new Regulation and the need for multiannual planning, a presentation was given by both the Chair and the Deputy Chair. It was proposed that the current methodology of work would continue. It was recognised that the work programme would need to transition from the old mandate to the new mandate. A programme for drafting the work programme 2019 was discussed. No difficulties were envisaged.

The Chair also presented a short version of the ENISA single programming document covering only the technical content.

AOB

ITEM 12 Date and venue for future meetings

It was agreed that the Management Board Ordinary meeting will take place on Thursday 11 October 2018, and the Executive Board meeting on Wednesday 10 October 2018. Both meetings will take place in Athens.

Closure of the meeting

The Chair thanked the Meeting for discussions and cooperation, and closed the meeting.

For the Management Board

[signed]
Jean Baptiste Demaison
The Chairperson

Management Board Ordinary Meeting

Agenda

Agenda item A - scrutinised by the Executive Board

Agenda item B – other items

| INDICATIVE TIMING | ITEM TYPE ¹ / NUMBER | ITEM | DOCUMENTS AND PRESENTATIONS | ACTION |
|---------------------|--|--|---|---|
| 8:45 – 9:00 | Registration, reimbursement claims, annual declaration forms. | | | |
| 9:00 – 9:10 | B 1 | Opening of the meeting, opening address, announcements. Adoption of the agenda | Opening of the meeting by the Chair Announcements by the Chair <i>Document 1: Draft Agenda</i> | For information For adoption |
| 9:10 – 9:30 | B 2 | Welcome statement, Status report of the European Commission and presentation of proposal for a Regulation on ENISA and ICT cybersecurity certification and the Joint Communication on Resilience Deterrence and Defence. | Director for Digital Society, Trust and Cybersecurity at DG CONNECT, European Commission: Ms Despina Spanou. <i>Document 2a: Proposal for a Regulation on ENISA, the "EU Cybersecurity Agency", and repealing Regulation (EU) 526/2013, and on Information and Communication Technology cybersecurity certification ("Cybersecurity Act") - COM(2017)477. Document 2b: Joint Communication "Resilience, Deterrence and Defence: Building strong cybersecurity for the EU" - JOIN(2017)450.</i> | For information |
| 9:30 – 10:30 | B 3 | Informal exchange of views with the MB on the new ENISA regulation proposal | | For discussion |
| 10:30 – 11:00 | A 4 | PSG call | Presentation of shortlisted candidates of PSG call. <i>Document 4a: Shortlisted candidates to PSG call.</i> | For adoption |
| 11:00 – 11:20 | Coffee Break | | | |
| 11:20 – 11:30 | Family picture | | | |
| 2017 REPORTS | | | | |
| 11:30 – 12:30 | B 5 | Report by Executive Director on the activities of the Agency | The ED's Report-presentation including: <ul style="list-style-type: none"> - 1. Work Programme 2017 implementation - 2. Current status of Art.14 requests - 3. Implementation of Budget 2017 - 4. Discharge report - 5. Internal audit and Court of Auditors - 6. Status of preparedness for ENISA the Cyber Security Agency after 2020 | For information / discussion |
| 12:30 – 12:45 | A 6 | ENISA seat | Update on seat by ED. <i>Document 6a: Current status of ENISA seat discussion. Document 6b: Letter from Mr Maglaras to ENISA MB Chair. Document 6c: Reply from ENISA MB Chair to Mr Maglaras.</i> | For discussion For approval |
| 12:45 – 13:00 | B 7 | Draft guidelines | Adoption of draft guidelines of ENISA's international relations. <i>Document 7a: Draft guidelines of ENISA's international relations.</i> | For adoption |
| 13:00 – 14:00 | Lunch Break | | | |

| | | | | | |
|-------------------------------|---------------------|----|--|--|------------------------------------|
| 14:00 – 14:30 | B | 8 | Draft guidelines | Discussion of draft guidelines of NLO network. <i>Document 8a: Draft guidelines on the NLO network.</i> | For discussion |
| 2018 PLANNING | | | | | |
| 14:30 – 16:00 | B | 9 | Programming document 2018 - 2020 | Presentation of work programme 2018 – 2020 <i>Document 9a: Work programme 2018-2020 with track changes.</i> <i>Document 9b: Comparison table.</i> <i>Document 9c: Work programme 2018-2020 clean version.</i> | For adoption |
| 16:00 – 16:15 | Coffee Break | | | | |
| IMPLEMENTING RULES | | | | | |
| 16:15 – 16:30 | A | 10 | ENISA implementing rules | Adoption of implementing rules. <i>Document 10a: Telework.</i> <i>Document 10b: Working time.</i> <i>Document 10c: Dignity and anti-harassment.</i> <i>Document 10d: Staff Committee.</i> | For adoption |
| INFORMATION | | | | | |
| 16:30 – 17:00 | B | 11 | “From 2017 to 2018: Information by Chair and Deputy Chair” Next steps on WP2019 | Description of work done and future. Next steps regarding WP2019 for information and discussion. | For information /discussion |
| AOB | | | | | |
| 17:00 – 17:30 | B | 12 | Date and venue for future meetings | 1) <u>MB Informal meeting (for WP 2019):</u> Date: 7.11.2017. Brussels (TBC) 2) <u>MB Ordinary meeting:</u> October 2018 (date/place TBC) | For adoption |
| Closure of the meeting | | | | | |