



Brussels 15 April 2005

**MINUTES  
OF THE FIFTH MEETING OF THE ENISA MANAGEMENT BOARD  
HELD ON 11 MARCH 2005 IN CENTRE BORSCHETTE, BRUSSELS**

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PARTICIPANTS

*Management board representatives from Member States*

Reinhard Posch (Member, AT), Georges Deneff (Member BE), Rudi Smet (Alternate, BE), , Lenka Nezdarova (Alternate, CZ), Christoph Verenkotte (Alternate, DE), Yih-Jeou Wang (Member, DK), Jaak Tepandi (Alternate, EE), Constantin Voudouris (Member, EL), Salvador Soriano Maldonado (Alternate, ES), Kristiina Pietikäinen (Chairperson, Member, FI), Henri Serres (Member, FR), Ferenc Suba (Member, HU), Aidan Ryan (Member, IE), Valdemaras Salauskas (Member, LT), François Thill (Alternate, LU), Ingrida Gailume (Alternate, LV), Joseph V. Tabone (Member, MT), Edgar de Lange (Alternate, NL), Krzysztof Silicki (Member, PL), Pedro Veiga (Member, PT), Fredrik Sand (Member, SE), Gorazd Bozic (Member, SI), Peter Biro (Alternate, SK), Geoffrey Smith (Member, UK).

*Commission*

Fabio Colasanti (Member, Director General DG INFSO and Media), Soenke Schmidt (Alternate, Head of Unit DG JLS, afternoon only), Francisco Garcia Moran (Member, Acting Director General DG DIGIT), Gregory Paulger (Member, Director DG INFSO and Media) Michael Niebel (Alternate, Head of Unit, DG INFSO and Media).

*Stakeholder representatives*

Markus Bautsch (Member, Consumer Rep.), Kai Rannenberg (Member, Academic Rep.)

*ENISA*

Andrea Pirotti (Executive Director), Antonio Amendola, Núria Comelles, Ronald De Bruin, Giorgos Dimitrou, Boaz Gelbord, Thomas Haeberlen, Laszlo Koczkas, Catia Marigo, Aristidis Psarras, Tuire Saaripuu, Pernilla Skantze

*Other participants*

José Bastos (Commission, INFSO A3), EFTA representatives; Hördur Halldorson (Iceland), Kurt Bühler (Lichtenstein) and Jörn Ringlund (Norway).

Item 6 a): Andreas Palevrantzis (Hellenic government), Item 7 Chris Verdonck and Carlo Schüpp (Deloitte), Simon Robertsson (Empírica).

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## Opening of the meeting and presentation of new members

The Chairperson (Kristiina Pietikäinen) opened the meeting and welcomed all Members, including the **EEA EFTA-representatives Mr Halldórsson** (Iceland), and **Mr Ringlund** (Norway) and **Mr Bühler** (Lichtenstein), who will become observers in the Management Board once the legal basis for the formal participation has been adopted.

The Commission presented **Director Gregory Paulger** who has been appointed new Member of the Management Board replacing Mr de Sampaio Nunez.

### 1. Adoption of the Agenda

**The Agenda was adopted.** Item 6 a) was moved to the second item in order to let Mr Palevratzis present the Greek government's view on the seat agreement. Item 7 was taken after item 5 in order to be able to hear the presentation from the invited Deloitte representatives.

### 2. Work programme 2005 – Adoption (Ref: MB/ D 2005/02)

The Chairperson clarified that the only change in the Work Programme 2005 after the last Management Board meeting was the removal of the figures of the budget allocated to each task, but that the attached budget had not been changed.

**The Commission opinion** on the Work Programme 2005 was formally provided to the MB.

*Mr Smith* expressed that the UK strongly disagrees with the Commission's view as expressed in the Opinion. The UK does not believe the Agency's main role is to assist the Commission and the Member States in applying and implementing the Directives mentioned in the recitals. The UK believes this is a clear misreading of the Regulation which - as evidenced by the Scope and Tasks outlined in the Articles of the Regulation - identifies a much broader role for the Agency. This is confirmed, in the view of the UK, by the focus in the proposed work plan of creating a culture of security for all users. *Mr Verenkotte* supported the UK view on the legal base which they also expressed when the Regulation was adopted. *Mr Serres* agreed with previous speakers in that support to regulatory agencies is not the main task for ENISA. *Mr Tabone* also thinks the scope of the Agency is broader than what is said in the Commission opinion.

*Mr Colasanti* recalled the situation during the Council negotiations and referred to the Council legal opinion which also points at Article 95 of the Treaty as proper legal base, which was also supported by the majority of Member States.

**The Work Programme 2005 was approved.**

**As a point for information,** *Mr Pirotti* clarified that a **revision of the Budget 2005 is taking place** mainly due to the fact that the operational tasks of the seconded national experts have incurred more costs on the operational side than foreseen. In practice this means re-allocation and re-structuring of the 2005 budget, in particular in Ttitle 3, "Operational expenses.

### **3. General report and budget execution 2004 – Information from the Commission**

The Commission has provided a note for the attention of the Management Board Members on the budget execution 2004. *Mr Colasanti* explained about the procedure to let Deputy Director General Mr Zangl as “sub-delegated authorising officer” in order to sign budgetary commitments and payments as to avoid any conflict of interests with Mr Colasanti’s role as Board Member.

### **4. Appointment of accounting officer - Adoption**

(Ref: MB/D2005/03)

Mr *Pirotti* presented Mr Psarras who was selected for the position of accounting officer and explained that his recruitment was a priority as the position of the accounting officer has to be filled in order to achieve the financial independency of the Agency. Moreover, the financial regulation of the Agency requires that the accounting officer has to be appointed by the MB before he/she takes over his duties. Mr Psarras has been recruited on 16 February 2005 and has been training and preparing in attendance to be appointed by the Management Board. A summary of Mr Psarras’s professional and educational background was shown to the Board Members.

**The Management Board appointed Mr Psarras as accounting officer.**

### **5. ENISAs internal rules of operation – Information from the Commission**

*The Chairperson* explained that this is a first discussion, but the MB will eventually have to approve the further documents constituting the internal rules of operation for ENISA. The plan is to adopt these documents by written procedure.

*Mr Bastos* explained that ENISA needs to implement the Regulation 1049/2001 and to adapt it to the specific ENISA environment.

*a. Commission proposal on arrangements for the implementation of Regulation EC 1049/2001 regarding public access to documents of ENISA – first exchange of views.*

*Mr Bastos* presented the document which for the moment is a Commission staff document as it is not clearly spelled out in the Regulation that this document has to be proposed formally by the Commission. The staff working paper is drawing on Commission and Council experiences on the same regulation.

*b. Commission proposal on treatment of sensitive documents and confidentiality arrangements – information from the Commission*

*Mr Bastos* explained that this document has been drawn up on the basis of similar documents from other EU Agencies (such as Eurojust), Commission and the Council with assistance from the Council secretariat. The final proposal is planned for June.

*c. Status of remaining documents*

**Remaining documents for the Agency's internal rules of operation will be gone through bilaterally between the Commission and ENISA staff.** Mr Pirotti is encouraged to participate and help the Commission in the drafting of these documents.

It is **agreed that further discussions on these documents can take place electronically among the Management Board Members** as the Commission has finished drafting the proposals.

**6. Points for information (ENISA)**

*a. Move to Heraklion*

*Mr Pirotti* made a presentation on the situation concerning the negotiations with the Greek authorities.

*Mr Palevratzis* from the Greek Ministry of Transports and Communications made a brief statement confirming the terms of the seat agreement. As a further confirmation and clarification two letters from the Deputy Ministry of Transports and Communications, Mr Neranzis, were distributed to the Management Board Members.

***The Chairperson* concluded the discussion by saying that there is a strong support for a move in July and signing should be done as soon as the legal service has given its comments to the agreement.**

*b. Recruitment*

*Mr Pirotti* explained the organisation of the Agency in three main departments: administrative department, technical department and cooperation and support department based on the tasks of the agency.

38 temporary agents will be recruited during 2005. The recruitment will take place in 2 waves from the senior to the junior positions that means from the senior administrators (A posts) to the junior administrators (A posts), senior (B posts) and junior assistants (C posts).

*c. Appointment of members of the Permanent Stakeholder's Group*

*Mr Pirotti* reported on the procedure for appointing the members of the Permanent Stakeholder's Group. Out of 180 applicants, 30 people were appointed in the end of January. Two of these withdrew and the next two on the list were appointed in their place.

The criteria for appointment were quality of the candidate, quality of the application, an appreciation of the ability to contribute and to get a good coverage of expertise and sector in the Group. *Mr Pirotti* further explained that he is pleased with the people appointed for this Group and that there has been a first constituting meeting held on 28 of February.

*d. Liaison officers*

*Mr Pirotti* presented the activity of setting up a network of Liaison Officers, coordinated by Boaz Gelbord. This will ensure an operative role for Member States in ENISA's activities and give ENISA a single point of contact in Member States.

Seven meetings have been held successfully in London, Paris, Bucharest, Berlin, Madrid, Copenhagen and Warsaw, where all Member States have participated. In these meetings it has been agreed to set up country pages on the ENISA web site where each country can report on their activities in the area of network and information security. Furthermore the plans of an ENISA newsletter and joint events have been discussed as means for ENISA to disseminate information.

*e. Working groups*

*Mr Pirotti* informed the Management Board on his plans to set up three working groups during 2005, one on awareness raising, one on CERT cooperation activities and one on technical and policy issues on risk analysis and risk management.

The procedure will be to rapidly launch a call for expression of interests to establish the list of experts which can be used for these Working Groups. The Terms of References specifying tasks, time plan and budget for the planned groups will be drafted and presented to the Permanent Stakeholder's Group and to the Management Board by mid May and *Mr Pirotti* expects to be able to call a first meeting in each of the three groups before the summer holidays. He encouraged the Management Board Members to spread the word around about the launch.

**Mr Pirotti was asked to provide the Management Board with a paper on the tasks of the Working Groups together with the input that will be provided by the Permanent Stakeholder's Group.**

*f. State of play of other ENISA activities*

The activities of the current national experts were presented.

**7. Inventory study – Presentation of the preliminary report by Commission/Deloitte representative**

*Mr Colasanti* explained that the study is undertaken as a part of the MODINIS programme.

*Mr Verdonck* and *Mr Schüpp* from Deloitte presented scope, methodology and results from their study performed together with *Simon Robertsson* from Empirica. The draft report is finished and the final outcome will provide catalogues of key actors, of public activities and of activity classes and a first "maturity benchmark".

Members of the Board thanked the consultants for their work. Several Members had serious comments on how the study had been carried out and whether the results could be seen as reflecting the actual situation in the Member States.

*Mr Verdonck* took note of all comments and it was decided to send out a draft report to the Members of the Management Board in order for them to quickly check the data and to add missing points.

Commission agreed to distribute Terms of Reference for all studies to the MB members and to provide link to updates on all studies via the ENISA web site.

**8. Draft Preliminary Work Programme 2006 and preliminary draft budget 2006 - Discussion**  
(Ref: MB\_2005/03)

*Mr Pirotti* presented the time plan for the Work Programme 2006, where a provisional version has to be sent from the Management Board to the Commission by 31 March. He specifically asked for input on whether the general orientations and priorities are acceptable to the Board and any input on more concrete deliverables.

***The Chairperson* concluded the discussion by asking the Management Board Members to send their detailed comments within one week so that ENISA can take them on board. These comments should also be connected to the budgetary figures. The new version shall be presented on Circa in order to give the Board Members and if no further comments are received, this is the version that will be sent from the Management Board to the Commission**

**9. Communications strategy – Discussion**

ENISA has started drafting a communication plan based on the Commission's overall communication strategy and best practice examples that are being collected from other Agencies. Ronald de Bruin has contacted Mr McGann and Mr Suba as they have volunteered to participate in this work.

**10. Any other business**

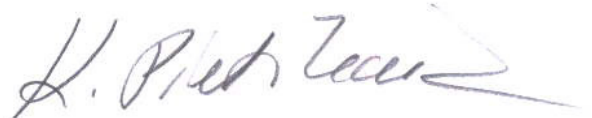
*Mr Soriano Maldonado* asks for documents to be provided also in Spanish.

**11. Conclusions and dates for the next meeting**

**Next meetings will be held on 5 July in Brussels and on 7 November in Heraklion.**

The ENISA staff was thanked for its good work in making the Agency operational and the meeting was concluded.

For the Management Board



**Kristiina Pietikäinen**  
*Chairperson*