



Minutes
of the ENISA 12Th Management Board Meeting
12 March 2008 09h30 – 17h00

Sofitel Hotel, Athens International Airport 19019, Spata

Participants:

Member States Representatives: Reinhard POSCH (Chairman, AT), Rudi SMET (Alternate, BE), Slavcho MANOLOV (Alternate BG), Antonis ANTONIADES (Alternate, CY), Marie SVOBODOVÁ (Alternate, CZ), Flemming FABER (Member, DK), Jaak TEPANDI (Alternate, EE), Patrick PAILLOUX (Member, FR), Michael HANGE (Member, DE), Jorn-Uwe HEYDER (Alternate, DE), Nikolaos VLASSOPOULOS (Member, EL), Constantine STEPHANIDIS (Alternate, EL), Aidan RYAN (Member, IE), Giandonato CAGGIANO (Member, IT), Pascal STEICHEN (Alternate, LU), Edgar R. DE LANGE (Member, NL), Krzysztof SILICKI (Member, PL), Manuel Filipe PEDROSA DE BARROS (Alternate, PT), Peter BIRO (Member, SK), Gorazd BOZIC (Member, SI), Pernilla SKANTZE (Member, SE), Geoff SMITH (Member, UK), Hernikas VARNAS (non voting observer, LT)

Commission Representatives: Francisco GARCIA MORÁN (Member), Gregory PAULGER (Member)

Stakeholders' Representatives: Mark MACGANN (Member, Information & Communication Technologies Industry Rep.), Markus BAUTSCH (Member, Consumer Rep.), Kai RANNENBERG (Member, Academic Rep.)

EEA-Country Representatives: Björn GEIRSSON (IS), Jörn RINGLUND, (NO)

ENISA: Andrea PIROTTI (Executive Director), Tim MERTENS (Secretariat to the Board), Ronald DE BRUIN, Alain ESTERLE, Andreas MITRAKAS, Giorgos DIMITRIOU, Aristidis PSARRAS, Aimilia FILIPPIDI, Stavroula CARIDIS

Other Participants: Rogier HOLLA (DG INFSO), Andrea SERVIDA (DG INFSO)

Apologies: Mr. Colasanti, Mr. Tabone, Mrs. Herranen, Mr. Soriano Maldonado, Mr. Alcolea Muñoz, Mr. Salauskas, Mr. Barakauskas.

1. Opening of the meeting and announcements of the Chair

The Chair welcomed everybody and thanked ENISA for the organisation of the meeting. He welcomed new members and alternates to the Board:

Finland: Mrs. Mari Herranen (member) and Mr. Mikael Kiviniemi (alternate),

Czech Republic: Marie Svobodová (alternate)

European Commission: Mrs. Lotte Knudsen (alternate).

Mr. Paulger was appointed acting as proxy by Mr. Colasanti.

Mrs. Skantze was appointed acting as proxy by Finland.

Mr. Varnas represented Lithuania with no voting rights.

The Chair reminded that some countries (Ireland, The Netherlands, Iceland, Liechtenstein) have not yet appointed an alternate member. The Chair encouraged them to proceed with the pending appointments by sending an official letter to ENISA.

2. Adoption of the Agenda

Mr. Stephanidis requested the inclusion of a sub point to Item 3 of the Agenda (ENISA from 2009 – 2011) concerning the written proposal of the Greek delegation, concerning “recent developments and a way forward”, that was submitted to the Board for consideration and deliberation. He also asked the Chair to inform the Board about his participation to the recent European Parliament ITRE committee meeting.

After further requests for changes by Mr. MacGann (Industry) and Mr. de Lange (NL) the agenda was **adopted**.

3. ENISA from 2009-2011

The Chair recapitulated the most important facts concerning ENISA’s future since the last Management Board Meeting in Porto as follows:

- 13/11/2007 Announcement of the new Commission proposal to create EECMA.
- 22/11/2007 invitation to the Chair of the Board with 1 ½ days of prior notice to have a meeting with Mrs. Reding. During that meeting the Commissioner presented the Commission proposal.
- 23/11/2007 Video Conference between Mr. Colasanti, Mr. Pirotti, Mr. Paulger and the Chair. During this conference it was commonly agreed that it would be beneficial for the staff to receive some direct information about the developments regarding ENISA from the Chair of the MB.
- 20/12/2007 Commission proposal for an extension of ENISA’s mandate with 2 years “à l’identique”.
- 17/01/2008 Visit of Mr. Colasanti and Chair to Heraklion to discuss staff matters related to the new situation. There were also meetings with the Mayor of Heraklion, the association “Friends of ENISA” and other Greek

representatives. Following that visits the Chair's appraisal about the meetings and the minutes of the meeting with the staff were sent to the Board members.

- 22/2/2008 Participation of Mr. Posch (AT) to the Council's working group meeting. Mr. Posch (AT) clarified that he did not participate as a Chair of the ENISA Management Board.
- 26/02/2008 Participation of the Chair to the public hearing of the ITRE committee at European parliament – on invitation.

Rambøll Study on "Organisational Perspectives for ENISA"

Mr. Pirotti explained to the Board that the idea for this study derived from the orientations given by the Board to the Executive Director. It is an outsourced study about the impact of increasing the staff working for ENISA. Mr. Pirotti also explained that the procurement (launched in October 2007) of this project was delayed due to the freezing of the budget in 2007.

Mr. De Lange (NL) wondered how this study fits in the recent developments and he proposed to put on hold the implementation of the project until the situation with the ENISA's future is clear. Nevertheless, he concluded by saying that it could be a very useful project in the future.

Mr. Pirotti replied that due to legal procedures, the project can not be put on hold.

European Commission proposal "à l'identique"

Mr. Paulger briefly presented the Commission proposal to extend the duration of the mandate of ENISA "à l'identique". He clarified that the proposal had been made in order to ensure ENISA's continuity. In other words, to ensure that there will be a continuous legal basis for ENISA's activities. He explained that the Commission informally advocated a rapid co-decision process in the EP and the Council, and hoped that there would be a political agreement by June 2008. He conveyed the intention of the ITRE committee to reach an agreement about ENISA's mandate by June 2008. The main conclusions from the debate in the Parliament about ENISA are: 1) need for a rapid agreement, 2) need to ensure continuity, 3) need to hold a substantive debate about NIS policy.

Mr. Paulger informed the members that the results of the public consultation are available on the Commission's web site, at the web link mentioned in the Commission proposal for the extension of the duration of ENISA "à l'identique" (http://ec.europa.eu/information_society/policy/nis/enisa/index_en.htm).

Mr. Stephanidis (GR) presented the Greek proposal that he had circulated. In addition, he pointed out that the Board should be concerned only about the issue of the renewal of ENISA's mandate, without any reference to the Commission proposal for creation of ECMA. He also referred to the importance of the opinion of the PSG about the renewal of ENISA's mandate. He noted that the host country supports the renewal of the mandate for a minimum of five years, thus giving time for comprehensive deliberations, and for giving the ENISA staff a clear signal that there is actually a future for the Agency. In addition, he strongly opposed the

creation of a sub-group of the Board, in the form proposed by the Chair, and recommended that the Board should, instead, continuously receive regular information about all important developments concerning ENISA. He also requested clarifications from the Chair about the use of the term “transition” of the Agency. Mr. Stephanidis proposed that the Board, through its Chair, should send a letter to the Council and the European Parliament forwarding its opinion formulated a year ago - to be taken into consideration during the ensuing discussions. He pointed out that in the first instance, the opinion requested was given, but had not been taken into consideration.

An intensive discussion took place during which the delegations of Greece, Italy, Slovenia, United Kingdom, Cyprus, Industry representatives, Sweden, Finland, Estonia, Ireland, Academic representatives and European Commission exchanged various views.

It was commonly agreed that the EECMA proposal shall not be subject to a discussion in the Management Board.

Mr. Pirotti on staff implications

The Chair invited the Executive Director to present the measures he has taken up until the meeting and the measures he will take in the near future to sustain and increase the technical NIS capacities of the Agency.

Mr. Pirotti stated that his presentation and the slides were prepared before the news heard, during the morning in the MB, that the chances for the establishment of the proposed Agency EECMA are slim due to the opposition of most Member States. He presented how the two proposals about the creation of EECMA and the renewal of ENISA’s mandate might possibly affect the agency. More specifically, he presented the impact on the agency’s reputation, the difficulty to retain the agency’s staff and to attract candidates, the pressure and uncertainty to the staff, the possible impact on the implementation of the WP. Finally, he emphasized the need to give realistic and positive messages to the staff and to the NIS stakeholders.

The statement was received but it was mentioned that it did not directly answer the request for the management report on the respective activities.

Further orientations by the Management Board

The Chair explained his proposal to form a small subgroup of the Management Board. He also mentioned that the Commission should initiate the procedure for the recruitment of the new Director in a timely manner as the contract of Mr. Pirotti will end on 16 October 2009.

Mr. Stephanidis (GR) questioned the nature of a temporary sub group, its role in terms of the daily work of the Agency, the appropriateness of the timing of its creation - while the extension of the mandate of the Agency is still being discussed. He proposed that, instead, the entire Board should be kept continuously informed, and that the Chair should be actively assisted by all members.

Mr. Stephanidis concluded that the work of the sub group could otherwise lead to a non-transparent situation, as most members would be excluded from being informed in a timely manner about the activity of the sub group, and from the possibility of offering timely contributions.

A discussion took place in which the delegations of Slovenia, Estonia, Cyprus, Poland, United Kingdom, Italy, The Netherlands, and France raised different views. Mr. Caggiano (IT) asked officially to be included in the subgroup.

The Chair **concluded** the discussion that he will, at his discretion, ask certain members of the board to develop ideas on the possible creation of further orientations to guide the agency during the period of legal uncertainty. These ideas will be transmitted to the Board as a basis for agreeing a way ahead.

4. Provisional Work Programme 2009

5. Statement of estimates 2009

The Chair requested the Executive Director to present the figures concerning the evolution of the resource allocations to the MTPs from 2007 to the proposal 2009 in terms of budget and human resources.

As these figures could not be presented during the meeting it was agreed that these figures will be made available in due course by the Agency.

Mr. Pirotti presented the provisional Work Programme 2009 and its development process. An important step for the Work Programme development will be the informal MB/PSG meeting on 5 June on Crete. The agency will launch the process in due course via e-mail.

A discussion took place where the delegations of France, Estonia, Portugal, United Kingdom, European Commission, and Industry representatives expressed their views.

Concerning the budget of 2009, Mr. Garcia Morán said that it should be based on the assumption that ENISA's mandate will be renewed.

The meeting **adopted** the statement of estimates 2009 and took note of the provisional Work Programme 2009 by noting the need for a substantial increase of the central NIS part to be proposed by the Agency.

6. General Report 2007

The General Report was **adopted**.

7. Activities of the Agency

Mr. Pirotti presented the activities of ENISA of the year 2007 and the agency's activities implemented until Q1/2008.

Mrs. Skantze (SE) and Mr. Pailloux (FR) commented that the Executive Director should send a brief strategic presentation about ENISAs activities some days in advance to the Board meetings.

8. Dates of next meetings

An informal joint PSG-MB WP2009-workshop will be held on 5th of June 2008 on Crete.

The 13th Management Board Meeting will be held in Paris on 16th October 2008 on invitation by France.

9. Any other business

10. Closing of the meeting

The Chair thanked the members for their participation and closed the meeting.

For the Management Board,

Reinhard Posch
Chairman

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	Signatory	Prof. Reinhard Posch, CHAIRMAN OF THE MANAGEMENT BOARD
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