



Minutes
of the
14th ENISA Management Board Meeting
17 October 2008 09h30 – 17h00
Paris, France

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), Mari HERRANEN (Member, FI), Patrick PAILLOUX (Member, FR), Michael HANGE (Member, DE), Constantine STEPHANIDIS (Alternate, EL), Ferenc SUBA (Vice Chair, HU), Valdemaras SALAUSKAS (Member, LT), Pascal STEICHEN (Alternate, LU), Joseph V TABONE (Member, MT), Edgar R. DE LANGE (Member, NL), Krzysztof SILICKI (Member, PL), Pedro Manuel BARBOSA VEIGA (Member, PT), Peter BIRO (Member, SK), Gorazd BOZIC, (Member, SI), Pernilla SKANTZE (Member, SE), Geoff SMITH (Member, UK)

Management Board Commission Representatives: Francisco GARCIA MORAN (Member, Director General DG Informatics), Gregory PAULGER (Member, Director DG INFSO), Andrea SERVIDA (Alternate, DG INFSO)

Management Board Stakeholders' Representatives: Mark MACGANN (Member, Industry Rep.) Markus BAUTSCH (Member, Consumer Rep.), Kai RANNENBERG (Member, Academic Rep.)

EEA- Country Representatives (observers): Bjorn GEIRSSON (Member, IS), Eivind JAHREN (Alternate, NO)

ENISA: Andrea PIROTTI (Executive Director), Tim MERTENS (Secretariat to the Board), Ronald DE BRUIN, Louis MARINOS, Andreas MITRAKAS, Giorgos DIMITRIOU, Aristidis PSARRAS, Pascal MANZANO, Alexander VAN DECRAEN, Aimilia FILIPPIDI

Other Participants: Rogier HOLLA (DG INFSO), Sylvain LEROY (observer, FR)

Apologies: Spain and Estonia, Mr. Colasanti

1. Opening of the meeting, announcements of the Chair, adoption of minutes of 13th Board Meeting

The Chair welcomed the participants and thanked the French Presidency for the hospitality and the organisation of the meeting.

Changes in composition of the Management Board:

Denmark: Mr. Thomas Kristmar (new Alternate), Senior Advisor of the Danish IT- and Telecom Agency.

Mr. Steichen nominated Mr. Bozic as proxy after he left the meeting in the afternoon (14:30PM).

The Chair reminded the Board Members about the following:

- In case of any change to the members or alternates of the MB, a formal letter shall be sent to the Chair and a copy to the Agency.
- Only the MB members or alternates have the right to attend and speak at the MB meetings. In case that none of the representatives can attend, a proxy can be appointed taking into consideration that he/she cannot attend the closed sessions.

The minutes of the 13th MB meeting were **approved** unanimously.

2. Adoption of the Agenda

The Chair proposed the following changes to the agenda:

- Point 11 to be discussed before point 8
- Point 7 to be discussed before point 6

The amended agenda was **adopted** unanimously.

3. Report on the activities of the Agency

Mr. Pirotti reported the progress made in the MPT 1, 2, 3 of the Work Programme 2008. He informed the Board members about the MTP1 (Resilience) Consultation Workshop that will be held in Brussels on 12-13 November 2008 in order to present the results of the stocktaking activities and in order to gather feedback on the “future directions” of MTP1 for 2009. In the field of CERT, Mr. Pirotti referred to a couple of extra miles of ENISA in this area such as:

- Request for support for the setting up of a CSIRT from Greece, Austria, Cyprus
- Facilitation of 2 regular TRANSITS trainings in Europe

Mr. Pirotti gave an overview of the administration activities. He explained the main reasons for the transition to ABAC (accounting system) as follows:

- Unlike most financial applications available in the market, ABAC is an integrated system which is designed to provide both, accounting and financial information.

- ABAC has been design to accommodate the provisions of the EU financial regulation via built-in modules which are regularly updated by the Commission in order to reflect all amendments of the financial regulation.
- It was recommended also by the Court of Auditors as the most suitable solution for ENISA.

Mr. Steve Purser has been appointed by the Executive Director as the new Head of Technical Department. He will take up duties as from 1st of December 2008.

Mr. Pirotti presented to the Board the ENISA's project on Internal Control which had received recognition and interest by the Commission and the other EU Agencies as the best example of Internal Control System. In addition, he informed the MB about the good audit results of the Agency.

Mr. Pirotti highlighted the Summer School that was co-organised by ENISA and FORTH on 15-19 September 2008. This extra mile activity had received very good comments. The event was attended by 80 persons from all member states and from other countries.

Mr. Pirotti noted the recognition that ENISA has gained by referring to the recent visits of delegations from Japan and China to ENISA in Heraklion.

Mr. Pirotti updated the Board on how the agency had followed the 3 orientations (establishing priorities, communication with stakeholders, resource management) given by the MB. The Agency is finalizing its general report, and is also implementing a content management system for the ENISA website which would enable each expert to upload and update his work. The Agency tries as much as possible to use electronic applications in order to use staff for more operational activities.

The Chair thanked the ED for the detailed report. He noted that the report was not provided to the Board in writing in order to enable the members adequately to comment. Furthermore, the Board had asked for detailed figures showing the increase of size of the operational departments and the stability of the administration department to which the agency did not respond.

A discussion took place where Mr. Rannenberg, Mr. Jahren, Mr. Manolov, Mr. Smith, Mr. Pailloux, Mr. Stephanidis, Mr. Paulger, Mr. Macgann and Mr. Servida raised several points. To clarify what remained open in the discussion the Agency is attaching a statement of all cost and revenues with regard to the Summer School. Additional information provided by the Executive Director after the meeting is provided in the document Annex I.

Following the comments, the ED informed the Board that next time he will comply with the request that the report on the Agency's activities should also be submitted in writing and will include a strategic summary, measurable indicators and changes (figures) from previous periods, show areas of over- and underperformance and be less narrative.

4. Amending Budget 2008

Mr. Pirotti presented the amended budget 2008. He underlined that the EFTA funds (195.024€ - 2,39% of the budget 2008) have been added to title 3 of operations. In

addition, 122.476€ was taken from Title 1 and was transferred as follows: 92.000€ to title 2 and 30.476€ to title 3.

The amended budget was **approved** unanimously.

5. Financial Irregularities Panel

The Chair explained to the Board that ENISA should set up a panel for Financial Irregularities as required by its Financial Regulation. It shall be decided whether ENISA will use the European Commission's panel for financial irregularities instead of setting up its own panel.

As stated by the Commission representatives, it is disproportionate for a small Agency like ENISA to have its own and for this reason the Agency had asked for the Commission's support.

It was unanimously **approved** that the Panel for Financial Irregularities set up by the European Commission shall be used by ENISA.

6. Staffing Level of the Agency

The Chair emphasized the need for an overview of the agency's staff before the discussion of the Work Programme 2009 will take place.

He expressed his dissatisfaction about the absence of an agency's staff policy plan for 2009-2011 and asked the ED to inform the Board regularly about the changes in the allocation of staff as this has budgetary implications.

The Chair noted that in the letter that was sent to the Board concerning the cost of staffing for the years 2009-2011, a change in the ratio between salaries and operations exists. He underlined that this ratio should change and expressed his concern about the operational budget in 2009-2011 as this decision of the ED fails to implement the explicit request by the MB to substantially improve the ratio between administration and operation and works even in the opposite direction. To show the evolution of staff cost distribution 2007 to 2011 the Agency provided additional information after the meeting (Annex II) in response to the request to give figures showing the increase of the operational departments over the last years and for the future.

Mr. Pirotti noted that the ENISA staff policy plan for 2009-2011 has been drafted according to the guidelines of DG ADMIN and it has been communicated to DG INFSO for comments.

Mr. Tabone mentioned that the following three years would be very critical for ENISA. He wondered what could be done to ensure the best transition concerning the leadership of the organisation. He agreed with the Chair that staff matters are most vital for the future.

The Chair expressed his dissatisfaction with the way the contracts of both administrative and operational staff were renewed to an indefinite period. The ED was asked to ensure that no departure of Contract Agents in the administration department will result in replacement of the staff member.

Mrs. Skantze and Mr. Smith agreed with the Chair about the non automatic renewal of the contracts of contract agents. The Agency should work with its current staff.

The Board **decided** (by one abstention of Mr. Bozic) as follows:

- **Any change (concerning departure of Contract Agents) shall not result in using the budget for replacement. The Agency shall present to the Board options to use this as a remedy to rebalance the Agency's budget in terms of decreasing administration and increasing operations. The ED shall include this item into his written regular reporting.**
- **The ED should also seek ways to change the existing situation by wherever possible- shifting staff from administrative to operational tasks.**

7. Work Programme and Budget 2009

Mr. Pirotti presented the WP 2009 development process, and the resources allocated in each MTP.

The Chair asked the Agency's remarks on the WP2009 and the proposed changes based on these remarks.

Mr. De Bruin presented the changes on the Work Programme based on a control table that had been distributed to the Board members.

Mr. Suba complimented the Agency for the preparation of the Work Programme and made three remarks about: 1) the CERT cooperation between Hungary and Bulgaria, 2) the financial cooperation of member states on information exchange on cybercrime, 3) e-banking in Member states.

Mr. Servida expressed the European Commission's satisfaction with the development of the Work Programme 2009 as many of its comments were taken into account. He also thanked the Agency for the development of the Work Programme and emphasised that MTP1 and MPT2 are the key priority activities for the Commission. Mr. Servida stressed out that there should be consistency between the scope and objectives of each activity and the planned level of resources and budget. He asked for some explanations on the reason why the highest level of resources is allocated to WPK3.1 and not to any work package in MTP1 and 2.

Mrs. Skantze thanked ENISA for the control table showing the changes on the WP2009. She also expressed her satisfaction with the fact that ENISA had reduced the budget allocated to conferences. She wondered where the saved funds would be used.

Mrs. Herranen expressed her satisfaction with the WP2009. She highlighted the importance of not duplicating the work done, the necessity to build on synergies and the need to prioritise ENISA's operation. For the above mentioned reasons, she highlighted the need for a strong dialogue with the stakeholders. She commented that ENISA's visibility in northern Europe is weak.

Mr. De Lange congratulated the Agency for the preparation of the WP2009 which gave enough time to all MB members to intervene. He suggested to the Agency to frame the activities of CIP and resilience. Finally, he advised the Agency to put effort in framing different activities.

Mr. Jahren commented positively on the reporting on the progress of the WP and the way it is articulated.

Mr. De Bruin answered that differences in allocated resources to each MTP should not be considered as ranking of priorities. The allocation of the funds saved would be decided in the future. He reassured the Board that the microenterprise activities will not affect other activities.

The Chair announced that any comments for the final draft WP2009 will have to be put in writing and refined text proposals shall be sent to the Agency by 24/10 the latest. By the 31st October the Agency shall submit a revised version to the MB in order the Chair can open a written procedure for adoption. The MB will be asked to vote on the revised version of the WP2009 by 14th November 2008. The revised final draft WP2009 should then be sent to the budgetary authority.

8. Debate on the future of NIS

Mr. Paulger notified the Board that there is likely to be a proposal in the beginning of 2010 concerning the future of ENISA. He also mentioned that a debate will take place regarding the goals of a possible modernised network and information policy and on the most adequate means to achieve them, and that the future of ENISA will be included in those reflections. In order to facilitate this debate, the Commission services have developed a questionnaire to be submitted to public online consultation on the possible objectives of a modernised NIS policy at EU level, and on the means to achieve those objectives. A draft of the questionnaire was distributed during the meeting. The public consultation process is expected to be concluded by 9 January 2009.

Mr. Paulger invited the Board members to attend a workshop on “NIS challenges and the means needed at the European level to address them” that will take place either on 09/12 or on 15/12. He encouraged each MB member to bring at this workshop two or three experts. The Executive Director of ENISA and the agency’s senior staff were also invited. Additionally, he explained that the Commission’s services will incorporate the results of the workshop into a discussion paper that is likely to be used by the future EU presidencies to stimulate the NIS debate further on.

9. Report of the MB subgroup on future orientations

Mr. Smith presented some of the conclusions of the MB subgroup which was created in order to help the Agency during the transitional period until 2012.

- The forthcoming debate on NIS challenges is very important
- ENISA should play an active role in this debate and it should not use this debate as a tool to ensure its survival.

Mr. Smith expressed the concern of the sub group regarding the preparation of the Board for the new management of the Agency. He highlighted that a clear distinction of the powers of the MB and the ED should exist. He suggested the preparation of a paper describing the relation between the MB, the ED and the Stakeholders. A draft of that paper will be distributed in the forthcoming MB meeting. Mr. Smith encouraged the Board members to bring ideas to the next meeting on how to establish good work relations with the next Director of the Agency.

The Chair reminded the Board members that the nature of the sub group is informal. The sub group advises the Chair and all members are encouraged to discuss the input provided by the sub group.

10. Branch Office in Athens

Mr. Stephanidis gave a presentation about the ENISA branch office in Athens. He focused on the following items:

- The Hellenic Ministry of Transport and Communication will cover the general rental cost for an ENISA branch in Athens as of 1st January 2009
- The main objectives of this decision were to increase the agency's networking capabilities as well as its visibility.

Mr. Pirotti thanked the Hellenic Authorities for the initiative and gave a presentation about his own views on that proposal. The Agency would take into consideration the following: 1) the costs of the office were not foreseen in the budget 2009; 2) the man months to be invested by the services of ENISA in setting up the office have not been accounted for, 3) staff involvement in order to relocate from Heraklion. The management of the Agency, with the assistance of Deloitte, was examining different deployment scenarios for such an office. Mr. Pirotti proposed to use the office in 2009 as a "bureau de passage" (a networking hub where ENISA can hold meetings with external stakeholders) until it can be fully exploited under WP 2010. The MB will be kept informed about the steps that the Agency will be implementing in establishing and populating the branch office in Athens.

The Chair referred to the suggestion of using the office as a bureau de passage and wondered how many people should be sent there.

Mr. Pirotti replied that no staff members need to be transferred in case it is used as bureau de passage.

Mr. Macgann thanked Greece for the proposal of opening a branch office in Athens. He also wondered whether the decision of the Greek Government was a response to a request by the Agency. He expressed his concern regarding the following issues related to the opening of an ENISA branch office in Athens:

- How this office would improve the operations and visibility (in particular in industry) of the Agency?
- What would be its effect on the Agency's human resources & budget?
- Why not opening a similar office in Brussels?

Mrs. Herannen wondered about the possible effects on the moral of ENISA staff, the budget limits for such a decision, and whether the Agency in general has made an evaluation concerning the pros and cons of that office.

Mr. Tabone advised both the Board and the Agency to examine thoroughly that proposal in order to capitalize on the opportunity.

Mr. Smith expressed his hesitation. He requested a business case in order to have an overview of the cost and the complexity of this project. He recommended careful thinking of the costs and benefits.

Mr. Manolov expressed a positive view about the idea of an ENISA office in Athens and wondered what would be the role of the MB in this decision.

The Chair asked the ED to give indications about the cost of that office.

Mr. Pirotti highlighted that the Greek government decides about where ENISA is to be located in Greece. He added that he cannot see any danger of using the office in Athens as a bureau de passage, a place where ENISA would hold its meetings without any cost. He also commented that this office is a tool of flexibility given to ENISA at no cost. Mr. Pirotti opposed the idea of a generic liaison office because, according to his vast experience, a liaison office is never cost effective to any organisation.

Mr. Stephanidis made clear that the offer of an office in Athens does not respond to any request. He underlined that the host country did not think to split the seat of ENISA. He also noted that this office should be considered as an opportunity given to the Agency in order to cultivate its external relations. Concerning the idea of opening an office in Brussels, he stated that this would have to be funded by ENISA.

Mr. Macgann asked to be defined whether this office would be a bureau de passage or a branch office.

Mr. Garcia Morán expressed the opinion that the offer of the Greek government is very convenient taking into consideration the request for a meeting place closer to central Europe. He reminded to all that this was an opinion also expressed by the MB. He encouraged the Board to take advantage of that offer.

The Management Board acknowledged that no ENISA staff shall be transferred to Athens. Any steps toward this “bureau de passage” shall have no implication to staff or budget of the agency in 2009.

11. Selection Procedure of the new Executive Director

Mr. Paulger outlined the role of the MB in this procedure which mainly includes three aspects: 1) Approval of the vacancy notice, 2) Nomination of an observer (without voting rights) in the Pre-Selection committee, 3) Nomination and appointment of the Executive Director. The MB will have to interview the candidates short-listed by the European Commission. This is tentatively foreseen for June 2009. The nominated candidate would have to make a statement before the European Parliament and answer the questions put by its members. The MB will afterwards appoint the Executive Director.

The schedule of the recruitment process of the new ED is very tight. A delay in the audition of the new Director might to be expected as the Parliament will be constituted in June and the committee that will interview the new Director will possibly not be determined before July 2009.

The Chair recapitulated that the main tasks of the Board during the 14th MB meeting concerning the selection procedure is to approve the draft vacancy notice and to appoint an observer.

After a discussion about the content of the vacancy notice with contributions of Mr. Pailloux, Mr. Macgann, Mr. Paulger and Mr. Tabone, Mr. Paulger noted that the Commission's competent services will incorporate them into the final text.

The Chair suggested to appoint a Board member as an observer and proposed Mr. Pailloux. The Board **agreed** unanimously.

12. Dates and venues of meetings in 2009

- Workshop "NIS challenges", Brussels 9.12. or 15.12. 2008
- 15th MB meeting, Athens 12.3. pm and 13.3. am 2009
- Informal MB/PSG workshop, Crete 11.6. or 18.6. 2009
(The exact date of the meeting could not be decided as it depends on the progress of the new Director's recruitment procedure).
- 16th MB meeting, Stockholm (on invitation by Sweden) 15.10.2009

The Chair informed the Board members that an extraordinary formal MB meeting -concerning the recruitment of the new Director- might have to be organised before the 16th MB meeting.

13. Any other business

None

14. Closing of the meeting

The Chair thanked the French presidency for the organisation of the meeting. He also thanked the members for their fruitful participation and closed the meeting.

For the Management Board,

Signature Value	qmC07GmkyU+hrVnnLtbXswIQk8012KfLtkQTilz7WcqWW4qdZDWWXJsvkuJBKvoD	
	Signatory	Prof. Reinhard Posch, CHAIRMAN OF THE MANAGEMENT BOARD
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