



European Union Agency for Cybersecurity (ENISA)

Minutes of the ENISA Management Board informal meeting held on 15-16 June 2023 in Athens, Greece

PARTICIPANTS:

Representatives of the European Commission (COM): Grzegorz MINCZAKIEWICZ (DG DIGIT).

Member States' Representatives: Arno Spiegel (AT), Miguel De Bruycker (BE), Krešimir Šipek (HR), Antonis Antoniadis (CY), Tomáš Minárik (CZ), Thomas Flarup (DK), Liisa Past (EE), Stefan Lee (FI), Jean-Baptiste Demaison (Chair, FR), Fabienne Tegeler (DE), Theofanis Anagnostopoulos (GR), Lajos Szabo (HU), Kevin Foley (IE), Gianluca Galasso (IT), Mihails Potapovs (LV), Liudas Ališauskas (LT), Frank Lieser (LU), Hans de Vries (NL), Krzysztof Silicki (PL), Gabriel Dinu (RO), Marjan Kavčič (SI), Rastislav Janota (SK), Elena de la Calle (ES), Shafagh Elhami (SE);

Observers: Clarissa Wilkie (DE);

ENISA: Juhan Lepassaar (ED), Ingrida Taurina (EDO), Georgia Pappa (CSS), Jo de Muynck (OCU), Evangelos Ouzounis (PDI), Demosthenes Ikonomidou (CBU), Andreas Mitrakas (MCS), Dimitra Liveri (ARET), Apostolos Malatras (KIT), Marco Barros Lourenco (RIT), Stefano De Crescenzo (INT), Alex Hüge (CSS - item A), Philippe Blot (MCS – item 6), Natalie Wenkers (EDO), Martin Spaet (EDO), Vangelis Stavropoulos (EDO), Renata Jankowska (MB Secretariat), Evangelia Lantza (MB Secretariat).

Apologies: Lino Santos (PT),

INTRODUCTION

Welcome by the Chair and the Executive Director

The Chair opened the ENISA Management Board (MB) meeting and welcomed the participants.

He announced the apologies, the proxies given by COM to COM and by PT to DE, the new member since the previous meeting: Fabienne Tegeler (DE) and the presence of the invited observer: Clarissa Wilkie (DE). He also reminded members to provide declarations on conflict of interest and commitment, which need to be signed on an annual basis.

The ENISA Executive Director (ED) welcomed the participants and started with giving special merits to Jean-Baptiste Demaison in view of termination of his Chairmanship. He reminded the MB that the importance of the elections for the MB Chair and the MB Deputy Chair.

The ED explained to the MB that as a follow up of the March discussion on the ENISA stretched resources in the context of the increasing number of new tasks, the day will be dedicated to review the activities, asking the MB to focus on those areas where they saw the most added value to the MSs and ones that might be considered for de-prioritisation. He also noted that the implementation of the

ENISA Corporate Strategy, will require a reshuffling of resources, which shall be done without impact on the ENISA core mandate.

The Chair outlined the agenda, which was adopted with the following additional AOB points: report about issues raised in the ECCC Board meeting on SOCs (IT); results of the Cybergame exercise (SK); CCB Cyber Fundamentals (BE); announcement of resignations; the state-of-play on ENISA international engagements (ENISA).

The draft minutes from the November 2022 and March 2023 meetings had been distributed to the MB for review. Since no comments were received both meetings' minutes were adopted by the MB.

ITEM A – ADOPTION OF MB DECISION ON ENISA FINAL ACCOUNTS 2022

The Chair informed the MB that the draft decision on Annual Accounts had been reviewed by the Executive Board. Alexandre Hüge (Accounting and Compliance Officer) presented an overview of the ENISA 2022 Annual Accounts, reminding the Board that according to the Financial Rules, the provisional and final accounts require an opinion of the MB. He reported that no findings had been identified by the independent auditors and no critical observations received from the European Court of Auditors (ECA), except for minor weaknesses in the procurement area and the budget planning, which will be addressed through corrective actions.

Following questions from the MB, ENISA clarified the reasoning regarding the difference between payment appropriation and budget execution, as well as one open ECA observation from the previous report.

The MB decision on ENISA final accounts 2022 was adopted by the MB.

Results of the ED's appraisal exercise

As information point under this item, the Chair informed the MB about the results of the ED's appraisal exercise for the years 2021 and 2022. The process contained the self-assessment based on the 360° exercise and three reports by the Reporting Officers (RO): Lorena Boix-Alonso (COM), Hans de Vries (NL) and Krzysztof Silicki (PL). It was followed by a dialogue between the ROs and the ED, during which lessons learnt were discussed and strategic objectives for the next year were set. They include: motivation of the staff in view of possible scope reduction for some activities; review of the ENISA Strategy aligned with the revision of the Cybersecurity Act (CSA); improvement of the interaction with the EB/MB on solving politically sensitive matters and follow up of ad-hoc issues; setting up a succession plan to ensure functionality of the Agency in case of cessation of the ED term.

The report was concluded as satisfactory and was accepted by the ED, finalizing the process.

ITEM 1 FOLLOW-UP OF MARCH MEETING

ENISA Cybersecurity Support Action

The Chair reminded the MB that ENISA has regularly provided updates on the ENISA Cybersecurity Support Action (SA) since the November MB meeting.

Jo De Muyne (Head of Operational Cooperation Unit) presented to the MB an overview of the allocation of services under SA within the MSs, including the status of implementation as of 2 June 2023, where 22 MSs initiated concrete service requests under the SA. Since some MSs have not re-

confirmed intentions to fully use the services provided as per their initial pipelines, ENISA proposed to reallocate the unplanned budget to allow accommodation of extra needs of the interested counties.

In continuation an overview of the financial and resourcing implementation was presented, which shows that actual FTE allocation for Q1 and Q2 2023 is 20-30% higher than estimated (~15 FTEs). Since the Commission has already confirmed the continuation of the SA with the estimated budget of 20 mln in the perspective of the next 2-3 years, ENISA sees the need to have this development reflected in terms of resources.

MB members exchanged views, shared individual MSs reflections, concerns and discussed challenges related both to the procedural, legal and financial aspects (e.g. can the extra budget be handled, how to address procurement challenges, importance of evaluation, re-allocation of un-used resources, local services). They agreed that the evaluation of the impact assessment of the first pilot is critical to improve the concept.

The ED thanked for all comments and constructive discussion and committed to proceed with presenting to the EB in the July meeting the lessons learnt from the pilot, including process, procurement mechanism, financial framework, procedures etc. The aspect of added value for beneficiaries, which requires more depth discussion with the MSs, will be addressed at a later stage but it was agreed that it is crucial before ENISA engages with any further action.

ITEM 2 – UPDATE BY EUROPEAN COMMISSION, INCLUDING CSA REVIEW 2024

Due to flight delays and the consequent late arrival of the Commission representative, this item could not be covered.

ITEM 3 - ENISA CORPORATE STRATEGY, INCLUDING GREENING AUDIT RESULTS

The MB was reminded that the topic had been already discussed previously, and in this meeting ENISA is providing the advanced draft of the Corporate Strategy (CS). The Chair highlighted the importance of having in place an action plan with indicators allowing to measure the objectives of the Strategy.

Georgia Pappa (Head of Corporate Support Services Unit) explained that the draft Strategy is based on the ENISA values and improved by the guidance and recommendations received from the MB. The current draft incorporates sustainability goals and climate neutrality and an action plan which was adjusted with a long-term perspective to ensure realistic and flexible implementation. The MB was reminded that the Strategy is part of an overall efficiency gain approach, which builds on Environment, Social and Governance (ESG) criteria. It is supplemented by the HR Strategy and includes operational and resource constraints and an enterprise risk assessment.

Following the endorsement of the greening objectives by the EB, the Agency has already launched an initial analysis and has begun setting up an audit methodology as well as some steps promoting ecologic sustainability across all the Agency's operations. The objective of the ENISA greening initiative is to become a sustainable organization and ensure climate neutrality by 2030.

ENISA presented a proposal with two different off-setting emission programmes, having a different budget impact for 2024 and asked the members for a recommendation on a preferred approach. In the discussion that followed, MB members acknowledged the Agency's efforts to accelerate reduction of its carbon emission as part of an action plan. The MB concluded with the agreement to invest the necessary amount to offset all the Agency's emissions as of 2024. It was also recommended to

establish indicators enabling to monitor environmental objectives and report achievements to ensure accountability.

Following a question from the MB, the ED provided a clarification on the follow up actions undertaken to address issues resulting from the last staff satisfactory survey. He noted that the future surveys shall be structured according to the CS and be conducted on a bi-yearly basis.

The Chair announced the endorsement of the ENISA Corporate Strategy by the MB and committed the Agency to provide to the MB an overview of its status implementation (including Greening) on a regular basis.

INTERNATIONAL RELATIONS STATUS UPDATE

Stefano De Crescenzo (Team Leader for International Cooperation) provided an update on the International Strategy related activities. He outlined the highlights from the RSA Conference in the US, which included both participation in the International Cybersecurity Forum and side meetings with many bilateral discussions. In terms of EU-US Cyber Dialogue, a follow-up discussion on the Working Streams took place between the group from the US and Europe.

In terms of the Working Arrangements with CISA and with Ukraine, both are currently under approval process at the Commission level. A similar working arrangement with NATO is under discussion and the draft will be provided for information to the MB and for approval to the Commission.

As for relations with the UK, ENISA follows developments on the possible EU-UK Cyber Dialogue organized by the Commission and the EEAS. The Agency is ready to support in necessary preparations if requested by the Commission.

In terms of the Western Balkan initiative, ENISA informed the MB that it follows relevant developments on the strategy by the EEAS and DG NEAR. The Agency is ready to engage with those regions, should there be such a request from the Commission. It was noted that ENISA is working internally on a strategic approach for those regions. The ED highlighted the importance of a capacity building programme for those counties. In the longer-term that would require commitment of resources and that the Agency has indicated to the Commission its resource constrains in this respect.

The MB members noted the overall lack of visibility of Europe in the US and highlighted the need for more proactive and concrete actions in terms of visibility. The ED noted that ENISA has a potential to fill in that gap.

ITEM 3 – ENISA RESOURCES APPROACH DISCUSSION

The ED introduced the topic which is the follow-up of the March MB discussion on resources. He explained the background, which is related to the additional activities undertaken by the Agency due to the unforeseen circumstances (Russian aggression) and projects (Cybersecurity Support Action). These required relocation of the resources at disposal from across the activities. If the new policy initiatives by the Commission are adopted, ENISA will need to undertake other new tasks what, with the current resources, puts the Agency at risk of missing objectives of its operational activities. The ED informed that the draft Annual Activity Report (AAR) 2022 explores an option to raise awareness to the EU institutions of the issue of imbalance between the ENISA resources and the increased expectations towards the Agency in the coming years.

The MB members strongly supported the initiative and agreed to prepare a letter to the Commission services, indicating significant constraints regarding ENISA resources in the light of the recent legislative initiatives. This is crucial in view of the ENISA forthcoming consultation on the SPD 2024 and in view of the CRA review.

The MB drafted jointly the letter about ENISA needs for resources which was signed by the Chairperson, Deputy Chair and Chairperson-elect, Deputy Chair-elect, as mandated by the MB and addressed to Commissioner Thierry Breton.

ITEM 4.1 STRATEGIC DISCUSSIONS: MB GUIDANCE FOR ENISA'S FUTURE WORK PROGRAMME BASED ON THE LESSONS LEARNT FROM THE ANNUAL ACTIVITY REPORT 2022

The ED explained the objective of the exercise using breakout sessions, which foresees a granular discussion on ENISA activities, review of the lessons learnt from the Annual Activity Report (AAR) 2022 and evaluation of action areas/outputs in terms of added value. The exercise aims to provide MB high level guidance on priority areas in the preparation of the Work Programme 2024 and beyond.

Each MB member participated in two breakout sessions (random assignment) arranged according to ENISA activities.

ITEM 5 – [CLOSED SESSION] ELECTIONS ON THE ENISA MB CHAIR & DEPUTY CHAIR

The Chair explained the election procedure and the votes resulted in:

The result of the votes for Fabienne Tegeler was:

- 28 votes in favour

As Fabienne Tegeler had received 28 votes in favour, which is above the simple majority of all MB members, the Chair announced she was elected as the next Chairperson of the ENISA MB.

The result of the votes for Stefan Lee was:

- 27 votes in favour
- 1 vote abstain.

As Stefan Lee had received 27 votes in favour, which is above the simple majority of all MB members, the Chair announced he was elected as the Deputy Chair of the ENISA MB.

ITEM 4.2 – CONCLUSIONS ON MB ASSESSMENT OF ANNUAL ACTIVITY REPORT 2022

The Chair informed the MB that the AAR 2022 and its assessment had been already endorsed by the EB. He asked the MB members for adoption of the draft MB Decision on analyses and assessment of the AAR2022. Since no comment were raised the Decision was adopted by the MB.

In continuation, the ED presented the results of the breakout sessions (a slide indicating only the net balance of extremes was displayed). He pointed out the usefulness of the exercise which provided the feedback with an overall assessment on 41 outputs. He clarified that the results have an indicative value and will serve for reflection on re-prioritisation of activities and for exploring other solutions to downsize ENISA's effort. Following an internal analysis of the results, the Agency will provide to the MB a proposal (draft SPD), which will be further consulted, before the final decision.

The Chair thanked the MB members for their input and the ENISA activity managers for guiding the MB across all outputs.

The MB discussed the lessons learnt from the exercise, which overall was appreciated with some aspect to be considered for improvement. The members exchanged views and suggestions in terms of approach, format and wording. In addition, some missing elements were noted in the assessment exercise, like Support Action activities and the forthcoming legislation, clarity on the cost for the Agency, measurement of actionable aspect and efficiency for the MSs.

The Chair concluded that prioritization should be based on impact assessment and any decision by the MB should be based on analysis.

In the context of improvements, the ED mentioned the intention to enhance the cooperation between the MB and the NLO Network through NLOs involvement in preparation of materials and some MB decisions by providing qualitative analysis. ENISA reminded the MB that, as usual, the NLO meetings will be aligned with the MB meetings and that the NLO ToR includes guidelines helping to fulfil their role.

ITEM 6 – ENISA AND APPROACH TO GSMA

Andreas Mitrakas (Head of Market, Cybersecurity and Standardisation Unit) explained to the MB that in the context of development of the 5G certification schemes, ENISA needs access to respective standards. Since there is no progress on the ENISA's request for engaging with the 5G standardisation organisations, the Agency is seeking from the MB guidance regarding approach to the critical actors strongly contributing to the 5G content (GSMA and 3GPP).

Philippe Blot informed the MB that ENISA has pursued a renewed cooperation agreement with ETSI that would likely give ENISA access to 3GPP. It was also noted that ENISA continuously supports the Commission and the MSs in relation to the standardization strategy (2022). ENISA presented to the MB the list of benefits and risks related to engaging with 3GPP and various options ahead for consideration.

The ED assured the MB of a prudent approach by ENISA in view of all sensitivity context and ensured that the proposed cooperation is intended to be limited to the technical level. He also underlined that a further delay of a decision puts the future availability of the EU5G scheme at risk.

The Commission informed the MB that it is not in the position to support the proposal at this stage, as there is a need to ensure overall alignment with the Commission approach towards standardization. However, it is committed to engage with ENISA on adapting legal details in the text. It was agreed that in the November MB meeting, ENISA will report on the status of development on this matter.

ITEM 7 ENISA MANDATES

- **Executive Board mandates**

ENISA informed about one vacant EB position and two further ones which will become vacant by the end of July. It was recalled that in accordance with MB RoP the call for expression of interest for the vacant EB positions shall be launched 2 months prior to an election date. The elections of EB members and alternates are planned to take place during the next MB meeting, on 17 November 2023.

- **Executive Director mandate**

In view of the termination of the ED's mandate in October 2024 and due to the long appointment procedure, the Chair asked the ED about his intention to present his candidature for the renewal of his mandate.

The ED confirmed that he would like to continue in his role should the MB support his candidature.

AOB

- **Update on SPD process**

The ED reminded the MB of the SPD 2024-2026 process and the timeline. During the summer it is planned to collect feedback from the MB on priorities and carry out an internal review by ENISA. The consultation on the 2nd draft SPD 24-26 will be launched on 13th September and discussed in the November MB meeting with an aim for its adoption by the MB by 30th November 2023.

- **Cybergame results**

Rastislav Janota (SK MB) presented an overview of the CyberGame24 prepared by the National Cyber Security Center. He announced the call for national partnership and outlined its conditions. He invited the MB members to promote the initiative and the partnership opportunities.

- **CCB Cyber Fundamentals**

Miguel de Bruycker (BE MB) informed the MB about the initiative of the new Belgian law for NIS2 and the respective framework (Cyber Fundamentals). He confirmed that the risk assessment results will be available early July. The information about the project is available under Cyfun.be.

- **Cyber Solidarity Act – coordination of cross border and national SOCs**

Gianluca Galasso (IT MB) informed the MB that in the last ECCC Board meeting the selected cross border SOCs and 3 consortia presented their projects. In this context, he shared with the MB concerns about lack of a framework connecting the cross border and national SOCs and noted lack of coordination.

The ED mentioned that SOCs language shall be aligned with the CSIRTs Network and that ENISA will take this up within the WP 2024 and will provide indication about the workstream.

- **Review of MB RoP in view of conditions for participation in MB meetings**

Liisa Past (EE MB) referred to the provisions of the MB RoP for nomination of alternate members and proposed to consider a review of the rules with an aim to allow appointment of an additional alternative or for a replacement by a nominated expert, in case neither a member nor an alternate is able to attend a meeting.

The ED committed to investigate possible options with the Chair-elect, conduct legal analysis and present this to the EB in the July meeting.

For the Management Board

[signed]

Mr Jean Baptiste Demaison
Chairperson of the Management Board

DAY 1 – 15 JUNE

TIME (EET)	ITEM	SUPPORTING DOCUMENTS
09:30 – 10:00	Welcome coffee and registration	
10:00 – 10:20	Introduction <ul style="list-style-type: none"> - Welcome by the Chair - Welcome by the ENISA Executive Director - Adoption of the agenda - Adoption of meeting minutes of November and March MB meetings 	Draft agenda Draft minutes of November and March meeting
10:20 – 10:30	NEW ITEM Item A Adoption of MB Decision Draft MBD on ENISA final accounts 2022 Action: adoption	Draft MB Decision and supporting documents
10:30 – 11:00	Item 1 Follow-up of March MB meeting <ul style="list-style-type: none"> - ENISA Cybersecurity Support Action - ENISA Corporate Strategy, <i>inclu. greening audit results</i> Presentation by ENISA and discussion	Draft ENISA Corporate Strategy Greening Audit results
11:00 – 11:15	Coffee break	
11:15 – 12:00	Item 2 Update by European Commission, inclu. CSA Review 2024 Presentation by the Commission	
12:00 – 12:45	Item 3 ENISA resources approach discussion (following March MB conclusions 'to continue discussion on resources as a dedicated agenda item') Presentation by ENISA and discussion	AAR Assessment paper
12:45 – 13:45	Lunch	
TIME (EET)	ITEM	SUPPORTING DOCUMENTS
13:45 – 16:30 <i>Including short break between sessions.</i>	Item 4.1 Strategic discussions: MB guidance for ENISA's future Work Programme based on the lessons learnt from the Annual Activity Report 2022 Sessions per Activies Each MB member to participate in two break-out sessions organized according to ENISA activities (randomn assignment). Introduction by ENISA (max. 10 min.) followed by discussion in break-out sessions and priority-setting exercise. Session 1 Activity 1 & 2 <ol style="list-style-type: none"> 1. Providing assistance in policy development 2. Supporting implementation of Union policy and law Session 2 Activity 3 & 9 <ol style="list-style-type: none"> 3. Building Capacity 9. Outreach and education Session 3 Activity 4 & 5	Annual Activity Report 2022 AAR Assessment Paper ENISA Single Programming Document 2023-2025 Preparatory cover note

	<p>4. Enabling operational cooperation 5. Contribute to cooperative response at Union and Member States level</p> <p><u>Session 4</u> Activity 6 & 7</p> <p>6. Development and maintenance of EU cybersecurity certification framework 7. Supporting European cybersecurity market and industry</p> <p><u>Session 5</u> Activity 8 & 10</p> <p>8. Knowledge of emerging cybersecurity challenges and opportunities 9. Outreach and education</p> <p>Action: Discussion based on 2022 results and guidance for 2023-beyond</p>	
16:30 – 16:45	Coffee Break	
16:45 – 17:45	<p>Item 5 - Closed Session</p> <p>5.1 Election on post of MB Chair 5.2 Election on post of MB Deputy Chair MB</p>	Rules of Procedure
17:45 – 19:30	Garden reception / Farewell with ENISA staff and guests	

DAY 2 – 16 JUNE

TIME (EET)	ITEM DOCUMENTS	SUPPORTING
09:30 – 10:00	Welcome coffee and registration	
10:00 – 10:05	Introduction Day 2	
10:05 – 11:15	<p>Item 4.2 Conclusions on MB assessment of Annual Activity Report 2022</p> <p>Presentation by break-out session moderators & conclusions in plenary Endorsement of 2022 AAR</p> <p>Action:</p> <ul style="list-style-type: none"> - Exchange of views on draft MB Decision on assessment of the Annual Activity Report 2022 - Adoption at meeting of 2022 AAR or if necessary via Written Procedure following MB meeting <p>Action: Adoption</p>	
11:15 – 11:30	<p>Item 6 ENISA and approach to GSMA – TBC</p> <p>ENISA presentation and discussion</p> <p>Action: MB guidance</p>	
11:30 – 11:45	<p>Item 7 ENISA mandates</p> <p>EB vacancy announcements & timeline</p>	
11:45 – 12:00	<p>Wrap-up & AOB</p> <ul style="list-style-type: none"> - Update on SPD process - The Executive Director mandate 	
12:00 – 13:00	Lunch	
13:15	Transfer to airport	