

European Network and Information Security Agency (ENISA): further development

2010/0275(COD) - 02/12/2010

In a public session, the Council examined progress made on two draft regulations regarding the European Network and Information Security Agency (ENISA).

The Presidency has prepared a progress report which takes stock of the progress made so far on two Commission proposals (see also [COD/2010/0274](#)). Both proposals were examined by the Council bodies and all delegations welcomed them.

The progress report identified the following main issues to be discussed further in order to prepare a Council's common position for the negotiations with the European Parliament:

- **ENISA's tasks:** although the current list of tasks is in principle welcomed by Delegations, a fine tuning of several tasks should be made. In particular, the role of ENISA in relation to cybercrime should be further discussed. Some Delegations propose the addition of concrete tasks as for example, tasks related to resilience, organisation of regular network security exercises, cooperation between Member States and European institutions and bodies. These proposals would need to be examined in more detail, to determine the Council position for further negotiations;
- **duration of the mandate:** the majority of Delegations agree in principle to a mandate limited in time. Some Delegations however support an indefinite mandate or a longer mandate than the one proposed by the Commission;
- **the role and the structure of the Bodies of ENISA:** the participation of the law enforcement and privacy protection agencies as fully fledged stakeholders to the Permanent Stakeholders' Group would need further discussion. This issue is linked to the role of ENISA in relation to cybercrime. Some Delegations propose to give the Management Board a role in the establishment of the work programme of the Agency. Others propose minor changes in the management structures in view of ensuring the effectiveness of Management Board;
- **funding:** in the current financial climate, some clarification on the contributions from Member States to the revenues of ENISA, as well as to its future budget would be welcomed by the majority of Delegations. The Commission already clarified in the meetings of the Working Party on Telecommunications and Information Society that Member States contribute on a voluntary basis.