

MANAGEMENT BOARD DECISION

DECISION No MB/2024/08

OF THE ENISA MANAGEMENT BOARD

of 6 June 2024

on analyses and assessment of the Annual Activity Report 2023

THE MANAGEMENT BOARD OF THE EUROPEAN UNION AGENCY FOR CYBERSECURITY

Having regard to:

- Regulation (EU) 2019/881 of the European Parliament and of the Council of 17 April 2019 on ENISA (the European Union Agency for Cybersecurity) and on information and communications technology cybersecurity certification and repealing Regulation (EU) No 526/2013 (Cybersecurity Act)¹, in particular Article 15(1)f;
- Decision No MB/2019/8 on the Financial Rules applicable to ENISA in conformity with the Commission Delegated Regulation (EU) No 2019/715 of 18 December 2018 of the European Parliament and of the Council, in particular Article 48(1)b;

Whereas

- (1) Management Board should carry out analyses and assessment of the Agency's Annual Report and forward it to the Budgetary Authority and the Court of Auditors by 1 July 2024.
- (2) The draft analyses and assessment of the Agency's Annual Report of 2023 was endorsed by the Executive Board at its meeting held on 24 May 2024.

HAS DECIDED:

Article 1

The analyses and the assessment of the Annual Activity Report 2023 is adopted as set out in annex of this decision.

¹ OJ L 151, 7.6.2019, p. 15–69

Article 2

The present decision shall enter into force on the day of its adoption. It shall be published on the Agency's website.

Done in Athens, 6 June 2024

On behalf of the Management Board,

[signed]

Ms Fabienne Tegeler
Chair of the Management Board of ENISA



ANNEX

THE ANALYSES AND ASSESSMENT
BY THE MANAGEMENT BOARD OF ENISA
OF THE CONSOLIDATED ANNUAL ACTIVITY REPORT FOR THE YEAR 2023
OF THE AUTHORISING OFFICER OF ENISA

The Management Board takes note of the consolidated Annual Activity Report (AAR) for the financial year 2023, submitted by the Executive Director of the European Union Agency for Cybersecurity (ENISA) in accordance with Article 48 of the Financial Regulation applicable to ENISA.

The Executive Board received a copy of the draft AAR 2023 produced by the Executive Director of ENISA in his role as Authorising Officer for the implementation of the annual budget on 29th April 2024 and the Management Board received a copy of the draft AAR 2023 on 29th May 2024.

The Management Board performed the analysis of the AAR and completed its assessment.

The conclusions of the Management Board are as follows:

1. 2023 built on the work of the previous year especially in the area of cooperative response with the continued implementation of the ENISA cybersecurity support action. The MB congratulates the agency with the execution of the support action demonstrated by the high take up of services by MS. The MB calls on the agency to take on board lessons learned from the pilot to further enhance services to MS during the delivery of support action from 2024 onwards.
2. The MB acknowledges the augmented and expanded suite of situational awareness products provided to MS in cooperation with EU institutions, bodies and agencies Joint Cyber Assessment Report (EU-JCAR) and calls on the agency to further build on the common Union situational picture with a view to extend it to all MS, including enriching the cyber private partnership programme.
3. In the area of policy development, the MB acknowledges the support and advice provided to policy makers (Member States, European Parliament, Horizontal Working Party and European Commission) for the development of Cyber Resilience Act (CRA), Cyber Solidarity Act (CSOA), and CSA amendment via products such as the NIS investment study however the MB calls on the agency to strengthen relationships with stakeholders to further support with the coherence and harmonization of policy files before adoption. The MB also supports the proposal to integrate national cybersecurity strategies and the work on the EU cybersecurity index including the peer review methodology as per NIS2 article 19 into policy development activity.
4. With regards policy implementation the MB appreciates the support provided to MS for the implementation of NIS2 (NIS2 security measures and adoption of Coordinated Vulnerability Disclosure guidelines) and calls the agency to continue its focus of supporting the MS with best practices and by providing a greater overview of solutions including by exploring options how the incoming obligation of ENISA to build a platform for vulnerability and incident reporting under CRA could be utilised for the benefit of incident reporting obligations under NIS2.
5. The MB acknowledges the development of the exercises and training platforms and solutions that allow stakeholders to organize their own exercises and trainings with the support of ENISA thus leveraging existing resources to expanding capacity and success of the both the European cybersecurity challenge and international challenge with improving skills and expanding the pool of young talent in the Union. The MB

urges the agency to enhance collaboration with the European cybersecurity competence center in this domain.

6. The MB acknowledges the support provided to operational communities (CSIRTs Network and EU-CyCLONe) and calls on the agency to step up its relationship with operational communities and encourage cooperation between these communities and with the NIS Cooperation Group and Council horizontal working party. In addition, the MB takes note on the initial preparations of the European vulnerability database (EUVDDB) for NIS2 and also the consolidation of IT infrastructure that supports operational cooperation that was launched in 2023 and calls on the agency to further exploit synergies and improve support to MS via building synergies between various operational cooperation platforms ENISA manages.
7. The MB acknowledges the valuable support provided to Commission for the first implementing regulation adopted for EU common criteria and support provided to MS for the draft candidate schemes on Cybersecurity Certification Scheme for Cloud Services (EUCS) and EU5G and the valuable impact of standardization in its support of certification.
8. The MB concludes that the initial steps undertaken in the area of market and industry were necessary but not sufficient for the forthcoming work in relation to the CRA from 2024 onwards and acknowledges the proposal to integrate research and innovation with the market and industry from 2025 onwards and calls on the agency to develop closer ties with the European Cybersecurity Competence Centre and Network (ECCC) in this area.
9. The MB acknowledges the excellent execution of the second pilot of the EU cybersecurity index, with all 27 MS taking part. The MB anticipates the operationalization of the index in 2024 to contribute to the delivery of NIS2 art.18 report on state of cybersecurity Union report. The MB supports the proposal to integrate cybersecurity index with policy development activity. In addition, the MB takes note of the outreach achieved by the Threat landscapes and sectorial landscape and looks forward to explore the additional sector threat landscapes in support of NIS2 implementation in synergy with overall situational awareness work under activity 5 within the SPD2025.
10. The MB recognizes the success of the development of the European Cybersecurity Skills Framework (ECSF) and its adoption by MS and professional certification body's to address the skills gap, and the proposal to integrate outreach and education outputs with capacity building activities under activity 3 within SPD2025 to enhance synergies going forward. The MB calls on agency to further collaboration with ECCC and National Cybersecurity Coordination Centre's (NCCs) in this area.
11. The MB congratulates the agency on the instigation of working arrangements with US and Ukraine as well as advanced stages of preparing working arrangements with NATO- NCIA and urges the agency to do more international cooperation inline with the ENISA international strategy in synergy with activity 4 within the SPD2025.
12. The AAR2023 outlines in detail those outputs that didn't make as sufficient an impact as planned, more specifically the MB notes the following outputs:
 - a) output 3.5 support to Security Operational Centres (SOCs) and the MB supports the proposal to absorb this work under activity 4 within SPD2025 in conjunction with the forthcoming Cyber Solidarity Act which sees a need for close coordination between the CSIRT network and European Cybersecurity Shield (SOC);
 - b) output 7.3 guidelines and good practices on cybersecurity in ICT products, processes and services as well as the relevant functions of the Agency should be reviewed in the context of obligations of the Agency stemming from CRA under the renewed market activity within SPD2025
 - c) output 9.2 promote cybersecurity topics, education and good practices on the basis of the ENISA stakeholder strategy had a lower-than-expected impact for its actions in the area of certification and support to SMEs. The MB supports the proposal to absorb this work under activity 3.
13. The MB calls on the agency to review and revise its current post allocations, functions and tasks within its two corporate units (EDO and CSS) to better address its changed needs, including by externalizing administrative and technical support functions and focusing existing staff posts on functions to ensure business continuity and objectives as outlined in the corporate strategy.
14. During 2023, ENISA committed a total amount of EUR 25 182 935 representing 100 % of the total budget for the year. Payments made during the year amounted to EUR 21 118 393 representing 83.86 % of the total budget. The MB take notes of the exceptional payment rate (99.99%) made in 2023 for the EUR 15 000 000 Cybersecurity support action. Although this exceptional significant amount carried forward to 2023 constituted a major risk to the 2023 budget execution it was successfully executed. As compared to 2022, there was a slight increase in commitment execution 100 % in 2023 as compared to 99.93 % in 2022. Overall

payment execution has very slightly decreased and reached 83.86 %, compared with 84.11 % in 2022. The target of 95 % for commitment rate set by the Commission (DG Budget) was reached. The turnover of staff was increased slightly compared to 2022 from 4% to 4.9% in 2023. The ratio remains low below 5 % percent which shows good ability to retain staff members in the agency, to a large extent thanks to the Agency's flexible teleworking and hybrid work regime, which the MB fully supports.

15. The AAR also provides information on the internal control assessment for 2023. This section notes the main categories of deviation that led to exceptions reported. In 2023 the agency reported 24 exceptions in the AAR. None of these exceptions was assessed as high risks. Whilst some improvements are required the internal control are present and functioning better than ever before. The 2023 assessment of the internal controls shows adequate management of risks, a high level of transparency, clear governance structures and improved performance monitoring. The Board concludes that necessary actions were undertaken within 2023 to improve the overall efficiency of the agency in abiding to its principles and congratulates ENISA for all the efforts engaged to that end.
16. The annexes complete the AAR with a declaration of assurance of the Executive Director as well as additional information on human and financial resources, draft annual accounts and financial reports, as well as performance information. Overall, the Management Board takes note of the successful achievements of ENISA in 2023.
17. The Management Board notes with satisfaction that ENISA could shift priorities and resources to manage escalated cybersecurity challenges without jeopardising significantly the objectives as planned in the 2023 work programme. The MB reiterates that insufficient human resources of the agency is a detriment to the agency's ability to achieve a high common level of cybersecurity across the Union and fulfil all its tasks as prescribed by the Union law. In this context the MB repeats its call to the European Commission (2023 letter to the commissioner from incoming and outgoing MB chairs and vice-chairs) to ensure adequate resources for the Agency to be able to undertake any new tasks.
18. The Management Board expresses its deep appreciation to the staff of ENISA and the Executive Director for their commitment and the excellent overall performance throughout the year. In light of the above assessment, the Management Board requests the Management Board Secretariat to forward the AAR, together with this assessment, to the European Commission, the European Parliament, the Council, the Permanent Representations of the Member States and the Court of Auditors.