

ECDC Management Board



**MB18/Minutes
20 June 2010**

**Minutes of the Eighteenth Meeting of the
ECDC Management Board
Stockholm, 17-19 March 2010**

Adopted by the Management Board at its Nineteenth meeting, 17-18 June 2010

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Summary of Proceedings – ECDC Management Board Meeting

The Eighteenth ECDC Management Board (MB) meeting convened in Stockholm, Sweden, on 17-19 March 2010.

During the meeting, the Management Board:

- adopted the Draft Agenda, with one change;
- adopted unanimously the Draft Minutes of the 17th meeting of the Management Board;
- approved unanimously ECDC's proposal to appoint Mr Stefan Sundbom, Internal Control Coordinator, as Accounting Officer *ad Interim*;
- adopted unanimously the Annual Report of the Director on the Centre's Activities in 2009, with some minor amendments;
- approved unanimously the Draft Analysis and Assessment of Authorising Officer's (Activity) Report in 2009;
- adopted unanimously the ECDC Multi-annual Staff Policy Plan 2011-2013;
- adopted unanimously the Review of the Analysis of the Indicators for the Strategic Multi-annual Work Programme 2007-2013 (Annual Review 2009);
- endorsed the Revised Internal Control Standards;
- approved unanimously the 2009 Provisional Annual Accounts;
- approved unanimously the 2011 Draft Budget;
- elected the new Director with a two-thirds majority; and
- decided to prolong the mandate of the Acting Director in the event that the new Director be unable to take up his function by the beginning of May 2010.

During the first day of the meeting of the Management Board, discussions and decisions took place regarding preparations and procedures for the hearing and election of the incoming Director of the ECDC.¹

During this session, the Board supported Germany's proposal to ensure greater transparency in future election processes, to ensure that MB Members shall participate as observers in the meetings of the pre-selection committee, and for Members to choose from an adequate gender-balanced list of at least five candidates.²

The three short-listed candidates were interviewed individually and in alphabetical order.

The Board conferred and voted upon the three candidates by secret ballot. Duly signed proxy statements were received from the Czech Republic (proxy to Austria), Denmark (proxy to the United Kingdom) and Luxembourg (proxy to Belgium). Following four separate rounds of votes, the MB Chair announced to the Board the winning candidate, Dr Marc Sprenger, to the

¹ The Management Board shall take its decisions by a simple majority of all Members. A two-thirds majority of all Members shall be required for the adoption of its Rules of Procedure, the Centre's internal rules of operation, the budget, the annual work programme and the appointment and removal of the Director. The election of the incoming Director of ECDC will be carried out via secret ballot. If none of the candidates attain two-thirds of the votes in the first round, the procedure will be repeated again with the candidate with the least number of votes out until one candidate acquires two-thirds of the votes. If in the last round the single remaining candidate does not acquire two-thirds of the votes, the entire process will start over with the publication of a new vacancy notice.

² Please refer to the attached dossier submitted from Germany during the first day of the 18th Management Board meeting (Annex I: Proposal from Germany – Future Director Election Process).

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post of Director. The MB Chair subsequently announced the election results to the candidates and the successor duly accepted the nomination. The Chair reminded Dr Sprenger that, prior to his appointment, he would be invited to a hearing before the European Parliament's Environment and Public Health Committee to make a statement and answer questions from members, foreseen in April 2010.

In terms of interim arrangements pending the new Director, the Board unanimously decided to prolong the mandate of the Acting Director, Professor Karl Ekdahl, until the new ECDC Director has formally taken up his post. The Board also decided that the MB Chair and the Vice Chair should attend the hearing of the new ECDC Director at the European Parliament.

During the second day of the meeting of the Management Board, the Vice Chair and the Acting Director recalled Article 13(5)(f) of ECDC's Founding Regulation, giving the Board a mandate to "determine by unanimity of its members" the language regime of the Centre. The existing regime for meetings of the MB has been discussed at length several times, without reaching the required unanimity of its Members. As no decision has been reached to date, the Board meetings have continued the practice to offer interpretation in four active languages (English, French, German and Spanish). The Board was informed that it would not be feasible to sustain the existing practice with interpretation in four active languages. The Board was asked for advice on interim arrangements for the period before a new building with better interpretation facilities has been built.

Discussions ensued regarding the proposed interim arrangements for the language regime of MB meetings in order to solve practical issues. The four options that were subsequently proposed included the following: (1) To keep English and only two additional languages (for safety and accommodation reasons); (2) To use English only; (3) To encourage multilingualism by using English and two to three of the official EU languages on a rotational basis; and (3) To maintain the current practice of four languages and to seek a derogation with enforced safety measures during MB meetings. Since unanimity could not be reached during this meeting, the Board agreed that a paper integrating various alternatives be prepared for the next meeting in Spain. The European Commission also agreed to examine the legal framework for the current language regime.

The extension of the ECDC Premises (Future Building for the Centre) was discussed during the first day of the meeting. The Head of Administration presented two options for the extension of the ECDC's premises: Option A - the extension of the main building and; Option B - the construction of a building in between the two main buildings. The Board resolved that no decision shall be taken regarding the Centre's premises before a decision on the Seat Agreement has been reached.

The draft Seat Agreement was then discussed at length during the first day of the meeting, in which the following items were reviewed and discussed: (i) progress in negotiations and remaining issues; (ii) initiatives taken by the European Commission; (iii) remaining problems for staff – results from the survey; (iv) views from the Swedish Government; (v) response from ECDC and; (vi) questions/comments from the Board.

It was also decided that the Board would vote on separate texts pertaining to the content of the Seat Agreement and the change of location of the seat of the Centre (change of host country).

On the third day of the meeting, following various amendments, the following resolutions were made:

- The Board unanimously approved a resolution on the Seat Agreement (Point One) with one abstention;
- With one abstention, the Board decided that the building project (Point Two) would not proceed and that ECDC would not enter into any legal commitments before a consensus on the Seat Agreement had been reached. Consequently, the Board also decided not to notify the Budgetary Authority of ECDC's building project;
- The Board unanimously decided to request the Commission to consider and report on the procedure to change the location of the seat of the Centre (Point Three), with one abstention;
- The Board also decided, with one abstention, that the Chair shall send a letter to the Ministry of Finance (copy to the Ministry of Health and Social Affairs) to inform on the MB's position in respect to the Seat Agreement and of the deadline of June 2010 and request that the necessary steps be undertaken by the Swedish Government, failing which the procedure to launch the change of the host country would be initiated.³

The Board also discussed the following matters for information and/or guidance:

- Acting Director's Briefing on ECDC's Main Activities since the last meeting of the Management Board;
- Report on the Adoption of Implementing Rules regarding Staff Regulations;
- The European Court of Auditors Special Report No. 5: The European Union's Agencies: Getting Results;
- Briefing on the interactions between ECDC and DG Research, as well as on the Seventh Framework Programme (FP7);
- Developing a European vigilance and traceability system for substances of human origin (SoHO) – Overview and potential role for ECDC;
- Update regarding the European Commission's Vision of a European System of Reference Laboratories for Pathogens for Humans;
- Update from ECDC Country Relations and Coordination: Collaboration with Candidate Countries and Potential Candidate Countries;
- Update regarding the Spanish EU Presidency; and
- Presentation of the ECDC Management Board Collaborative Workspace.

³ Please refer to Annex II – Letter from the Chairman of the ECDC Management Board to the Swedish Ministry of Finance.

Opening and welcome by the Chair

1. The Chair, Professor Dr Hubert Hrabcik, opened the 18th Meeting of the Management Board (MB) and welcomed all representatives. A warm welcome was also extended to the newly appointed Alternates Mira Kojouharova from Bulgaria and Luke Mulligan from Ireland. The Chair subsequently took the opportunity to formally welcome Merja Saarinen, newly appointed Member for Finland. The Chair also introduced Karl Ekdahl in his capacity as Acting Director (and Head of the Health Communication Unit) of the Centre.
2. Apologies were received from the Czech Republic (proxy to Austria), Denmark (second day only – proxy to the United Kingdom), Iceland, Liechtenstein and Luxembourg (proxy to Belgium).

Item 1: Adoption of the Draft Agenda (and noting the Declarations of Interest and proxy voting, if any) (*documents MB18/2 Rev.1; MB18/3 Rev.1*)

3. The Draft Agenda was adopted with one change. At the request of one member, the Chair agreed to initiate discussions pertaining to the Director's election procedure directly following the luncheon break.
4. Two members requested to receive the minutes within the delays specified in the rules of procedure. The Chair explained that the delays were due to some changes in administrative procedures. The Acting Director acknowledged the delays and promised improvements. The Acting Director also agreed that any revised documents should be issued with track changes in order to ease the work of the Board.
5. Declaration of Interest forms were duly distributed to the Members of the Board for completion. Under agenda item 3 (update on the draft Seat Agreement negotiations), the Member from Sweden declared that she represents the Ministry of Health and Social Affairs in Sweden.

Item 2: Adoption of the Draft Minutes of the Seventeenth meeting of the Management Board (Stockholm, 5-6 November 2009) (*document MB18/4*)

6. The Draft Minutes of the 17th Meeting were approved as presented in document MB18/4.

Item 12: Acting Director's Briefing on ECDC's Main Activities since the last meeting of the Management Board

7. The Acting Director thanked the Board as well as his colleagues, in particular, the Chief Scientist and the Executive Management Committee (EXC), for their support. He presented the current acting arrangements for the Centre.⁴ The Acting Director has been appointed solely for a three-month period and the Board will need to approve a new arrangement if a new Director is not elected on Thursday, 18 March 2010. He emphasised the need to improve the way in which ECDC works with the Member States, the importance of reinforcing internal communication, the fact that the budget will not continue to rise and the consequences for the Centre's activities. Among other issues, the Acting Director underlined a reinforced partnership with the World Health Organization (WHO), following Zsuzsanna

⁴ Acting Director's Update (PowerPoint presentation).

Jakab's move to Copenhagen and ECDC being more active in the network of EU agencies. Finally, the Acting Director presented updates on behalf of the Members of the EXC.⁵

8. Several Members of the Board and the Chair thanked the Acting Director for his detailed presentation, including his efficient work to date.

9. One member pointed out that the European Commission is currently examining all EU Agencies and requested to hear the incoming Director's views on this issue at the June Management Board meeting. Another member requested hearing the views of staff members regarding the Seat Agreement.

10. In referring to ongoing discussions pertaining to the pandemic at the European Parliament and the Commission, one member asked the Commission to take a more active role due to a growing concern that the public might consider that governments took decisions that were not based on scientific ground. The Chair underlined the public pressure for evaluation and proposed to discuss the evaluation plans during the Board meeting.

11. The representative from the European Commission remarked that the Commission is ensuring that all evaluations are well coordinated at national and international levels (e.g. with US CDC) and called on the preparation of summarised information to be discussed in July. A hearing is scheduled to take place in Paris next week and 15-16 Member States have already brought this issue to the attention of their Parliament.

12. One member pointed out that, despite the fact that the Commission is trying to take over the process, the so-called evaluation of the pandemic will be chaotic given the varying levels. Another member recalled that countries have dealt with the pandemic in different ways, which largely influences the strategy. In summarising the three forms of questions (e.g. link with the pharmaceutical companies, the general public and internal issues), a member suggested that ECDC could aid further by explaining how scientific data is produced.

13. The Acting Director informed the Board Members that ECDC has prepared an internal "line-to-take" document regarding the ongoing discussion, which was shared with the European Commission and subsequently with the HSC Communicators' Network. ECDC is considering addressing erroneous statements that are circulating publicly and also preparing for deliberations.

14. Several members, including a representative from the European Parliament, insisted that any document shared with the Commission should be distributed to the Member States in order to try to minimise misunderstandings. The Acting Director clarified that the paper did not concern the evaluation, but rather, a standard communication paper that was finalised two days ago. He pointed out that these documents are produced on a routine basis and shared, when appropriate, with the HSC Communicators' Network. As the Acting Director remarked that the technical papers are discussed with the Advisory Forum, a member clarified that those documents shall not be distributed to the Board; however, members are involved in public health and would be interested to know of their existence. The Acting Director promised to circulate the document to the Board.

15. The European Commission representative (DG Research) informed that for the first time, a €3 million research project on communication – an area that is slightly outside the scope of research – will be officially launched in July 2010 for a period of three to five years.

16. In recalling a unique evaluation that is in progress in the Netherlands, the Dutch member suggested conducting an overview of ongoing evaluations and queried about the potential role of the Commission and the ECDC in steering it up at the EU level. Another

⁵ *Ibid.*

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delegate pointed out that Member States will draw lessons and underline what has been positive overall under the Belgian Presidency. He also requested that ECDC produce a general toolkit on the evaluation based on the same model of the one focusing on pandemic vaccination in order to support countries when comparison with other Member States arise.

17. The Chair summarised the discussion by underlining the needs of the Board Members for increased, relevant information.

Item 5: Appointment of ECDC Accounting Officer *ad Interim* (*document MB18/8*)

18. Due to the resignation of the present Accountant, the Head of Administration proposed to the Management Board to appoint the Internal Control Coordinator as Accounting Officer from 1 May 2010 until the recruitment of the new replacement.

19. The Management Board agreed to appoint the Internal Control Coordinator as Accounting Officer *ad Interim*. The Board also agreed to confirm their acceptance of the appointment of the new Accounting Officer to be recruited via written procedure.

Item 4a: Extension of ECDC Premises: Projected Building for the Centre (*document MB18/6*)

20. The Head of Administration presented to the Board two options for the extension of the ECDC's premises: Option A – the extension of the main building and; and Option B – the construction of a building in between the two main buildings of which the pre-study concludes Option A for approval.⁶ She indicated that the current situation with regards to staff seating arrangements is not sustainable and must urgently be addressed. She recommended not linking the Seat Agreement with the extension of the premises in order not to delay the process. In order for the Building Project to proceed, the Board needs to send a notification of the project to the European Parliament.

21. The Management Board decided to link the extension of the building with the Seat Agreement and thus this point was postponed until a consensus has been reached with the Swedish authorities on the Seat Agreement.

Item 3: Update on the draft Seat Agreement negotiations (*document MB18/5*)

Progress in negotiations and remaining issues

22. The Head of Administration updated the Board on the draft Seat Agreement negotiations.⁷ ECDC officials have met with the Swedish authorities on several occasions. To date, some progress has been made, for instance, the migrating workers' statute was promised to spouses of staff members and the new personnummer solves a number of problems (but not all of them). Inclusion in the population register also for ECDC staff and non-working family members, which requires a change of legislation, would solve an additional number of problems, but again, not all of them.

Initiatives taken by the European Commission

23. While acknowledging the progress made to date, the representative from the European Commission recalled that these issues are related to community law and are thus not open for

⁶ Head of Administration, ECDC (PowerPoint Presentation).

⁷ *Ibid.* (PowerPoint Presentation).

discussion by the host country. He expects that the issues in question will be identified and resolved as quickly as possible, and announced that the unresolved issues shall be addressed in an audio conference in about two weeks' time.

24. The representative of the European Parliament acknowledged that he received the petition by a member of the Staff Committee, and had transmitted it to the Chair of the ENVI Committee with a supportive letter. The latter is currently considering it.

Remaining problems for staff - results from the survey

25. The representative of the ECDC Staff Committee updated the Board on a survey conducted in February 2010 pertaining to the new personnummer. Sixty-five percent of the staff noticed a slight improvement. He identified four issues: (i) while some people (and for some items) have access to services, the staff as a whole does not have equal access to services; (ii) access to healthcare is not equal for everyone; (iii) the fact that the staff appear with no income causes various problems; and (iv) registration of newborn babies has been very challenging. The rights of working spouses remain a major issue for the staff and he acknowledged the Swedish authorities' commitment to solve it. The non-inclusion of the personnummer in the population register remains one of the main problems. After six years of negotiations, the last quarter has been the most productive one. In his closing remarks, the representative of the Staff Committee stressed that ECDC employees count on the Management Board's support for an acceptable Seat Agreement.

Views from the Swedish Government

26. Speaking on behalf of her Government, the Swedish Member affirmed that Sweden is dedicated to resolving the legal situation of ECDC staff and to making life for the Centre's staff in Sweden as pleasant as possible. She assured that the Swedish authorities are working hard to resolve all outstanding issues. Another representative from Sweden's Government also updated the Board, remarking that all ECDC staff possesses a social security number that is exactly the same type of number, albeit not linked to the population register. ECDC staff also has access to primary healthcare in Stockholm. EU spouses working in Sweden are also entitled to social benefits. The Swedish authorities are committed to changing the law in order to enable ECDC staff to exercise their voting rights. The link to the population register is currently under review. It was suggested that the preamble may contain a reference to these issues. The focal points will be identified in order to facilitate contact and they will also be included in the Seat Agreement. With regards to privileges and benefits, the Swedish Authorities will only follow what was initially stated in their proposal for a Seat Agreement.

Response from ECDC

27. In referring to the status of working spouses, the representative from the Staff Committee recalled a colleague who had recently resigned from the Centre primarily due to the fact that her husband could not establish his own business in Sweden. He added that such cases are not unique.

Questions/comments from the Management Board

28. The Chair opened the floor for discussion by stating that the Board shall finalise negotiations this year and the Seat Agreement should be in accordance with community law. The representative from the European Parliament and several members insisted on linking the issue regarding the extension of the premises with the Seat Agreement. Members firmly stated that Sweden shall ensure proper living conditions for ECDC staff. A member concluded that

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problems were structural after six years of negotiation and much work from ECDC staff and management.

29. In order to strengthen the weight of ECDC in the negotiations, several members agreed to start considering the alternative of relocating the Agency elsewhere if the Seat Agreement is not finalised on time. The European Commission representative informed the Board that the location is decided by the Council at Head of State level and that the Presidency would have to be asked to put this item on its agenda.

30. Acknowledging the lengthy process, the Chair explained the proposal he prepared over lunch. He suggested putting three specific points to the vote:

- Point 1 – to sign the Seat Agreement by 31 May on the condition that the most crucial points (e.g. inclusion in the population register, working rights for spouses and voting rights) are addressed;
- Point 2 – the building project is a three-step process. The Board shall decide if it agrees to send the notification of the building project to the European Parliament and the European Council for opinion. The Chair clarified that the building project will not start and that ECDC will not enter into a legal commitment until the Seat Agreement is signed;
- Point 3 – the Board requested the European Commission to clarify the procedure for changing the host country if no positive result is reached.

31. Several members, including the representative from the European Parliament, agreed on Points 1 and 3, but not on Point 2.

32. One member clarified that the Board expects a detailed commitment from the Swedish authorities within a specific timeframe. The Chair emphasised the benefits of having such an agreement signed by the end of May.

33. The Acting Director thanked the Board for their very strong support and emphasised that, despite the length of the process, promising progress has been made in the last few months. With respect to Point 2, he asked the Board not to delay the process unnecessarily as the staff is working under increasingly crowded conditions. If the Board opts to link the two questions, the Acting Director proposed to initiate a written procedure to send the notification to the European Parliament and the European Council if the Seat Agreement issue could be resolved before the next MB meeting.

34. Another member cautioned against sending the notification to the European Parliament if the Seat Agreement is not signed by June 2010. Another member insisted that Sweden amend its law in order to ensure that community rights are respected. The European Parliament representative urged the Board to vote as it is absolutely clear that the Board wants to link the two issues.

35. On the third day of the meeting, a reworded proposal presented by ECDC was vigorously rejected, and the MB demanded to return to the model proposed on the first day of the meeting. The discussion was based then on this three point draft decision with an ultimatum, where the Seat Agreement was to contain at least voting rights, spouses' position as migrating workers, functioning contact points, inclusion in the population register, including a timeframe to achieve results. The Swedish Member of the Board agreed to a firm timetable and reiterated the Swedish authorities' commitment for a solution by the next Board meeting.

36. A discussion on the exact wording of a Board decision ensued.

37. One member suggested avoiding reference to community rights in the Seat Agreement, while another recalled that they should be included as the Swedish authorities failed to comply for a number of years.

38. The ECDC Legal Advisor proposed to rephrase the reference to community law. As community law is the Commission's responsibility, the EC representative suggested the following text: 'the Commission asked that the Seat Agreement be in accordance with the community law'.

39. The Member from Sweden pointed out a legal problem with the wording 'the Seat Agreement will contain' as her Government will not be in a position to decide on that which the Parliament shall approve. She suggested making reference to the issues requested by the Board in a separate document, or to include them in the preamble.

40. Following a member's remark to include the suggestion to move ECDC elsewhere, the Chair clarified that it is a separate point and that the timetable will be extended past the next Board meeting, but will be binding nevertheless. Members insisted that the timetable should be solid with some immediate measures, including a definitive duration, and that the Board will strictly monitor its implementation.

41. While the representative from the Staff Committee expressed his satisfaction with the proposed text, and understands that these issues cannot be solved immediately, he underlined that ECDC staff cannot carry on living in Sweden without being guaranteed their fundamental rights, and recommended 2010 as a deadline.

42. On Point 1 (Seat Agreement), the Board unanimously approved the following text with one abstention (from Sweden):

- MB insists by June MB meeting to have received a Seat Agreement from the Swedish Authorities that can be deemed acceptable by ECDC and Management Board.
- The Commission will be asked to ensure that the situation for staff and their families are consistent with Community law.
- For the Seat Agreement to be acceptable it will contain a commitment with a clear timetable for the implementation of at least the following issues:
 - a) Inclusion in the population register of ECDC staff and family members;
 - b) Working spouses' recognition as normal EU migrant worker;
 - c) Functioning contact points;
 - d) Voting rights.

43. On Point 2 (notification for the building project), with one abstention, the Board unanimously decided not to send the notification, but to revisit this point after the Seat Agreement has been solved.

44. On Point 3 (change of host country for an Agency), the Board unanimously approved the following text, with one abstention (from Sweden):

- MB requests the Commission:
 - a) To clarify what the procedure for changing the host country of an Agency would be;
 - b) To take the necessary steps to initiate negotiations on such a process in case the Seat Agreement would not be successfully agreed by June MB; and

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- c) Meanwhile to support the final negotiations with the Swedish Authorities and to ensure that all efforts have been made.

45. The Chair agreed to send a letter to the Ministry of Finance (copy to the Ministry of Social Affairs) to immediately start the negotiations. The Board approved this initiative, with one abstention.⁸

Item 11: Election of the new Director of ECDC⁹

Item 11a: Preparation for the hearing of the three short-listed candidates for the Director's post (*document MB18/Info Note*)

46. The Chair reminded the Board that they had previously received correspondence explaining the election process. The Board was informed that the interview sessions would convene in alphabetical order. The duration of each session would last about an hour and shall be comprised of ten-minute presentations from the candidates, followed by previously agreed upon questions from the Management Board, including supplementary questions, if needed. Following the interview sessions, the candidates will wait outside the room and the Board will proceed to vote. If one of the candidates does not reach the threshold of two-thirds (a condition written in the Founding Regulation) of the votes at the first round, the candidate who receives the lowest number of votes is eliminated and the Board then proceeds to a new vote. The Chair also recalled that about 160 candidates had applied for this position.

47. The representative of the European Commission reminded the Board that the selection of the new Director shall be based on the selection criteria as specified in the vacancy notice published in the Official Journal. A number of applications were received, a shortlist was drawn, and applicants were required to perform specific tests. On 17 February 2010, Commissioner Dali sent the shortlist to the Chair of the Board. The Commission carried out the selection process based on the papers submitted by the candidates. The Board of Directors retained a shortlist of three candidates, although they could have added or eliminated names. The European Commission maintained their full dedication to gender balance, to the selection of the best candidates, and conceded that the shortlist of three candidates was sufficient.

48. Several members, including the representative of the European Parliament, questioned the restricted number of candidates in the shortlist, as well as the gender balance. A member pointed out that with a shortlist of five candidates, the gender issue might have been addressed. The Chair also pointed out the gender issue and expressed his interest to examine the CVs of the candidates that were not shortlisted. One member pointed out that two candidates have little experience of the EU. Another member expressed his regret that the Board did not have the opportunity to observe the selection process.

49. The representative of the European Commission clarified that a high proportion of the CVs received were irrelevant and that the shortlist was initially narrowed down to 25 satisfactory CVs. Eleven candidates were interviewed, keeping in mind the gender balance. At the request of the representative of the European Parliament, he clarified that the selection conducted by the Commission was based on i) career; ii) knowledge of ECDC; iii) financial management skills; and iv) management skills, and informed that the newly appointed Director will sign a Declaration of Interest. The representative of the European Parliament

⁸ Please refer to correspondence in Annex II.

⁹ The Management Board shall take its decisions by a simple majority of all members. A two-thirds majority of all members shall be required for the adoption of its Rules of Procedure, the Centre's internal rules of operation, the budget, the annual work programme and the appointment and removal of the director.

objected that it was too late and that the selection process took longer than initially anticipated due to the installation of the new Commission.

50. Following a query from the representative of the European Parliament pertaining to the number of rounds that would be needed, the ECDC Legal Adviser clarified that with two candidates, the one who receives the lowest number of votes would be eliminated. The Board would then vote again, and if the last candidate does not reach the two-thirds threshold, the Board shall start the entire process over again. The Board may decide to carry on voting until the two-thirds threshold is reached. The representative of the European Parliament then proposed to stop voting if only one candidate remains. The Legal Advisor clarified that the Board is free to decide on the number of rounds and that to be elected the candidate needs to obtain a two-thirds majority.

51. In recalling the challenges that ECDC is currently facing, several members insisted on the importance of having a Director in place, even if the procedure can be improved, and encouraged the Board to decide on Thursday. The Board agreed that the candidate who receives the lowest number of votes at the first round will be withdrawn. If two candidates receive the same number of votes at the first round, the Board will vote again to decide on the candidate who will succeed to the second round. At the second round, the candidate who receives the lowest number of votes will be withdrawn. The Board will then vote only once for the only remaining candidate. If the remaining candidate does not attain the two-thirds threshold, the process will start again from scratch.

52. Following the request of a member, the Acting Director clarified that there are 32 voting Members. Twenty-two votes are required to reach the two-thirds majority threshold. At the request of another member, the Chair agreed to remind the candidates of the timeframe at the beginning of the interview. Belgium and Spain agreed to act as tellers during the selection process.

53. Several members, including the representative of the European Parliament, questioned the appropriateness of only asking previously agreed upon questions. Candidates are likely to have similar qualities and assets and it may be appropriate to ask further questions to identify the most suitable candidate. Members expressed their apprehension over being restricted by the legal requirement and opined that the Board lacks overall power in the selection process. While a representative from the European Commission declared that members are free to ask questions of their own choosing, he cautioned members to remain within the boundaries of the vacancy notice and advised the Board to repeat the additional questions three times in order to ensure a fair selection.

54. The Acting Director recommended having the same Board Member pose the questions to the three candidates. The Board delegated this task to the Chair and Vice Chair.

55. The Board assessed the questions proposed by ECDC and opted to withdraw the first question, following the Acting Director's clarification that the candidates' presentations cover their personal qualities, their vision of the Centre and the main challenges ahead. Discussions ensued with respect to the nature of questions posed, including their appropriateness. Following a lengthy debate, the interview questions were agreed upon by the Board.

56. The Member from Germany pointed out that the existing selection process is both lengthy and non-transparent and should be re-examined within five years. He maintained that future election processes should be transparent and that MB Members should also be able to participate as observers in the meetings of the Pre-selection Committee. In addition, Board Members should be presented with an adequate choice of at least five candidates, while taking

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into account gender balance.¹⁰ Several members suggested having a range of at least five or more shortlisted candidates. Another member expressed some concern that five candidates would further increase the delays.

57. The Management Board supported Germany's proposal.

58. On the second day of the meeting, the Chair welcomed the Board Members and duly recalled the election procedures. The election of the incoming Director of ECDC would be carried out via secret ballot. There would be no interpretation during the voting process. The hearing of the candidates would be conducted in alphabetical order. The members agreed that all ECDC staff should leave the room during the interviews of the candidates and during the voting process, with the exception of the ECDC Acting Director, the ECDC Legal Adviser and the ECDC Governance Officer and her Assistants.

Item 11b: Interviews of shortlisted candidates

59. Each of the three candidates was interviewed separately for approximately 60 minutes. During these sessions, and prior to each interview, the candidates presented themselves briefly for 10 minutes maximum.

60. Following each interview, the candidate left the Board Room. They were subsequently instructed to remain in the same room (outside the Board Room) until the voting procedure was finished.

Item 11c: Board confers and votes

61. The Management Board reconvened to vote. As decided previously by the Board, the session was open solely to the Board, the ECDC Acting Director, the ECDC Legal Adviser and the ECDC Governance Officer and her Assistants. No interpretation was provided during the voting process.

62. The Chair informed that all the Board Members would cast their votes.

63. Duly signed proxy statements were received by three Board members, namely:

- Czech Republic (proxy to Austria);
- Denmark (proxy to the United Kingdom); and
- Luxembourg (proxy to Belgium).

64. Belgium and Spain acted as tellers in order to count the ballots.

65. 32 votes were collected. The necessary majority is 22 votes. Dr Marc Sprenger was elected with a two-thirds majority in accordance with the Founding Regulation.

Item 11d: Ballot result announced and the way forward

66. The Chair invited all three candidates back into the Board Room and announced the outcome of the secret ballot to the candidates. The Chair thanked the two other candidates for their outstanding presentations.

67. The Chair asked the successful candidate, Dr Marc Sprenger, whether he would accept the nomination. Dr Sprenger accepted the nomination. The Chair then reminded the

¹⁰ Please refer to Annex I. This document was submitted from Germany during the first day of the 18th Management Board meeting and disseminated to the Board during the plenary session.

successful candidate that, prior to his appointment, he would be invited to a hearing before the European Parliament, foreseen in April 2010.

68. The Board decided that the MB Chair and Vice Chair should attend the hearing of the new ECDC Director at the European Parliament.

Item 11e: Interim arrangements pending the new Director

69. In the event that the new Director is unable to assume his duties on time, the Chair proposed to extend Karl Ekdahl's assignment as Acting Director.

70. The Board decided unanimously to prolong the Acting Director arrangements until the new ECDC Director takes up office.

Item 10: Interim arrangements regarding the ECDC Language Regime

71. The Vice Chair reminded the Management Board of the following:

- The ECDC Language regime needs to be determined by unanimity.
- The language regime has already been discussed on several occasions without a decision.
- The current practice is four active languages (English, French, German and Spanish).

72. ECDC's Acting Director gave a PowerPoint presentation,¹¹ recalling the following:

- ECDC seeks the advice of the Management Board on interim practices (until the new building is ready);
- An interim decision needs to be taken for safety and accommodation reasons (concerns in particular the limited space for the fourth interpreter's booth).

He then proposed one of the two interim solutions for subsequent Management Board meetings (until the new building is in place):

- To maintain English only as the working language during Board meetings;
- To retain English and only two additional languages (from the current three languages). This is due to the hazard of keeping the fourth interpreter's booth.

73. The question was raised by some Board Members whether an interim solution also requires a unanimous decision by the Management Board.

74. The Vice Chair confirmed that unanimity was only necessary for a long-term decision regarding the language regime.

75. With reference to the language regime, the representative from the European Parliament stressed the importance of giving all Board Members the opportunity to express themselves in their mother tongues.

76. Two additional proposals for the interim solution were put forward by the representatives from the European Parliament and the European Commission, respectively:

- Proposal by EP representative: To retain English and allow for a circulation of all EU official languages in the name of multilingualism (two at a time on a rotational basis).

¹¹ ECDC Acting Director (PowerPoint presentation).

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- Proposal by EC representative: To retain the current practice of four active languages (English, French, German and Spanish) and to seek to obtain a derogation of the Swedish safety rules during MB meetings throughout the interim period.
77. One member pointed out that the current practice of four languages had not been subject to a unanimous decision, and was therefore not according to the set rules. He was also concerned about the financial implications of today's practice of several languages.
78. The Vice Chair confirmed that no formal decision had been taken at the time concerning the current practice of four languages.
79. A member requested clarification of the costs involved with the current practice. The Board was informed that interpretation costs for the current MB meeting amounted to about €16,500 (4 languages).
80. Clarification was requested from a member on whether the decision taken today only concerns the interim period. The Vice Chair confirmed that the Members' opinion was only sought for the interim period and asked the Board Members whether they would be willing to agree on the current arrangements with reinforced safety measures.
81. The representative of the European Parliament expressed concern about maintaining equality between the different languages.
82. One member reminded the Board about the legal situation: a decision needs to be taken unanimously. However, the Vice Chair responded that as this was only a decision needed for an interim period and, therefore unanimity was not necessary.
83. Several members supported the idea of multilingualism and of equality between the different EU languages.
84. The Vice Chair pointed out that the use of all languages was not possible for practical reasons. He proposed that the equality of languages should be discussed at a later stage.
85. Some members also expressed their support for the use of one language only (English) for financial and safety reasons.
86. One member also pointed out that, as this only concerns an interim period, the EC suggestion (ECDC to seek derogation with fire authorities) is the most feasible one.
87. ECDC's Acting Director reminded the delegates that the next Board meeting will convene in Spain. He proposed that ECDC would seek the opinion of the Swedish fire authorities by June and then prepare options to be discussed at the next MB meeting.
88. The Spanish Member affirmed that the current language regime (interpretation in four languages) will be adhered to at the next MB meeting in Spain.
89. The representative from the European Parliament argued that no more preparatory work is needed concerning the issue of the language regime and that the necessary background information is already available. Supporting the principle of multilingualism, she urged for a formal vote on the issue.
90. The Vice Chair reminded members of the four options discussed:
- To keep English and only two additional languages (for safety and accommodation reasons);
 - To use English only;
 - To encourage multilingualism by using English and two to three of the official EU languages on a rotational basis; and

- To maintain the current practice of four languages and to seek derogation with enforced safety measures during MB meetings.

91. The Vice Chair suggested that for the interim solution concerning meetings at ECDC, the current practice of four languages would be maintained, albeit with reinforced safety measures. For the next MB meeting, a restricted proposal for future language regimes should be put forward for a vote.

92. The EP representative, supported by some of the members, called for a vote on the future language practice. She recalled that a decision regarding the future language regime requires unanimity and subsequently called for a vote on the language practice already for the next meeting. Her proposal was to have one language (English) and three of the official EU languages used on a rotational basis.

93. The EC representative supported the principle of voting, with a caveat that multilingualism should be supported, though costs involved need to be taken into account.

94. The Board Members were asked whether they could agree on the EP proposal (English + three circulating languages) already for the next MB meeting. Three members voted against this suggestion. The Vice Chair then declared that the proposal could not take effect as unanimity is required.

95. The EP representative objected and reminded members that the current regime has not been agreed upon unanimously after a voting procedure. Furthermore, she clarified that this proposal would only apply to the next MB meeting.

96. Some of the members were in favour of using English only for the interim period. Another member was concerned that using English only would lead to an unequal situation as some colleagues would have an unfair advantage over others by using their mother tongue.

97. Following a suggestion from the EP representative that the Commission should examine the legal framework for the current language regime, the EC representative remarked that acquired rights may exist as the current regime has been in practice for several years. He also pointed out that a rotation of all languages would automatically involve a more permanent regime, and therefore unanimity is indeed needed. All alternatives need to be clearly defined and a legal opinion requested prior to any vote.

98. The ECDC Acting Director reminded the Board that his original proposal put forward to the members represented an interim period to solve practical issues. He suggested that the point be taken up again during the June meeting when the EC has explored the legal grounds.

99. The Vice Chair concluded the discussion and highlighted the need to be practical and to stick to the current practice for the time being.

100. The Board agreed that a paper with different proposals be prepared for the next meeting in Spain and that the Commission should explore the legal grounds further.

101. Detailed minutes from this item were requested by the representative of the European Parliament.

Other items discussed:

102. Following a request from some Members of the Board, the role of the ECDC Special Liaison to the European Commission was clarified.

103. The Member from the United Kingdom announced that she would be leaving her assignment as Member of the ECDC Management Board and was thanked by the Chair for her excellent cooperation and contributions throughout her tenure.

Item 8a: Annual Report of the Director: Annual Report of the Director on the Centre's Activities in 2009 (*document MB18/11*)

104. The Head of Administration and the Planning and Monitoring Manager presented the Annual Report of the Director on ECDC activities in 2009. The Planning and Monitoring Manager outlined the contents of the report and presented the highlights and key achievements of the Centre in 2009, as well as improvements made since the previous Annual Report. The ECDC budgetary summary and staff summary for 2009 were also presented.

105. The Vice Chair pointed out that some minor textual changes were needed.

106. The Annual Report of the Director was approved unanimously by the Board.

Item 8b: Annual Report of the Director: Draft Analysis and Assessment of Authorising Officer's (Activity) Report in 2009 (*document MB18/12 Rev.1*)

107. The Head of Administration presented the management and internal control systems included in Annex 8 of the Annual Report and informed the Members that the Management Board should also adopt the Draft Analysis and Assessment of the Authorising Officer's (Director) Annual Report for the financial year 2009.

108. The Member for Sweden, in her capacity as Chair of the Audit Committee commented on the structure of the report, which should be improved to enable the Committee to properly conduct an audit.

109. In order to comply with both the expectations from the auditors to have an easily accessible report for the general public, and which also provides a comprehensive view of the implementation of the Work Programme, the Planning and Monitoring Manager suggested that the report be divided into two parts in the future: i) the core document would present in a user friendly way to the general public what ECDC does and; ii) an annex outlining ECDC's entire activities in the Work Programme, including their status (implemented, and if not, why) for the Management Board and other stakeholders.

110. The Member from Germany objected to the sentence "ECDC showed its excellent capability to respond to the A(H1N1) pandemic, which reflects both a good preparation and an appropriate response to the situation" in the Draft Analysis and Assessment Report. The Member requested that the sentence be deleted. The Member from Finland subsequently sought to reintroduce the above-noted sentence into the paper since the pandemic represented a considerable part of ECDC's work in 2009. Germany accepted to reintroduce the sentence in the report.

111. The revised version of the Draft Analysis and Assessment of AO's Annual Report 2009 was approved unanimously.

Item 6: ECDC Multi-annual Staff Policy Plan 2011-2013 (*document MB18/9*)

112. The Head of Administration presented the ECDC Multi-annual Staff Policy Plan 2011-2013 and outlined the main items. She explained the next steps for the MSPP 2011-2013. She also gave a detailed account of the recruitments that had taken place in the previous year and of planned recruitments for 2010. She also remarked that 2009 had been a challenging year as several of the ECDC staff in the selection committees had also been closely tied to the work of the pandemic. ECDC shall not be requesting additional posts for 2011. As well, there might be a possible budget reduction of €2,2 million by 2011.

113. The Management Board unanimously adopted the proposed ECDC Multi-Annual Staff Policy Plan 2011-2013.

Item 13: Report on Adoption of Implementing Rules regarding Staff Regulations (*document MB18/6*)

114. The ECDC Legal Adviser explained the legal basis and procedures for adopting Implementing Rules regarding Staff Regulations.¹²

115. In response to a request for clarification by a Board Member, the Legal Adviser explained that early retirement is a right that already exists in the Staff Regulation.

Item 7: Review of the Analysis of the Indicators for the Strategic Multi-annual Work Programme 2007-2013 (Annual Review 2009) (*document MB18/10*)

116. The Planning and Monitoring Manager presented a review of the analysis of the Indicators for the Strategic Multi-annual Work Programme 2007-2013 (Annual Review 2009)¹³ and explained that this was the second year in which the review has been conducted. He informed that as initially agreed by the Management Board, the relevance of the wording of the indicators should be reviewed in 2010. Therefore, ECDC proposed some changes to the wording of some indicators in the SMP 2007-2013 in order to provide more comprehensive information and to ensure adequate coverage of the Centre's work. The Board was requested to adopt the changes proposed in item 7 of the table.

117. The Member from France raised a question with respect to the revised version of Indicator 3.2 (*Impact of evidence-based opinions and use of guidance produced by ECDC*) and inquired whether more could have been done to measure the impact? In response to the question raised, the Acting Head of the Scientific Advice Unit explained that ECDC is nevertheless looking into an optimal way of impact measurements, but it is a difficult issue and the availability of information is limited for the time being. Possible options could range from following up with those who requested a scientific opinion and to ask for its usefulness, application and impact to surveys of key stakeholders – potential users of scientific advice produced by the Centre.

118. The Member from Spain also remarked that the Indicator 3.2 had been completely modified. He pointed out that while it is naturally difficult to assess, it is crucial to assess and measure the impact of Scientific Advice accordingly. The Deputy Head of the Scientific Advice Unit responded that ECDC will incorporate comments received and reconsider how to capture the information, including the indicators of impact.

119. Another member commented on the description of Indicator 5.1 being rather vague, i.e. *number of professionals participating in training courses and ECDC meetings related to training*, and that it would be better to clearly define the courses and meetings, including their purpose. The Head of the Preparedness and Response Unit indicated that the new indicator is in fact more comprehensive and includes detailed figures captured in the previous version of the indicator.

120. The Member from France pointed out that for Indicator 6.1, portal services and the Intranet are lumped together, even though one is for internal use and the other one for partners and Member States. The Head of the Scientific Communication Section, ECDC, explained

¹² ECDC Legal Adviser (PowerPoint presentation).

¹³ ECDC Planning and Monitoring Manager (PowerPoint presentation).

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that the idea had been to initially include a comprehensive indicator capturing all activities on the portal. Here again, additional information is simply added to the detailed figures, which remain unchanged.

121. The Vice Chair requested clarification of the low number of citations (49 citations) in the Annual Epidemiological Report (Indicator 1.6b). The Head of the Surveillance Unit, ECDC, explained that these are the citations in peer reviewed journals. It is the top of an iceberg. In the future, the number of AER downloads from the ECDC website should also be captured.

122. No objections were made to the suggestion to keep the initial Indicator 3.2 unchanged and to accept all other changes.

123. The Review of the Analysis of the Indicators for the Strategic Multi-annual Work Programme 2007-2013 was adopted unanimously by the Management Board.

Item 14: European Court of Auditors Special Report No. 5: The European Union's Agencies: Getting Results

124. The Planning and Monitoring Manager explained to the Board Members that in 2008, the planning, monitoring and evaluation functions had been audited in eight EU agencies. He listed the recommendations put forward in this document by the Court of Auditors. ECDC was not among the audited agencies, but tried to benchmark its procedures with the recommendations. The majority of these recommendations are already followed by ECDC, and some remain to be undertaken, for instance, the recommendation that the Work Programme should define the indicators, measuring the external impact of the Centre's activities, or the need to have fully in place an activity-based budget.

125. This item was presented to the Management Board for information and guidance.

Item 17: Briefing on the interactions between ECDC and DG Research, as well as on the Seventh Framework Programme (FP7)

126. Anna Lönnroth, DG Research, gave a presentation on the interaction and cooperation that had taken place between DG Research and ECDC in 2009.¹⁴ A number of joint projects took place in 2009 (particularly on influenza and on antimicrobial resistance). She explained the role of DG Research in the case of emerging or re-emerging diseases. DG Research cannot act quickly as it does not possess the tools for a rapid response and due to the system (need for calls for proposals, etc.).

127. Following Anna Lönnroth's presentation, a delegate sought examples of how ECDC could be involved in the Seventh Framework Programme. The representative from DG Research explained that ECDC staff is already involved and furthermore, communicators should also be involved in FP7 in order to spread information about the programme

128. Another member pointed out that given that DG Research is ill equipped to respond rapidly, how can cooperation with ECDC be further strengthened? Further, how can an enhanced response from DG Research be better anticipated for the next pandemic?

129. Anna Lönnroth acknowledged that tools were not fully adapted to a rapid response and that funding the response to a pandemic under short notice is not feasible for DG Research, which is equipped with the legal means to fund research projects. She outlined examples of successful research projects funded by DG Research. These include projects that support

¹⁴ Anna Lönnroth, DG Research (PowerPoint presentation).

influenza vaccine development, such as research on new adjuvants or alternative methods to product vaccines.

Item 9: Summary of discussions held at the 13th meeting of the ECDC Audit Committee (16 March 2010) including its recommendations

Item 9a: Update from the Audit Committee

130. The Chair of the Audit Committee updated the Board on the work performed to date.

Item 9b: Revised Internal Control Standards (*document MB18/13*)

131. The Audit Committee received the Revised Internal Control Standards from ECDC. While acknowledging the work performed, the Audit Committee insisted that some work still needs to be done.

132. The Board endorsed the Revised Internal Control Standards.

Item 9c: Provisional Annual Accounts 2009 (*document MB18/14*)

133. With regards to the Provisional Annual Accounts 2009, the Audit Committee commented on the high amount of funds carried over and requested some explanations.

134. The Board unanimously approved the Provisional Annual Accounts 2009.

Item 9d: Draft Budget 2011 (*document MB18/15*)

135. The ECDC Accounting Officer presented the Draft Budget 2011 to the Board. The proposed budget is €56.7 million, 2% less compared to the 2010 budget (€2 million less). It is 4% less compared to ECDC's initial request. ECDC made cuts to training and staff related items. As ECDC has little room to manoeuvre vis-à-vis its infrastructure, the operations budget will be cut by 8%.

136. The representative from the European Parliament underlined the constant late payments, which were mainly due to late invoicing, but also to late reimbursement of travel claims. The European Commission representative expressed some concern over the internal control standards as their number was reduced from 24 to 16, and not all of them have been implemented. The Head of Administration clarified that controls have increased and therefore internal control standards have decreased according to the Commission's standards. ECDC has an action plan in place for some of the standards.

137. The Board unanimously approved the Draft Budget 2011.

Item 15: Developing a European vigilance and traceability system for substances of human origin (SoHO) – Overview and potential role for ECDC (*document MB18/17 Rev.1*)

138. The Head of Preparedness and Response Unit explained the rationale for the development of a European vigilance and traceability system for substances of human origin (SoHO) and underlined the potential role of ECDC.

139. Thomas Bregeon (SANCO C6) provided a backgrounder on the growing field of 'substances of human origin', explained the needs and explored if and how ECDC could be

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involved. He asked the Board to decide on whether ‘ECDC can help to develop a system for SoHo vigilance?’

140. While thanking the representative from SANCO C6 for a clear presentation, several delegates conceded there are problems with the method. As not all hazards derive from communicable diseases, members queried whether the Board wants to broaden the mandate of ECDC. With SoHO, ECDC would operate outside its remit, although it could provide some support. A member recalled that the Board concluded in 2009 that ECDC is still not ready to extend its mandate since it needs to initially consolidate and attract staff. Another member clarified that according to the Directive, the responsibility for the traceability of blood products lies with Member States. Given that traceability of products is not within ECDC’s mandate, several members pointed out the potential involvement of the European Medicines Agency (EMA). Another member stated that the conference call involved the Agency of Biomedicine and the silence of a number of countries should not be interpreted as consent.

141. Members also insisted that duplication should be avoided and pointed out the initiatives that exist at EU level. While noting that the Commission cannot deal with this issue on its own, a member remarked that the Board should not act in haste and that a consensus with all stakeholders involved at EU level – and in particular the Competent Body involved in the management of blood products – is needed.

142. Highlighting that vigilance differs dramatically from surveillance, members opined that the Board shall initially determine if ECDC has the competencies and that dealing with these issues would require additional staff. A member recalled that this initiative will have to be considered over others in the 2010 Budget and that ECDC will face future budget cuts.

143. One member pointed out that a clear risk of infectious disease transmission exists for transplants and transfusions. Directive 5.21 contains a provision for information linked to this risk. Vigilance and surveillance should be coordinated at EU level and national authorities should work closely together. As DG SANCO might lack the resources, such an activity could be coordinated by ECDC. ECDC has been developing capacities for surveillance and risk assessment and would only conduct risk assessment and not risk management. The Commission’s proposal to conduct a feasibility discussion can be approved and subsequently decided by the Board. Another member stated that the vigilance and traceability system is required at community level; however, the best option should be chosen, for instance, best actor, cost effectiveness.

144. Acknowledging the complexity of the issue, several members maintained that the Board may discuss the matter freely; however, it is too premature for ECDC to engage in it and further clarification of procedures is necessary. Another member suggested that in principle, ECDC could be involved in Points 1 and 2 (mutual sharing), but that the Board needs to be very cautious with Point 4.

145. The representative from the Commission recalled the use of blood and tissue and cross border issues and thus the increasing number of risks. He noted the complexity of the issue and clarified that EMA had been briefed. With the new Commission, SANCO has been granted responsibility for medicine and thus EMA is now within its remit, which facilitates matters. The Commission could take responsibility for this issue, yet agencies should be allocated as many technical issues as possible. He clarified that the idea was to present the Board with a brief presentation and that no decision was expected today. The Commission will use the coming months to study options and come back to the Board. With regards to consequences for ECDC’s budget, he suggested waiting temporarily in order to know precisely which institution will manage this field.

146. The Chair highlighted that this item is for information only and that it will be discussed again at the June Board meeting. The Commission will carry on with its consultation.

Item 16: Update regarding the European Commission's Vision of a European System of Reference Laboratories for Pathogens for Humans

147. The representative from the European Commission informed the Board that the Commission is currently drawing up a list of projects with regards to laboratories issues to facilitate the exchanges. The Commission encouraged ECDC to also conduct a mapping that should include the work achieved by WHO. The Commission, WHO and ECDC will share information. The Commission will participate in the ECDC National Microbiology Focal Points meeting held at ECDC on 24-25 March. The contract for investigating the feasibility of network laboratory – an objective included in the EU health programme – was signed with the HPA. The Commission also received some inputs from Germany on how to support this action under the EU Health Programme.

148. The Deputy Head of Unit, Scientific Advice, updated the Board on the work achieved with the ECDC National Microbiology Focal Points network. Further analysis has been conducted through a survey, and ECDC is now working on a technical document. The Centre works very closely with the Commission and WHO. The HPA is invited to a meeting of the Focal Points for a study on risk analysis.

149. The Chair noted that the European Commission will provide a brief update at the next Board meeting. This item was for information only.

Item 18: Update from ECDC Country Relations and Coordination: Collaboration with Candidate Countries and Potential Candidate Countries (*document MB18/18*)

150. The Senior Expert/Team Leader, Country Relations and Coordination, ECDC, updated the Board on collaboration with the Candidate Countries and Potential Candidate Countries. She presented the ECDC roadmap for countries striving towards EU membership.¹⁵ The areas of work will include surveillance of Communicable Diseases, Preparedness and Response and Capacity Building.

Item 19: Other matters

Item 19a: Update regarding the Spanish EU Presidency

151. The Spanish Board Member informed that the priority of the Ministry of Health is to monitor the social determinants of health and to reduce health inequalities. He presented the objective of 'moving towards equity in health'.¹⁶ Spain hopes to receive plenty of support from Member States in order to tackle the problem of inequality in health, which is the main activity of the Spanish Presidency. The outcomes shall not be to monitor health alone, but also the social impact and well being of a society. He also announced to the Board that the next meeting will be held in Menorca, his birthplace.

152. The representative of the European Parliament and Board Members congratulated the Member from Spain on the ambitious programme of the Spanish Presidency.

¹⁵ ECDC Senior Expert/Team Leader, Country Relations and Coordination (PowerPoint presentation).

¹⁶ Spain (PowerPoint presentation).

Item 19b: Presentation of the ECDC Management Board Collaborative Workspace

153. The Senior Web Editor, ECDC, presented the Centre's Management Board Collaborative Workspace,¹⁷ which will be launched in the near future. She explained the technicalities of the workspace, including user names and password protected areas. The Chair thanked ECDC for this initiative, which will ease the work of the Board, and indicated that this tool will be used in the preparation of documentation for the next Board meeting.

Item 19c: Any other business

154. The Chair informed that the Board will discuss the relationship between ECDC and Member States at the June Board meeting. The working group on communication was delayed due to the work on the pandemic and the election. He added that EPIET initiatives shall also be included the Director's report at the next Board meeting.

155. The Head of Administration informed the Board that one of the candidates for the Accounting Officer position has attained the highest points and that there is also a satisfactory list of five candidates.

156. The Chair thanked the Management Board, the interpreters, and ECDC staff for their excellent contributions and support. He also acknowledged the challenging nature of the 18th Management Board meeting, and expressed his hope that amicable ties will prevail. The Chair also remarked that he would ask some members to prepare some introductory statements to the agenda in order to increasingly involve the Board at the next meeting.

¹⁷ ECDC Senior Web Editor (PowerPoint presentation).

Annex I: Proposal from Germany – Future Director Election Process

The Management Board highly appreciates the results achieved by the Centre during the past 5 years. The growing number of applications for the post of the director is symptomatic of the Centre's excellent reputation and importance of the post of director of ECDC.

In this spirit the Management Board states that it is crucial for the transparency of future election processes that the Management Board, composed of members of the Commission, European Parliament and Member States could participate more in the election process by

- having an observer in the meetings of the pre-selection committee pursuant Commission Staff Working Document; Guidelines for the appointment of heads of Community agencies SEC(2005)625
- having an adequate choice from a gender-balanced list of at least 5 persons.

Annex II: Letter from the Chairman of the ECDC Management Board to the Swedish Ministry of Finance



Mr Anders Borg
Minister of Finance
Ministry of Finance
Drottninggatan 21
SE-10333 Stockholm
Sweden

Stockholm, 6 April 2010

Our ref: DIR-10-0652-HHme

Reference: Decision of the Management Board of the European Centre for Disease Prevention and Control (ECDC)

Dear Minister Borg,

During its Eighteenth meeting of 17-19 March 2010, the Management Board of the European Centre for Disease Prevention and Control (hereafter the Centre) discussed yet again the issue of the Seat Agreement between Sweden and the Centre and decided to write to you as it was informed that your Ministry has a key role in relation to issues linked to the Population Register.

Negotiations on the Seat Agreement have been ongoing since the establishment of the Centre in 2005. The Management Board acknowledges that while progress has been made, four major issues still remain unresolved, namely: voting rights, working spouses' rights as normal migrant workers, inclusion of ECDC staff and families in the population register, and ensuring functioning contact points. The Management Board considers that to ensure the full commitment of Sweden with regards to the respect of these rights of staff as EU citizens, it is necessary to set a strict deadline in order to finalise the Seat Agreement.

Consequently the Management Board deems necessary to reach, prior to its next meeting on 17-18 June 2010, a full consensus on a Seat Agreement which, in order to avoid considering the possibility of infringement procedures, shall include the explicit recognition of the rights of the staff and families as migrant workers and a commitment to solve the problem of their exclusion from participating at local and European elections.

Furthermore, the Management Board shares and strongly supports the request of the Centre for a change in the legislation regarding Folkbokföringslag that would allow members of the staff and their families to be included on a voluntary basis in the Population Register.

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The Management Board recognises that the parties may not be very far from an agreement on the final content of the text. Nevertheless, the June 2010 deadline as stipulated above is possible and realistic only if Sweden is genuinely engaged and ready to make the necessary efforts and last steps to recognise the rights of the staff and their families. If that is not the case, and no agreement has been reached by the aforementioned deadline, the Management Board has decided that it will recommend initiating the procedure to change the host country of the Centre.

Finally, if the positive tone of the representatives of the Swedish Authorities in last week's audio conference is a good sign, nevertheless, the prevailing unresolved issues need to be addressed concretely and without further delay. Consequently, Minister Borg, a response to the above-noted matters would be greatly appreciated at your earliest convenience.

Thank you in advance for your kind attention to this crucial matter.

Yours sincerely,



Hubert Hrabcik
Chairman, ECDC Management Board

Copy to: Mrs Maria Larsson, Minister for Elderly Care and Public Health, Ministry of Health and Social Affairs
Ms Birgitta Ohlsson, Minister for European Union Affairs
Ms Irène Nilsson Carlsson, Director, Public Health Division, Ministry of Health and Social Affairs
Ms Anita Janelm, Senior Adviser, Ministry of Health and Social Affairs
Dr Robert Madelin, Director General for Health and Consumer Protection (DG SANCO), European Commission
Mr John F Ryan, Head of Unit Health Threats (C.3), European Commission
Dr Andrzej Ryś, Director for Public Health, European Commission