

ECDC Management Board



**MB17/Minutes
25 March 2010**

**Minutes of the Seventeenth Meeting of the
ECDC Management Board
Stockholm, 5-6 November 2009**

Adopted by the Management Board at its Eighteenth meeting, 17-19 March 2010

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Summary of proceedings – ECDC Management Board Meeting

The Seventeenth ECDC Management Board (MB) meeting convened in Stockholm, Sweden, on 5-6 November 2009.

On the first day of the meeting, over 30 health journalists from across Europe (27 countries) met with Members of the Management Board to attend a day of briefings about ECDC and its activities, which was held in parallel to the MB17 meeting. The highlights of the seminar were a panel discussion with the ECDC Director and Members of the Board on ECDC's achievements over the past five years and its priorities for the future, and a buffet lunch at which journalists could meet the Board. The event generated over 400 media articles and proved to be enjoyable both for the journalists and the Board Members.

During the meeting, the Management Board:

- approved the Disease-Specific Programmes (DSPs) Strategies;
- approved the ECDC Annual Work Programme 2010;
- endorsed the IAS Strategic Audit Plan 2010-2012;
- approved the ECDC Fourth Supplementary and Amending Budget 2009;
- approved the ECDC Budget and Establishment Table 2010;
- approved the ECDC Health Communication Strategy; and
- approved the Draft Minutes of the 16th meeting of the Management Board.

Also discussed for information and/or guidance:

- Technical briefing on ECDC's work in the Influenza A(H1N1) Public Health Emergency.
- How to improve the work of ECDC's Advisory Forum and Management Board.
- Extension of ECDC Premises: Future Building for the Centre.
- Working with Member States: Needs, Expectations and Capacities: a) working relations between ECDC and the Competent Bodies and b) Draft report from ECDC MB Joint Working Group.
- Director's Briefing on ECDC's Main Activities since the last meeting of the MB.

With reference to the update on the draft Seat Agreement, the review of progress carried out to date and agreement on the next steps forward were addressed. During this item, Members of the ECDC Staff Committee also presented urgent issues regarding the draft Seat Agreement, including feedback from staff regarding the new "personnummer".

In addition, the representative of the European Commission, Mr John F Ryan, gave an oral report regarding the status of applications regarding the ECDC vacancy notice for the Director of ECDC.

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The following meeting dates were duly confirmed for 2010:

Extraordinary Management Board meeting (22 January 2010)¹ – Stockholm, Sweden

Eighteenth Management Board meeting (17-18 March 2010) – Stockholm, Sweden

Nineteenth Management Board meeting (17-18 June 2010) – Lazareto, Spain

Twentieth Management Board meeting (9-10 November 2010) – Stockholm, Sweden

¹ During the Extraordinary meeting of the Management Board, the shortlisted candidates for the Director's position shall be interviewed and a decision will also be made with respect to the interim Director. Additional information and details regarding this meeting shall be disseminated to the Management Board in due course. As a caveat, the agreed upon date of the Extraordinary Management Board meeting (22 January 2010) is subject to the availability of the shortlist from the European Commission.

Opening and welcome by the Chair

1. The acting Chair, John F Ryan, European Commission (substituting for the Chair, Hubert Hrabcik) opened the 17th meeting of the Management Board (MB) and welcomed all representatives.

2. A warm welcome was extended to Gunta Grīšle, newly appointed Alternate from Latvia. He also welcomed Fernand Sauer and Pat Troop, two independent experts who would later present the results of a working group entitled 'Working with Member States: Needs, expectations and capacities'.

3. Apologies were duly received from Austria, who could only participate on the first day, and the Czech Republic and Denmark, who could only participate on the second day. Apologies were also received from Finland, Ireland, Italy, Liechtenstein and the Netherlands. Apologies were also received from Andrzej Rys, European Commission and Jacques Scheres, European Parliament.

Item 1: Adoption of the agenda (and noting of the Declarations of Interest and proxy voting) (*documents MB17/2 Rev.1, MB17/3 Rev.2*)

4. The agenda was adopted with one change at the request of Belgium, namely, to move the discussion on the Disease Specific Programmes (DSPs) Strategies and the ECDC Annual Work Programme (AWP) 2010 ahead of the decision on the 2010 budget.

5. One member pointed out that it would be helpful if ECDC could send out the MB minutes somewhat earlier than the last time, which the Director assured would be done.

6. A proxy statement for the first day of the meeting was given by the Czech Republic to the Slovak Republic who accepted it. A proxy statement was also given by Italy to Germany who accepted it. Due to a coinciding workshop organised by ECDC and DG Research on antimicrobial resistance (AMR), proxy was given by Anna Lönnroth to John F Ryan.

7. The Declaration of Interest forms were duly distributed to the MB for their completion. Under agenda item 3 (ECDC Annual Work Programme 2010), Ildefonso Hernández Aguado, Spain, declared that he is a Member of the International Advisory Board for Health Innovation (MSD) 2007-2008. Under the same agenda item, including agenda items 7 (Extension of ECDC Premises: Future Building for the Centre) and 14 (ECDC vacancy notice for the Director of ECDC: Report from the EC regarding the status of applications), John F Ryan declared that he is the Head of Unit for the European Commission DG Sanco C/3. Under agenda item 5 (Disease Specific Programmes [DSPs] Strategies), Else Smith, Denmark, declared that her country is hosting EU-VAC. She also declared that she is a Member of the ECDC MB Joint Working Group on Working with Member States: Needs, Expectations and Capacities. In terms of item 13 (Update on the draft Seat

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Agreement), the Member for Sweden, Iréne Nilsson-Carlsson, declared that her country is part of the negotiation process.

Item 2: Adoption of the draft minutes of the 16th meeting of the Management Board in Warsaw, 24-25 June 2009 (*document MB17/4*)

8. The minutes of the 16th meeting were approved as presented in document MB17/4.

Item 11: Director's Briefing on ECDC's main activities since the last meeting of the Management Board

9. The Director reported to the Board that she was appointed as the new WHO Regional Director for Europe by the WHO European Region's governing body in Copenhagen, Denmark, and that she was scheduled to take up her new post as of 1 February 2010. She pointed out that one of her goals would be the establishment of a solid strategic partnership between WHO/Europe and ECDC.

10. The Director presented ECDC's manifold activities since the last MB meeting, including activities in relation to H1N1, the Swedish EU Presidency, the first hearing with the new European Parliament, and the Competent Bodies meeting in Uppsala (12-14 October 2009). Her presentation also included updates from the Director's Cabinet and ECDC's five units, Scientific Advice, Preparedness and Response, Surveillance, Health Communication and Administration.²

ECDC Moderated Panel Session – ECDC Anders Guståv Auditorium

11. The Management Board joined a panel discussion with over 30 health journalists from across Europe (27 countries). During the panel discussion, the ECDC Director and Members of the Board discussed the Centre's achievements over the past five years and its priorities for the future. The event generated over 400 media articles and proved to be enjoyable both for the journalists and the Board Members.

Item 5: Disease Specific Programmes (DSPs) Strategies (*document MB17/9*)

12. Following the moderated panel session, Hubert Hrabcik, Chair of the ECDC Management Board, presided over the meeting.

13. Maarit Kokki, Coordinator of the Cabinet, Advisor to the Director, informed the MB on Disease Specific Programmes (DSPs) Strategies and on the corresponding internal structural arrangements to facilitate disease-specific work at ECDC. She also informed the Board that it was necessary to approve the corresponding document MB17/9.

14. One Board Member remarked that large sections of document MB17/9 were also part of the ECDC Annual Work Programme 2010. Therefore, discussing the Work Programme initially would be more conducive to a meaningful discussion.

² Director's Update (including updates from the Cabinet and Heads of Units).ppt.

15. One representative was concerned that some of the diseases mentioned in the document might not be epidemiologically relevant in the future.
16. The European Parliament representative pointed out that the list of diseases in document MB17/9 was not entirely accurate. Also, classifying the diseases in six groups might not be sustainable as new pathogens may not fit into any of the established categories.
17. One representative added that some of the categories partially overlapped, for example, influenza would both fall under 'vaccine-preventable diseases' and 'airborne diseases'.
18. These concerns were acknowledged by another representative, but he cautioned the Board not to get overly concerned over classification issues and the relationship between the Work Programme and the ECDC Strategic Multi-annual Programme (SMP) 2007-2013, but instead look at the broader picture and focus on the task at hand, i.e. the Work Programme.
19. In reference to the DSPs paper, John F Ryan, European Commission, remarked that the general approach of the paper was satisfactory, albeit hepatitis should feature more prominently. The Commission's statement was seconded by the representative of the European Parliament. In addition, the Commission expressed concerns that ECDC would compete with the European Medicines Agency (EMA) in the area of detecting adverse effects following immunisation (AEFI).
20. In a direct response, Johan Giesecke, Head, Scientific Advice Unit, ECDC, informed that EMA had approached the Centre to comment on AEFI and asked ECDC to help monitor adverse effects of vaccination; however, the precise role of ECDC in this area was still under discussion. He also pointed out the larger context of ECDC's involvement vis-à-vis immunisation issues, particularly the launch of the VAESCO II project on pandemic vaccine safety/risk assessment.
21. One Board Member suggested that the introduction section in document MB17/9 should outline the fundamental principles underlying the selection of diseases for the DSPs.
22. In a summary reply, the Director explained that the ECDC Strategic Multi-annual Plan (SMP) represents a heuristic tool that has resulted in increasingly manageable planning of the Centre. She reiterated that the SMP has not been 'carved in stone' and that it shall always be open to updating as new priorities emerge. In regard to ECDC's relationships with EU agencies, ECDC is fully committed to collaborating with other agencies.
23. Andrea Ammon, Head, Surveillance Unit, ECDC, mentioned that ECDC has not yet been successful in hiring a qualified hepatitis expert, which explains why ECDC's hepatitis activities continue to lag behind. Further, ECDC has been and continues to be fully committed to hepatitis surveillance and it has been collecting data for an extensive period of time, albeit in a non-standardised format.
24. Bearing in mind the aforementioned suggestions, the DSPs Strategies document was approved by the Management Board.

Item 3: ECDC Annual Work Programme 2010 (*document MB17/5 Rev.1*)

25. Philippe Harant, Planning and Monitoring Manager, ECDC, gave a presentation entitled 'ECDC Annual Work Programme for 2010'.³ The presentation focused on the processes and procedures leading up to the 2010 Annual Work Programme. He also pointed out the strategic shift toward disease-specific activities.

26. One Member expressed some concerns over the scope of ECDC's Annual Work Programme 2010, which she called 'highly ambitious'. She was also concerned that some activities, particularly campaign and toolkit materials, would fall outside ECDC's remit. As a solution, she suggested that ECDC should focus on surveillance and communication, as these areas represent ECDC's core competencies and reflect the Centre's mission most accurately. She also queried whether the allocation of resources has been carefully considered, as unforeseen events could cause budgetary impasses for ECDC.

27. The Director replied that, according to the Founding Regulation of ECDC, there are many areas of work for the Centre, and despite the importance of surveillance, the other areas cannot be neglected. This includes guidance as well as campaign toolkits, as outlined in the ECDC Strategic Multi-annual Programme (SMP) 2007-2013.

The Director also explained that all of ECDC's activities have a priority level assigned. In case of unforeseen events, ECDC could easily scale down on low-priority activities and reallocate means to more pressing activities. She recalled that in the event that reallocation exceeds 10%, approval by the MB shall be mandatory.

28. John F Ryan remarked that the European Commission had asked ECDC to assist with the implementation of Directives on blood, tissue and organ safety. Consequently, it should be added to the Annual Work Programme.

29. The representative of the European Commission and several Board Members were concerned about potential budget cuts and queried whether ECDC could produce an alternative work and budget plan that reflects a budgetary 'doomsday scenario'.

30. Although several Board Members were initially amenable to the idea of an alternative budget (soon to be dubbed 'Plan B'), there was no expressed majority for it. The consensus was that a 'Plan B' could wait until circumstances demanded it. There were also concerns that providing a 'Plan B' would make ECDC vulnerable to pre-emptive budget cuts. The Director pointed out that during the first reading of the EU Budget for 2010, ECDC had received many positive signals, thus she was not at all concerned that ECDC's budget would not increase as projected.

31. The Director also made clear that, prior to considering work on blood, tissue and organ safety, ECDC would have to review the impact this would have on existing regulations in Member States and also on ECDC's staffing plans, as additional experts would need to be hired. She also remarked that this topic would be discussed during an upcoming visit of SANCO C6 in ECDC Stockholm.

32. One Board Member urged ECDC to avoid the duplication of work. She referred to a comprehensive suite of guidance materials on HCAI produced in the UK that

³ Document MB17/5 Rev.1 - ECDC Annual Work Programme 2010 and PowerPoint presentation (P Harant).

could easily be adapted for use in all Member States. In his reply, Johan Giesecke informed that ECDC had repeatedly solicited aid from the Advisory Forum on the issue of avoiding duplication of efforts, albeit the AF had not been very forthcoming with its guidance in this area.

33. Prior to the final approval of the budget by the MB, the Director conveyed that the Annual Work Programme 2010 is conditional upon the approval of ECDC's budget by the European Parliament.

34. The MB approved the ECDC Annual Work Programme 2010 by consensus with the following stipulations:

- i) In case of unforeseen budget cuts, ECDC shall swiftly provide a revised and adapted budget ("Plan B").
- ii) All vaccination issues shall be thoroughly discussed with EMA and the European Commission.
- iii) The topic of blood, tissue and organ safety shall be reviewed during the upcoming visit of SANCO C6 in Stockholm, with a focus on ECDC staff capacity, and in view of existing regulations in Member States.
- iv) ECDC shall verify with its regulatory documents to ensure that all assistance provided by ECDC in the area of public health campaigns remains strictly within ECDC's mandate.

Item 4: Summary of discussions held at the 12th meeting of the ECDC Audit Committee (4 November 2009) including its recommendations (*documents MB17/6, MB17/7, MB17/8*)

35. In her presentation, Anni Hellman, Head of Administration, ECDC, summarised the meeting of the ECDC Audit Committee on 4 November.⁴

36. The following three documents were presented to the MB for approval: IAS Strategic Audit Plan 2010-2012 (Item 4a – Doc MB17/6), ECDC Fourth Supplementary and Amending Budget 2009 (Item 4b – Doc MB17/7) and ECDC Budget and Establishment Table 2010 (Item 4c – Doc MB17/8).

37. One Board Member inquired why the number of AD12 posts had doubled in the most recent Establishment Table. The Director replied that the Head of Unit posts were reclassified in order to make promotions possible.

38. In response to several questions on the allocation of budget amounts to Titles I through III, the Director pointed out that DSPs would fall under Title III, as they have no separate budget and are administered by the operational units.

39. In response to a request for further information on the doubling of expenses for social activities for the staff (document MB17/8, budget line position A-1801: 'Social contact between staff'), on A-2006 (cafeteria: 'restaurant and canteen cost'), the high amount for allowances, and the increase in mission expenses despite the increased use of teleconferencing and videoconferencing, Theodoros Orfanos, Head

⁴ Documents MB17/6, MB17/7, MB17/8 - Update from the 12th Audit Committee Meeting, 4 November 2009 and PowerPoint presentation.

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of Finance and Accounting, ECDC, replied that the high number of expatriate staff justified the doubling of the A-1801 budget line and that the allocated amount only represented 0.1037% of the total budget of 57 900 000 €. As to the restaurant/canteen cost, ECDC had to subsidise the cafeteria in order to make it commercially viable for the current contractor. Household and travel allowances, he continued, were expected to increase as ECDC attracted more senior staff that typically have families and are thus entitled to higher allowances. Meeting costs were expected to increase as more surveillance networks would be transferred to ECDC, which would cause additional travel needs.

40. In referring to the third paragraph of document MB17/8, the Representative from the European Parliament suggested that the term ‘medical doctors’ be replaced with ‘public health professionals’

41. The Management Board approved all three documents (MB17/6, MB17/7, MB17/8) by consensus.

Item 10: Technical briefing on ECDC’s work during the influenza A(H1N1) public health emergency

42. Angus Nicoll, Programme Coordinator, Influenza, ECDC, presented an update on the pandemic influenza situation.⁵ The ensuing discussion focused on the difficulties in predicting the further spread of the pandemic, vaccines and vaccine side effects. Initial publications on side effects were released by Sweden and the United Kingdom. Due to a late start, EuroMOMO’s monitoring efforts (<http://www.euromomo.eu/>) would produce results that would be published too late for this year’s pandemic.

43. One representative requested ECDC to provide additional communications materials for national decision-makers that include projections and scenarios for future developments.

Item 7: Extension of ECDC premises: Future building for the Centre (*document MB17/11*)

44. During her presentation entitled ‘Extension of ECDC Premises – Planning Phase’,⁶ Anni Hellman, Head of Administration, ECDC, established that the Centre will eventually require additional office space. She presented several options for further action (relocation, construction of a new building/annex) and outlined the process that would lead to more office space for ECDC.

45. The representative of the European Commission pointed out that the planning assumptions as presented in the previous MB meeting in June called for 400 work stations, yet the establishment table forecasted only 350 employees. This discrepancy was explained by Anni Hellman, namely, that 400 represented a figure that took into account both ‘maximum growth’ and the number of visitors (including Board and Advisory Forum members), freelancers, temporary employees or consultants working at ECDC.

46. The representative of the European Commission also raised the question of building and office standards: Did Swedish or EU Commission standards apply? The

⁵ Pandemic Session (A Nicoll).ppt.

⁶ Document MB17/11 - Extension of ECDC Premises and PowerPoint presentation (A Hellman).

Head of Administration replied that a new building would have to conform to Swedish regulations as well as European Commission regulations.

47. The representative of the European Commission cautioned of the imminent danger of making far-reaching decisions when the budget might not be available to meet the financial demands. The Head of Administration replied that an annex to the current building would be built and financed by the landlord (Akademiska Hus), while ECDC would not be confronted with any construction costs. Instead, ECDC would enter into a modified rental agreement with Akademiska Hus. All this could be covered by ECDC's standard budget.

48. One Board Member stated that without a 'decent' Seat Agreement, a new building could not possibly be constructed. Several members concurred and voiced their disappointment with the Swedish side, and also pointed out that Swedish support for ECDC lagged well behind the level of support given by other Member States to EU agencies in their respective countries.

49. The suggestion by the representative of the European Commission to propose to Akademiska Hus and Karolinska Institutet the creation of shared office and conference facilities was welcomed by Anni Hellman who promised to explore this idea further. She also agreed that, at least temporarily, teleworking would aid in reducing the pinch felt by the shortage of office space.

50. The Chair reiterated that ECDC needs to extend its premises, but no decision could be made until there was a final Seat Agreement. Further to this, the Head of Administration promised to present a detailed proposal on how to move this matter forward during the next MB meeting in March 2010.

Item 9: Working with Member States: Needs, expectations and capacities

51. In her presentation on 'Competent Bodies - update on the process to define the ECDC architecture' (Item 9a), Maarit Kokki, Coordinator of the Cabinet, Adviser to the Director, focused on the role of ECDC's Competent Bodies. The main conclusions were to simplify the ECDC terminology regarding the 'governing architecture', refine the terms of reference for Competent Bodies, and to facilitate coordination at all levels. Details are available in her presentation.⁷

52. Pat Troop and Fernand Sauer, two independent experts, presented nine slides on the findings of the ECDC MB Joint Working Group: Working with Member States: Needs, expectations and capacities'.⁸ The main issues were:

- openness about clarity of purpose, public health problems being addressed, and added value;
- language – lack of linguistic interface; and
- reducing complexity/improving coordination.

53. Following their presentation, the independent experts sought input and feedback from the Management Board. Due to a shortage of time, they proposed that

⁷ MB17(9a) - Working Relations between ECDC and the CBs (M Kokki).ppt.

⁸ MB17(9b) - Draft Report from the ECDC MB Joint Working Group (P Troop, F Sauer).ppt.

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Governance issue the respective PowerPoint presentation for their feedback and/or comments for eventual inclusion in the experts' analysis paper.

54. In anticipation of the discussion scheduled for the next day on the establishment of an MB Executive Committee (see item 6 below), one Board Member strongly disapproved of creating another body to assist the MB. She felt that establishing an 'inner group would be divisive' for the MB. She added that 'Executive Committee' was inappropriate as this would imply decisions and voting rights. The term 'Steering Committee' would be more fitting. The MB worked very well, she said, and another body was not needed.

Item 8: ECDC Health Communication strategy (*document MB17/12 Rev.1*)

55. In his presentation,⁹ Karl Ekdahl, Head of Health Communication, ECDC, stressed the strong communication mandate in ECDC's Founding Regulation and pointed out the strategic health communication challenges. ECDC's key target audiences are the public health professionals, policymakers and EU citizens. The Head of Health Communication presented the communication activities divided into scientific communication, public communication and country support.

56. The Members of the Board congratulated Karl Ekdahl on his presentation. A consensus appeared on the importance to communicate evidence-based results to the three above-mentioned target groups. A Member of the Board welcomed the production of summaries, emphasised the challenge to transform the knowledge into reality (given the economic and political elements) and proposed that ECDC emphasises the limitations posed by the Member States' differences. Another Member of the Board welcomed a strong corporate communication that would be beneficial for ECDC's credibility. A Member of the Board pointed out that *Eurosurveillance* is now well established. Another Member of the Board requested that ECDC be more proactive in informing the Member States about the unknown, namely, ECDC should clearly state the 'known' and the 'unknown' on a specific issues (e.g. risks for pregnant women).

57. A Member of the Board expressed concerns about this strategy's limits, in particular, for the organisation of information campaigns on health information and prevention. While the need exists, ECDC's resources shall be concentrated on communicating its evidence-based results, not on running campaigns by itself, but rather, facilitating and providing support to national campaigns. Another Member of the Board recalled that national interest shall be kept in mind, that is, ECDC campaigns should be run in consultation and cooperation with the Member States. Karl Ekdahl clarified that ECDC does not run any campaigns. He further remarked that the Centre lacks the financial and human resources to run its own campaigns and that Member States present too many differences. ECDC simply provides the tools that the Member States could choose to use.

58. A Member of the Board requested that the document clarifies the difference between health communication and risk communication as well as cooperation between ECDC and the HSC Communicators' network. On risk communication,

⁹ For more information, please see Karl Ekdahl's PowerPoint presentation.

Member States have their own policies and ECDC can ensure that there is no major controversy.

59. The Representative of the European Parliament pledged for the production of different reports for the different groups and emphasised the importance of keeping public health professionals, policymakers and EU citizens informed according to the Founding Regulation. It is a challenge, particularly when it comes to public health professionals: some of the publications should be published in their native languages in order to assist them in processing the numerous publications targeted toward them.

60. The Representative of the European Parliament expressed her concern that, in Greece, the US CDC and WHO are often quoted more frequently than ECDC. To increase ECDC's awareness in the general public, several Members of the Board suggested that national institutions should speak about ECDC as a reference institution in their countries. With respect to the distribution of ECDC's material, a Member of the Board suggested to take case studies and investigate how this distribution could be improved. Karl Ekdahl agreed on the case studies proposal as he perceives ECDC as a hub whereby information can be found. ECDC is setting up an extranet to support the sharing of information among Member States. Karl Ekdahl also informed the Board that ECDC is recruiting a Publications Officer who shall work on ensuring a wider distribution of the publications in the Member States.

61. The representative of the European Commission expressed concerns over the added-value of ECDC's communication activities for the Member States and suggested the inclusion of measurable indicators (e.g. for toolkits, public communications, leaflets, etc.). He also requested ECDC to assess the utility of multi-language. Karl Ekdahl affirmed that ECDC shall consult Member States increasingly on their needs. Some common activities for World AIDS Day per se could be planned. He also promised to share the report of the influenza tool kits' evaluation.

62. The Chair affirmed that the paper augurs well with the Founding Regulation, that the elements brought by the Members should be included and that the Board shall assess the work accomplished in a year's time.

63. In response to the Members of the Board, Karl Ekdahl stated that there were no major differences between the Members' views and his presentation. The goal of the communication is to add value; this is particularly true with ECDC's limited resources. He also clarified that important outputs are communicated in an appropriate format to the policy makers: the most recent example is a Q&A on vaccine developed together with EMA and the European Commission. In parallel, the same Q&A shall be simplified for non-scientific audiences. These Q&A shall also be distributed via the HSC Communicators' network that ECDC strongly supports.

64. The representative from DG Research highlighted that communication around influenza poses a major scientific challenge. DG Research will propose that communication will be a topic for research in the next call of Health Research in summer 2010.

65. A Member of the Board asked for additional details on ECDC linking with other communicators' networks and proposed to have a communication workshop on

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lessons learnt as soon as the first and second pandemic waves are over. Karl Ekdahl agreed on the proposal.

66. The Representative of the European Parliament insisted that the public can comprehend scientific information (e.g. the well received publication on adjuvant in Luxembourg) and recalled that communication to the general public is referenced in the Founding Regulation. Karl Ekdahl concurred with this view.

67. A Member of the Board requested that queries to ECDC from Members of Board should be treated in an appropriate way. Karl Ekdahl promised to consider the specific case at the coffee break.

68. The Chair found no major contradictions in terms of the paper and the remarks from the Members of the Board. The Board approved the paper, bearing in mind the remarks made by the Members. The Chair proposed to revisit the ECDC Health Communication strategy in a year's time.

Item 6: How to improve the work of ECDC's Advisory Forum and Management Board (*document MB17/11*)

69. In her presentation,¹⁰ Maarit Kokki, Coordinator of the Cabinet, Adviser to the Director, recalled the discussion initiated with the external evaluation and continued at the Advisory Forum and Management Board meetings. A discussion paper was presented at the Board in March 2009. Yesterday, when the Board discussed the ECDC Work Programme 2010, it was clear that the preparatory phases of the Board meetings on some important issues should be better addressed. However, some scepticism was also expressed. Today the Board shall consider the principle decision (yes/no) to establish a Steering Committee. It could be either a secured intranet based consultation based on the Board's document and/or a Board's Steering Group with rotating membership.

70. A delegate pleaded with the Board not to further postpone the decisions as laid down in the evaluation. This Member strongly supported the creation of a bureau or a group for a three-year period. Accordingly, the creation of this group would be useful notwithstanding the specific criteria of the respective Member States. Following an assessment, the Board could decide on whether to proceed or not. The group would prepare the meetings exclusively, without any decision-making powers. The seven members of the Steering Committee would be appointed based on a rotating scheme, with representatives of the European Commission and the European Parliament, as well as the Chair. The latter would lead both groups. The Steering Committee would provide the Board with a more formal structure of communication and a smoother decision process. Another Member of the Board recalled that the idea of creating a Steering Committee emanated from the experience (e.g. the necessity to create working groups and the lengths of the discussions on some issues). The creation of a small group without voting and decision powers was supported by other Members of the Board; however, one opined not to create a new body and another one insisted that the group should not have any decision-making or financial powers.

71. The Representative of the European Parliament supported the creation of an informal Steering Committee, conditional upon the preservation of a satisfactory

¹⁰ Notwithstanding Doc MB17/11, for more information, see Maarit Kokki's PowerPoint presentation.

balance of representatives between the Member States, the European Commission and the European Parliament. He also made reference to paragraph 12 (page 16) of the paper, and cautioned that it gives the impression of two different classes of citizens.

72. Several Members of the Board disagreed with the proposal to establish a new group. One delegate argued that the proposal had more disadvantages than advantages. Another representative recalled that the Board should adhere to the Founding Regulation, that is, the Board should represent the Member States, the European Commission and the European Parliament. While acknowledging the heavy workload of the Members of the Board, two members of the Board expressed concerns about the equity of the Board's representation. For instance, in preparing the meetings, some countries could gain more influence than others. One member pointed out that the group was *de facto* another body with the ECDC Director not listed as a Member. Proposals from Members of the Board to improve the Board's functioning without creating a new group varied. Various members favoured convening working groups comprised of individuals working voluntarily on strategic issues. Another delegate proposed that ECDC provides summaries of important documents.

73. Although acknowledging that the problems should be addressed, the Representative of the European Commission expressed concerns about creating a new body outside the Founding Regulation. An alternative mechanism would be to use tools that ease the inclusion of input into a document. Using new tools would enable the 27 Member States to work in unison and would provide sufficient time in which to provide fruitful feedback on the documents.

74. One member proposed a compromise, that is, to have a Steering Committee for a year in an advisory role.

75. In response to a Member of the Board who pointed out the fact that some countries can speak in their own language while others cannot, a Member of the Board recalled that the Board should avoid low standards. Current translations have a broader impact than simply for the respective countries. A representative of the European Parliament recalled that she raised the language issue several times to ensure that the Member States' representatives are able to speak and listen in their own language. The Board shall now decide whether to choose one language (for economic reasons) or all languages on a rotational basis. This point has been on-going since the first Board meeting and shall be addressed in the next Board meeting for decision.

76. The Representative of the European Parliament disagreed with the Chair's proposal to involve the new Director in the decision making. Ultimately, the Management Board shall decide on this matter.

77. The Chair summarised the state of play: some Members are opposed to the creation of a Steering Committee, some Members want to try it out for one year and then decide; and other Members are in favour of its creation. The Chair proposed an informal vote regarding its creation and recalled that a voting majority of two-thirds is required.

78. A few Members of the Board clarified that the proposal was the establishment of a small pilot group (not a Steering Committee) for a determined period of time

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without decision-making powers. The decision will be taken later on whether to carry it out or not.

79. The Chair proposed to put to the vote of the Board two questions. The first question was: “Do Member States agree to create a Steering Committee of not?” The second question was: “Do Member States agree to create a project for a year of a group that would prepare the meetings of the Board. The project would be evaluated in a year’s time?”

80. The majority of the Board voted against the first question.

81. The Board voted against a trial project of a group (8 votes against, 11 votes in favour, 1 abstention (the representative of the European Parliament). The project was rejected.

82. Due to time constraints, Item 12 (Update from ECDC Country Relations and Coordination) was dropped from the programme.

Item 14: ECDC vacancy notice for the Director of ECDC

83. At the request of the Chair, the Representative from the European Commission updated the Board on the advancement of the selection process regarding the new Director of ECDC. As a caveat, he could only release limited information as the selection process remains ongoing. He informed that the European Commission has received 160 applications that were reduced to 25 on the basis of the selection criterion in the vacancy notice. The intention is to secure a short list of four candidates, which will be communicated to the Board by the end of the year. In January 2010, an Extraordinary Meeting of the Board will most likely convene in order for Members to interview the candidates.

84. The Representative of the European Commission agreed to consider the request from the Representative of the European Parliament to provide a complete shortlist of the 25 applicants for transparency purposes. He also agreed to provide the Board with the applicable legal rules and regulations.

85. The Chair clarified that there will be an interim period, namely, the interviews will be conducted at the Extraordinary Board Meeting in January 2010, followed by the hearing at the European Parliament on 1 February 2010, at which time Zsuzsanna Jakab will leave ECDC. The Chair then suggested that the Board authorise the Director and the Chair to designate an acting Director in the event that the Board cannot meet in January.

86. This proposal was rejected by a Member of the Board who insisted that the Board should hold an Extraordinary Meeting in January. This Member stated that it is in ECDC’s interest to have a new Director in place as soon as possible. The Board shall exercise its rights to select both the Director and the acting Director in case of a vacancy. The Board could appoint the acting Director at the Extraordinary Meeting in January. If the Board does not meet in January, the Board will subsequently need to extend some powers to the Chair.

87. The Representative of the European Commission acknowledged the need to avoid an extensive vacancy period. Given that recruitments are never as imagined, he suggested that the Board give some powers to the Chair in case a fallback position is required. At the request of the Chair, he confirmed that scheduling the Extraordinary Meeting during the week of 11-16 January 2010 was a realistic proposal.

88. The Chair initially proposed to hold the Extraordinary Meeting on 15 January at 10:00 a.m. for a one-day meeting. However, a Member of the Board suggested that the shortlist of four candidates would be provided rather later than earlier and proposed to postpone the meeting until 22 January.

89. The Chair agreed that the Extraordinary Meeting of the Management Board convene on Friday, 22 January 2010, subject to the availability of the shortlist from the European Commission.

90. Furthermore, since the Acting Director should emanate from among ECDC staff members, his/her rapid appointment should be facilitated, notwithstanding the fact that the Board should exercise their right to appoint the Director and acting Director jointly. At the request of a Member of the Board, ECDC's Director clarified that she will be starting her new post on 1 February 2010.

91. At the request of the Representative from the European Parliament, the Representative of the Commission agreed to investigate the legislation and legal rules regarding the delegation of signatures and to present them at the meeting in January.

92. The Commission clarified that the Board's rules for the distribution of documents shall apply, or at least the urgent matter procedure, as a Member of the Board requested to receive the shortlist of candidates at least one week prior to the Extraordinary Meeting of the Management Board. The legal rules will be circulated as soon as possible.

93. Since the representative of the European Parliament pointed out that this was the optimistic scenario, the Commission agreed to investigate and present what should occur in the event that a Director disappears from office.

Item 13: Update on draft Seat Agreement (*document MB17/13*)

94. Anni Hellman, Head of Administration, ECDC, updated the Management Board on the draft Seat Agreement.¹¹

95. The Swedish Member of the Board recalled that Sweden has been offering premises since the creation of ECDC, first in the municipality of Solna for the start-up personnel of ECDC and subsequently at the prime minister's facilities for MB meetings. Karolinska institute initially expressed some interest in the current premises, but it subsequently made them available to ECDC. The Swedish Member of the Board expressed her availability to facilitate collaboration between Karolinska and SMI on the facility issue as regards reviewing possibilities for common conference spaces. Much work has been carried out on the personnummer issue, especially at the Ministry of Finance. The new number is now in place. ECDC had an agreement with the Council of Stockholm for healthcare services. A special agreement to have the primary healthcare with the same fee as Swedish citizens has been concluded in order to facilitate the lives of staff members. She added that living in Sweden provides several advantages (e.g. day care services for reasonable fees compared to other countries). The question of working spouses, however, is a complicated one, and the Commission is currently analysing it.

¹¹ For more information, please refer to Anni Hellman's PowerPoint presentation.

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96. The Members of the Board thanked the Swedish Member for her clarifications. Several Members pointed out that, while anxious to sign the Seat Agreement, an appropriate balance should be found between signing an acceptable Seat Agreement and delaying the process. For ECDC, signing an appropriate Seat Agreement is a question of attractiveness. Otherwise, the risk exists that ECDC will attract only Swedish employees. In terms of social healthcare, it seems that the matter has been resolved. In respect to diplomatic status, some concessions have been made, albeit some compromise can be made in order not to delay the Seat Agreement much further. Voting rights, though not a seat agreement issue, remain a very important matter.

97. Hakim Khenniche, Member of the ECDC Staff Committee, informed the Management Board that a new Staff Committee was elected three weeks ago. The new Committee conducted a survey regarding the new personnummer and concluded that there is a clear improvement. He stressed, however, that the personnummer is literally a person's identity in Sweden, and currently, the personnummer does not match the system. The representative explained that there are several concrete examples of difficulties regarding access to full services or service providers. The family statute is clearly an issue. If a spouse works in Sweden, he/she pays full taxes but receives no rights in return (pension, child allowance, social security). If the spouses earn too much, they will not be covered by the European Commission's social coverage either. Solving these issues will contribute to reducing the turnover in ECDC. In his closing remarks, the representative of the ECDC Staff Committee informed the Management Board that the presentation would be subsequently circulated to the Board.

98. A Member of the Board summarised that if some improvements are noticeable, some work still needs to be done. ECDC has existed in Sweden for five years. The fact that ECDC staff members are not entitled to vote is unacceptable. He then inquired what precisely the European Commission and the European Parliament are doing to address this matter. He then stated that he is prepared to raise this issue in Germany, and then acknowledged that while there are some advantages to living in Sweden, he is not prepared to sign the Seat Agreement today. He added that it is essential that ECDC staff have access to healthcare, including the right to vote.

99. The Chair clarified that it is not intended that the Board decide upon the draft Seat Agreement today. That being said, the Board has been discussing this matter for almost five years now and a decision will need to be made in due course. The Chair informed the Board that he sent a letter to the EU Health Commissioner to inform her about the voting issue during the last elections of the European Parliament. The legal service of the Commission is investigating the matter.

100. A Member of the Board expressed his amazement that some issues cannot be solved and recalled the problem an ECDC staff member had experienced in a Swedish hospital. He questioned how a staff member of an EU agency could be disadvantaged and inferred that such staff members would transfer to alternative agencies.

101. The Representative of the European Commission informed the Board that the European Commission is following up on a number of these issues with the Swedish authorities. The new personnummer was a major step forward according to the Swedish authorities. In the next few weeks, the Swedish administration and the

European Commission will meet to discuss social coverage for spouses. With regards to voting rights, the legal services are actively investigating this matter. He advised against signing a seat agreement in haste and added that the Swedish authorities are not obliged to sign such an agreement (and that several EU agencies do not even have a seat agreement).

102. The Chair clarified that the Board expects to sign a Seat Agreement and called for the two parties to be realistic. He also affirmed that a meeting would take place in a few weeks while conveying that the situation regarding spouses needs to be resolved rapidly due to the high turnover situation at ECDC.

103. The representatives from both the European Commission and the European Parliament welcomed the start of a social dialogue with the Staff Committee. The representative of the European Parliament stressed that some differences of treatment exist in the EU institutions and requested more information on the spousal question. If spouses of ECDC staff have no rights, the representative of the European Parliament is ready to challenge these rights given that EU citizens are entitled to freedom of mobility in the EU.

104. A Member of the Board expressed that he would not sign the Seat Agreement in its current form and highlighted the importance of ensuring that ECDC staff members are not unprivileged. Moreover, if this leads to the resignation of staff members, it will be a great loss for the Centre.

105. The Representative from the European Parliament stressed the significance of the problem and requested that the Seat Agreement issue be addressed at the beginning of the agenda for the next MB meeting. She also requested a copy of the letter that the Chair sent to the European Commission.

106. Hakim Khenniche clarified that the Staff Committee does not seek perfection but rather believes that it is important to secure ECDC's normal staff rights as EU citizens. He recalled that in Sweden, everything is linked to the personnummer; thus the key issue that remains unresolved is the personnummer to be recognised as any Swedish citizen's personnummer.

107. ECDC's Director underlined that she would welcome the signature of a Seat Agreement, even if it is not compulsory. ECDC currently has a Memorandum of Understanding. She conveyed that the new personnummer is a major step forward and proposed to assess its utility in a few months, relying on the staff committee's feedback. The new personnummer is not linked to the population register and thus the voting problem remains. The Board shall decide whether it wishes to link this point to the signature of the Seat Agreement. The new personnummer gives ECDC staff members the right to access healthcare throughout Sweden, including Swedish rates for primary healthcare in Stockholm. The Director affirmed that she would continue to carry out dialogue with the Swedish Government. Some issues regarding diplomatic status and VAT exemption remain outstanding; thus the Board needs to determine the overall importance of these issues. She added that support from the European Commission and the European Parliament on some of these issues will be highly useful.

108. Based on the aforementioned discussions, the Chair resolved that the Seat Agreement issue would be discussed in depth at the next Management Board meeting in March 2010.

Item 15: Other matters

109. Notwithstanding the proposed date for the next Extraordinary Board Meeting (22 January 2010),¹² the Chair also reminded the MB of the following dates for 2010:

- MB18: 17-18 March 2010 (ECDC Stockholm)
- MB19: 17-18 June 2010 (Lazareto, Spain)
- MB20: 9-10 November 2010 (ECDC Stockholm)

110. In closing, the Chair warmly thanked ECDC's Director for her exceptional contributions that have been achieved in record time throughout her tenure at the Centre, and he expressed his hope to express his gratitude for her work in an appropriate manner during the Extraordinary meeting of the Management Board in January 2010.

¹² Please refer to Footnote Number One above.