ECDC Management Board

MB11/Minutes
18 March 2008

Minutes of the Eleventh meeting of ECDC Management Board
Stockholm, 13–14 December 2007

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Summary of decisions

The Management Board:

- Adopted the minutes of the 10th meeting of the Management Board, held in Vienna, 20-21 June 2007;
- Approved the ECDC annual work programme for 2008;
- Approved a supplementary and amending budget 2007 including additional funds received as part of the ''Global Transfer exercise'' of the Community Budget amounting to €1 million and un-used funds from 2005 amounting to €794.000 + €58.000 increase in the contribution of EEA/EFTA countries;
- Approved the proposed budget at the level of 40,1 million, pending final decision of the budgetary authorities as well as the proposed establishment plan for 2008 foreseeing 40 new Temporary Agents posts;
- Approved the revised list of competent bodies to be published on ECDC website and agreed that it will be reviewed every two years;
- Approved to the dates of its meetings in 2008: 18-19 March in Stockholm, 17-18 June in Helsinki and 13-14 November in Paris with the meetings of the Audit Committee one day before each meeting of the Board;

The Management Board also:

- Noted the progress made in the activities of the Centre and thanked the Director and her staff for the work done in 2007;
- Noted the progress made towards the conclusion of a Seat agreement for ECDC, in particular arrangements made by Sweden to improve access to and cost of primary health care for staff; the Board asked for a clear timetable to be presented at the meeting in March 2008;
- Noted and supported the proposal to include the 3 candidate countries: Croatia, Turkey and the Former Yugoslav Republic of Macedonia in the activities of ECDC thru funds received from DG Enlargement;
- Agreed to set up a working group to review a number of outstanding items such as the indicators, ECDC scientific advice vs. recommendations, the country visits and the principles for working with competent bodies. The Board suggested that the working group that was set up previously could work on those issues but other members of the Board were welcome to express their interest as well.

Opening and welcome by the Chair

1. The Chair opened the 11th meeting of the Management Board and welcomed all representatives. A particular welcome was extended to newly appointed alternates: Dr Anne Catherine Viso and Dr Lars Schaade from France and Germany respectively and attending a meeting of the Management Board for the first time. Apologies were received from Belgium, Ireland and Lichtenstein. A proxy statement was given by Belgium to Germany who accepted it.

Item 1: Adoption of the Agenda *(documents MB11/ Rev.1, MB11/3 Rev.1)*

2. The agenda was adopted with one change at the request of the Director, namely to postpone the discussion on item 5 (indicators) until the March meeting of the Board. The Chair mentioned that no discussion was expected for items 19 and 20 which were on the agenda for information only unless specific comments or questions would be raised.

3. The Chair asked the participants to declare any interests they may have with regards to the agenda items and to use the form distributed in advance by the Secretariat. The Chair declared that his institute hosts a disease-specific network and Dr Anna Lönnroth (DG Research) declared that she had been invited to take part in the planning and preparation of the Antibiotic Awareness Day.

Item 2: Adoption of the draft minutes of the 10th meeting of the Management Board in Vienna, 14-15 June 2007 *(document MB11/4)*

4. The minutes of the 10th meeting were approved as presented in document MB11/4.

Item 3: ECDC Work Programme 2008 *(document MB11/5)*

5. The Director reminded the Board that, for the first time, the Annual Work Programme (AWP) took its point of departure from the Strategic Multiannual Programme (SMP) 2007-2013 adopted by the Management Board in June 2007. She recalled that it was the result of an exhaustive consultation with the Board, the European Parliament and the European Commission. A few comments from Member States (MS) were received and incorporated.

6. The Director presented the AWP, which was based on the following principles:
(1) the start up phase is over and ECDC is entering a new consolidation phase;
(2) the Centre's focus is now on content delivery;
(3) Partnerships with the MS, competent bodies and other institutions will be pursued and strengthened.

7. The Director also mentioned three areas of work: public health functions, additional focus on the disease specific work and partnerships. As requested by the Board, financial resources are linked to the AWP.

8. The Chair recalled that a two-thirds majority is necessary to approve the AWP and gave the floor to the members. As a whole, the European Commission, European Parliament and a majority of members expressed their satisfaction with the quality of the AWP. It was called ambitious, objective-oriented and well-thought out. The Director was thanked for all the work done on it in the past few months. The European Commission underlined that the AWP has been a joint effort during the last months.

9. The representative from DG Research expressed her satisfaction in seeing the AWP priorities really complementary to its work but requested to slightly rephrase the formal statement title 3, first bullet point by: "[…] continue fruitful collaboration with DG Research".

10. Other members acknowledged the link between financial resources and projects but suggested to also link human resources allocation to projects, specifying in particular internal scientific resources of the Centre and external resources. This would explain why some projects are more expensive then others. The Director agreed, stating that it would also help ECDC to monitor the implementation.

11. Germany, on the behalf of Belgium, reminded the Board that no decision was made on the indicators at the June meeting and that the question was now postponed to the March meeting. Belgium wished to draw attention to this point and called for a decision. The Director clarified that ECDC was working on indicators for the SMP and not the AWP and apologised again for the delay of 2,5 months stating that the indicators were a crucial commitment and ownership of all staff was still needed.

12. One member argued that it would be difficult to present results in 2008 for the three priorities listed in objective 3 (communicable disease and climate change). Priority should be given to quality and good results and therefore the work should continue into 2009 and beyond. The Director explained that the work started in 2007, and comments from the floor were accepted.

13. In answer to one member's objection that ECDC should deal and decide on the International Health Regulation (IHR) implementation, the Director clarified that ECDC would play its role on annex 1 and 2 and would not support a member state unless requested. ECDC has only a supportive role to the MS for the IHR upon request.

14. One member expressed some concerns on vaccination, in particular the setting up of the vaccine group. In the vaccine paper, the chair of the vaccine policy group from the MS chooses the members of this group. In his country, this person is responsible for vaccination, which means that this group deals with policy issues and it not a scientific advisory group. ECDC was called on to have small groups without necessarily a representative from each country to avoid unnecessary costs and was encouraged to base its scientific opinions on the work already done by MS. The Director clarified that the chair of the national immunisation committee are not mentioned in the work programme and proposed to have a discussion with the Advisory Forum (AF) to identify the gaps and find the best approach to cover them. Four modalities modulate the working group composition. Needs would prevail not nationalities.

15. One member reminded the Board that in some small MS one person deals with all the vaccination aspects and lack of resources. It is then crucial that ECDC gets its collaboration with the MS right.

16. One member advised to keep a clear balance between disease specific work and public health functions avoiding the disease specific work to become too dominant. The Director reassured the Management Board that the highest priority will be on public health functions for the coming years but ECDC needs to start consolidating its specific diseases projects. The balance will occur later but ECDC will probably always have these two entry points in its work.

17. The European Commission underlined its main priorities for the coming presidencies in 2008: patient issues, influenza vaccination and resistance to tuberculosis. President Barroso also wants close cooperation with DG Environment on 'Health and climate change'. ECDC was also invited to contribute. Concerning EWRS, the European Commission noted some technical and security issues. It acknowledged that the handover from the European Commission to ECDC took more time than foreseen. It reaffirmed that the policy agenda of the vaccination policy should stay in the hands of the MS. If a policy agenda was to be discussed, it could be split between the MS and the European Commission. The European Commission also called for a meeting to discuss the pertinence of setting up the committee on vaccines and reminded the participants that the division between risk Management and risk assessment should be handled carefully. With regards to work with countries outside the European Union, this could come through community programmes but there may also be ways to funds those programmes (like through WHO) that don't involve ECDC funds.

18. The Director agreed with all the areas mentioned where the European Commission need ECDC's inputs. The Director recalled the development of the tuberculosis action plan. ECDC is satisfied with the hand over the EWRS and hope it will grow up on its own. The Director concluded that the 2008 AWP is indeed ambitious but being ambitious is good. The Board qualified ambitious the 2007 AWP and yet ECDC almost entirely delivered it. The 2008 AWP is doable.

19. The Chair asked the members whether they approved the AWP with the few proposed amendment to be included by the Secretariat. A clear two-thirds majority of Members voted in favour of the approval.

Item 4 – Budget issues

Supplementary and amending budget 2007 *(document MB11/6 Rev.1)*

20. Jef Maes, Head of the administrative services unit recalled the written procedure that had been initiated on 4 December 2007 and before this meeting of the Board for the approval and allocation of the supplementary budget received by ECDC as part of the "Global transfer exercise" of the Community budget (€1 million) and also for allocation of the unused amounts from 2005 (€794.000 un-used from 2005 + €58.000 increase in the contribution of EEA/EFTA countries). In this regard, Jef Maes also mentioned that the European Commission had approved ECDC's use of unused money in its budget.

21. No objection was raised on the proposals made in the written procedure and the supplementary and amending budget was therefore approved as contained in the document.

22. The Board was also informed on the total budget transfers made by the Director within the provisions of Article 23.2 of Financial Regulation which amounted to 8.55% of the available budget 2007 in order to optimize the implementation of the programme of work for that year.

Budget and establishment plan 2008 *(document MB11/7 Rev.1)*

23. Jef Maes, Head of the Administrative Services Unit, explained that the proposed budget and establishment plan for 2008 was aligned with already expected financial perspectives. He added that the budgetary process was nearing completion and that an approval was expected to come from the European Parliament in the next week. The total proposed budget of €40,1 million includes a contribution of €800,000 by the EEA/EFTA countries and €200.000 from DG Enlargement for funding activities with the 3 candidate countries (Croatia, Turkey and the Former Yugoslav Republic of Macedonia).

24. The total number of posts as Temporary Agents foreseen in the establishment table for 2008 is for a maximum of 130 staff: 90 from previous years and 40 would be new staff recruited in 2008. Besides the Temporary agents, it is planned to detach additional experts from the MS or other organisations. The proposed budget allows detaching some 12 experts to the Centre. Contractual agents and interim staff will be employed either for technical or specialised tasks, short-term replacements or for project-based activities.

25. Some representatives pointed out that ECDC allocates 57% of its budget to administration and 43% to operations and asked for a breakdown showing more clearly allocations of funds and staff to the objectives. In this regards, it was clarified that ECDC follows the Commission's accounting system with the breakdown in 3 titles, however, Jef Maes replied by saying that efforts would be made next year to make the budget easier to understand with the provision of additional background documentation.

26. The Commission had a technical question of its own. It wanted to know what categories the EPIET fellows fall into in the budget. It also wanted to know what costs are covered by Title III.

27. To reply to one question from the representative of the Commission asking in which category of the budget the EPIET fellows fell, it was clarified that they are considered contract agents that used to come under Title III. A recommendation by the Court of Auditors said they are considered staff and their budget allocation was therefore moved to title I.

28. To a question regarding budget for outsourced activities and in particular surveillance networks, it was clarified that the disease specific networks which are outsourced are part of the budget and that all outsourcing done by ECDC is done by

open, transparent call for tender or proposal according to European Union financial rules.

29. On the subject of financing of the disease specific networks, the Director said that when they were outside of ECDC, their cost was approximately €12.6 million per year, being then financed by the Commission. Once all the networks will be transferred to ECDC the cost will be significantly lower.

30. The Chair then called for a vote on the budget and establishment table. The German representative, speaking for Belgium, said Belgium would approve the budget on the understanding that indicators are voted on in March.

31. The budget and establishment table were then approved by a two-thirds majority, as presented in the document.

Item 5 – Strategic Multiannual programme: revised annex II on indicators

32. As proposed by the Director, it was agreed to postpone this item until the March meeting of the Board. The Director also suggested that it would be helpful if members of the Board and of the Advisory Forum could work together on this before the March meeting.

Item 6 – Revised list of competent bodies *(document MB11/9)*

33. The Chair recalled that the Board approved the list of competent bodies at its meeting in June 2007 but postponed its publication until the list is more homogeneous and the number of designations reviewed by some countries.

34. The Director informed that modifications to the previous list were received from France and Slovakia and had been distributed. She also confirmed that the revised list would be posted on ECDC website (without contact details) and will be reviewed every two years to see if it needed updating.

35. The revised list with the amendments received was approved by the majority of the members and it was agreed to publish it on ECDC website.

Item 7: Date and place of the Management Board's meeting in 2008 *(document MB11/10)*

36. As in previous years, the Board agreed to hold 3 meetings in 2008. The following dates were proposed:

- 18-19 March 2008 in Stockholm
- 17-18 June 2008
- 13-14 November 2008

with the meetings of the Audit Committee the day before each Board meeting.

37. For the March meeting, a few members asked whether the dates could be changed as they were falling in the Easter week. The Secretariat proposed dates in the week before Easter, however, the majority of the members chose to maintain the proposed dates of 18-19 March 2008.

38. For the June meeting in 2008, the Board had received an official invitation from Finland to host this meeting in Helsinki which was already announced at the previous meeting of the Board. An invitation was also extended by France to host the November meeting in Paris. The representative of France said that the timing would be a good opportunity in the context of France's EU presidency the second half 2008 and the health issues that France will work on, in particular on the health security. In addition, during the discussion on this item, the representative of Poland informed the Board that Poland may also wish to host the meeting in November 2008 at the occasion of the 90th anniversary of the National Institute of Public Health. No official invitation had been received however by the Secretariat to this effect.

39. The Board was generally of the opinion that as a principle, it should not have more than one meeting outside Stockholm and preferably that should be the June meeting. However, and as an exceptional case, the Board agreed to accept France's invitation. It was further suggested that if the Board meets outside Stockholm it could be also the opportunity for the host country to make a presentation on a specific health topic.

40. The Chair asked the Director to develop terms of reference outlining the requirements for hosting meetings outside Stockholm. He also proposed that in the future invitations should be received by ECDC before the summer meeting to allow the Board to make a decision as early as possible on its meeting for the next year. The Director agreed to the proposal and will present a document to the Board in March 2008.

41. In conclusion the Board agreed to the dates and places of its meetings in 2008 as follows:

- 18-19 March 2008 in Stockholm
- 17-18 June 2008 in Helsinki at the invitation of Finland
- 13-14 November 2008 in Paris at the invitation of France

with the meetings of the Audit Committee the day before each Board meeting.

Item 8: General Strategy and Framework of Actions (2007-2013) for ECDC Cooperation with Microbiology Laboratories and Research Institutes in the EU *(document MB11/11)*

42. Johan Giesecke, Head of the Scientific Advice Unit, presented the proposed strategy for ECDC cooperation with microbiology laboratories and research institutes in the EU. Numerous internal and external consultations have and will continue to take place. A meeting of national microbiology focal points was convened at ECDC on 15-16 November to review the draft paper presented to the Board.

43. Although the approach of establishing a network of microbiology laboratories was overall supported, concern was expressed at the complexity of the subject and the possible duplication of work (WHO reference laboratories, EC reference laboratories strategy, etc.) and also at the possible competition among national laboratories for appointing reference laboratories when disparities existed. Very clear criteria were needed for these laboratory networks and microbiologists in the Member States with a considerable lag time to align their research with the new standards.

44. The Commission supported the work being done on this subject by ECDC and confirmed that it was complementary to the Commission initiative on a framework strategy which is also mentioned in its second public health programme. It was also clarified that the ultimate goal and added value of this initiative should be to increase the quality of surveillance.

45. Johan Giesecke said that indeed the laboratory structures are different in the MS, some MS have reference laboratories others do not, and a paper on the mapping of laboratories will be presented at the next meeting.

46. Andrea Ammon, head of the Surveillance unit, said that ECDC will not certify laboratories, but does have quality assurance as part of its mandate.

47. The representative of the Commission said there needed to be focused goals for the strategy as there are a limited number of pathogens that can be followed. It also suggested using the reference laboratory procedure used by the food sector as a model in this instance.

48. In conclusion, it was acknowledged that this issue is a complex one that needs a step-by-step approach and that the Board should further discuss this issue at its future meetings, once the Commission's policy paper is also finalized.

Item 9: Participation of Turkey, Croatia and the Former Yugoslav Republic of Macedonia in ECDC Activities *(document MB11/20)*

49. John O'Toole, External Relations and Partnerships, presented what will be ECDC's activities in Turkey, the Former Yugoslav Republic of Macedonia and Croatia. He said that €200,000 had been received form DG Enlargement and will be used for funding general preparedness and response, enhanced surveillance and pandemic preparedness activities, including possible participation by the three countries in ECDC meetings, country visits and meetings with the countries' health ministries.

50. One representative asked if the three countries had access to the EWRS system. Other members asked whether or not the cooperation created a precedent, what was the policy about the allocation of the money for the project going forward and what countries the program would be focusing on in the short term.

51. John O'Toole responded that the process had not reached the point yet where precise operation details would be worked out. EWRS issues therefore need further consideration. On the question of precedent setting, he responded that only countries in accession to or candidate for EU membership would be considered for such collaboration, as it is foreseen in the ECDC Regulation. The project's focus for the time

being would be on Croatia and Turkey because they are closer to becoming members of the European Union, and less so on the Former Yugoslav Republic of Macedonia as it is not in the same phase of accession as the other two countries. Finally, he also added that the strategy on external relations is being reviewed and an update will be presented to the Board next year.

52. The Chair closed the discussion by saying that the Management Board supports the project in the long-term.

Item 10: ECDC External Groups of Experts *(document MB11/17)*

53. Johan Giesecke, head of the ECDC Scientific Advice Unit explained the proposal to have four types of groups of experts:

a. scientific panels (experts in individual capacity)
b. representative working groups (MS representatives)
c. technical expert groups (experts in individual capacity)
d. scientific consultation groups (experts in individual capacity)

54. From the ensuing discussion, it was acknowledged that ECDC needs also to rely on the expertise of external experts. However, while supporting the structure the existing ECDC scientific panels, one representative raised concerns about the technical expert groups that produce policy guidelines. She suggested that these groups also review what is available in the Member States and that these panels are staffed with people who understand the policy dimension in the MS.

55. Another representative stressed the importance of maintaining the independence of ECDC in all situations. She also said that evaluation of the declaration of interest need to be clarified, as were the types of experts that will serve on these types of panels. The Competent Bodies could also be involved in this discussion.

56. The Director assured the Management Board that the experts in the scientific panels have gone through the same recruitment process as many other experts go through in the European Union. In this way, the best experts could be chosen.

57. The Chair concluded that this item was put forward to the Board for comments and that no decision was needed at this stage. He proposed to continue the discussion at the next meeting of the Board.

Item 11: Draft Annual Report of the Director: 2007 *(document MB11/15)*

58. The Director informed the Management Board that the draft Annual Report of the Director 2007 has been submitted to the management Board for guidance well ahead of the deadline for approval in March 2008. A discussion at this point was not needed, but comments on this draft could be submitted by email.

59. The vice-Chair highlighted that it is important to include in the Annual Report the link between the activities of the Centre and the budget. The ECDC Director clarified that the budget tables will be incorporated in the document to be submitted for the March Management Board meeting.

Item 12: Surveillance of communicable diseases in the European Union: a long-term strategy (2008-2013) *(document MB11/14 Rev.1)*

60. Andrea Ammon, Head of the Surveillance Unit, explained that the document submitted to the Management Board meeting for discussion and guidance had also been discussed with the AF and includes now a new chapter on the European added value of the long-term strategy. She took the opportunity to inform them that last week the new case definitions were adopted, and thanked all the people who gave input for this process. The contents of the strategy were then presented.

61. One representative highlighted that the main European added value of this strategy would be to strengthen those areas in Europe were surveillance is weaker. He pointed out that this strategy builds on an already very strong surveillance history in Europe. This was endorsed by the Chair, and also the representative of the European Commission agreed, adding congratulations to ECDC for framing the strategy. He then called attention to the legal basis of this work, with the European Commission acting as a 'guardian' of the activities, a responsibility for which the recently adopted new case definitions were vital. He added that the European Commission will also evaluate the EWRS and why there have been problems in some areas. Furthermore, he indicated that the European Commission will call on the ECDC and the MS to coordinate the work programmes with the new health programme.

62. Andrea Ammon explained that a main focus of the strategy is that high quality in the national surveillance systems be maintained in order to achieve an overall high quality, and ECDC is keen on assisting MS in achieving this.

63. In answer to a comment from the floor on responsibilities at the country level, Andrea Ammon explained that surveillance institutions in the countries should not fear losing control, as their responsibility for surveillance in their country is clear.

64. She also explained that when reference to a 'region' is made in the document, it means the European Union. To clarify another point, she explained that the Unit in ECDC responsible for event-based surveillance is the Preparedness and Response Unit, through its epidemic intelligence activities.

65. The Chair summarized that full support from the Board was given to this work.

Item 13: Update on the external evaluation of ECDC

66. The Chair of the Management Board Steering Committee, Hubert Hrabcik, briefed the Board on the work done so far by the external evaluator Ecorys Netherlands, in particular the inception report and the first interim report. It was mentioned that immediately after this Management Board meeting, the Steering Group would meet again with Ecorys to review the interim report. Afterwards, the Management Board will receive the report. He assessed that work was on the right track and the planning was realistic, so work could be completed as scheduled with the final report and conclusions expected mid-August 2008.

67. A question was asked regarding the potential risks in this evaluation process due to tight deadlines. The Chair of the Steering Committee explained that a potential risk may derive from the fact that the number of interviews has been increased, in order to gain a better overview and guarantee representative results.

Item 14: Vaccine preventable diseases: programmatic issues in the medium and long term horizon and role of ECDC in immunization policies *(document MB11/18)*

68. Pierluigi Lopalco, Project coordinator for the vaccine-preventable disease project, made a presentation on the work done and planned by ECDC in immunization policies. The Chair said that this was an important and sensitive issue that deserved a serious good discussion and that he would like to put this item on the agenda of the next meeting of the Board. In the meantime, he invited the participants to make brief comments.

69. The representative of Germany said that he had asked for a discussion on this item and regretted that the presentation was somewhat different from the paper

70. Another member asked how ECDC planned to deal with the overlap in its immunization policies with those of the European Medicines Agencies (EMEA) and WHO. It was important to know who is doing what and where.

71. ECDC was urged to focus on the prevalence of germs and to make sure that children are protected from them. Further research was needed into this matter.

72. One member suggested that a chart detailing how the different MS deal with vaccinations be added on the document on the vaccine preventable diseases to be presented at the next meeting of the Board.

73. Pierluigi Lopalco then responded to the queries from the Board members. He said that ECDC had worked very hard to prevent overlaps in the different duties of the organizations. ECDC is currently working closely with the European Commission, WHO, European Networks and national authorities.

74. In conclusion, it was agreed that this issue needed further discussion at a future meeting of the Board as well as a revised document.

Item 15: Seat agreement for ECDC: update on negotiations with the Government of Sweden

75. The Chair first briefed the Board on his visit, together with Robert Madelin (European Commission Director-General for Health and Consumer Protection) and the Director ECDC to Sweden's Minister of Public Health Maria Larsson, and the positive impression they gathered on the Government's commitment to finding a solution for outstanding issues regarding the Seat Agreement.

76. The representative from Sweden, then informed the Board on progress achieved with the Seat Agreement, focusing on three areas:

- Healthcare: An agreement was reached with the County Council of Stockholm in order to provide, from 1st January 2008 onwards, ECDC staff and their families with primary healthcare services under the same conditions as for Swedish nationals. If more complex healthcare treatments, e.g. involving surgery, were required, reimbursements would apply according to ECDC's existing Joint Sickness Insurance Scheme. It was highlighted that this was a special solution reached for ECDC and that no other international organisation present in Sweden had this kind of arrangement.

- ECDC staff not having a proper Swedish ID number but a 'coordination number' and the difficulties this causes: Work is ongoing through a special designated taskforce to reach a solution. An agreement is expected by mid 2008 in order to have new legislation in place by 2009. Meanwhile, agreement is being sought with the Swedish tax authorities so as to connect the current coordination number assigned to ECDC staff members to the State Personal Register (SPAR) in order to facilitate performing various business transactions.

- Privileges and security for the Centre: It was informed that work is ongoing on the issue of improving security for the Centre.

77. Before opening the floor for discussion, the Chair thanked the Swedish representative for the progress achieved in the area of healthcare. The Director also expressed gratitude to the Swedish authorities, in particular to the Minister of Public Health Maria Larsson and the Management Board member Irene Nilsson-Carlson for progress achieved and for solving the issue of healthcare access and payment. She then stated that the issue of the lack of a proper Swedish ID number for ECDC staff continues to be of concern, and that Swedish authorities had been presented with examples of concrete problems faced by staff members because of this. She added that next year work will continue on the issue of privileges and immunities for staff, as well as business continuity planning and security.

78. Several Members of the Board acknowledged the progress achieved but also expressed concerns on remaining difficulties. One representative called attention to the fact that, after two and a half years of ECDC operations in Sweden, staff continued to face problems because of the lack of a proper Swedish ID number, a situation that, according to his research, was not faced by European Union agency staff in other countries. Therefore, an urgent solution before 2009 is needed. A clear time schedule to be presented by Sweden at the March Board meeting as well as involvement of the European Commission on reaching a solution was requested. This proposal was supported by other members of the Board, with one member clarifying that the request is to be made in a conciliatory tone emphasising on the need to find a rapid and appropriate solution.

79. The European Parliament representative highlighted the fact that healthcare is a complex issue, and the fact that the European Commission has been working on a Directive on cross-border healthcare in the European Union and it waiting for certification on this matter. He added that the problems faced by ECDC staff in this regard have been discussed within the European Commission as well as with the members of the European Parliament and, with time passing, reaching a solution has become a matter of principle, as this issue relates to the freedom of movement, a right guaranteed by European Union law.

80. In answer to a request of the vice-Chair for legal advice on how to further push for a solution, ECDC's Legal Adviser explained that legal procedures of the host country need to be taken into account, and matters could not be pressed further as the solution includes changes in the country's legislation. To follow up on the request of the vice-Chair for legal advise from the Commission, the Director further clarified that legal advise would be sought from the Commission's legal services as soon as issues necessitating it would emerge.

81. The Swedish representative clarified that the timeline for a solution of the situation with the ID number is being pushed forward, but as several parts of Swedish society – including the business sector – are involved, this will take time. Linking the current ECDC staff coordination number with a personal register should improve the situation. She offered to put forward to the Minister of Finance the Management Board's firm request for speeding up the procedure to reach a solution.

82. The European Commission representative said that the agency's situation was evaluated in August, and the meeting with Swedish authorities mentioned by the Chair at the beginning of this discussion proves that the European Commission is following the issue very closely. He then requested Sweden to assess if the process can be speeded up.

83. Some members also added that the European Commission should ensure – before an agency is established in a country – that these kinds of issues are clarified, and that it should be assessed if the European Parliament could be drawn in if the report requested for the March Board meeting was not satisfactory.

84. The Chair concluded that a letter will be sent on behalf of the Management Board and the Director to the Ministry of Health and Finance to thank them for the progress achieved on the healthcare issue and to express concern that progress needs to be speed up on the remaining issues.

Item 16: Assessment of Member States' capacity to comply with the requirements of surveillance and response of Annex 1 of the revised International Health Regulations *(document MB11/16)*

85. Denis Coulombier, Head of the Preparedness and Response Unit, presented the ECDC planned activities to support MS in assessing the core requirements of Annex 1 of the revised IHR. He also talked about ECDC's participation in an upcoming meeting in Luxemburg, in mid December, with the IHR Focal Points.

86. A long debate followed the presentation. One representative expressed disagreement with the approach presented which seemed to be "an attempt to put IHR at EU level". He added that ECDC should only focus in offering support in the implementation of the IHR. This position was endorsed by several other members of the Board, with representatives mentioning that the IHR is a matter between WHO and the countries and that compliance is a country's responsibility. Countries already have limited resources and ECDC should therefore not impose any additional burden by requesting from them reports on how they are complying with the IHR.

87. One representative highlighted an area where ECDC can add value with regards to Annex 1, namely to provide an overview of requirements and criteria.

88. The Director called attention to the different approaches that the Management Board and the AF have taken on the IHR issue. The AF requested ECDC to increase its input to the implementation of the IHR, and therefore the corresponding assessment tool needed to be finalized by the end of 2007. Now the Board was raising different concerns. Therefore, it would be appropriate to bring AF and Board members together in order to clarify what the input of ECDC should be on this issue.

89. The European Commission representative briefed the Board on the work of this institution on the IHR. He mentioned the main areas where the European Commission work has been focusing on: the impacts on trade in the area of points of entry, as well as impacts on other policies; the need for a uniform level of progress in the MS in the implementation of the IHR, to avoid negative effects resulting from differences in, for example, airport operations. It was also explained that the Commission's audit services have requested the European Commission to prepare an assessment of the relationship between the IHR and the acquis communautaire.

90. The European Commission is following up the implementation of the IHR in order to detect any problems and their possible consequences on trade. The problems will be raised with the European Council.

91. One representative called the Board's attention to the importance of sharing data at European Union level and that ECDC has a role to play in this regard. He also wondered if there would be a mechanism to hold the MS accountable for the implementation of the regulation.

92. Denis Coulombier clarified that ECDC's role in the implementation of the IHR is to assist countries and offer guidance if needed. Countries will not need to make notifications for the IHR through ECDC. The Centre is not planning on sending out questionnaires to the countries, as this will be done by WHO. However, ECDC is interested in the information that countries send, as this is relevant to the Centre's activities. He also made the point that much of what is in the IHR is also contained in the ECDC Founding Regulation.

93. The Chair then summarized the discussion, stating that the MS have requested a clear position as to what ECDC's responsibility is regarding the IHR. In conclusion, the Board agreed that the document they were working from needed to be updated and that discussion would continue at the March Management board meeting.

Item 17: Director's briefing on main highlights of ECDC's work since the last meeting of the Board

94. The Director started to say that although the Work Programme 2007 may have looked ambitious, she was pleased to see that at this date it was almost entirely completed. The budget also reached a high level of execution. A written procedure had been initiated for the allocation of funds of the supplementary budget received by ECDC. ECDC should now commit the additional funds before the end of the year.. The planning of the 2008 Work Programme is the result of extensive consultation (see item

3). Concerning the list of indicators, ECDC carried on working on it but wishes to postpone the decision to the March meeting to gain further internal ownership by staff.

95. The Director briefed the Board on her annual hearing with the European Parliament and wished to raise two main issues. The members of the European Parliament put some pressure on the Director to make the reports from the country visits public. The Director sought guidance regarding to what degree these types of reports should be public. The MS' trust is important to the Director and also the fact that even confidential information is shared.

96. Regarding the delivery of scientific advice by ECDC, the Director also sought advice from the Board on whether ECDC should come up with straightforward recommendations or with options with pros and cons approach for MS to consider in their country.

97. The Director praised the smooth collaboration with the European Commission and stated that no strategic issues need to be discussed. The Director underlined the necessity of a close relationship with the World Health Organization (WHO). Early next year ECDC will host in a coordination committee meeting with WHO.

98. A majority of members supported the pros and cons approach based on scientific evidence. Some members recalled that the Founding Regulation requires ECDC to deliver scientific advice and does not mention the delivery of recommendations. The Human Papilloma Virus vaccination issue showed the difficulty of reaching an agreement, at the end, it is for the MS to decide on the basis of the pros or cons. Human Papilloma Virus vaccines for example are expensive and the question of prioritatisation for a government now arises.

99. The representative of the European Commission, DG SANCO informed the Board that this kind of discussion was also on-going in other agencies. All scientific opinions don't have the same complexity. Human Papilloma Virus is one example and it could be interesting to evaluate this case to see the impact at country level.

100. It was generally felt that although the Regulation was not always clear on this point, this is the legal framework in which ECDC has to work presently. After a lengthy discussion, it was agreed to discuss this issue again at the Board meeting in March and to look at the challenges and difficulties. ECDC will prepare a background paper with a few case studies.

101. On the issue of the language regime, the Director recalled that no decision had been reached at the last meeting of the Board and therefore same arrangements had been made for this meeting as previously. However, she drew the Board's attention to the fact that the additional mobile interpretation booth that was installed in the meeting room did not comply with security requirements as it was blocking the emergency exit and should there be any problem, ECDC will have to assume the full responsibility. The Vice-Chair recalled that the Board had asked the Commission at its last meeting in Vienna in June 2007, to provide legal advice on the issue of language for the Board meetings, in particular on what the situation is on established practices, taking into account the legal principle of acquired rights and expectations and to report back to the MB.

Item 18: Audit issues

102. The Board was briefed by Jef Maes, Head of the Administrative Services Unit, on the outcome of the 7th meeting of the Audit Committee which met on 12 December mainly to review the work plan of the ECDC Internal Auditor and the follow up report of the Internal Audit Services (IAS). The Committee noted that 19 of the 22 recommendations of the IAS were implemented and overviewed the Centre's intended response to three outstanding recommendations. The Committee also noted that ECDC is implementing a further recommendation on the separation of financial and accounting functions. Additionally, the Committee was informed on the budget execution.

103. After the presentation, the Director took the opportunity to introduce to the Management Board the ECDC Internal Auditor, Mr Stefan Sundbom. No questions or comments were raised from the floor.

Item 19. ECDC's architecture: roles and interactions of ECDC's stakeholders *(MB11/13)*

See paragraph 2 above.

Item 20. Terms of reference for country visits *(MB11/19)*

See paragraph 2 above.

Item 21. Update on the evaluation and assessment of the surveillance networks *(document MB11/21)*

104. Andrea Ammon, Head of the Surveillance Unit, briefed the Board on the methodology of the evaluation and assessment of the 14 surveillance networks which have been carried out so far, and on the main outcomes of this process. Details were given on the activities performed by the evaluation teams, and the status of the evaluation was summarized.

105. The Chair congratulated ECDC for this work and opened the floor for discussion.

106. Answering a question regarding the differences in time allocations for the transition process, Andrea Ammon explained that a time span of two to three years is related to the time it takes ECDC to build the internal capacity to take over the activities of the network.

107. The vice-Chair requested more details on why and how contracts for outsourcing the network activities were awarded, as it is confusing to see that the same institution that was running the network previously is awarded the new contract. The Director clarified that all calls for proposals were posted on the Centre's website in an open and transparent competition, with information on the specification and funds. If only one institution applied, and it met the criteria, it is awarded the contract. She added that this situation of limited numbers of candidates applying has happened mainly in the area of

the surveillance networks, due to the capacities needed in a hub in terms of staff, IT structure, and that those MS hosting these networks through contracts from the Commission invested substantial funding into them. Thus it might be difficult for another country or institute to take over.

108. The Director also explained that the calls needed to be made as the financial regulations do not allow for the continuation of the previous contracts by analogy. The representative of the European Commission, DG SANCO, endorsed this explanation on the impossibility of continuing with the contracts by analogy. He added that the European Commission has developed a strategy to avoid the situation that the same institutions are the only ones applying for the calls, e.g. through increased financial incentives for new proposals. This experience will be shared with ECDC in order to find a solution for this situation. This offer was acknowledged by the Director.

109. A Board member asked why the document submitted only included a summary of the evaluation and assessment of a few networks. The Director explained that the update that was being presented was not originally included as an item in the agenda of this Board meeting. The intention was to give the information, and therefore only a partial document had been submitted. The Board will receive an updated document later.

Item 22: Memorandum of Understanding between US CDC and ECDC and other matters *(document MB11/20)*

110. John O'Toole, External Relations and Partnerships presented this item and explained the ongoing negotiations with the US CDC to strengthen collaboration activities with ECDC. The Board supported the memorandum of understand between ECDC and the CDC in Atlanta.

111. The Chair closed the meeting, but acknowledged that some issues remain like the indicators, scientific advice vs. recommendations, country visits and principles for working with competent bodies. He asked for and got support from the Board on forming a working group to deal with these outstanding issues.