

General rules and working guidelines for the participation, functioning and governance of ECSO Working Groups and Task Forces

This document is designed to set out the working guidelines for the ECSO Working Groups (WGs) and Task Forces (TFs).

It is aimed at allowing a smooth and effective operation of the working groups and to minimise delays and inefficiencies which allow the business of the ECSO WGs / TFs to be conducted promptly and with due diligence.

Vision

- A thriving European Cyber Security market and ecosystem.
- Strong engagement between key stakeholders to support the implementation of cPPP objectives and KPIs (Key Performance Indicators) of the Industry Proposal (and as evolved, according to agreement with the European Commission for the cPPP monitoring).

Mission

- Work with committed stakeholders to define an environment that increases cybersecurity and counters threats in Europe.
- Promote the European Cybersecurity sector in general and the interests of the members of ECSO in particular.
- Work with all main stakeholders to define an environment that increases cybersecurity and counters threats but that is realistic, achievable and acceptable by the market.
- Provide support to the decisions of the Association, Partnership Board and Strategy / Coordination Committee and implement strategy decisions and recommendations from the Association, Partnership Board and Strategy / Coordination Committee.
- Encourage the funding of research and development that result in a stronger European cybersecurity industry to guide the research in the direction which is of most value to the security of Europe, of its economy and the cyber security industry.

Ethos

- The ECSO WGs exist to work in the interest of all members of ECSO.
- No agreement or engagement shall take place on competition issues that could be construed as breaching competition law.
- While working in ECSO WGs, efforts shall be focused on the common interests of the cyber security community and not the interests of individual Members or group of Members.
- The general spirit shall be one of co-operation. Differences and rivalries between private companies, public institutions or professional organisations that may impair the effectiveness of the working groups shall, when possible, be resolved by consensus.
- Any issues or concerns with fairness should be raised immediately with the Chairs and discussed.
- The ECSO WGs activities will strive for a maximum of transparency, democratic approach and representativeness as requested by the European Commission (EC), the Council and ECSO Members.

General Rules

Specific internal WG procedures (beyond transversal common WG rules) should be reviewed by the Governance / Ethics SubCommittee of the Financial Committee and then approved by the Board.

Working Groups objectives

According to ECSO Statutes Art 13.4: *"The Board of Directors shall consider and approve mission statements and terms of references issued for each Working Group or ad hoc Task Force, following suggestion from the Coordination & Strategy Committee"*.

Therefore, each WG should within 6 months of the kick off meeting of the WG and updated (as needed) on an annual basis, prepare specific short/mid/long term objectives, expected deliverables and Roadmap that will be reviewed and agreed by the Board and monitored by the Coordination and Strategy Committee (CSC). The Coordination and Strategy Committee will suggest, if needed, harmonisation measures (across WGs), of the objectives of each WG before presentation at the Board.

Composition and functioning of Working Groups

With particular reference to Article 13.2 of the ECSO Statutes and Articles 9.1 to 9.3, as well as articles 9.9 and 9.10 of the ECSO Bylaws.

- Without ignoring the existing differences between Members, countries, sectors, roles and competences, WG compositions should try, as much as possible, to reflect a balanced representation of these.
- Participation of a Member to a Working Group should be based on a strong commitment to the activities of the WG for the benefit of the whole ECSO community.
- Where possible, ECSO Members shall try to ensure continuity in their representation to ECSO and consistency of the positions taken by their representatives, and send a core group of people to the WG meetings.
- Each ECSO Member is defining its representatives / participants in the WGs. A mail to the ECSO Secretariat is requested to present / update the list of representatives for each Member.
- Consultants working for an ECSO Member can represent that Member provided he/she is formally authorised (mail sent to the ECSO Secretariat). The given Member remains responsible of the positions / statements of its consultant.
- As a general rule, attendance to ECSO WG meetings shall be limited to three people per Member (for each WG) and if there are space limitations this may be further be restricted to two or one (in any case, one person should be identified as the principal representative and contact person).
- Upon approval by the WG chair(s), additional participants, such as experts or representative of relevant organisations/bodies not member of ECSO, can be invited (on a case by case) to attend WG meetings as observers, without voting rights.

WG Chairs and sub-WG Chairs

With particular reference to Articles 9.4 to 9.7 of the Bylaws.

- According to the Bylaws, there could be one or more WG Chairs. It is on the WG to decide if there is a need to modify / enlarge the number of Chairs (for practical reasons, it should be avoided to have more than 3 ECSO WG general rules and working guidelines – Update 5 December 2017

Chairs for a topic). They are elected “ad personam” (bylaws art 9.4), first voted by the WG and then ratified by the Board. In order to better tackle different issues and improve coordination within a WG, sub Working Groups could be created. Each subWG could have one or more Chairs (representing a Member, not “ad personam”) elected by the WG (no need for Board ratification). If a Chair steps back from his / her position, a new vote will be needed, according to voting rules.

- WG Chairs and sub-WG Chairs shall be elected annually by the members of the WG (with exception of the first mandate - which is lasting two years - at the creation of the WG, to allow stability and continuity in the initial development of WG activities). Their mandate is renewable. In the initial period of a WG, it can be understood that for subWG new Chairs are introduced, when needed, according to a decision of the WG Chairs.
- If a Chair resigns before the end of his/her mandate or would like to be substituted, the WG can elect at any time a new Chair.
- WG Chairs role is to provide on overall coordination between the sub-WGs and consolidation of activity reports, figures, deliverables so that the Strategy Committee and when needed, the ECSO Board, have a comprehensive view of what’s going on in the WG.
- Sub-WG Chairs are responsible for coordinating Sub-WG activities (focused on one specific area) and reporting the sub-WG activities, upon the request of WG Chairs, to the Strategy Committee or to the ECSO Board, at meetings with the EC and presenting activities at external events.
- Sub-WG Chairs can delegate for a specific event/meeting to any active members following the general rules set in “General rules and working guidelines of ECSO working groups”.
- WGs can create "Steering WG Board" composed by WG Chairs and subWGs Chairs to coordinate the WG activities and the messages. Steering WG Boards should regularly communicate with WG members their positions and decisions (if any) to allow full transparency.

WG reporting / contacts with the EC

- WG Chairs and subWG Chairs are allowed to present official ECSO positions only after approval of the position by the ECSO Board.
- With exception of WG Chairs, WG members are not allowed to contact directly the EC "on behalf of the WG" unless agreement within the WG Chairs.
- Of course, ECSO members can contact independently any Body to present their opinion, but not on behalf of ECSO, if this has not been agreed by the WG (if needed, following a vote).
- Complaints for WG matters should be sent to the Secretary General who will immediately refer at higher or appropriate level to smoothly solve the issue. It will be the duty of the Secretary General to establish a fast and swift contact between the demanding members and the appropriate ECSO governance Body.

WG / TF positions and procedures for comments / suggestions on WG documents (also applicable to other WG decisions)

ECSO WGs are not the place to decide any policy, regulations or funding. ECSO with its WGs is not a lobbying body but is acting as an important advisor fostering dialogue among stakeholders, collecting their suggestions and converging them into shared positions.

ECSO WGs mission should present the impact of different scenarios and explain the different (market) aspects and representativeness in order to help the EC on their duties with clear positions reached by the WG.

Positions are initiated by “editors”, typically the WG Chairs or subWG Chairs, but editors could also be WG members agreed consensually (no veto). The ECSO Secretariat will provide support (or could even be an editor, if requested).

WG positions are defined based upon input from all WG members. Discussion at WG or TF meetings and / or with WG SB (Steering Board) will provide the paper structure and the initial messages.

Once the first draft has been written, editors can ask the WG SB (Steering Board, if existing) to review this draft before its circulation to all WG members.

WG members are requested to make comments / suggestions in track change via mails to the ECSO Secretariat that will upload them on the portal (in the future, direct upload from members will be possible). Comments / suggestions should be made typically in 2 weeks (duration defined by WG Chairs, but not lower than 1 week) and should be constructive and well detailed to help editors integrating them in the document. If a negative opinion is expressed about a certain position, the comment should provide useful justifications and propose alternative possible solutions.

Editors will comment on the suggestions and publish these comments on the portal (for transparency).

Editors will produce, possibly within 1 week after the end of the due date for comments, a new draft, in a “consensual approach”. Comments from members on draft positions should be duly considered in the review by the Editors as part of the process in the WG / subWGs to arrive at a well-founded and balanced consensus based opinion properly reflecting the views and analysis made through the process.

If more than one position exists on certain issues, these should be well identified and visible in the updated draft and treated at the same level (not as exceptions). Alternate positions may be subject to a vote following the guidelines provided below. The updated draft is sent to WG members for further remarks and discussion (1 week reaction time).

WGs Chairs or subWG Chairs are allowed to seek comments and consultancy on draft documents with external parties on WG topics (not formal positions of WGs), clearly mentioning that those are not approved positions by the WG or by the Board. The exchange of view is only made to accelerate the sharing of views and the feedback on certain items. WGs Chairs will report, if relevant, to the WG about these discussions.

This procedure for comments / suggestions could be repeated a number of times. Editors will decide when the document is reasonably stabilised and the opinions received in comments are properly represented. Editors will then send the document to WG1 chairs and WG SB to be considered for WG1 approval via a vote.

WG members sustaining “alternate positions” than those proposed, for instance, by the Chairs or the WG SB (for instance on a document or part of it), can ask for a vote (vote requested by at least 5 WG members, with no possibility to reject this request) declaring their intention to the ECSO Secretariat.

Final positions of WGs should be agreed by voting on the document (either in parts or as a whole) via the voting procedures as described in the following.

The final formal WG position will be agreed by the ECSO Board according to ECSO Statutes and Bylaws rules.

All formal ECSO documents should be presented as consequence of the work of the WG, without naming contributing companies or members, unless the WG decides, after voting, to recognise the special contribution of a particular member. Once a document reaches the voting majority needed to be delivered, the same should be considered as the official and valid contribution of the WG.

After a vote, if requested by WG members not supporting the majority position, it can be stated only in the minutes of the WG meeting or of the minutes of the vote (if the vote takes place via a collaborative tool) where the vote has taken place, which “named members” do not support this position (to protect representatives of those Members not favourable to the approved position).

WG / TF voting rules

Except in the case of formal positions or documents for public release, voting should take place only in exceptional cases when consensus (i.e. absence of a unique position) cannot be reached on major issues. Topics of a vote should have been discussed within the WG or have a written description of the issue.

The vote procedure should be as simple and applicable as possible. The procedure should be a way to show a democratic approach and the expression of a majority of effectively contributing members, while respecting the different points of view. It should not be used to slow down the process or delay higher level decisions with request of votes.

The voting procedure can be initiated either by the Chairs or by a group of at least 5 WG members.

For approval of a document, the final draft text should be proposed to all WG members for the voting procedure at least 1 week before the vote (for vote in face to face WG meetings) or starting of the vote (for remote voting).

The vote can take place for the full document (if consensual) and / or for the different alternatives in the document (alternatives should be clearly identified).

The same procedure can take place for voting on other WG issues: WG chairs or subWG Chairs, other issues. Silent approval is not applicable to WG decisions.

If a vote during a face to face meeting is envisaged (the meeting should be called 1 month in advance and the time of the vote should be well identified and agreed in the final agenda delivered 1 week in advance at the latest) the quorum is 50% of registered WG members having right to vote and present at the WG meeting, including proxies. Proxies are possible only in face to face meetings within the limit of 3 per member: proxies should be sent to the ECSO Secretariat.

For a remote vote, once informed of a vote and the text of the vote by the ECSO Secretariat, WG members having right to vote according to ECSO statutes and bylaws have 1 week to express their intention to vote (mail to ECSO Secretariat): these expressions of intent to vote form the 1st quorum. The following (second) week all WG members having right to vote can vote via email (if portal or web tools are not available). If members not registered as voters in the first week want to vote, the first quorum is increased as a consequence (but it will not decrease under any circumstances). No proxy is allowed in the case of a remote vote.

Both for voting in face to face WG meetings or for remote voting, a decision is obtained with at least a 2/3 of the defined quorum.

In any case, an opportunity is given to WG members unsatisfied of the procedure or of the results to inform the Board Chairs and Vice Chairs.

If a 2/3 majority is not reached, the WG Chairs go back once more only at WG level to review and finalise the different open issues and propose again new solutions following the previous procedure. If after a second voting a majority is still not reached, the issue is brought to the Board (the document / issue will be presented at the Board by representatives of the different positions). The Board will take the final decision (including the possibility to leave some alternate position as exceptions, in well-defined / described cases).

Secretariat support to WGs / TFs

The ECSO Secretariat will appoint an ECSO WG (or sub-WG) Support Manager for each WG (sub-WG), to be approved by the WG (sub-WG) Members. Approval of WG manager shall not be delayed or refused without serious and explicit reasons.

The ECSO WG Support Manager shall prepare draft minutes and / or regular updates of the WG activities under supervision of the WG Chairs and will have explicit validation prior to be distributed. Such reports shall be distributed to the WG / sub-WG Members and, when appropriate, to the Members of the Coordination & Strategy Committee.

The reports should clearly identify:

- The activity / objective
- The action points
- The target date
- The progress

Rules on external presentations

Large dissemination effort with generic ECSO presentations or panels around Europe to introduce the cPPP and ECSO membership is requested in the first years of ECSO. The Secretariat, but also Board Members, WG Chairs and Members can be invited to give general speeches as "independent" speaker.

A general ECSO presentation is typically updated (by-monthly) and sent to ECSO members. It can be adapted to each country and audience by Members for local presentations. ECSO members are strongly invited to present ECSO and the PPP at national (or European) meetings (to limit travel costs and allow local visibility).

The following process on external presentation can be adopted:

- EC high level presentations or general policy meetings (depending on the request from EU institutions, on the moment the invitation is received wrt the time of the event and availability of speakers): Board Chair, Vice Chairs, ECSO Secretariat representatives, regular ECSO WG attending members as appropriate (on rotation or on the basis of particular expertise, if appropriate).
- General ECSO presentation (for dissemination and promotion): Board Chair, Vice Chairs, ECSO Secretariat representatives, "local" (national / regional) ECSO members
- Topics related to EC Working Groups / Task Forces issues: WG Chairs (or sub-WG Chairs), ECSO Secretariat representatives, regular ECSO WG attending members as appropriate (on rotation or on the basis of particular expertise, if appropriate).
- Subject related meetings: regular ECSO WG attending members with a stake in that subject (as appropriate on rotation basis), ECSO Secretariat representatives, WG Chairs (or sub-WG Chairs), as appropriate.

At any time, the following procedure should be followed for presentations linked to WGs:

- Wherever possible, the selection of meeting attendees (if participation is limited), apart from WG Chairs or sub WG Chairs, will be conducted on the basis of rotation and ideally selections will be made during ECSO WG meetings (for what concerns WG issues). Where a particular expertise is needed or there is simply not time to engage all members, in such cases a decision will be made collectively by the Chairs (and if needed the sub-WG Chairs) to best represent the interests of the specific ECSO WG as a whole.
- Members shall inform the ECSO Secretariat about their interest in representing the WG.
- The persons who represent ECSO WG shall be active members of the working group.
- In general, when ECSO WG members represent ECSO externally the following rules shall be followed:
 - Views and interests expressed will be those of ECSO WG and not of individual Members.
 - ECSO participants should validate specific positions prior to meetings on specific WG issues.
 - Written reports of meetings shall be sent to the ECSO WG mailing list within 15 working days.

- Relevant information shall be shared with the WG: information obtained under the auspices of ECSO shall not be retained by individual Members.
- ECSO templates (with ECSO logo) should be used

ANNEX

REMINDER FROM ECSO STATUTES

Article 13 of ECSO Statutes

- 13.1 The Board of Directors can establish Working Groups (standing bodies) and ad hoc Task Forces (shorter term bodies) to consider specific matters of common interest within the Objective of the Association, under the supervision of the Coordination & Strategy Committee.
- 13.2 The composition of these groups shall be decided by the Board of Directors. Their main objective shall be to elaborate recommendations submitted to the Board of Directors.
- 13.3 Working Groups should be involved in the preparation of the SRIA and the consequent Multiannual Roadmap, in preparation of the R&I priorities for the Work Programme.
- 13.4 The Board of Directors shall consider and approve mission statements and terms of references issued for each Working Group or ad hoc Task Force, following suggestion from the Coordination & Strategy Committee.
- 13.5 The operational details of the functioning of the Working Groups are further detailed in the Bylaws.

Article 9 of ECSO Bylaws

- 9.1 The Working Groups of the ECSO Association are the main centres of activity within the Association. They shall always be involved in the preparation of the Strategic Research and Innovation Agenda and other relevant works issued by the Association. Task Forces may focus on sector-specific or cross disciplinary issues related to cybersecurity.
- 9.2 Each Member is expected to contribute actively to at least one Working Group, by designating its experts as members of the relevant Working Group. The operational details of the functioning of the Working Group are further detailed in the following articles.
- 9.3 Working Groups and Task Forces are established or dismissed by the Board of Directors. In particular, the Board of Directors shall, in its decision of establishment of a new Working Group or Task Force, define the activities of such Working Group or Task Force and assign its tasks and deliverables, which may thereafter be adapted, as the case may be, with the Working Group / Task Force Chair.
- 9.4 Typically, two Working Group / Task Force Chairs are appointed “ad personam” for each Working Group (or Task Force) either from Members representatives. They act in the interest of the Association. They are proposed by the Working Group / Task Force for approval by the Board of Directors.
- 9.5 The choice of the Working Group / Task Force Chairs should follow the same criteria as for the appointment of the members of the ECSO Board (Article 11.4.1 and 11.4.2 of the ECSO Statutes). At least one of the Chairs is a representative from the industrial cybersecurity sector.

- 9.6 The Working Group / Task Force Chairs will represent the Working Group / Task Force towards the Coordination & Strategy Committee and report regularly to this Committee about the activities of his/her Working Group / Task Force.
- 9.7 The Board may release a Working Group / Task Force Chair from his/her position upon his/her written request and initiate a re-election.
- 9.8 Decisions in the Working Groups and Task Forces are preferably taken by consensus. If a consensus is not reached, they are taken by a two thirds (2/3) majority vote (only representatives of Members are allowed to vote). Each Member represented in this Committee has one vote, providing compliance with Article 19 of the Statutes. Dissemination of the voting results should be made to all Working Group or Task Force members.
- 9.9 By suggestion of the NAPAG-GAG (c.f. Article 8), in agreement with the Board of Directors, participation in a specific Working Group and / or Task Force can be limited to a specific number and / or kind of Members, according to the sensitiveness of the issue.
- 9.10 The Chairs of the Working Groups / Task Forces may invite, under their responsibility, external observers to participate in their discussion, provided they contribute to the ECSO Objective.