

**DECISION No GB/2022/5**

**of**

**the Governing Board of the European Cybersecurity Industrial, Technology and Research Competence Centre (Competence Centre)**

**on the procedure for the appointment of the Executive Director**

THE GOVERNING BOARD,

Having regard to Regulation (EU) 2021/887 of the European Parliament and of the Council of 20 May 2021 establishing the European Cybersecurity Industrial, Technology and Research Competence Centre and the Network of National Coordination Centres ('founding Regulation'), in particular Article 13(3)(h) and Article 16,<sup>1</sup>

Having regard to the Governing Board Rules of procedure,<sup>2</sup>

WHEREAS:

- (1) By virtue of Article 13(3)(h) of the founding Regulation, the Governing Board shall take a decision on the procedure for appointing the Executive Director.
- (2) The aim of selection procedures is to identify the best-qualified candidates for the post to be filled.
- (3) It is desirable to adopt procedures compatible with those set out by the Commission for establishing the shortlist pursuant to Article 16(3) of the founding regulation.
- (4) Pursuant to Article 35 of the founding Regulation, when nominating candidates or proposing representatives, the Commission, Member States and other institutional and private sector stakeholders shall choose representatives from several candidates, where possible, and with the aim of ensuring gender balance.
- (5) The European Cybersecurity Industrial, Technology and Research Competence Centre ('ECCC') is an equal opportunities employer,

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<sup>1</sup> OJ L 202, 8.6.2021, p. 1–31

<sup>2</sup> ECCC DECISION No GB/2021/1, 20 October 2021.

HAS ADOPTED THE FOLLOWING RULES:

## CHAPTER 1 GENERAL PROVISIONS

### *Article 1*

1. This Decision lays down the rules on the procedure for the appointment of the Executive Director as referred to in Article 13(3)(h) of the founding Regulation.

## CHAPTER 2 SELECTION PROCEDURE

### *Article 2*

1. In accordance with Article 16(1) of the founding Regulation, the Executive Director shall be a person with expertise and a strong reputation in the areas where the ECCC operates.
2. The Executive Director shall be engaged as a temporary agent of the ECCC under point (a) of Article 2 of the Conditions of Employment ('CEOS')<sup>3</sup> in accordance with the Article 16(2) of the founding Regulation.
3. The selection procedure shall observe the principles enshrined in Article 12(1) and (2) of the CEOS.

### *Article 3*

1. In accordance with Article 16(3) of the founding Regulation, the Executive Director shall be appointed by the Governing Board from a list of candidates proposed by the Commission, following an open, transparent and non-discriminatory selection procedure.
2. Upon the receipt of the shortlist referred to in Article 3(1) the members of the Governing Board shall declare any potential or actual conflict of interest in respect of one or more shortlisted candidates. Where a potential or actual conflict of interest creating a risk of impairing the independence, objectivity and impartiality of the member of the Governing Board exists, the alternate member shall be requested to take part in the deliberations and the voting.
3. The voting shall take place in accordance with provision laid down in Article 15(1) of the founding Regulation and by secret ballot.

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<sup>3</sup> OJ L 56, 4.3.1968, p.1.

4. If the Governing Board fails to achieve consensus on this matter, it shall take its decision in compliance with the rules laid down in Article 15(2) and (5) of the founding Regulation and by secret ballot.

*Article 4*

1. Pursuant to Article 16(4) of the founding Regulation, for the purpose of concluding contract with the successful candidate, the ECCC shall be represented by the Chairperson of the Governing Board.

2. In accordance with Article 16(5) of the founding Regulation, the term of office of the Executive Director shall be four years. Before the end of that period, the Commission shall carry out an assessment which takes into account the evaluation of the performance of the Executive Director and the ECCC's future tasks and challenges.

CHAPTER 3 TRANSITIONAL MEASURES

*Article 5*

1. In case no candidate obtained the necessary votes during the appointment procedure of the first Executive Director of the ECCC, the interim Executive Director shall continue to execute the duties of the Executive Director until an Executive Director has been appointed, as laid down by Article 46(2) of the founding Regulation.

CHAPTER 4 FINAL PROVISIONS

*Article 6*

1. This Decision shall enter into force on the day following of its adoption.

Done at Brussels, on 16 February 2022

For The European Cybersecurity Industrial,  
Technology and Research Competence Centre