

European Politics and Governance

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EU Cybersecurity Agency (ENISA) and information and communication technology cybersecurity certification (Cybersecurity Act)

Subject Procedure file 2017/0225(COD)¹ Legislative Observatory² Proposal Date: 13/10/2017

PROPOSED ACT: Regulation of the European Parliament and of the Council.

The new proposed mandate seeks to give the Agency a stronger and more central role, in particular by also supporting Member States in implementing the NIS Directive and to counter particular threats more actively (operational capacity) and by becoming a center of expertise supporting Member States and the Commission on cybersecurity certification. Specially, it proposal seeks to establish; an EU Cybersecurity Agency, building on the European Agency for Network and Information Security (ENISA), which will improve coordination and cooperation across Member States and EU institutions, agencies and bodies; an EU cybersecurity certification framework that will ensure the trustworthiness of the billions of devices (Internet of Things) which drive today's critical infrastructures, such as energy and transport networks, and also new consumer devices, such as connected cars.

IMPACT ASSESSMENT: the impact assessment sought to mitigate problems such as the fragmentation of policies and approaches to cybersecurity across Member States; dispersed resources and fragmentation of approaches to cybersecurity across EU institutions, agencies and bodies; insufficient awareness and information of citizens and companies, coupled with the growing emergence of multiple national and sectoral certification schemes.

Are there reasoned opinions from national parliaments raising subsidiarity concerns?

Yes, 5 states contributed the proposal. 1 raised reasoned opinions – France. France's Senate (reasoned opinion), Germany's Bundesrat, Czech Republic's Chamber and Senate, Romania's Senate, Portugal's Parliament, Spain's Parliament.

- the Senate stresses that cybersecurity, given its importance to Member State security, is in many ways a matter of Member State sovereignty
- Member States should therefore still be able to adopt norms and standards that guarantee a higher level of security whilst remaining at the heart of the new European system

Which parliamentary committee is the lead committee? Industry Committee (ITRE)

Process: On 27 November 2017, the ITRE committee held a public hearing on the issue, and on 27 February 2018, the rapporteur had a meeting with experts and the European Commission. On 24 March 2018, there was an exchange of views on the proposal at the ITRE committee. On 27 March 2018, the committee draft report was published and on 23 April 2018 there was the consideration of the draft report at the ITRE committee. On 30 April 2018, the amendments tabled in committee were published. On 14 February 2018, the European Economic and Social Committee adopted its opinion on the proposal, where it supports it and asks the European Commission to consider a number of additional recommendations. **The Industry, Research and Energy (ITRE) Committee adopted its report on 10 July 2018, with 56 votes in favour, 5 against and with 1 abstention.** The first trilogue took place on 13 September 2018, the second on 1 October, the third on 5 November, the fourth on 22 November and the fifth on 10 December 2018. During the last trilogue, a compromise was reached. The deal will be put to the ITRE meeting on **14 January 2019 for approval.**

Rapporteur



NIEBLER Angelika

– Shadow rapporteur



KOUROUMBASHEV Peter



TOŠENOVSKÝ Evžen



TELIČKA Pavel



MATIAS Marisa



DALUNDE Jakob



TAMBURRANO Dario



LECHEVALIER Christelle

¹ <http://www.europarl.europa.eu/legislative-train/theme-connected-digital-single-market/file-jd-eu-cybersecurity-agency-and-cybersecurity-act>

² [https://oeil.secure.europarl.europa.eu/oeil/popups/ficheprocedure.do?lang=&reference=2017/0225\(COD\)](https://oeil.secure.europarl.europa.eu/oeil/popups/ficheprocedure.do?lang=&reference=2017/0225(COD))