



2022/0085(COD)

24.6.2022

AMENDMENTS

14 - 31

Draft opinion

Nils Ušakovs

(PE732.682v01-00)

Laying down measures for a high common level of cybersecurity at the institutions, bodies, offices and agencies of the Union

Proposal for a regulation

(COM(2022)0122 – C9-0122/2022 – 2022/0085(COD))

Amendment 14
Rasmus Andresen

Proposal for a regulation
Recital 8

Text proposed by the Commission

(8) In order to avoid imposing a disproportionate financial and administrative burden on Union institutions, bodies and agencies, the cybersecurity risk management requirements should be proportionate to the risk presented by the network and information system concerned, taking into account the state of the art of such measures. Each Union institution, body and agency should aim to allocate ***an*** adequate ***percentage of*** its IT budget to improve its level of cybersecurity; in the longer term ***a target in the order of 10% should be pursued.***

Amendment

(8) In order to avoid imposing a disproportionate financial and administrative burden on Union institutions, bodies and agencies, the cybersecurity risk management requirements should be proportionate to the risk presented by the network and information system concerned, taking into account the state of the art of such measures. Each Union institution, body and agency should aim to allocate adequate ***resources from*** its IT budget to improve its level of cybersecurity ***and to ensure at least a minimum level of cybersecurity corresponding to the risk assessment. The cost of ensuring cybersecurity is dependent on several factors such as size of the entity, need to ensure specific protections, surface of attacks and threat profile, and include fixed costs and a variable portion. Due to the ever increasing threats,*** in the longer term ***up to*** of 10% ***of an entity budget could be necessary to ensure an appropriate security level.***

Or. en

Amendment 15
Olivier Chastel, Martin Hojsik, Moritz Körner

Proposal for a regulation
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Or. en

Amendment 16
Olivier Chastel, Martin Hojsik, Moritz Körner

Proposal for a regulation
Recital 8 a (new)

Text proposed by the Commission

Amendment

(8 a) In the current geopolitical context, it is essential that the confidentiality of data be 24 hours a day, 7 days a week protected against cyber threat by specialised and operational teams.

Or. en

Amendment 17
Olivier Chastel, Martin Hojsik, Moritz Körner

Proposal for a regulation
Recital 8 a (new)

Text proposed by the Commission

Amendment

(8 a) In order to be able to guarantee an effective cybersecurity framework, CERT-

EU requires stable, highly qualified and specialised staff. Those staff should have access to continuous training programs.

Or. en

Amendment 18
Rasmus Andresen

Proposal for a regulation
Recital 8 a (new)

Text proposed by the Commission

Amendment

(8 a) Prior to the allocation of additional staff resources, the Commission should conduct an analysis of the needs, including with regards to the long-term perspective.

Or. en

Amendment 19
Olivier Chastel, Martin Hojsik, Moritz Körner

Proposal for a regulation
Recital 10 a (new)

Text proposed by the Commission

Amendment

(10 a) In its report of 15 February 2022 "Preliminary Remarks on Modern Spyware", the EDPS invited Members States to renounce the use and development on European soil of software such as Pegasus which might affect the right to privacy, the democracy and the rule of law, and could therefore be incompatible with the democratic values and the legal order of the Union;

Or. en

Justification

<https://www.clubic.com/antivirus-securite-informatique/virus-hacker-piratage/spyware->

Amendment 20

Olivier Chastel, Martin Hojsik, Moritz Körner

Proposal for a regulation

Recital 11

Text proposed by the Commission

(11) In May 2011, the Secretaries-General of the Union institutions and bodies decided to establish a pre-configuration team for a computer emergency response team for the Union's institutions, bodies and agencies (CERT-EU) supervised by an inter-institutional Steering Board. In July 2012, the Secretaries-General confirmed the practical arrangements and agreed to maintain CERT-EU as a permanent entity to continue to help improve the overall level of information technology security of the Union's institutions, bodies and agencies as an example of visible inter-institutional cooperation in cybersecurity. In September 2012, CERT-EU was established as a Taskforce of the European Commission with an interinstitutional mandate. In December 2017, the Union institutions and bodies concluded an interinstitutional arrangement on the organisation and operation of CERT-EU³. This arrangement should continue to evolve to support the implementation of this Regulation.

³ OJ C 12, 13.1.2018, p. 1–11.

Amendment

(11) In May 2011, the Secretaries-General of the Union institutions and bodies decided to establish a pre-configuration team for a computer emergency response team for the Union's institutions, bodies and agencies (CERT-EU) supervised by an inter-institutional Steering Board. In July 2012, the Secretaries-General confirmed the practical arrangements and agreed to maintain CERT-EU as a permanent entity to continue to help improve the overall level of information technology security of the Union's institutions, bodies and agencies as an example of visible inter-institutional cooperation in cybersecurity. In September 2012, CERT-EU was established as a ***permanent*** Taskforce of the European Commission with an interinstitutional mandate. In December 2017, the Union institutions and bodies concluded an interinstitutional arrangement on the organisation and operation of CERT-EU³. This arrangement should continue to evolve to support the implementation of this Regulation.

³ OJ C 12, 13.1.2018, p. 1–11.

Or. en

Amendment 21

Rasmus Andresen

Proposal for a regulation
Recital 14

Text proposed by the Commission

(14) In addition to giving CERT-EU more tasks and an expanded role, an Interinstitutional Cybersecurity Board (IICB) should be established, which should facilitate a high common level of cybersecurity among Union institutions, bodies and agencies by monitoring the implementation of this Regulation by the Union institutions, bodies and agencies and by supervising implementation of general priorities and objectives by CERT-EU and providing strategic direction to CERT-EU. The IICB should ensure representation of the institutions and include representatives of agencies and bodies through the Union Agencies Network.

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Or. en

Justification

It is important to ensure that the gender balance principle is respected in the newly established IICB.

Amendment 22
Rasmus Andresen

Proposal for a regulation
Recital 24 a (new)

Text proposed by the Commission

Amendment

(24 a) The gender equality and gender balance principles should be applied by all Union institutions, bodies and agencies in their appointment to the CERT-EU as well as in the allocation of their human resources concerning the IT

sector and cybersecurity. Targeted training and adequate resources shall be devoted to promoting the employment of women in the area of cybersecurity within all Union institutions, bodies and agencies in order to help to close the digital gender gap.

Or. en

Justification

It is import to include the gender equality and gender balance principles in the regulation.

Amendment 23

Olivier Chastel, Martin Hojsik, Moritz Körner

Proposal for a regulation

Recital 25 a (new)

Text proposed by the Commission

Amendment

(25 a) On 9 March 2022, the EU Ministers of Telecommunications signed a declaration calling on the Commission to create an Emergency Response fund for cybersecurity to prepare the Union to face up to a large-scale cyber-threat. They ask the Cyber authorities concerned to make recommendations aimed at strengthening the empowerment and the resilience of Europe's digital infrastructures and connexions.

Or. en

Amendment 24

Rasmus Andresen

Proposal for a regulation

Article 4 – paragraph 4

Text proposed by the Commission

Amendment

4. Each Union institution, body and agency shall have effective mechanisms in

4. Each Union institution, body and agency shall have effective mechanisms in

place to ensure that *an* adequate **percentage of** the IT budget *is* spent on cybersecurity.

place to ensure that adequate **resources from** the IT budget *are* spent on cybersecurity.

Or. en

Amendment 25
Rasmus Andresen

Proposal for a regulation
Article 4 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4 a. Each Union institution, body and agency shall ensure that the gender equality and gender balance principles apply in their appointments to the CERT-EU as well as in the allocation of their human resources for cyber security. Targeted training and adequate resources shall be devoted to promoting the employment of women in the area of cybersecurity within all Union institutions, bodies and agencies in order to help to close the digital gender gap.

Or. en

Justification

It is import to include the gender equality and gender balance principles in the regulation

Amendment 26
Rasmus Andresen

Proposal for a regulation
Article 9 – paragraph 3 – subparagraph 2

Text proposed by the Commission

Amendment

Members may be assisted by an alternate. Other representatives of the organisations listed above or of other Union institutions, bodies and agencies may be invited by the chair to attend IICB meetings without

Members may be assisted by an alternate. Other representatives of the organisations listed above or of other Union institutions, bodies and agencies may be invited by the chair to attend IICB meetings without

voting power.

voting power. ***The nominations of Members shall be made under the application of the principle of gender balance.***

Or. en

Justification

It is important to include the gender equality and gender balance principles in the regulation

Amendment 27
Rasmus Andresen

Proposal for a regulation
Article 12 – paragraph 7 a (new)

Text proposed by the Commission

Amendment

7 a. If the demand for chargeable services is higher than CERT-EU's available resources to provide for these services, CERT-EU shall prioritise demands based on a risk analysis and the risk profile of the institutions, bodies and agencies.

Or. en

Amendment 28
Nils Ušakovs

Proposal for a regulation
Article 15 – paragraph 2

Text proposed by the Commission

Amendment

2. For the application of administrative and financial procedures, the Head of CERT-EU shall act under the authority of the Commission.

deleted

Or. en

Amendment 29

Nils Ušakovs

Proposal for a regulation

Article 15 – paragraph 3

Text proposed by the Commission

3. CERT-EU tasks and activities, including services provided by CERT-EU pursuant to Article 12(2), (3), (4), (6), and Article 13(1) to Union institutions, bodies and agencies financed from the heading of the multiannual financial framework dedicated to European public administration, shall be funded through a distinct budget line of the Commission budget. CERT-EU earmarked posts shall be detailed in a footnote to the Commission establishment plan.

Amendment

3. CERT-EU tasks and activities, including services provided by CERT-EU pursuant to Article 12(2), (3), (4), (6), and Article 13(1) to Union institutions, bodies and agencies financed from the heading of the multiannual financial framework dedicated to European public administration, shall be funded through a distinct budget line of the Commission budget. CERT-EU earmarked posts shall be detailed in a footnote to the Commission establishment plan. ***The posts that are temporarily assigned shall be kept in the establishment plan of the donor institution during the temporary assignment, signalled with a footnote.***

Or. en

Amendment 30

Olivier Chastel, Martin Hojsík, Moritz Körner

Proposal for a regulation

Article 15 – paragraph 3

Text proposed by the Commission

3. CERT-EU tasks and activities, including services provided by CERT-EU pursuant to Article 12(2), (3), (4), (6), and Article 13(1) to Union institutions, bodies and agencies financed from the heading of the multiannual financial framework dedicated to European public administration, shall be funded through a distinct budget line of the Commission budget. CERT-EU earmarked posts shall be detailed in a footnote to the Commission establishment plan.

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every 2,5 years.

Or. en

Amendment 31
Rasmus Andresen

Proposal for a regulation
Article 23 – paragraph 1

Text proposed by the Commission

The Commission shall propose the reallocation of staff and financial resources from relevant Union institutions, bodies and agencies to the Commission budget. **The** reallocation shall be effective at the same time as the first budget adopted following the entry into force of this Regulation.

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The Commission shall propose the reallocation of staff and financial resources from relevant Union institutions, bodies and agencies to the Commission budget. **This** reallocation shall be effective at the same time as the first budget adopted following the entry into force of this Regulation. ***The reallocations shall be made under due consideration of the principle of gender balance.***

Or. en