



Policy Developments on Information and Network Security State of Play Bror Salmelin

Problem Statement & Policy Developments

- The challenges facing Internet security have become ever more pressing (eg Heartbleed and Shellshock)
- Economy is dependent on the level of Internet security
- To solve the problem: EU works on a mix of **voluntary** and **regulatory measures**:

EU MEASURES

- 1. Forthcoming regulatory measures: Proposed NIS Directive & data protection reform**
- 2. Voluntary measures: public-private NIS Platform**
- 3. Others: research**

FORTHCOMING REGULATORY MEASURES

(1) PROPOSED DATA PROTECTION REGULATION

Various sectors/actors
If personal information is processed

(2) PROPOSED DIRECTIVE ON NETWORK AND INFORMATION SECURITY (NIS)

Various across sectors/actors
All types of information (not limited to personal data)

(1) Proposal for a Regulation on Data Protection (2012/0011)

Obligations applying to data controllers when processing personal data :

- Builds on existing requirements (under data protection Directive)
- Apply appropriate technical and organisational measures (30.1)
- Measures must be "state of the art" ' appropriate to the risks"; Regular test, assessment and evaluation of the effectiveness of security policies
- Notify personal data breaches to authorities (art.31)
- DG JUST – Responsible DG

(2) NIS PROPOSAL FOR A DIRECTIVE

Rationale:

- Risks and incidents on the rise → Lack of trust, economic losses, missed opportunities
- Insufficient national preparedness and cooperation across the EU + fragmentation

Common NIS requirements

1) Improving National Capabilities:

- **NIS strategy and cooperation plan**
- **NIS competent authority**
- **Computer Emergency Response Team (CERT)**

Common NIS requirements

2) **Cooperation**: *NIS competent authorities to cooperate within a network at EU level*

- **Early warnings and coordinated response**
- **Capacity building**

Common NIS requirements

3) **Risk Management** :

- *public administrations and market operators take appropriate technical and organisational measures to manage the risks posed to the security of the networks and information systems which they control and use in their operations"*
- **Measures:**
 - State of the art, guarantee a level of security appropriate to the risk presented

4) **Incident Reporting**

NIS PROPOSAL - STATE OF PLAY

Council

- European Council Oct 2013: NIS essential for completion of Digital Single Market by 2015
- Progress Report was adopted at Telecom Council - December 5, 2013;
- Continues negotiation article by article

European Parliament

- Lead committee IMCO (ITRE and LIBE associated)
- ***Plenary vote took place in March 2014***

VOLUNTARY MEASURES: THE NIS PLATFORM

A public-private platform

- More than 200 participants
- 18 MS + Norway: ministries, NIS agencies, NRAs, CERTs
- Research & academia
- Industry: ICT, finance, post, transport, healthcare, defence, energy, water sectors

NIS PLATFORM

An inclusive and multi-stakeholder Platform

- Appropriate scientific, geographic, and sectorial coverage
- Driven by the participants

Identify and facilitate the up-take of risk management best practices

- Draw from international standards and best practices
- Cross-cutting / horizontal approach
- No imposition of standards

NIS PLATFORM

Prepare the ground for the implementation of the NIS Directive

- Guidance on risk management and information sharing
- Commission recommendations on cybersecurity (2015)



RESEARCH

Foster R&D investments

- Use H2020 to address ICT privacy and security
- Better coordination of research agendas
- Member States invited to develop good practices to leverage public procurement
- Public and private sector invited to develop harmonised metrics for calculating risk premia



European
Commission

Thanks!