



**2022/0084(COD)**

5.2.2025

## **DRAFT OPINION**

of the Committee on Industry, Research and Energy

for the Committee on Civil Liberties, Justice and Home Affairs

on the proposal for a regulation of the European Parliament and of the Council  
on information security in the institutions, bodies, offices and agencies of the  
Union

(COM(2022)0019 – C9-0121/2022 – 2022/0084(COD))

Rapporteur for opinion: Borys Budka

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## SHORT JUSTIFICATION

At present, the European Union institutions, bodies, offices and agencies (herein ‘Union entities’) have their own information security rules, that are based on their Rules of procedure or founding act, or they do not have information security rules at all. Small entities in particular might lack any formal information security policies. Simultaneously, the Union entities share increasing amounts of sensitive non-classified and European Union classified information (herein ‘EUCI’) between themselves. Given the evolving cyber and hybrid threat landscape, the European administration is increasingly exposed to attacks. The information handled by Union entities is an attractive target for threats and therefore requires appropriate protection.

The Rapporteur welcomes this proposal, which is part of the EU Security Union Strategy adopted by the Commission in July 2020. Due to the variety of different information security rules across the Union entities and the constantly evolving cyber and threat landscape that they are in, modernizing and streamlining the internal legal frameworks for information security in all Union entities by means of a Regulation is justified. Cooperation on information security between Union entities is advantageous for all actors in order to create an information security culture.

The fair processing of information is crucial for the European industry, in particular regarding trade secrets. Therefore, the rules regarding the processing of information in particular must be elevated to an adequate standard.

By virtue of their mandate, the Members of Union institutions should have access to all necessary information to carry out their tasks, on the basis of a need-to-know principle, which denotes that only those for whom access to that information is necessary to carry out their task effectively have access to it. Moreover, it is crucial to ensure that the Members of the European Parliament are given access to any type of information that is necessary in order to effectively exercise their mandate.

## AMENDMENTS

The Committee on Industry, Research and Energy submits the following to the Committee on Civil Liberties, Justice and Home Affairs, as the committee responsible:

### Amendment 1

#### Proposal for a regulation

##### Recital 1

*Text proposed by the Commission*

(1) Union ***institutions and bodies*** currently have their own information security rules, based on their rules of procedure or their founding act, or do not have such rules at all. In that context, each

*Amendment*

(1) Union ***entities*** currently have their own information security rules, based on their rules of procedure or their founding act, or do not have such rules at all. In that context, each Union ***entity*** invests

Union *institution and body* invests significant efforts in adopting different approaches, leading to a situation where exchange of information is not always reliable. The lack of a common approach hinders the deployment of common tools building on an agreed set of rules depending on the security needs of the information to be protected.

significant efforts in adopting different approaches, leading to a situation where exchange of information is not always reliable. The lack of a common approach hinders the deployment of common tools building on an agreed set of rules depending on the security needs of the information to be protected.

*(This amendment applies throughout the text except for article 3 (e) and art 42, 4(a). Adopting it will necessitate corresponding changes throughout.)*

*(See wording of article 3 (e).)*

Or. en

## Amendment 2

### Proposal for a regulation Recital 2

#### *Text proposed by the Commission*

(2) While progress has been made towards more consistent rules for the protection of European Union classified information ('EUCI') and non-classified information, the interoperability of the relevant systems remains limited, preventing a seamless transfer of information between the different Union *institutions and bodies*. Further efforts should therefore be made to enable an interinstitutional approach to the sharing of EUCI and sensitive non-classified information, with common categories of information *and* common key handling principles. A baseline should also be envisaged to simplify procedures for sharing EUCI and sensitive non-classified information between Union *institutions and bodies* and with Member States.

#### *Amendment*

(2) While progress has been made towards more consistent rules for the protection of European Union classified information ('EUCI') and non-classified information, the interoperability of the relevant systems remains limited, preventing a seamless transfer of information between the different Union *entities*. Further efforts should therefore be made to enable an interinstitutional approach to the sharing of EUCI and sensitive non-classified information, with common categories of information, common key handling principles *and where appropriate, common information system infrastructure on which information is handled, stored and transmitted by Union entities*. A baseline should also be envisaged to simplify procedures for sharing EUCI and sensitive non-classified information between Union *entities* and with Member States.

### Amendment 3

#### Proposal for a regulation

##### Recital 3

*Text proposed by the Commission*

(3) Therefore, relevant rules ensuring a common level of information security in all Union ***institutions and bodies*** should be laid down. They should constitute a comprehensive and coherent general framework for protecting EUCI and non-classified information, and should ensure equivalence of basic principles and minimum standards.

*Amendment*

(3) Therefore, relevant rules ensuring a common level of information security in all Union ***entities*** should be laid down. They should constitute a comprehensive and coherent general framework for protecting EUCI and non-classified information, and should ensure equivalence of basic principles and ***common*** minimum standards.

Or. en

### Amendment 4

#### Proposal for a regulation

##### Recital 3 a (new)

*Text proposed by the Commission*

*Amendment*

***(3a) Members of the Union institutions should have access by virtue of their mandate to all necessary information on the basis of the ‘need-to-know principle’ in order to exercise the powers vested to them by the Treaties.***

Or. en

### Amendment 5

#### Proposal for a regulation

##### Recital 3 b (new)

*Text proposed by the Commission*

*Amendment*

***(3b) When developing information security rules, Union entities should ensure efficiency and choose the best solutions, in particular as regards return***

*on investments, appropriate levels of flexibility, decrease of administrative burden, minimisation of risks, higher levels of transparency and improvement of the work environment.*

Or. en

## **Amendment 6**

### **Proposal for a regulation Recital 3 c (new)**

*Text proposed by the Commission*

*Amendment*

*(3c) In the context of information security, Union entities should increase organisational interoperability and act together to ensure the protection of networks and information systems, data and the assets employed to capture, store, process and transmit the information.*

Or. en

## **Amendment 7**

### **Proposal for a regulation Recital 5 a (new)**

*Text proposed by the Commission*

*Amendment*

*(5a) This Regulation should ensure that any limitation of the right to the protection of personal data and privacy is necessary and proportionate, in accordance with Article 52(1) of the Charter of Fundamental Rights of the European Union.*

Or. en

## **Amendment 8**

### **Proposal for a regulation Recital 5 b (new)**

*Text proposed by the Commission*

*Amendment*

***(5b) All information security measures involving processing of personal data should be compliant with the relevant Union data protection and privacy law. Union entities should provide relevant technical and organisational safeguards to ensure compliance in an accountable and transparent manner.***

Or. en

## **Amendment 9**

### **Proposal for a regulation Recital 5 c (new)**

*Text proposed by the Commission*

*Amendment*

***(5c) When implementing this Regulation, Union entities should strive to enhance transparency, minimise and limit in time the use of confidential documents, provide safeguards against use of classification that would prevent Union entities to fulfil their mission and ensure that whistle-blowers are adequately protected, while ensuring a high level of protection of information in line with Union law and best practices.***

Or. en

## **Amendment 10**

### **Proposal for a regulation Recital 6**

*Text proposed by the Commission*

*Amendment*

(6) This Regulation is without prejudice to Regulation (Euratom) No 3/1958<sup>17</sup>, Regulation No 31 (EEC), 11 (EAEC), laying down the Staff Regulations of Officials and the Conditions of Employment of other servants of the European Economic Community and the European Atomic Energy Community<sup>18</sup>, Regulation (EC) 1049/2001 of the European Parliament and of the Council<sup>19</sup>,

(6) This Regulation is without prejudice to Regulation (Euratom) No 3/1958<sup>17</sup>, Regulation No 31 (EEC), 11 (EAEC), laying down the Staff Regulations of Officials and the Conditions of Employment of other servants of the European Economic Community and the European Atomic Energy Community<sup>18</sup>, Regulation (EC) **No** 1049/2001 of the European Parliament and of the Council<sup>19</sup>,

Regulation (EU) 2018/1725 of the European Parliament and of the Council<sup>20</sup>, Council Regulation (EEC, EURATOM) No 354/83<sup>21</sup>, Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council<sup>22</sup>, Regulation (EU) 2021/697 of the European Parliament and of the Council<sup>23</sup>, Regulation (EU) [...] of the European Parliament and of the Council<sup>24</sup> laying down measures for a high common level of cybersecurity at the institutions, bodies, offices and agencies of the Union.

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<sup>17</sup> Regulation (Euratom) No 3/1958 implementing Article 24 of the Treaty establishing the European Atomic Energy Community (OJ 17, 6.10.1958, p. 406).

<sup>18</sup> OJ 45, 14.6.1962, p. 1385.

<sup>19</sup> Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43).

<sup>20</sup> Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

<sup>21</sup> Council Regulation (EEC, EURATOM) No 354/83 of 1 February 1983 concerning the opening to the public of the historical archives of the European Economic Community and the European Atomic Energy Community (OJ L 43, 15.2.1983, p. 1).

<sup>22</sup> Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the

Regulation (EU) 2018/1725 of the European Parliament and of the Council<sup>20</sup>, ***including the rules on international transfers of personal data***, Council Regulation (EEC, EURATOM) No 354/83<sup>21</sup>, Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council<sup>22</sup>, Regulation (EU) 2021/697 of the European Parliament and of the Council<sup>23</sup>, Regulation (EU) [...] of the European Parliament and of the Council<sup>24</sup> laying down measures for a high common level of cybersecurity at the institutions, bodies, offices and agencies of the Union.

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<sup>17</sup> Regulation (Euratom) No 3/1958 implementing Article 24 of the Treaty establishing the European Atomic Energy Community (OJ 17, 6.10.1958, p. 406).

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<sup>19</sup> Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents (OJ L 145, 31.5.2001, p. 43).

<sup>20</sup> Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

<sup>21</sup> Council Regulation (EEC, EURATOM) No 354/83 of 1 February 1983 concerning the opening to the public of the historical archives of the European Economic Community and the European Atomic Energy Community (OJ L 43, 15.2.1983, p. 1).

<sup>22</sup> Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the



Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193, 30.7.2018, p. 1).

<sup>23</sup> Regulation (EU) 2021/697 of the European Parliament and of the Council of 29 April 2021 establishing the European Defence Fund and repealing Regulation (EU) 2018/1092 (OJ L 170, 12.5.2021, p. 149).

<sup>24</sup> Regulation [...] of the European Parliament and of the Council laying down measures for a high common level of cybersecurity at the institutions, bodies, offices and agencies of the Union, to be adopted

Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193, 30.7.2018, p. 1).

<sup>23</sup> Regulation (EU) 2021/697 of the European Parliament and of the Council of 29 April 2021 establishing the European Defence Fund and repealing Regulation (EU) 2018/1092 (OJ L 170, 12.5.2021, p. 149).

<sup>24</sup> Regulation [...] of the European Parliament and of the Council laying down measures for a high common level of cybersecurity at the institutions, bodies, offices and agencies of the Union, to be adopted

Or. en

## Amendment 11

### Proposal for a regulation Recital 8

#### *Text proposed by the Commission*

(8) With a view to establishing a formal structure for cooperation between Union ***institutions and bodies*** in the field of information security, it is necessary to set up an Interinstitutional Coordination Group (the ‘Coordination Group’) in which all Union institutions’ and bodies’ Security Authorities are represented. Without having decision-making powers, the Coordination Group should enhance the coherence of policies in the field of information security and should contribute to the harmonisation of the information security procedures and tools across the Union ***institutions and bodies***.

#### *Amendment*

(8) With a view to establishing a formal ***common*** structure for cooperation between Union ***entities*** in the field of information security, it is necessary to set up an Interinstitutional Coordination Group (the ‘Coordination Group’) in which all Union institutions’ and bodies’ Security Authorities are represented. Without having decision-making powers, the Coordination Group should enhance the coherence of policies in the field of information security and should contribute to the harmonisation of the information security procedures and tools across the Union ***entities***.

## Amendment 12

### Proposal for a regulation

#### Recital 12

##### *Text proposed by the Commission*

(12) The principle of information security risk management should be at the core of the policy to be developed in the field by each Union ***institution and body***. While the minimum requirements laid down in this Regulation must be met, each Union ***institution and body*** should adopt specific security measures for protecting information in accordance with the results of an internal risk assessment. In the same way, the technical means to protect the information should be adapted to the specific situation of each ***institution and body***.

##### *Amendment*

(12) The principle of information security risk management should be at the core of the policy to be developed in the field by each Union ***entity***. While the ***common*** minimum requirements laid down in this Regulation must be met, each Union ***entity*** should adopt specific security measures for protecting information in accordance with the results of an internal risk assessment. In the same way, the technical means to protect the information should be adapted to the specific situation of each ***Union entity***. ***However, the specific security measures should not constitute an impediment for the activity of other institutions and legal access to information, such as for example unduly limiting the access of the Members of the European Parliament to the information produced or held by the Commission.***

Or. en

## Amendment 13

### Proposal for a regulation

#### Recital 14

##### *Text proposed by the Commission*

(14) With the purpose of adjusting to the new teleworking practices, the ***networks*** used for connecting to the Union ***institution's or body's*** remote access services should be protected by adequate security measures.

##### *Amendment*

(14) With the purpose of adjusting to the new teleworking practices, the ***network information systems, digital infrastructure and terminal devices*** used for connecting to the Union ***entity's*** remote access services should be protected by adequate security measures.

Or. en

## Amendment 14

### Proposal for a regulation Recital 15

*Text proposed by the Commission*

(15) Since Union ***institutions and bodies*** frequently make use of contractors and outsourcing, it is important to establish common provisions relating to contractors' personnel carrying out tasks related to information security.

*Amendment*

(15) Since Union ***entities*** frequently make use of contractors and outsourcing, it is important to establish common provisions relating to contractors' personnel carrying out tasks related to information security. ***Such provisions should include a requirement to undergo a vetting procedure as part of the tender procedure. That procedure should take into account the full supply chain and the operational environment of the third party contractors.***

Or. en

## Amendment 15

### Proposal for a regulation Recital 17 a (new)

*Text proposed by the Commission*

*Amendment*

***(17a) The Union entities should apply Regulation (EU) 2018/1725 of the European Parliament and of the Council<sup>1a</sup> (EUDPR) when dealing with personal data breaches in their procedures for information security incident management. Therefore, the Union entities should adopt a personal data breach handling procedure.***

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***<sup>1a</sup> Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC***

## Amendment 16

### Proposal for a regulation Recital 18

*Text proposed by the Commission*

(18) The protection of EUCI is also ensured by technical and organisational measures which apply to the premises, buildings, rooms, offices or facilities of the Union ***institutions and bodies*** where EUCI is discussed, handled or stored. This Regulation provides for the implementation of an information security management process in the area of physical security which would allow Union ***institutions and bodies*** to select the appropriate security measures for their sites.

*Amendment*

(18) The protection of EUCI is also ensured by technical and organisational measures which apply to the premises, buildings, rooms, offices or facilities of the Union ***entities*** where EUCI is discussed, handled or stored. This Regulation provides for the implementation of an information security management process in the area of physical security which would allow Union ***entities*** to select the appropriate security measures for their sites. ***A thorough evaluation of security infrastructure, including services, should be carried out. That evaluation should take into account the full supply chain and the operative environment.***

## Amendment 17

### Proposal for a regulation Recital 21

*Text proposed by the Commission*

(21) Union ***institutions and bodies*** have been traditionally developed their communication and information systems autonomously, with insufficient attention to their interoperability across all Union institutions and bodies. It is therefore necessary to establish minimum security requirements concerning the Communication and Information Systems (CISs) handling ***and*** storing both EUCI and non-classified information with the aim to guarantee a seamless exchange of

*Amendment*

(21) Union ***entities*** have been traditionally developed their communication and information systems autonomously, with insufficient attention to their interoperability across all Union ***entities***. It is therefore necessary to establish minimum security requirements concerning the Communication and Information Systems (CISs) handling, storing ***and transmitting*** both EUCI and non-classified information with the aim to guarantee a seamless exchange of

information with the relevant stakeholders.

information with the relevant stakeholders.

Or. en

## Amendment 18

### Proposal for a regulation Recital 21 a (new)

*Text proposed by the Commission*

*Amendment*

***(21a) The information held by the Union entities is also exchanged through the ICT environment, on-premises or through virtual assets, ICT products, ICT services and ICT processes as well as any network and information system whether owned and operated by a Union entity, or hosted or operated by a third party, including mobile devices, corporate networks, and business networks not connected to the internet and any devices connected to the ICT environment.***

Or. en

## Amendment 19

### Proposal for a regulation Recital 24

*Text proposed by the Commission*

*Amendment*

(24) The close cooperation between Union ***institutions and bodies*** as well as the multitude of synergies developed among them involve the sharing of a large amount of information. For the sake of the classified information security, the ***trustworthiness of a Union institution or body*** should be assessed before they handle and store a specified level of EUCI.

(24) The close cooperation between Union ***entities*** as well as the multitude of synergies developed among them involve the sharing of a large amount of information. For the sake of the classified information security, the ***capabilities of the Union entities to handle, store and transmit EUCI*** should be assessed before they handle and store a specified level of EUCI.

Or. en

## Amendment 20

**Proposal for a regulation**  
**Recital 29**

*Text proposed by the Commission*

(29) The European Data Protection Supervisor was consulted in accordance with Article 42 of Regulation (EU) 2018/1725 **of the European Parliament and of the Council**<sup>27</sup> and delivered an opinion on ...

*Amendment*

(29) The European Data Protection Supervisor was consulted in accordance with Article 42 of Regulation (EU) 2018/1725 and delivered an opinion on ...

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<sup>27</sup> **Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018).**

Or. en

**Amendment 21**

**Proposal for a regulation**  
**Article 1 – paragraph 1**

*Text proposed by the Commission*

1. This Regulation lays down information security rules for all Union ***institutions and bodies***.

*Amendment*

1. This Regulation lays down ***common*** information security rules for all Union ***entities***.

Or. en

**Amendment 22**

**Proposal for a regulation**  
**Article 3 – paragraph 1 – point e**

*Text proposed by the Commission*

(e) ‘***Union institutions and bodies***’ means the Union institutions, bodies, offices and agencies set up by, or on the

*Amendment*

(e) ‘Union ***entities***’ means the Union institutions, bodies, offices and agencies set up by, or on the basis of, the Treaty on

basis of, the Treaty on European Union, the Treaty on the functioning of European Union, the Treaty establishing the European Atomic Energy Community or a legislative act;

European Union, the Treaty on the functioning of European Union, the Treaty establishing the European Atomic Energy Community or a legislative act;

Or. en

## **Amendment 23**

### **Proposal for a regulation**

#### **Article 3 – paragraph 1 – point s**

*Text proposed by the Commission*

(s) ‘zero trust’ means a security model, a set of system design principles, and a coordinated cybersecurity and system management strategy based on an acknowledgement of the existence of threats inside and outside traditional network boundaries;

*Amendment*

(s) ‘zero trust’ means a security model, a set of system design principles, and a coordinated cybersecurity and system management strategy based on an acknowledgement of the existence of threats inside and outside traditional network boundaries ***and 'never trust, always verify' concept;***

Or. en

## **Amendment 24**

### **Proposal for a regulation**

#### **Article 3 – paragraph 1 – point ae a (new)**

*Text proposed by the Commission*

*Amendment*

***(aea) ‘standard’ means a standard as defined in Article 2, point (1), of Regulation (EU) No 1025/2012;***

Or. en

## **Amendment 25**

### **Proposal for a regulation**

#### **Article 4 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***1a. The Members of the Union institutions shall have access to all necessary information on the basis of the***

*need-to- know principle for the effective exercise of their mandate in accordance with the Treaties.*

Or. en

## Amendment 26

### Proposal for a regulation

#### Article 4 – paragraph 6 – subparagraph 2

*Text proposed by the Commission*

Union *institutions and bodies* handling and storing EUCI shall organise mandatory training at least once every 5 years for all individuals authorised to access EUCI. The Union *institutions and bodies* concerned shall organise specific training for the specific functions entrusted with information security tasks.

*Amendment*

Union *entities* handling and storing EUCI shall organise mandatory training at least once every 5 years for all individuals authorised to access EUCI. The Union *entities* concerned shall organise specific training for the specific functions entrusted with information security tasks. *Union entities shall design and implement effective and appropriate trainings commensurate to the risks identified in accordance with Article 5 for all individuals authorised to access EUCI not later than ...[six months after the date of entry into force of this Regulation].*

Or. en

## Amendment 27

### Proposal for a regulation

#### Article 5 – paragraph 2 – point e a (new)

*Text proposed by the Commission*

*Amendment*

*(ea) integrity, availability and resilience of processing systems and services.*

Or. en

## Amendment 28

### Proposal for a regulation

#### Article 5 – paragraph 3 – point -a (new)



*Text proposed by the Commission*

*Amendment*

**(-a) the risks for the rights and freedoms of natural persons;**

Or. en

## **Amendment 29**

### **Proposal for a regulation**

#### **Article 5 – paragraph 3 – point f**

*Text proposed by the Commission*

*Amendment*

(f) business continuity **and** disaster recovery;

(f) business continuity, **such as back up management**, disaster recovery **and crisis management**;

Or. en

## **Amendment 30**

### **Proposal for a regulation**

#### **Article 6 – paragraph 2 – introductory part**

*Text proposed by the Commission*

*Amendment*

2. Acting by **consent** and in the common interest of all Union **institutions and bodies**, the Coordination Group shall:

2. Acting by **simple majority** and in the common interest of all Union **entities**, the Coordination Group shall:

Or. en

## **Amendment 31**

### **Proposal for a regulation**

#### **Article 6 – paragraph 2 – point c**

*Text proposed by the Commission*

*Amendment*

(c) establish guidance documents on the implementation of this Regulation, in cooperation with the Interinstitutional Cybersecurity Board referred to in Article 9 of the Regulation EU [...] laying down measures for a high common level of cybersecurity at the **institutions, bodies, offices and agencies of the** Union, where

(c) establish guidance documents on the implementation of this Regulation, in cooperation with the Interinstitutional Cybersecurity Board referred to in Article 9 of the Regulation EU [...] laying down measures for a high common level of cybersecurity at the Union **entities**, where appropriate;

appropriate;

Or. en

### Amendment 32

#### Proposal for a regulation

#### Article 10 – paragraph 1 – point c a (new)

*Text proposed by the Commission*

*Amendment*

**(ca) strengthening cooperation and coordination with CERT-EU.**

Or. en

### Amendment 33

#### Proposal for a regulation

#### Article 11 – paragraph 4 – point d a (new)

*Text proposed by the Commission*

*Amendment*

**(da) end-to-end encryption, in particular when exchanging sensitive non-classified information;**

Or. en

### Amendment 34

#### Proposal for a regulation

#### Article 11 – paragraph 5 – point d

*Text proposed by the Commission*

*Amendment*

(d) information security incidents shall be formally recorded and ***followed up***, in accordance with Regulation EU [XXX] laying down measures for a high common level of cybersecurity at the institutions, bodies, offices and agencies of the Union.

(d) information security incidents shall be formally recorded and ***handled***, in accordance with Regulation EU [XXX] laying down measures for a high common level of cybersecurity at the institutions, bodies, offices and agencies of the Union.

Or. en

### Amendment 35

#### Proposal for a regulation

## Article 18 – paragraph 2

*Text proposed by the Commission*

2. The Coordination Group shall adopt guidance documents on EUCI creation and classification.

*Amendment*

2. The Coordination Group shall adopt guidance documents on EUCI creation and classification, ***implementing the principle of minimisation of the use of classification and limiting in time the duration of such a classification.***

***Those guidance documents shall include rules on assessment of and justification for information and material classification, aimed at increasing transparency and avoiding unjustified lock-in effects.***

Or. en

## Amendment 36

**Proposal for a regulation**

**Article 20 – paragraph 3 a (new)**

*Text proposed by the Commission*

*Amendment*

***3a. This Article is without prejudice to Regulation (EC) No 1049/2001.***

Or. en

## Amendment 37

**Proposal for a regulation**

**Article 22 – paragraph 3 – point a**

*Text proposed by the Commission*

*Amendment*

(a) inform the originator;

(a) inform the originator ***without undue delay, and in any event not later than one week after the Security Authority has been informed of the breach;***

Or. en

## Amendment 38

**Proposal for a regulation**  
**Article 22 – paragraph 3 – point e**

*Text proposed by the Commission*

(e) notify the competent authorities about the actual or potential compromise and the action taken.

*Amendment*

(e) notify the competent authorities about the actual or potential compromise and the action taken ***without undue delay, and in any event not later than one week after the Security Authority has been informed of the breach.***

Or. en

**Amendment 39**

**Proposal for a regulation**  
**Article 41 – paragraph 1 – point f a (new)**

*Text proposed by the Commission*

*Amendment*

***(fa) the system owner or the Information Assurance Operational Authority shall ensure that a process of identifying and reporting vulnerabilities is in place, including internal and external rewards, as appropriate; that process shall be complemented by regular audits and penetration tests where appropriate.***

Or. en

**Amendment 40**

**Proposal for a regulation**  
**Article 42 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

1. Approved cryptographic products shall be used for transmission and storage of EUCI by electronic means. ***The list of approved cryptographic products shall be maintained by the Council, on the basis of input from the National Security Authorities.***

1. Approved cryptographic products shall be used for transmission and storage of EUCI by electronic means.

Or. en

## Amendment 41

### Proposal for a regulation Article 42 – paragraph 1 a (new)

*Text proposed by the Commission*

*Amendment*

**1a. For all information and material classified as EUCI, a list of approved cryptographic products shall be maintained by the Council, on the basis of input from the National Security Authorities.**

Or. en

## Amendment 42

### Proposal for a regulation Article 42 – paragraph 4 a (new)

*Text proposed by the Commission*

*Amendment*

**4a. For information and material classified as RESTREINT UE/EU RESTRICTED, a list of additional approved cryptographic products shall be established, maintained and updated on a yearly basis by the European Union Agency for Cybersecurity ('ENISA'). When establishing and updating that list ENISA shall take into account the latest technological and market developments as well as the specific needs of Union entities. By ...[18 months after the date of entry into force of this Regulation] ENISA shall establish the list.**

Or. en

## Amendment 43

### Proposal for a regulation Article 42 – paragraph 5

*Text proposed by the Commission*

*Amendment*

5. The Coordination Group shall inform the Council on a yearly basis of any

5. The Coordination Group shall inform the Council on a yearly basis of any

cryptographic products that it recommends for evaluation by a Crypto Authority Approval of a Member State on the basis of a survey carried out in the Union *institutions and bodies*.

cryptographic products that it recommends for evaluation by a Crypto Authority Approval of a Member State, *or by ENISA*, on the basis of a survey carried out in the Union *entities*.

Or. en

#### Amendment 44

##### Proposal for a regulation Article 52 – paragraph 2

*Text proposed by the Commission*

2. The sub-group on EUCI sharing and exchange of classified information shall be composed of representatives from the Commission, the Council and the European External Action Service and shall work by consensus.

*Amendment*

2. The sub-group on EUCI sharing and exchange of classified information shall be composed of representatives from *the European Parliament*, the Commission, the Council and the European External Action Service and shall work by consensus. *That sub-group shall ensure synergy with Regulation (EC) No 1049/2001 and shall ensure that the classification does not in itself prevent disclosure.*

Or. en

#### Amendment 45

##### Proposal for a regulation Article 54 – paragraph 1 – point -a (new)

*Text proposed by the Commission*

*Amendment*

*(-a) there is a legal obligation under Union law or an Interinstitutional agreement concluded between Union institutions; or*

Or. en

#### Amendment 46

##### Proposal for a regulation Article 54 – paragraph 1 a (new)

***1a. The conditions referred to in paragraph 1, point (a) are considered to be fulfilled when access to EUCI is required to fulfil the Union entity mandate or mission, as entrusted by the Union law, or would otherwise encroach on their institutional autonomy.***

Or. en