



EUROPEAN COMMISSION

*Brussels, 24.1.2019
C(2019) 555 final*

Dear President,

The Commission would like to thank the Senat for its Opinion on the proposal for a Regulation establishing the European Cybersecurity Industrial, Technology and Research Competence Centre and the Network of National Coordination Centres {COM(2018) 630 final}.

With this proposal, the Commission is making good on the announcement in the 2017 Joint Communication on Resilience, Defence and Deterrence: Building strong cybersecurity for the EU {JOIN(2017) 450 final} to reinforce the European Union's cybersecurity capability through a network of cybersecurity centres with a European competence centre at its heart. The objective of the proposed European Cybersecurity Industrial, Technology and Research Competence Centre and the Network of National Coordination Centres is to help the European Union retaining and developing the cybersecurity technological and industrial capacities necessary to secure its Digital Single Market. This goes hand-in-hand with the key objective to increase the competitiveness of the Union's cybersecurity industry and turn cybersecurity into a competitive advantage of other European industries.

The Commission welcomes the conclusion of the Senat that the proposal is in compliance with the principles of subsidiarity and proportionality, as well as the broad support for the aims of the proposal but notes its doubts relating to national contributions and voting mechanism, and the ongoing discussions on the next Multiannual Financial Framework 2021-2027.

Discussions between the co-legislators, the European Parliament and the Council, concerning the proposal are now underway and the Commission remains hopeful that an agreement will be reached in the coming year.

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The Senat's Opinion has been made available to the Commission's representatives in the ongoing negotiations and will inform these discussions. In response to the more technical comments in the Opinion, the Commission would like to refer to the Annex.

The Commission hopes that the clarifications provided in this reply address the issues raised by the Senat and looks forward to continuing the political dialogue in the future.

Yours faithfully,

*Frans Timmermans
First Vice-President*

*Mariya Gabriel
Member of the Commission*

Annex

The Commission has carefully considered the issues raised by the Senat in its Opinion and would like to offer the following observations, grouped by topic.

As far as the issue of the voting system is concerned, the Commission considers the proposed solution balanced and appropriate. In fact, the Commission will have less decision power than it currently has: In 'normal' programme management, including in the current Horizon 2020 and Connecting Europe Facility, the Commission alone is responsible for the implementation of the budget. Member States monitor the implementation through Comitology. They are consulted on the Work Programmes and kept informed along the programming cycle in order to monitor implementation of the budget by the Commission. A qualified majority of Member States is required to block the Commission from going forward.

In the proposal for a Regulation establishing the European Cybersecurity Industrial, Technology and Research Competence Centre and the Network of National Coordination Centres, the Commission is proposed to have 50% of the voting rights, because 50% of the financial resources will come from the Union budget. This arrangement is necessary to allow the Commission to fulfil its responsibility for the implementation of the Union budget.

It is proposed that participating Member States together provide the other 50% of the financial resources and thus will hold the other half of the votes.

The double majority mechanism, on the one hand safeguards the interests of every Member State regardless of its financial contribution, and on the other hand rewards the financial commitments of any given participating Member State. As a result, a simple majority of Member States can block a decision.

Therefore, regardless of its financial contribution, an individual Member State will have more decision-making power than in the cases where the Commission or an executive agency is implementing the budget.

As far as the issue of the parallel negotiations on the next Multiannual Financial Framework and the Competence Centre and Network (which is about how to implement the next Multiannual Financial Framework), the Commission considers cybersecurity as a top priority and therefore it proposed to discuss these related proposals in parallel.

The Competence Centre will be the main delivery mechanism for cybersecurity funding in the next Multiannual Financial Framework. The Union contribution is fixed at two billion from the Digital Europe Programme plus an amount, to be determined taking into account the strategic planning process, from the Horizon Europe Programme.