

**CONFERENCE
OF THE REPRESENTATIVES
OF THE GOVERNMENTS
OF THE MEMBER STATES**

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NOTE

From:	German delegation
To:	Delegations
Subject:	Procedure for the selection of the seat of the Cybersecurity Competence Centre

Delegations will find attached a note of the representatives of the governments of the Member States in view of their meeting in the margins of COREPER describing the procedure for the selection of the seat of the European Cybersecurity Industrial, Technology and Research Competence Centre. This procedure is to be approved by common accord.

**NOTE OF THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER
STATES ON THE SEAT SELECTION PROCEDURE OF THE EUROPEAN
CYBERSECURITY INDUSTRIAL, TECHNOLOGY AND RESEARCH COMPETENCE
CENTRE (“THE CENTRE”)**

On 3 June 2020 and on 22 July 2020, COREPER adopted a revised mandate for negotiations with the European Parliament on the proposal for a Regulation of the European Parliament and of the Council of the European Union establishing the European Cybersecurity Industrial, Technology and Research Competence Centre and the Network of National Coordination (8325/20, 9745/20). The provisions regarding the seat of the European Cybersecurity Industrial, Technology and Research Competence Centre (‘the Centre’) were so far excluded from the mandate.

This document describes the procedure for reaching a common agreement among Member States¹ on the seat of the Centre, with the understanding that all Member States would engage to respect the result of that procedure. This procedure reflects the specific status of the Centre and does not create a precedent for the procedure of selecting the seat of other EU entities (e.g. EU bodies, offices, agencies or Joint Undertakings).

1. Responsibilities

Given the general political nature of the attribution of seats of EU agencies and EU bodies, such a decision is a matter for the representatives of the governments of the Member States. The issue will be addressed in the margins of COREPER I. As customary, the Member State holding the Presidency of the Council will lead the process, supported by the General Secretariat of the Council.

2. Timing of the process

The aim is to allow the Centre to become operational as quickly as possible after the entry into force of the Regulation.

¹ "Common agreement" and "common accord" are terms having the equivalent effect of requiring that all Government representatives are able to express themselves in favour of the solution retained (no abstention).

3. Criteria

The following criteria are regarded as necessary for a well-functioning Centre and should be implemented with regard to the principles of budgetary prudence, efficiency and effectiveness of public administrations². The listing below does not indicate any hierarchical order:

1. The date on which the Centre can become operational on site after the entry into force of the Regulation:

This criterion concerns in particular the availability of appropriate office premises as well as the ability to redeploy and host the relevant staff in time for the Centre to become operational. This should include the necessary logistics and sufficient space for offices, meeting rooms and off-site archiving, high-performing telecommunications and data storage networks as well as appropriate physical and IT security standards.

2. Accessibility of the location:

This criterion concerns the availability, frequency and duration of public transport connections from the closest airport to the location, as well as the quality and quantity of accommodation facilities. In particular, this criterion implies the capacity to allow for the expected meeting activities of the Centre.

3. Existence of adequate education facilities for the children of the Centre's staff:

This criterion concerns the availability of multi-lingual, European-oriented schooling that can meet the needs for education facilities for the children of staff of the Centre.

4. Appropriate access to the labour market, social security and medical care for both children and spouses:

This criterion concerns the capacity to meet the needs of the children and spouses of staff for social security and medical care as well as the availability to offer job opportunities for them.

² See the Conclusions on the European Public Administration of the Special meeting of the European Council from July 2020 [EUCO 10/20] in particular points 130 and 132 thereof

5. Excellent connectivity, security and interoperability with IT facilities for handling EU funding:

This criterion concerns the possibility of seamless take over of relevant IT processes relating to management of relevant EU funding, including access to the TESTA network. It also concerns solid capacities in terms of cybersecurity resilience of communication networks.

6. Existence of a cybersecurity ecosystem

This criterion concerns the existence of a relevant ecosystem of organisations active in the field of cybersecurity in the host city, such as other cybersecurity (research) institutions, knowledge institutions or relevant companies and/or communities.

7. Geographical balance

This criterion concerns the geographical balance in the distribution of seats of Union bodies and agencies; having due regard to the conclusions of the Representatives of the Member States, meeting at Head of State or Government level in Brussels on 13 December 2003, reiterated in the conclusions of the European Council of 19/20 June 2008, while taking into account the specific status of the Centre.

4. Applications to host

In order to ensure a fair and transparent process, the following rules and criteria shall apply to the applications:

a) General rules

Each Member State can make one application to host the Centre using the application form and following the technical annex accompanying the current document. The application may contain additional documentation in the context of the Member States' bid to host the Centre.

The Member State should in the application address the criteria mentioned in point 3. and, for each of the criteria, specify the conditions that are offered.

All applications should indicate the Member State's commitment to confirming these conditions in a headquarters agreement³ with the Centre. That agreement should be signed before the Centre takes up its seat at the agreed location.

All applications to host the Centre should be made in writing to the Secretary-General of the Council and copied to the Secretary-General of the Commission. It is recommended to send applications by email to: offers.eccc.seat@consilium.europa.eu and copied to ec-ccc-applications@ec.europa.eu.

The deadline for submitting applications is 6 November 2020 (cob).

All applications from Member States received within the deadline will be published online, with the exclusion of business secrets and other confidential information following consultation with the Member States concerned.

³ Commission guidelines with standard provisions for headquarters agreements of EU decentralised agencies: https://europa.eu/european-union/sites/europaeu/files/docs/body/2013-12-10_guidelines_hq_agreements_en.pdf

b) Specific issues that should be addressed in the application

The application should indicate in detail how the criteria are addressed and should specify the offered conditions.

In particular, the application should indicate:

The premises that would be offered to be rented or put at the disposal of the Centre and that would meet security and safety standards, in particular cybersecurity standards, equivalent to those of the EU institutions;

The financial terms for the Centre's use of these premises, specifying in particular if the Member State would pay the rent for a given period of time or indefinitely;

The terms concerning maintenance of the building including upgrading and future extensions if needed;

Any special conditions offered with regard to all costs and dedicated infrastructures; and

Any benefits that would be granted to the Centre and/or its staff in addition to those following from Protocol No 7 on the Privileges and Immunities of the European Union.

5. Commission examination of the applications

The services of the Commission will prepare a general assessment of all the applications received within the deadline on the basis of the criteria mentioned under point 3 and the technical annex accompanying this document. By 2 December 2020, the services of the Commission will submit this general assessment of the applications to the General Secretariat of the Council who will distribute it to the Member States.

6. Decision-making and voting process

In the decision-making process, the assessment referred to in point 5 and the specific issues addressed in the applications should be taken into account. When shaping its position, Member States should take into account the need for a very close cooperation of the Centre with other relevant EU bodies or agencies as well as the Cybersecurity research community, industry and other relevant stakeholders. This means that interaction with relevant staff responsible for public funding of cybersecurity research and innovation, namely from EU institutions and Member States, should be ensured and resilient.

The decision-making process presented, as customary, by the Member State holding the rotating Presidency will be preceded by a political discussion organised among the representatives of the Member States in the margins of the COREPER I.

The voting process on the seat of the Centre will take place in the margins of COREPER I on 9 December 2020. The voting process should consist of successive voting rounds. The votes are cast by secret ballot and each Member State has one vote. All applications, except for any withdrawn by the Member States concerned before the vote, will be promptly submitted to the vote.

1st voting round

In this round, each Member State has one vote for its preferred application. It is also possible to abstain the vote.

If within the first voting round one application receives more than half of the votes counted, hence representing the majority, this application will be considered the selected one.

If no application receives more than half of the votes counted, the two applications having received the highest number of votes will be subject to the second voting round. If three or more applications have equally received the highest number of votes these applications will participate in another vote pursuant to the following subparagraph. Similarly, in case there is one application having received the highest number of votes, but two or more applications have equally received the second highest number of votes, all these applications will participate in another vote pursuant to the following subparagraph.

This first voting round process shall be repeated until either one application has received more than half of the votes counted and is thus considered the selected application or only two applications have received the highest number of votes. In the latter case, these two applications will participate in the second voting round.

2nd voting round

In the second voting round, each Member State has one vote that it can give to one of the two applications which have been chosen for the second voting round. It is also possible to abstain the vote.

If one application receives more than half of the votes counted, hence representing the majority, this application will be considered the selected one.

Votes will take place until one application has received the majority of votes.

If the Member State holding the rotating Presidency deems it beneficial to the voting process in the 1st or 2nd voting round it can declare a cooling off period. Its precise length is determined by the Member State holding the Presidency of the Council and announced during the meeting.

Decision

The decision on the seat of the Centre reflecting the outcome of the voting process will be confirmed by common agreement of the Member States' representatives at the same meeting.

7. Information of the European Parliament and the public

The Member State holding the Presidency of the Council will transmit this note to the European Parliament once it has been approved by the representatives of the governments of the Member States in the margins of COREPER, and will inform the European Parliament about the applications received and once the process is completed about the final decision taken.

The information about the final decision will also be made public, with the exclusion of business secrets and other confidential information following consultation with the Member States concerned.

Annexes:

- 1) Technical Annex
- 2) Application Form

TECHNICAL ANNEXTechnical and operational specifications of the needs of the Centre

Criterion 1: The date on which the Centre can become operational on site after the entry into force of the Regulation

- The Centre's **staff** would amount to 53 - 80 members, according to the Legislative Financial Statement of the original Commission proposal. However, these numbers would be possibly reassessed, given the uncertainty arising from the pending MFF-related decisions, the amount of Member States' financial or in-kind contributions to "joint actions", the pending delegation of management of the non-co-funded parts of the Horizon Europe programme, and the extent of strategic and coordination tasks not directly linked to budget implementation. In the light of the above, the number of the Centre's staff would be estimated to reach up to 30 members during its first year of operation, with the capacity to grow further and comprise approximately 60 members during the following years of its operation. The necessary **logistics** and adequate **office space** will need to be ensured to accommodate the estimated Centre's staff.
- Indicatively, the size of the Centre's premises should be around 2000 square meters gross floor area above ground (which would comprise office space, washrooms, corridors and archive spaces, and areas for specific uses, e.g. entrance halls, meeting rooms, restaurants, debating chambers, etc.), corresponding to the scenario of up to 60 staff members. In addition, sufficient parking space for staff and visitors will be required in line with relevant local legislation.
- In the long term, further evolution of the Centre's mandate and staff should be easily accommodated, ideally in its original premises or in the nearby area.

- The Centre will require **common infrastructure and meeting rooms** of different sizes to accommodate for meetings of the Governing Board and of representatives of the Cybersecurity Competence Community, as well as meetings bringing together the Network, and meetings of working groups established by the Governing Board. The premises should have at least one (1) large meeting room (minimum 65 persons) and at least three (3) smaller meeting rooms.
- The Centre will also require off-site archiving capacities.
- The premises should be in general compliance with the requirements set out in the Commission's Manual of Standard Building Specifications.⁴
- The **availability** of appropriate office premises as well as the ability to redeploy and host the relevant staff in time would be critical for the Centre to be set up and become operational after the entry into force of the Regulation.
- Each application should specify in detail:
 - the date on which the Centre can become operational on site after the entry into force of the Regulation, which would be based on the availability of appropriate office premises and the ability to redeploy and host the relevant staff;
 - the total estimated cost for set up and the expected annual average thereafter;
 - the premises that would be offered either rented or put at the disposal of the Centre, which should meet security and safety standards, in particular cybersecurity standards, equivalent to those of the EU institutions, in line with the Commission Decision on Security in the Commission⁵ and the Commission's Manual of Standard Building Specifications⁶;

⁴ Manual of Standard Building Specifications, https://ec.europa.eu/oib/doc/mit-1-performance-and-technical-performance-specification_en.pdf, https://ec.europa.eu/oib/doc/mit-1-performance-and-technical-performance-specification_de.pdf, https://ec.europa.eu/oib/doc/mit-1-performance-and-technical-performance-specification_fr.pdf.

⁵ Commission Decision (EU, Euratom) 2015/443 of 13 March 2015 on Security in the Commission (OJ L 72, 17.3.2015, p. 41).

⁶ See footnote 1.

- the financial terms for the Centre's use of the premises (whether the Member State would pay the rent for a given period of time or indefinitely);
- the terms about the building's maintenance (including upgrading and future extensions if needed);
- any special conditions with regard to the costs and dedicated infrastructure.

Criterion 2: Accessibility of the location

- The Centre is expected to organise missions for some of its staff within Europe and to hold regular meetings at its premises or outside its premises but in its location (city) with participation of relevant stakeholders, therefore requiring easy access to air and /or rail transport linking with European capitals.
- Some of the meetings organised and/or hosted by the Centre might last several days, requiring overnight stays and therefore sufficient capacity for adequate accommodation facilities (in terms of quality and quantity). The same applies in case of events and conferences organised by the Centre in its location (city) but not hosted in its premises.
- Each application should provide:
 - information concerning the availability, frequency and duration of public transport connections from the closest airport to the location;
 - information concerning the quality and quantity of accommodation facilities.

Criterion 3: Existence of adequate education facilities for the children of the Centre's staff

- The Centre's staff will be nationals from several EU Member States. Therefore, the availability of multi-lingual, European-oriented schooling is crucial to meet the needs for education facilities for the children of the Centre's staff.

- Each application should provide detailed information about existing educational facilities at each educational level (nursery, primary education, secondary education, higher education) and any other relevant input.

Criterion 4: Appropriate access to the labour market, social security and medical care for both children and spouses

- The Centre's location should provide the capacity regarding the needs of the children and spouses of staff for social security and medical care as well as the availability to offer job opportunities for them.
- Each application should explain whether the proposed location offers such accessibility to the labour market, social security and medical care.

Criterion 5: Excellent connectivity, security and interoperability with IT facilities for handling EU funding

- The Centre's activities require the necessary high-speed connectivity and high-performing telecommunications and data storage networks in line with physical and IT security standards, including the possibility of supporting document management up to SECRET UE/EU SECRET level. The security of premises and IT infrastructure for handling information up to SECRET UE/EU SECRET should be in line with the relevant rules for classified information⁷.
- The security of the connectivity infrastructure of the location should be in line with the principles agreed by Member States such as in the 5G cybersecurity toolbox⁸.
- The Centre should be able to seamlessly take over IT processes relating to management of relevant EU funding, including access via the TESTA network where possible.

⁷ Commission Decision (EU, Euratom) 2015/444 of 13 March 2015 on the security rules for protecting EU classified information (OJ L 72, 17.3.2015, p. 53) with the caveat that the Centre, once set up, would need to adopt its own security rules equivalent to this Commission Decision.

⁸ Cybersecurity of 5G networks EU Toolbox of risk mitigating measures, Publication 01/2020, available here: <https://ec.europa.eu/digital-single-market/en/news/cybersecurity-5g-networks-eu-toolbox-risk-mitigating-measures>.

- The meeting rooms should offer high-quality fixed and wireless (4G or higher) connectivity, audio and video conference facilities.
- Each application should describe whether and how the above technical requirements are met.

Criterion 6: Existence of a cybersecurity ecosystem
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- The Centre should be in close contact and cooperation with other actors of the relevant ecosystem of organisations active in the field of cybersecurity in the host city, such as other cybersecurity (research) institutions, knowledge institutions or relevant companies and/or communities.
- Each application should provide a description of:
 - o the existence of a relevant ecosystem of organisations active in the field of cybersecurity in the host city, such as other cybersecurity (research) institutions, knowledge institutions or relevant companies and/or communities.

Criterion 7: Geographical balance
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- Each application should include information about any agencies and EU bodies currently hosted in the applicant Member State.

Specific issues that should be addressed in the application

- Any benefits granted to the Centre and/or its staff in addition to those stemming from Protocol No 7 on the Privileges and Immunities of the European Union⁹.

⁹ Protocol No 7 on the Privileges and Immunities of the European Union, available here: https://eur-lex.europa.eu/eli/treaty/tfeu_2012/pro_7/oj.

General rules - considerations

- Each application should take into consideration the principles of budgetary prudence, efficiency and effectiveness of public administrations¹⁰, and should try to integrate them by demonstrating practices of budgetary prudence and efficiency gains and measures. These principles would have to be reflected, to the possible extent, across the whole application.

¹⁰ See the Conclusions on the European Public Administration of the Special meeting of the European Council from July 2020 [EUCO 10/20] in particular points 130 and 132 thereof.

Application Form template

European Cybersecurity Industrial, Technology and Research Competence Centre

GENERAL INFORMATION	Information provided by the Offer
Member State (applicant)	
Person in charge (contact details)	
INFORMATION ABOUT THE FULFILMENT OF CRITERIA	

<p>Criterion 1: The date on which the Centre can become operational on site after the entry into force of the Regulation</p> <p>This criterion concerns in particular the availability of appropriate office premises as well as the ability to redeploy and host the relevant staff, in time for the Centre to become operational. This should include the necessary logistics and sufficient space for offices, meeting rooms and off-site archiving, high-performing telecommunication and data storage networks as well as appropriate physical and IT security standards.</p>	
<p>1.1 Availability of appropriate office premises, including the proposed options of premises and estimated timeline of availability for each option (e.g. premises 1 to be finished in Q)</p>	

1.1.1 Necessary logistics and adequate office space (indicatively, around 2000 m2 gross floor area above ground), corresponding to the scenario of up to 60 staff members (additional parking space for staff and visitors according to relevant local legislation)	
1.1.2 Common infrastructure and rooms to accommodate for meetings (space and logistics for meeting rooms, including the number and size of offered meeting rooms)	
1.1.3 Off-site archiving capacities	
1.1.4 Security and safety standards of the offered premises, in particular cybersecurity standards, equivalent to those of the EU Institutions	
1.1.5 The financial terms for the Centre's use of the premises (whether the Member State would pay the rent for a given period of time or indefinitely)	

1.1.6 The terms concerning maintenance of the building including upgrading and future extensions if needed	
1.1.7 Any special conditions offered with regard to all costs and dedicated infrastructures	
1.1.8 Estimated timeline for setting up an operational Centre on site after the entry into force of the Regulation, on the basis of the availability of appropriate office premises and the ability to redeploy and host the relevant staff	
1.1.9 The total estimated cost for set up and the expected annual average thereafter	
1.2 General compliance with the requirements set out in the Commission's Manual of Standard Building Specifications	

1.3 Other	
Criterion 2: Accessibility of the location This criterion concerns the availability, frequency and duration of public transport connections from the closest airport to the location, as well as the quality and quantity of accommodation facilities. In particular, this criterion implies the capacity to allow for the expected meeting activities of the Centre.	
2.1 Public transport connections from the closest airport to the location	
2.1.1 Availability	
2.1.2 Frequency	
2.1.3 Duration	

2.2 Accommodation facilities	
2.2.1 Quality (indication of type of hotels with available rooms, e.g. 3, 4, 5-star hotels)	
2.2.2 Quantity (number of rooms/hoter beds available)	
2.3 Other	
Criterion 3: Existence of adequate education facilities for the children of the Centre's staff This criterion concerns the availability of multi-lingual, European-oriented schooling that can meet the needs for education facilities for the children of the staff of the Centre.	
3.1 Detailed information about existing educational facilities and availability of multi-lingual, European-oriented schooling	
3.1.1 Nursery	

3.1.2 Primary education	
3.1.3 Secondary education	
3.1.4 Higher education	
3.2 Other	
Criterion 4: Appropriate access to the labour market, social security and medical care for both children and spouses This criterion concerns the capacity to meet the needs of the children and spouses of staff for social security and medical care as well as the availability to offer job opportunities for them.	
4.1. Social security	
4.2 Medical care	
4.3 Information on the national job market and job opportunities	

4.4. Other	
<p>Criterion 5: Excellent connectivity, security and interoperability with IT facilities for handling EU funding</p> <p>This criterion concerns the possibility of seamlessly take over relevant IT processes relating to management of relevant EU funding, including access to the TESTA network. It also concerns solid capacities in terms of cybersecurity resilience of communication networks.</p>	
5.1 High-speed connectivity	
<p>5.2 High-performing telecommunications and data storage networks in line with physical and IT security standards (including the possibility of supporting document management up to SECRET UE/EU SECRET level)</p>	

5.3 Security of the connectivity infrastructure of the Centre in line with the principles agreed by MS such as in the 5G cybersecurity toolbox	
5.4 Compliance of the security of premises and IT infrastructure for handling information up to SECRET UE/EU SECRET with the relevant rules for classified information	
5.5 Ability to seamlessly take over IT processes relating to management of relevant EU funding, including access to TESTA network where possible	
5.6 Regarding the meeting rooms, high-quality fixed and wireless (4G or higher) connectivity, as well as audio and video conference facilities	
5.7 Other	

<p>Criterion 6: Existence of a cybersecurity ecosystem</p> <p>This criterion concerns the existence of a relevant ecosystem of organisations active in the field of cybersecurity in the host city, such as other cybersecurity (research) institutions, knowledge institutions or relevant companies and/or communities.</p>	
<p>6.1 Description of the existence of a relevant cybersecurity ecosystem in the host city (such as other cybersecurity (research) institutions, knowledge institutions or relevant companies and/or communities)</p>	
<p>6.2 Other</p>	

<p>Criterion 7: Geographical balance</p> <p>This criterion concerns the geographical balance in the distribution of seats of Union bodies and agencies; having due regard to the conclusions of the Representatives of the Member States, meeting at Head of State or Government level in Brussels on 13 December 2003, reiterated in the conclusions of the European Council of 19/20 June 2008, while taking into account the specific status of the Centre.</p>	
<p>7.1 Agencies and EU bodies currently hosted in the Member State</p>	
<p>GENERAL RULE for submitting an application:</p>	
<p>Member State's commitment to confirming the conditions included in the offer in a headquarters agreement with the Centre</p>	

SPECIFIC ISSUES to be addressed in the application:	
Any benefits that would be granted to the Centre and/or its staff in addition to those following from Protocol No 7 on the Privileges and Immunities of the EU	