



Council of the
European Union

Brussels, 18 January 2024
(OR. en)

5459/24

LIMITE

CYBER 6
TELECOM 17
INST 25
CSC 13
CSCI 6
INF 18
FIN 46
BUDGET 4
DATAPROTECT 27

**Interinstitutional File:
2022/0085(COD)**

'I' ITEM NOTE

From:	Presidency
To:	Permanent Representatives Committee (Part 2)
Subject:	Regulation (EU, Euratom) 2023/2841 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 - modalities regarding the representation of the Council in the Interinstitutional Cybersecurity Board (IICB)

1. On 13 December 2023 the European Parliament and the Council adopted Regulation 2023/2841 laying down measures for a high common level of cybersecurity at the institutions, bodies, offices and agencies of the Union¹.
2. Article 10 of the Regulation establishes an Interinstitutional Cybersecurity Board (IICB) responsible for:
 - monitoring and supporting the implementation of the Regulation by the Union entities;
 - supervising the implementation of general priorities and objectives by CERT-EU and providing strategic direction to CERT-EU.

¹ OJ L, 18.12.2023.

Both the European Council and the Council will be represented in the IICB. Members of the IICB may be assisted by an alternate.

3. The general approach² adopted by the Council on 18 November 2022 was accompanied by the following statement:

“The Council notes that given the responsibility of the Secretary-General of the Council for administering the appropriations entered in Section II – European Council and Council – of the budget pursuant to Article 13(3) of the rules of procedure of the European Council, the European Council will be represented in the Interinstitutional Cybersecurity Board (IICB) by a senior official designated by the Secretary-General, as it has been the case until now in the Steering Board of the CERT-EU.

The Council will be represented in the IICB by a representative designated by the Presidency of the Council. The modalities will be defined by COREPER.”

4. The Regulation entered into force on 7 January 2024. All entities represented in the IICB have been invited to designate their representative and communicate the names to the secretariat of the IICB, ensured by the Commission. The first meeting of the Board is expected to be convened in the coming weeks. It is therefore important that the modalities referred to in the statement mentioned above are defined by Coreper so that the Presidency can rapidly designate the representative of the Council in the IICB.

² 14128/22 + ADD 1.

5. The Presidency proposes the following modalities:

- a) Each Presidency will, by the beginning of its term, designate the representative of the Council, and should also designate an alternate. In light of the limited number of meetings foreseen of the IICB each six months and in order to ensure continuity, the alternate should be identified on a proposal from the Member State to hold the Presidency in the following six-month period. The Presidency will inform the Horizontal Working Party on Cyber Issues. In the selection of its representative the Presidency will take into account the strategic and supervisory role of the IICB. It is recalled that Article 10 of the Regulation invites the Union entities represented in the IICB “to aim to achieve gender balance among the designated representatives”.
- b) The representatives of the European Council and of the Council will work closely to ensure coordination and establish a convergence of views on matters discussed by the IICB.
- c) After each of the IICB meetings and at least once per Presidency term the representatives of the European Council and of the Council will be invited to inform the Horizontal Working Party on Cyber Issues about the work of the IICB on the basis of a document submitted jointly by the Presidency and the General Secretariat of the Council.

Ad hoc discussions can also be held in the Working Party where needed.

6. The above modalities were discussed by the Horizontal Working Party on Cyber Issues on 10 and 17 January 2024. They may be assessed and revised whenever needed, in particular based on experience gained over the first period of existence of the IICB.
7. The Permanent Representatives Committee is invited to approve the above modalities.