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*Committee on Foreign Affairs*

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27/03/2018

**AMENDMENTS: 14**

**Urmaz Paet**

Cyber defence

**Motion for a resolution** PE618.310 - 2018/2004(INI)

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**Amendments per language:**

*EN: 14*

**Amendment 1**  
**Marietje Schaaake**

**Motion for a resolution**  
**Citation 13 a (new)**

*Motion for a resolution*

*Amendment*

- *having regard to Directive (EU) 2016/1148 of the European Parliament and of the Council of 6 July 2016 concerning measures for a high common level of security of network and information systems across the Union*

Or. en

**Amendment 2**  
**Marietje Schaaake**

**Motion for a resolution**  
**Citation 13 b (new)**

*Motion for a resolution*

*Amendment*

- *having regard to the work of the Global Commission on the Stability of Cyberspace*

Or. en

**Amendment 3**  
**Marietje Schaaake**

**Motion for a resolution**  
**Recital B**

*Motion for a resolution*

*Amendment*

B. whereas several Member States have invested substantially in setting up well-staffed cyber commands to meet these new challenges; whereas cyber defence is an activity that can best be tackled cooperatively as its operational domain

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recognises neither national nor organisational boundaries;

recognises neither national nor organisational boundaries; *whereas the majority of knowledge about operating and securing data systems, software and networks is overwhelmingly in the hands of private companies, which creates fundamental governance and security questions about the ability of states to defend their citizens*

Or. en

**Amendment 4**  
**Marietje Schaake**

**Motion for a resolution**  
**Recital C**

*Motion for a resolution*

C. whereas while cyber defence remains a core competence of the Member States, the EU has a vital role to play in ensuring that these new endeavours are closely coordinated from the start to avoid the inefficiencies that mark many traditional defence efforts; whereas a substantial cyber defence capability is a necessary part of the development of the European Defence Union;

*Amendment*

C. whereas while cyber defence remains a core competence of the Member States, the EU has a vital role to play in ensuring that these new endeavours are closely coordinated from the start to avoid the inefficiencies that mark many traditional defence efforts; whereas a substantial cyber defence capability is a necessary part of the development of the European Defence Union; *whereas the protection of our network and information security is a core competence of the European Union and should be an essential part of the European Digital Single Market*

Or. en

**Amendment 5**  
**Marietje Schaake**

**Motion for a resolution**  
**Recital M**

*Motion for a resolution*

M. whereas the UN Group of

*Amendment*

M. whereas the UN Group of

Governmental Experts on Information Security (UNGGE) has concluded its last round of deliberation; whereas even though it failed to arrive at a consensus report *this time*, the 2015 and 2013 agreements still apply, in that international law, in particular the Charter of the United Nations, is applicable and essential to maintaining peace and stability, and to promoting an open, secure, peaceful and accessible cyberspace;

Governmental Experts on Information Security (UNGGE) has concluded its last round of deliberation; whereas even though it failed to arrive at a consensus report *in 2017*, the 2015 and 2013 agreements still apply, in that international law, in particular the Charter of the United Nations, is applicable and essential to maintaining peace and stability, and to promoting an open, secure, peaceful and accessible cyberspace; *whereas the European Union should actively engage in norm-setting initiatives that promote responsible state behaviour in cyberspace outside the UN when the UN GGE process is dormant*;

Or. en

## **Amendment 6** **Marietje Schaake**

### **Motion for a resolution** **Recital O**

#### *Motion for a resolution*

O. whereas different state actors – Russia, China and North Korea, among others – have been involved in malicious cyber activities in pursuit of political, economic or security objectives that include attacks on critical infrastructure, cyber-espionage, disinformation campaigns and limiting access to the internet (*such as Wannacry, NonPetya*); whereas such activities *could* constitute wrongful acts under international law and *could* lead to a joint EU response, *such as using* the EU cyber diplomacy toolbox;

#### *Amendment*

O. whereas different state actors – Russia, China, *Iran* and North Korea, among others – have been involved in malicious cyber activities in pursuit of political, economic or security objectives that include attacks on critical infrastructure (*such as Wannacry, NonPetya*), cyber-espionage, disinformation campaigns and limiting access to the internet ; whereas such activities constitute wrongful acts under international law and *should* lead to a joint EU response, *including the use of restrictive measures as envisaged by* the EU cyber diplomacy toolbox;

Or. en

**Amendment 7**  
**Marietje Schaake**

**Motion for a resolution**  
**Paragraph 3**

*Motion for a resolution*

3. Recognises that many Member States consider possession of their own cyber defence capabilities to be at the core of their national security strategy and to constitute an essential part of their national sovereignty; stresses, however, that – as with other military branches, and also owing to the borderless nature of cyberspace – the scale required for truly comprehensive and effective forces is beyond the reach of any single Member State;

*Amendment*

3. Recognises that many Member States consider possession of their own cyber defence capabilities to be at the core of their national security strategy and to constitute an essential part of their national sovereignty; stresses, however, that – as with other military branches, and also owing to the borderless nature of cyberspace – the scale **and knowledge** required for truly comprehensive and effective forces is beyond the reach of any single Member State;

Or. en

**Amendment 8**  
**Marietje Schaake**

**Motion for a resolution**  
**Paragraph 5 a (new)**

*Motion for a resolution*

*Amendment*

**5 a. Urges the Members States to increase financial and personal resources, in particular forensic experts, in order to improve the attribution of cyber attacks**

Or. en

**Amendment 9**  
**Marietje Schaake**

**Motion for a resolution**  
**Paragraph 15**

*Motion for a resolution*

*Amendment*

15. Calls for identifying new initiatives

15. Calls for identifying new initiatives

to further cooperation between EU and NATO, taking into account as well the possibilities of cooperating within the NATO Cooperative Cyber Defence Centre of Excellence and the NATO Communications and Information (NCI) Academy; welcomes the recent creation of the European Centre of Excellence for Countering Hybrid Threats;

to further cooperation between EU and NATO, taking into account as well the possibilities of cooperating within the NATO Cooperative Cyber Defence Centre of Excellence and the NATO Communications and Information (NCI) Academy; welcomes the recent creation of the European Centre of Excellence for Countering Hybrid Threats; ***urges all relevant institutions to regularly meet to discuss their activities in order to avoid overlaps and encourage a coordinated approach towards cyber defence***

Or. en

**Amendment 10**  
**Marietje Schaake**

**Motion for a resolution**  
**Paragraph 16**

*Motion for a resolution*

16. Is convinced that increased cooperation between EU and NATO is vital in the area of cyber defence; calls, therefore, on both organisations to increase their operational cooperation and coordination, and to expand their joint capacity-building efforts, in particular joint training for cyber defence staff;

*Amendment*

16. Is convinced that increased cooperation between EU and NATO is vital in the area of cyber defence; calls, therefore, on both organisations to increase their operational cooperation and coordination, and to expand their joint capacity-building efforts, in particular joint training for cyber defence staff; ***considers it vital that the EU and NATO step up the sharing of intelligence in order to enable the formal attribution of cyberattacks and consequently enable the imposition of restrictive sanctions to those responsible for cyberattacks***

Or. en

**Amendment 11**  
**Marietje Schaake**

**Motion for a resolution**  
**Paragraph 20 a (new)**

*Motion for a resolution*

*Amendment*

**20 a.** *Notes the ongoing work on the Proposal for a Regulation revising ENISA Regulation (No 526/2013) and laying down a European ICT security certification and labelling framework; calls on ENISA to sign an agreement with NATO to increase their practical cooperation, including the sharing of information and participation in cyber defence exercises.*

Or. en

**Amendment 12**  
**Marietje Schaake**

**Motion for a resolution**  
**Paragraph 21 a (new)**

*Motion for a resolution*

*Amendment*

**21 a.** *Notes in this regard the importance of article 2(4) of the UN Charter States, which calls on states to refrain from the threat or use of force against the political independence of any state; believes that this includes a prohibition to pursue or knowingly support coercive cyber operations intended to disrupt the technical infrastructure essential to the conduct of official participative procedures in another state, including elections and referenda*

Or. en

**Amendment 13**  
**Marietje Schaake**

**Motion for a resolution**  
**Paragraph 22**



*Motion for a resolution*

22. Notes the relevance of the Tallinn Manual 2.0 in this context as an excellent basis for a debate on how international law applies to cyberspace; notes that it is now time for the Member States to start analysing and applying what the experts have stated in the Tallinn Manual;

*Amendment*

22. Notes the relevance of the Tallinn Manual 2.0 in this context as an excellent basis for a debate on how international law applies to cyberspace; notes that it is now time for the Member States to start analysing and applying what the experts have stated in the Tallinn Manual; ***notes in particular that any offensive use of cyber capabilities should be based on international law***

Or. en

**Amendment 14**  
**Marietje Schaake**

**Motion for a resolution**  
**Paragraph 23**

*Motion for a resolution*

23. Confirms its full commitment to an open, free, stable and secure cyberspace, which respects the core values of democracy, human rights and the rule of law, and where international disputes are settled by peaceful means; calls on the Member States to promote further implementation of the common and comprehensive EU approach to cyber diplomacy; strongly supports the development of voluntary, non-binding norms of responsible state behaviour in cyberspace;

*Amendment*

23. Confirms its full commitment to an open, free, stable and secure cyberspace, which respects the core values of democracy, human rights and the rule of law, and where international disputes are settled by peaceful means; calls on the Member States to promote further implementation of the common and comprehensive EU approach to cyber diplomacy; strongly supports the development of voluntary, non-binding norms of responsible state behaviour in cyberspace; ***Supports in this context the work of the Global Commission on the Stability of Cyberspace to develop proposals for norms and policies to enhance international security and stability and guide responsible state and non-state behavior in cyberspace; endorses the proposal that state and non-state actors should not conduct or knowingly allow activity that intentionally and substantially damages the general***

*availability or integrity of the public core  
of the Internet, and therefore the stability  
of cyberspace;*

Or. en