

Mathea Fammels

From: on behalf of ENISA Economics NIS
Subject: Feedback on ENISA: Economics of NIS: Publication of Study + Invitation to Comment

-----Original Message-----

From: Aart Jochem (GOVCERT.NL) [mailto:Aart.Jochem@govcert.nl]
Sent: Tuesday, April 29, 2008 5:23 PM
To: Tim Mertens
Cc: Edgar De Lange
Subject: Feedback on ENISA: Economics of NIS: Publication of Study + Invitation to Comment

Dear mr. Mertens,

We received your invitation for comments on the Economics of NIS via our ENISA contact mr. Edgar de Lange. Hereby our comments as from the viewpoint of GOVCERT.NL.

- * Overall we are glad with the content and the robust foundations of the arguments.
- * GOVCERT.NL supports the recommendations of the report, with a few remarks below.
- * Our recommendations are based on the assumption is that where possible the market should do its work, but where this does not work, or the market is not mature or transparent enough, more guidance is needed with a policy of sanctions or encouragement.
- * We support the increase of transparency provided by recommendations 1,2,3 and 6, because consumers will be able to make better decisions. Although it is known today that not all consumers behave rationally, we support the recommended approach.
- * The recommendations to influence behaviour more directly (rec. 4,5,(7), 8,9,13) might be stronger when it is combined with transparency measures (such as a "central portal" for publishing performance/compliance information).
- * The lack of diversity is mentioned more than once in the report. GOVCERT.NL supports this notion, for your information we included a translation of a recent article we wrote for a Dutch IT-newspaper.
- * On page 64 a window of vulnerability is mentioned. The report states that it is sometimes necessary to delay the implementation of a patch, because of the risk for system instability after patching. This is true, but we see a trend that exploits follow patches more rapidly and this shifts the risk towards the risk for instable systems due to exploitation. We recommend a fast patch process unless a well founded suspicion exists that this patch makes the system instable.
- * On page 68, at the bottom: chapeau for the analyses of the use of the term identity theft.
- * The increased liability for producers to protect consumers may most likely have an impact on innovation power, especially for smaller companies. This aspect is underexposed in the report.
- * Par 4.3.2. Our recommendation is to establish an evaluation of the ISAC's within the EU. There could be differences in the implementation (compared to US) that make them more/less succesful. The recommendation should include a proposal for a transition (if required) to a more effective information sharing appraoch within the EU.

Best regards,

Aart Jochem

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