

**DECISION No MB/2021/11
OF THE MANAGEMENT BOARD OF
THE EUROPEAN UNION AGENCY FOR CYBERSECURITY (ENISA)**

**ON REVIEWING THE AGENCY'S SECURITY RULES AND ON HANDLING SENSITIVE NON-CLASSIFIED
AND EU CLASSIFIED INFORMATION (EUCI) UP TO THE LEVEL SECRET UE/EU SECRET**

THE MANAGEMENT BOARD OF ENISA,

Having regard to

Regulation (EU) 2019/881 of the European Parliament and of the Council of 17 April 2019 on ENISA (the European Union Agency for Cybersecurity) and on information and communications technology cybersecurity certification and repealing Regulation (EU) No 526/2013 (Cybersecurity Act), hereinafter referred to as the Regulation, and in particular Articles 7, 27(4) and 43 thereof;

Commission Decisions (EU, Euratom) 2015/443/EC and 2015/444/EC of 13 March 2015;

Decision No MB/2020/9 of the Management Board of the European Union Agency for Cybersecurity (ENISA) on the establishment of ENISA's internal structures;

Decision No MB/2019/13 of the Management Board of the European Union Agency for Cybersecurity (ENISA) delegating the relevant appointing authority powers to the Executive Director;

Whereas

- (1) In accordance with Article 43 of Regulation (EU) 2019/881, ENISA shall adopt security rules for protecting sensitive non-classified information and EU classified information (EUCI), based on the principles and rules laid down in the Commission security rules for protecting EUCI, as established in Commission Decision 2015/444 including the principles of legality, transparency, proportionality and accountability.
- (2) It is important that, where appropriate, all the EU institutions, agencies, bodies or offices, are associated with the principles, standards and rules for protecting classified information which are necessary in order to protect the interests of the Union and its Member States.
- (3) An administrative arrangement between the European Commission and ENISA on the exchange of EU classified information, up to the level RESTREINT UE/EU RESTRICTED, was concluded on 8 June 2011.
- (4) An administrative arrangement on sharing classified information with ENISA, up to the level RESTREINT UE/EU RESTRICTED, was authorised by the Council of the European Union as of 31 October 2013.

- (5) Following the tasks mandated to ENISA in Regulation (EU) 2019/881, the MB Decision 2016/1 on ENISA security rules currently in place for protecting EUCI/classified information needs to be reviewed in order to handle and protect SECRET UE/EU SECRET level information, taking into account organisational, operational and technological developments.
- (6) In accordance with the procedures set out in Articles 27(4) and 43 of the Cybersecurity Act, and following their presentation to the Management Board per written procedure, the Agency will adopt the draft ED Decision 2021/xx on Security in the Agency and ED Decision 2021/xx on the ENISA Security Rules on the protection of EUCI following the due consultation with the Commission services;

HAS DECIDED TO ADOPT THE FOLLOWING DECISION:

Article 1

The Management Board of ENISA authorises the Agency, after obtaining the necessary approval from the Commission and following the completion of the necessary internal implementing rules, to handle sensitive non-classified information and EUCI up to the level SECRET UE/EU SECRET.

Article 2

Entry into force

This Decision shall enter into force on the date of its adoption.

Done at Athens on 16 June 2021.

On behalf of the Management Board,

[signed]

**Chairperson of the Management Board of ENISA
Jean Baptiste Demaison**