



30 September 2024

(24-6724)

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Committee on Technical Barriers to Trade

Original: English

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

1. Notifying Member: <u>EUROPEAN UNION</u> If applicable, name of local government involved (Article 3.2 and 7.2):
2. Agency responsible: European Commission Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above: European Commission, EU-TBT Enquiry Point, Fax: +(32) 2 299 80 43, E-mail: grow-eu-tbt@ec.europa.eu Website: http://ec.europa.eu/growth/tools-databases/tbt/en/
3. Notified under Article 2.9.2 [X], 2.10.1 [], 5.6.2 [], 5.7.1 [], 3.2 [], 7.2 [], other:
4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): The implementing regulation covers cybersecurity certification of ICT products based on the Common Criteria standards. Today, ICT products that undergo Common Criteria certification typically include integrated circuits, smart cards and related products (cryptographic elements, microcontrollers, dedicated software), network devices and systems (routers, switches, access points) and products for digital signatures (cryptographic modules, hardware security modules, secure servers).
5. Title, number of pages and language(s) of the notified document: Draft Commission Implementing Regulation amending Implementing Regulation (EU) 2024/482 as regards applicable international standards and correcting that Implementing Regulation; (6 page(s), in English), (2 page(s), in English)
6. Description of content: In the EU Common Criteria-based cybersecurity certification scheme (EUCC), the state-of-the-art documents contain information that is relevant for its implementation. The amending implementing regulation will introduce in the EUCC one updated and one new state-of-the-art document, respectively related to the accreditation of Information Technology Security Evaluation Facility (ITSEFs) and accreditation of certification bodies (CBs). Furthermore, the amendment includes a clarification related to the applicable version of the Common Criteria standards and it defines transition rules between the former and latest version. Lastly, the amendment also introduces some corrections in the text to clarify the interpretation of certain articles.
7. Objective and rationale, including the nature of urgent problems where applicable: In line with Recital 18 of the EUCC Implementing Regulation, the accreditation requirements will be further specified through the adoption of relevant state-of-the-art

documents. This amendment will introduce in the EUCC one updated and one new state-of-the-art document;

The current references in the EUCC Implementing Regulation to the Common Criteria standards are not sufficiently clear with regards to the applicable version. The amendment includes the said clarification, as well as some other amendments to clarify the interpretation of certain articles; Consumer information, labelling; Prevention of deceptive practices and consumer protection; Quality requirements

8. Relevant documents:

1. 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) 526/2013 (Cybersecurity Act) (OJ L 151, 7.6.2019, p. 15-69) [Regulation - 2019/881 - EN - EUR-Lex \(europa.eu\)](#)
2. Commission Implementing Regulation (EU) 2024/482 of 31 January 2024 laying down rules for the application of Regulation (EU) 2019/881 of the European Parliament and of the Council as regards the adoption of the European Common Criteria-based cybersecurity certification scheme (EUCC) (OJ L, 2024/482, 7.2.2024) [Implementing regulation - EU - 2024/482 - EN - EUR-Lex \(europa.eu\)](#)
3. EUCC Scheme draft state-of-the-art document "Accreditation of ITSEFs for the EUCC Scheme", version 1.6b, June 2024. Available here: https://certification.enisa.europa.eu/publications/draft-accreditation-itsefs-eucc_en
4. EUCC Scheme draft state-of-the-art document "Accreditation of CBs for the EUCC Scheme", version 1.6, June 2024. Available here: https://certification.enisa.europa.eu/publications/draft-accreditation-cbs-eucc_en

9. Proposed date of adoption: 4th Quarter of 2024

Proposed date of entry into force: 20 days from publication in the Official Journal of the EU (The provisions shall apply from the date of entry into force)

10. Final date for comments: 60 days from notification

11. Texts available from: National enquiry point [] or address, telephone and fax numbers and email and website addresses, if available, of other body:

European Commission,
EU-TBT Enquiry Point,
Fax: + (32) 2 299 80 43,
E-mail: grow-eu-tbt@ec.europa.eu

The text is available on the EU-TBT Website : <http://ec.europa.eu/growth/tools-databases/tbt/en/>

https://members.wto.org/crnattachments/2024/TBT/EEC/24_06351_00_e.pdf

https://members.wto.org/crnattachments/2024/TBT/EEC/24_06351_01_e.pdf