



Protection level LIMITED BASIC

MEMORANDUM OF UNDERSTANDING

(WORKING ARRANGEMENT)

between

The European Union Agency for Network and Information Security (ENISA)

and

**The European Agency for the operational management of large-scale IT systems in the
area of freedom, security and justice (eu-LISA)**



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The European Union Agency for Network and Information Security (hereinafter referred to as ENISA), represented for the purpose of signing this Working Arrangement by its Executive Director, Udo Helmbrecht,

and

The European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice (hereinafter referred to as eu-LISA) represented for the purposes of signature of this Working Arrangement by its Executive Director, Krum Garkov,

hereinafter collectively referred to as the "Parties", or individually as the "Party",

Having regard to Regulation (EU) 526/2013 of the European Parliament and of the Council of 21 May 2013 concerning the European Union Agency for Network and Information Security, in particular Article 11 read together with Recital 18 thereof,

Having regard to Regulation (EU) 1077/2011 of the European Parliament and of the Council of 25 October 2011 establishing a European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice, in particular Article 17 read together with Recital 21 thereof,

Whereas:

- (1) In line with their respective mandates, the cooperation between the Parties can contribute to developing further the provision of expertise and operational and technical support to the EU and its Member States.
- (2) In line with the Common Approach on EU decentralised Agencies and its roadmap, enhanced cooperation between the Parties creates synergies and added value and fosters coherence among their actions in fulfilling their respective mandates.
- (3) It is within the common interest of the Parties to establish a Working Arrangement in the areas of mutual interest.



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Have agreed as follows:

Article 1

Purpose

The purpose of this Working Arrangement is to establish a cooperation framework between the Parties by identifying the areas of cooperation based on common interest and setting the objectives and principles of such cooperation.

Article 2

Areas of cooperation

The Parties cooperate by exchanging expertise and best practices developed in the carrying out their respective mandates, in particular, in the following areas:

- a. Exchange of information;
- b. Information and Communications Technology (ICT) related matters;
- c. Information security and business continuity;
- d. Training provided to Member States;
- e. Strategic and administrative matters;
- f. Other areas identified as mutually important.

Article 3

Exchange of information

1. The Parties agree that they may exchange information collected and processed, statistics, analyses and reports when fulfilling their tasks in accordance with the relevant provisions of their founding Regulations.
2. The Parties agree that they may develop the necessary services and tools for mutually exchanging statistical and non-personalised information from relevant large scale IT systems as well as that relevant to network and information security including trend analysis, risk analysis and situational awareness reports.
3. When setting up the exchange of information, statistics, analyses and reports, respective internal procedures of both Parties shall be followed.



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4. The Parties agree to cooperate in exchanging information on the findings resulting from the monitoring of relevant research initiatives, if appropriate, to improve the understanding of information and network security, use of ICT and the operational management of the IT systems.
5. The exchange of information can include, but it is not limited to:
 - a. General observations and general findings resulting from eu-LISA's or ENISA's activities that could be of help for the work of the other Party;
 - b. Exchange of best practices, tools and recommendations that could help the Parties to strengthen their cooperation in the fields covered by the present Working Arrangement.

Article 4

Information and Communications Technology (ICT) related matters

1. The Parties may assist each other with know-how, expertise, best practices, lessons learned and advice in technical, procedural, organisational, operational and ICT related matters. For that purpose, access may be provided to relevant technical information.
2. The Parties may support each other with prior assessment, design, deployment and provision of corporate IT services.
3. The implementation of this article shall take into account each Party's priorities and resource limitations.

Article 5

Information security and business continuity

1. The Parties may assist each other with know-how, expertise, best practices, lessons learned and advice in security and business continuity matters.
2. Possible services to assist each other and create synergies for the purpose of ensuring security and business continuity would be agreed on separate grounds.
3. The Parties may provide mutual support in performing business continuity and information security related exercises in relation to the systems they are in charge of.
4. The Parties may request each other's expertise and technical cooperation in the development and implementation of specific activities in accordance with their respective mandates.
5. The implementation of this article shall take into account each Party's priorities and resource limitations.



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Article 6

Training provided to Member States

1. The Parties agree to cooperate in the development of training materials and the delivery of trainings including e-learning.
2. The Parties commit to exchanging training strategies, methodologies and plans on a regular basis as well as to sharing training materials of common interest.
3. The Parties will explore the possibilities of mutual participation in training programmes and launching of joint training activities.
4. The Parties may also exchange information on trainers and experts involved in their training activities relevant to the other Party.
5. The Parties will explore the possibilities for using each other's facilities and logistical support for training activities.
6. The contribution of one Party to the training materials or activities of the other one will be duly acknowledged by the latter.

Article 7

Strategic and administrative matters

1. The Parties agree to consult each other, where relevant, when preparing their strategic documents, such as work programmes, strategies and action plans on the areas of cooperation identified in this Working Arrangement.
2. Each Party may, where appropriate, invite the other Party to participate in any of its planning activities to ensure consultation and the coordination of the relevant activities.
3. The Parties agree to cooperate in administrative matters by sharing experience, expertise and best practices including in the fields of human resource management, management of premises, internal and external audits, quality and risk management, internal control standards, finance and procurement.

Article 8

Data protection and access to documents

1. Any personal data related to the implementation of this Working Arrangement shall be processed pursuant to Regulation (EC) No 45/2001 of the European Parliament and of the Council of 18



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December 2001 on the protection of individuals with regard to the processing of personal data by the Community institutions and bodies and on the free movement of such data.

2. Access to documents will be processed in accordance with Regulation (EC) 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council and Commission documents.

Article 9

Confidentiality and Security

1. Each Party undertakes to keep confidential any information, document or other material provided by the other Party, not to disclose it to third parties without a prior written consent of that Party and not to use any such information for any purpose other than the implementation of this Working Arrangement.
2. Each Party shall ensure that information, including EU classified information (EUCI) and non-classified sensitive information provided or exchanged under this Working Arrangement is protected according to their respective security rules and principles as referred to in their respective establishing acts without prejudice to the role of their respective governing bodies to put these security rules and principles in practice.
3. The Party supplying the information will be responsible for the choice of the appropriate confidentiality level for the information and shall ensure that the level is clearly indicated. The receiving Party will take appropriate measures to ensure the required level of protection.
4. Both Parties agree to cooperate in the field of security in particular as regards measures necessary for the protection of EU classified or non-classified information and other sensitive information by means of consultation, mutual support or exchange of best practices.

Article 10

Expenses

The Parties shall bear their own expenses which may arise when implementing the present Working Arrangement unless otherwise mutually agreed on a case-by-case basis.



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Article 11

Contact points

1. For the implementation of this Working Arrangement the contact point of ENISA is the Head of Stakeholder Relations and Administration Department.
2. For the implementation of this Working Arrangement the contact point of eu-LISA is the Head of the General Coordination Unit.
3. The contact points may be amended through an exchange of letters.

Article 12

Evaluation of the cooperation

The Parties will assess annually the progress made in the implementation of this Working Arrangement and discuss further cooperation activities.

Article 13

Settlement of disputes

Any disputes which may emerge in connection with the interpretation or application of the present Working Arrangement shall be settled by means of consultations and negotiations between representatives of the Parties.

Article 14

Amendments and supplements to the Working Arrangement

1. This Working Arrangement may be amended or supplemented at any time by mutual consent between the Parties.
2. All amendments and supplements shall be done in writing. They will enter into force on the day following the signature by the last Party.

Article 15

Termination

This Working Arrangement may be terminated in writing by either Party by giving a three months' notice.



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Article 16

Entry into force

This Working Arrangement enters into force on the day following its signature by both Parties.

Done in Athens on *[10 January 2018]*, in duplicate copy and in the English language.

For ENISA,

For eu-LISA,

Executive Director,

Executive Director,

Udo HELMBRECHT

Krum GARKOV

[date]

[date]