

MEMO

Aan: Staatssecretaris van Economische Zaken en Klimaat
Van: CIO Platform Nederland
Datum: July 8th, 2021
Betreft: **Reaction CIO Platform Nederland to internetconsultation of bill on promoting digital resilience in companies (Wet bevordering digitale weerbaarheid bedrijven).**

CIO Platform Nederland (CIOPN) welcomes the bill entitled Promoting Digital Resilience for Businesses (WBDWB).

In recent years, CIOPN has repeatedly urged that information about vulnerabilities, incidents and specific threats on the Internet and in digital technology, which is available to the government, must be shared more widely than exclusively with the central government and providers of vital services. We therefore applaud the fact that this draft WBDWB bill will set a process in motion to enable such broader information sharing. We urge all agencies involved to adopt and enact this proposed legislation as soon as possible. Even now, businesses are falling victim to cybercrime on a daily basis, some of which could potentially be prevented by the intended sharing of information from the government.

We also urge the State Secretary and all other agencies involved to keep any barriers and potential thresholds for sharing information as low as possible. After all, part of the current problem stems from the (in our view too) restrictive interpretation of the legal possibility to share information from the NCSC with organisations that do not belong to its target group. A repetition of this must be prevented!

In this light, we wonder whether Article 4.1 does not run the risk of being interpreted in such a way that a processing agreement (verwerkingsovereenkomst) is required between Our Minister and the organisations with which the Minister could/would/should share information. If this risk exists, the article should be worded differently. Protection of privacy is a great thing, but should not lead to organisations being unable to operate for days, weeks or even permanently because their digital systems have become unusable. Especially if this could have been prevented.

The CIO Platform Nederland unites 130+ Dutch public and private organisations as major business users of digital technology, including software. Our members represent some €25 billion in IT spending worldwide.

NB. Please write the name of our association correctly on p.2 of the MoT: CIO Platform Nederland