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#### NOTE

From:	Presidency
To:	Working Party on Civil Protection (CER Directive)
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Subject:	Presidency Report: State of play on stress tests following up on the Council Recommendation on a Union-wide coordinated approach to strengthen the resilience of critical infrastructure

Delegates will find in Annex the above mentioned Presidency report. The present report is drawn up under the responsibility of the Swedish Presidency of the Council and aims to provide an assessment by the Presidency on the state of play of stress tests following up the Council Recommendation of 8 December 2022 on a Union-wide coordinated approach to strengthen the resilience of critical infrastructure.

**Presidency Report: State of play on stress tests following up on the Council  
Recommendation on a Union-wide coordinated approach to strengthen  
the resilience of critical infrastructure**

**1. INTRODUCTION**

On 8 December 2022, the Council adopted the Council Recommendation on a Union-wide coordinated approach to strengthen the resilience of critical infrastructure<sup>1</sup>.

In view of the fast-evolving threat landscape, the Council Recommendation sets out a series of targeted actions at Union and Member State level to support and enhance the resilience of critical infrastructure, on a voluntary basis, with a focus on critical infrastructure with significant cross-border relevance and in identified key sectors, such as energy, digital infrastructure, transport, and space. Those targeted actions consist of enhanced preparedness, enhanced response, and international cooperation.

In particular, Member States should encourage and support critical infrastructure operators to conduct stress tests where assessed as beneficial and in accordance with their national legal frameworks. Stress tests assess the resilience of critical infrastructure against antagonistic man-made threats and follow principles commonly agreed at Union level. With regard to the specific importance of the energy sector, and Union-wide consequences stemming from its possible disruption, the energy sector could benefit the most from conducting stress tests based on commonly agreed principles.

According to the Council Recommendation, Member States should aim to identify relevant critical infrastructure to be tested and consult with relevant critical infrastructure operators as soon as possible, and no later than by the end of the first quarter of 2023. In addition, Member States should support the critical infrastructure operators so that they undertake those tests as soon as possible and aim to complete them by the end of 2023, in accordance with national law.

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<sup>1</sup> Council Recommendation of 8 December 2022 on a Union-wide coordinated approach to strengthen the resilience of critical infrastructure (OJ C 20, 20.1.2023, p. 1–11).

In accordance with the Council Recommendation, the Swedish Presidency conducted an assessment of the state of play of the conduct of these stress tests in April 2023.

## **2. STATE OF PLAY ASSESSMENT OF STRESS TESTS**

The paragraph (6) in the Council Recommendation emphasizes the importance of conducting stress tests during 2023 and the intention to assess a state of play on stress tests by the end of April 2023.

At the meeting of the Working Party on Civil Protection in its specific formation dedicated to the Directive on the resilience of critical entities (PROCIV-CER) on 19 April, the Swedish Presidency held an exchange of views with Member States about their experiences regarding stress tests.

As overall conclusion from this exchange of views, the Presidency considers that the state of play assessment showed positive results and several encouraging aspects.

First, many Member States indicated that they have taken actions to implement the Council Recommendation, thereby keeping their political commitment and that they are proceeding with conducting the stress tests. Many Member States found that the stress tests can be very useful for enhancing the resilience of critical infrastructure, together with other pre-existing tools such as exercises and trainings.

Furthermore, many Member States are already planning to conduct stress tests within the energy sector and have identified the infrastructures to be tested - both actions being in line with the timelines set out in the Council Recommendation.

The Presidency also welcomes that many Member States consider their long existing relations with relevant stakeholders and critical infrastructure operators helpful in the work with the stress tests. In that regard, Member States highlighted that many of the operators see the stress tests as beneficial and a useful method to further evaluate the resilience of the critical infrastructure. This positive perception by many operators can be seen as an encouraging indicator of the operators' commitment to further strengthen the security and resilience of their infrastructure.

Finally, the Presidency is pleased to note that the majority of the planned stress tests are expected to be completed within the given timeframe, which is by the end of this year.

The Presidency believes Member States may benefit from further sharing of experiences and best practice on stress tests and other resilience enhancing measures in the continued work on critical infrastructure resilience in the Council – on a voluntary basis – in the future.

The Swedish Presidency expresses its sincere gratitude for the excellent cooperation with the Member States and the European Commission on this file.

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