

MEMORANDUM
ON
COMPUTER EMERGENCY RESPONSE TEAM /
COMPUTER SECURITY INCIDENT RESPONSE TEAM
OF THE CZECH REPUBLIC

Czech Republic - National Security Authority

Na Popelce 2/16

150 06 Prague 5

ID No.: 68403569

Represented by Ing. Dušan Navrátil, director of the National Security Authority
("NSA")

and

CZ.NIC, z.s.p.o.

Americká 23

120 00 Prague 2

ID No.: 67985726

Represented by Mgr. Ondřej Filip, MBA, director of the Association, on the basis of power of attorney

("the CZ.NIC Association")

WHEREAS

- A. the NSA, on the basis of Czech Government Resolution No. 781 of 19 October 2011, is the cyber security coordinator as well as the national authority for this area;
- B. the CZ.NIC Association is a special interest association of legal entities associating significant legal entities operating in the Czech Republic in the area of domain names and on the electronic communications market which operates the top-level domestic domain .cz (ccTLD .cz) and is engaged in the area of internet security and computer security;
- C. the Internet and data networks are an essential component of the State's critical infrastructure and their safety is important both for the activity of public administration and for private legal entities;

the Parties conclude, on the day, month, and year stated below, this Memorandum.

I. NATIONAL CSIRT TEAM OF THE CZECH REPUBLIC

1. 1. The NSA and the CZ.NIC Association agree that the CZ.NIC Association will continue to build and expand the agenda of the national "Computer Security Incident Response Team" of the Czech Republic (hereinafter "**CSIRT.CZ**").
2. As a national team, CSIRT.CZ will take part in resolving incidents related to the cyber security in the networks operated in the Czech Republic (incident response). In resolving incidents, CSIRT.CZ will provide coordination and assistance but no physical support. CSIRT.CZ is not obliged to render this assistance directly to end users. CSIRT.CZ will collect and evaluate data on reported incidents and pass those reported incidents on to the persons responsible for the operation of the network/service where the incident has occurred, according to the gravity of the incident.
3. CSIRT.CZ will fulfil the role of the national Point of Contact for the area of information technology; it will be a centre for education on the subject of cyber security; it will facilitate cooperation on the national and international level, the exchange of experience and information and will assist with the establishment of CERT/CSIRT teams in networks operated in the Czech Republic and help them in establishing collaboration with global security platforms. The exchange of information, both on a national and international level, between CSIRT.CZ and other CERT/CSIRT teams will take place according to the sensitivity and gravity of the situation in accordance with applicable legal regulations and practices to prevent the unauthorised use thereof.
4. In its activities, CSIRT.CZ will cooperate closely with the public administration's CSIRT Team established within the NSA, whose competences will cover incidents relating to cyber security in the networks of the public administration of the Czech Republic (hereinafter the "**Governmental CERT**").
5. The activity of CSIRT.CZ will be realised in accordance with operating documents issued by the CZ.NIC Association on the basis of the consideration of their proposals with the NSA and after any consultations of their proposals with the professional community (hereinafter the "**Operating Documents**"). Copies of the current versions of Operating Documents are kept at the NSA.
6. The CZ.NIC Association declares that it has sufficient technical resources and the staffing necessary to ensure the smooth operation of CSIRT.CZ both in the Czech Republic and, for the purpose of cooperation and coordination, on the international level.
7. The CZ.NIC Association will secure the full technical operation and full functionality of CSIRT.CZ to the extent specified in this Memorandum, including all necessary accreditations.

II. CONCEPTUAL MANAGEMENT OF CSIRT.CZ

1. The activity of CSIRT.CZ will be managed in accordance with the Operating Documents.
2. For the effective conceptual management of the CSIRT.CZ, one or more bodies can be established with members from the ranks of workers from the CZ.NIC Association (CSIRT.CZ), the NSA (Governmental CERT) as well as other individuals from the professional community, representatives of academia and the non-profit sector.

III. FINANCING OF THE OPERATION OF CSIRT.CZ

1. The expenses connected with the operation of CSIRT.CZ will be borne by the CZ.NIC Association. The NSA will not contribute to the financing of CSIRT.CZ.
2. The CZ.NIC Association may receive support for the financing of the operation of CSIRT.CZ from private, departmental, governmental or international sources, especially in the form of grants or from funds.
3. The NSA will support the CZ.NIC Association in its effort to seek the financing of the operation of CSIRT.CZ, unless this could be considered a conflict of interest due to the involvement of the NSA in the bodies making decisions regarding financing.

IV. COOPERATION IN THE FIELD OF CYBER SECURITY

1. Both Parties are interested in maintaining close cooperation in the area of cyber security, within the scope of CSIRT.CZ and Governmental CERT.
2. The CZ.NIC Association (CSIRT.CZ) and the NSA (government CERT) will closely cooperate on the development and further enhancement of the capabilities of both centres, to maintain their compatibility and improve the potential for the effective and efficient protection of the Czech Republic's cyberspace, especially based on consultations in the development of CSIRT.CZ and the Governmental CERT, mutual support and providing information. The results of the research tasks and solutions will be shared for use by all entities involved in the protection of cyberspace, including public authorities and the bodies of the critical information infrastructure. During the initial stages of the operation of the NSA's specialized centre (Governmental CERT), CZ.NIC (CSIRT.CZ) will help the NSA with its development and incorporation into international structures.
3. The CZ.NIC Association (CSIRT.CZ) and the NSA (Governmental CERT) will closely cooperate on cyber security awareness in the Czech Republic in the form of workshops, conferences, training courses, participation in events related to this area and the publication of documents related to this issue, in both electronic and printed form. Both Parties will inform each other adequately in advance about the prepared activities, will coordinate their preparation to avoid unnecessary overlaps, and will provide each other with space for their participation in these activities, e.g. in the form of lecturing, etc. Depending on the possibilities of both Parties, support for awareness in the area of cyber security will involve all of the relevant entities, including public administration and critical information infrastructure subjects.
4. The CZ.NIC Association will actively promote the establishment of new security teams among public administration entities, the critical infrastructure, academic institutions and private companies.
5. If during the resolution of any of the incidents CSIRT.CZ is faced with a situation which has or may have a significant security impact on the public administration network or the critical information infrastructure (information regarding a controlled attack, etc.), the CZ.NIC Association is required to immediately forward this information to the NSA (Governmental CERT) and proceed to resolve the incident in cooperation with the authority.
6. The CZ.NIC Association is obliged to follow the instructions of the NSA (Governmental CERT) if this cooperation is required by circumstances that have a significant impact on the cyber security of the Czech Republic. Furthermore, it shall participate, upon the NSA's request, in international exercises or other possible activities relating to the operation of CSIRT.CZ and the cyber security of the Czech Republic.
7. The CZ.NIC Association will participate in the creation and future changes to the legislation and other related documents and regulations in the field of cyber security. The NSA will consult the creation of the legislation and the said documents and regulations with the CZ.NIC Association.
8. Based on the instructions from the NSA, the CZ.NIC Association (CSIRT.CZ) will attend task force meetings for the solution of critical security incidents that may have a significant security impact on the government networks and critical information infrastructure. The CZ.NIC Association will provide the NSA with the contact details of the persons who will fulfil this obligation for the CZ.NIC Association and who meet the terms and conditions for access to the classified information to which they may gain access in this activity, at least for the "Restricted" classification degree.
9. The NSA determines the status of CERT/CSIRT type workplaces in the Czech legal code. The NSA will also support the incorporation of CSIRT.CZ into international structures, in particular by confirming the status of CSIRT.CZ as the national CSIRT team.
10. The NSA will comment on the Operating Documents of CSIRT.CZ and the CSIRT.CZ activity report submitted by the CZ.NIC Association.
11. The NSA is entitled to request the auditing of CSIRT.CZ activities. In this case, the CZ.NIC Association will carry out the audit and submit the results thereof to the NSA.

12. The NSA evaluates information received from CSIRT.CZ if CSIRT.CZ suspects that an incident that has been resolved could affect the systems of the State or public administration and the critical information infrastructure.
13. The NSA coordinates the activity of CSIRT.CZ and the Governmental CERT.
14. The NSA shall submit annual reports regarding the operation of CSIRT/CERT in the Czech Republic to the ENISA European agency.

V. PUBLICATIONS

1. The CZ.NIC Association (CSIRT.CZ) will regularly publish on its website updates and statistics regarding the number and types of incidents solved. Upon request of the NSA (Governmental CERT), the CZ.NIC Association will provide detailed information about these incidents.
2. The CZ.NIC Association will publish regular reports, at least once a year, on the activity of CSIRT.CZ. Prior to the publication of the report, the CZ.NIC Association will submit the report to the NSA for review. The reports will serve as one of the sources of support data for the creation of joint reports submitted annually to the Czech Government regarding the cyber security in the Czech Republic. Both Parties will cooperate in preparing the joint report on the status of cyber security in the Czech Republic submitted to the Czech government. CZ.NIC will also provide the NSA with support data for drawing up a joint report on the activities of CSIRT/CERT in the Czech Republic for the relevant European agency. The first report to be submitted by the NSA to the European agency will be the 2013 report.
3. The Parties will work together on the preparation and publication of a joint press release to ensure positive media coverage of their cooperation. The Parties are entitled to publish the full text of the Memorandum.

VI. MISCELLANEOUS

1. Upon agreement of both Parties, this Memorandum shall take effect on 1 January 2013 and expire on 31 December 2015. The Parties declare that by the date this Memorandum expires they shall endeavour to conclude a similar document, the subject of which will be the operation of the CSIRT.CZ agenda. The Parties undertake to inform each other adequately in advance prior to the expiry of the period for which this Memorandum is concluded, at least three months in advance, if they do not intend to sign such a document for the period following the expiry of this Memorandum.
2. Each Party is entitled to withdraw from this Memorandum prior to 31 December 2015 in the event of a change in the circumstances and the failure to comply with the terms of the mutual cooperation as described in this Memorandum, subject to a three-month notice period. Each Party is also entitled to terminate this Memorandum without giving a reason, with a nine-month notice period. In such a case, the Parties are obliged to take the measures necessary in their mutual cooperation to ensure that the agenda of CSIRT.CZ can be handed over to a new operator without undue delay.
3. The Parties agree to inform each other of their attitudes on matters relating to their activity under this Memorandum and to consult each other about problems that may arise. For this purpose, each Party will designate a contact person for communication with the other Party.
4. Both Parties agree that they will each cover their own costs related to the realisation of the objectives specified in the Memorandum.
5. By signing this Memorandum, the Parties do not intend to create any mutual legal obligation other than that following from their mutual declaration on the manner of cooperation in the areas specified herein.
6. Both Parties agree to keep confidential the facts that the other Party designates as confidential information (i.e. not classified according to specific regulations) or which are classified according to the applicable legislation. The confidentiality duty shall not apply to the publication of statistics and basic information about security incidents. The confidentiality duty

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shall survive the termination of the Memorandum. The confidentiality duty shall not be deemed breached if a Party is obliged to disclose any information by force of law.

7. This Memorandum cancels and replaces to the full extent the Memorandum signed between the Parties on 28 March 2012.

Czech Republic - National Security Authority

Signed: *[signature illegible]*

Name: Ing. Dušan Navrátil

Title: Director of the National Security Authority

Date: 19 December 2012

CZ.NIC, z.s.p.o.

Signed: *[signature illegible]*

Name: Mgr. Ondřej Filip, MBA

Title: Executive Director

Date: 19 December 2012

Ref. No.: 20140/2012-NBÚ/41

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