



Closing of the infringement case no. 2019/2214 against Romania regarding the bad application of the Directive (EU) 2016/1148 (NIS Directive)

Bucharest, 13th of October 2021

In 2019, the European Commission launched infringement proceedings against Romania, following the failure of our country to fulfil its obligations under Article 5(7) of Directive (EU) 2016/1148 concerning measures for a high common level of security of network and information systems across the Union (NIS Directive).

The infringement was related to delays in registering Operators of Essential Services (OES) as defined by Law 362/2018 and also for delays in the establishment of sector-specific criteria, as well as threshold values for cybersecurity incidents.

Four key documents that directly addressed the infringement cases and transposed the NIS Directive into national law were drawn up and adopted:

- **Government Decision No 963 of 5 November 2020** approving the list of essential services;
- **Government Decision No 976 of 12.11.2020** approving the threshold values for determining the significant disruptive effect of incidents at the level of network and information systems of operators of essential services;
- **Government Decision no. 1003 of 23.11.2020** on the approval of technical rules determining the impact of incidents for categories of operators of essential services and digital service providers;
- **Order No 1323/2020 of the General Secretariat of the Government** approving technical rules concerning minimum requirements to ensure the security of network and information systems applicable to operators of essential services.

The European Commission welcomed these efforts and considered that the initial reasons for the infringement procedure were no longer valid. Consequently, on 23rd of September 2021 it decided to close Case 2019/2214 against Romania.