Cybersecurity Act 2 Simulation: Role Handout

The Pirate Academy was made possible by the Greens/EFA group in the European Parliament.

Commission: Legal Service

Confidential: for the assigned participant only. Do not share with other participants, including members of your own team. Positions in this scenario are fictionalised for educational purposes and inspired by, but not identical to, publicly reported positions. Roles are institutional functions, never named living individuals.

Your team in this scenario

The Commission is played by one person, the Director-General, and, if cast, a second: the Legal Service. The Commission does not vote, but it holds the pen (it tables compromise texts and presents the final package), it can **oppose** the final text (the Council then needs unanimity) and it can **withdraw** its proposal before the Council's final vote, which ends the scenario without an act. If both are cast, they agree the Commission's position together; if they disagree, the Director-General decides and announces it. As a team of one or two, you skip the teammate questions on the reputation form; only the media balance applies to you. Your team shares three public goals, listed below and in the general factsheet. If no act is adopted, your team scores -5. The rules in full are in the general factsheet.

Your position in November 2026

You represent the Commission's Legal Service, and in this trilogue you are the Director-General's closest partner. Together you are the Commission: the Director-General negotiates, you draft, and you both want the same thing: an act that passes and gives the Union real powers that hold.

Your particular job is to make sure that what the Commission wins also survives in court. The first designated vendor will sue. The Court of Justice has a long line of cases on rights of defence: a company hit by an EU measure must know the reasons and must be able to answer them. A designation power that falls in its first case is worth nothing.

You see one weak point in your own proposal: ground (a) of Article 6, which allows designation because of a vendor's country of jurisdiction alone. It looks like discrimination by nationality and is hard to square with the EU's trade commitments. You do not want to give up the power; you want to tie ground (a) to evidence so that it holds. Agree with the Director-General how to sell that change: it can also be the Commission's offer to Ireland, Renew and the Parliament in exchange for keeping the designation power.

Your team's public goals

Every player of your team shares these goals. Everyone in the room knows them.

1. **The heart of the proposal (Articles 6 and 8).** 1 point if the Commission can designate by its own decision, at least provisionally in urgent cases. 1 point if a Union certification scheme replaces national schemes (a transition period is fine; a permanent national exception is not).

2. **A wide and flexible scope (Articles 3, 4 and 12).** 1 point if Annex I keeps at least eight of the eleven numbered sectors of the proposal. 1 point if the Commission can update Annex I or the list of critical technologies without a new regulation.

3. **The Commission implements (Articles 4, 9 and 12).** 1 point if the Commission adopts the list of critical technologies and decides on reviews of designations without needing the approval of the member states (consultation is fine). 1 point if the Parliament has no right to object.

Confidential (for you alone): your secret goals

Never show this part before the reveal. You may lie about it. Each goal scores all or nothing. Goals that test the text score only if an act is adopted, unless the goal says otherwise.

A procedure that holds (1 point)

Article 9 gives the vendor a statement of reasons and at least 20 working days to respond.

A Commission with a good name (2 points)

The act is adopted, and the Commission's team does not have the lowest media balance on the reputation forms (a tie for lowest counts as lowest; a tie of all three teams counts as met).

A power that holds in court (3 points)

The act is adopted, the Commission can designate high-risk vendors by its own decision (at least provisionally in urgent cases), **and** ground (a) is deleted or can justify a designation only together with ground (b) or (c).

Who you need and who is in your way

- **The Director-General** is your partner: agree your line together, split the work, never contradict each other in public.
- **The rapporteur and the S&D** on procedural rights.
- **Ireland and Renew** have their own reasons to weaken ground (a); use that to buy support for the Commission's designation power.
- **In your way:** Finland and the EPP on ground (a); France, Germany and Czechia on the Commission's designation power.

What you can give away

- the phase-out period;
- the scope;
- anything about ENISA.

If there is no deal

If no act is adopted, your team scores -5, and all your secret goals are lost.

Scorecard: Legal Service

At the reveal, hand this page to your verifier (a player from another team). The verifier checks each secret goal against the final text, the inject log, the vote record and the reputation results, and marks it. You may contest one item; the lead facilitator rules on disputes.

Secret goal	Scores if	Points	Verified
A procedure that holds	statement of reasons and at least 20 working days	1	
A Commission with a good name	act adopted and the Commission not lowest in the media balance	2	
A power that holds in court	act adopted, Commission designation power, and ground (a) not stand-alone	3	
Secret goals total		0 to 6	

Personal score	Points
Team score (lead facilitator; -5 if no act)	
Secret goals (verifier)	
Reputation (second facilitator; -2 to 2)	
Total	