Cybersecurity Act 2 Simulation: General Factsheet

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

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.

Background

Almost everything that keeps a society running now depends on networks: power grids, hospitals, water supply, payments, telephones. Much of the equipment in those networks comes from a small number of vendors, and some of them are based in countries whose governments can order companies to cooperate with their intelligence services.

The European Union has been arguing about this since 2019. In January 2020 it adopted the 5G Toolbox, a set of voluntary recommendations for limiting “high-risk vendors” in mobile networks. In June 2023, the Commission said publicly that Huawei and ZTE represent materially higher risks than other 5G suppliers, but only about ten member states had actually restricted them. In July 2024, Germany agreed with its operators to remove Huawei and ZTE components from 5G core networks by the end of 2026 and from critical network management functions by 2029. Elsewhere, the equipment stayed. Meanwhile, Chinese state-linked hackers broke into major US telecom operators (the “Salt Typhoon” campaign, made public in autumn 2024), and in May 2025 Reuters reported that US experts had found undocumented communication devices in some Chinese-made solar inverters connected to the grid.

On 20 January 2026, the Commission proposed a new Cybersecurity Act, known as **CSA2**. Among other things, it would let the Union designate high-risk suppliers, ban their components from key parts of networks and phase out equipment already installed. The proposal goes to the Council and the European Parliament under the ordinary legislative procedure.

This simulation puts you in **Brussels in November 2026**. **Ireland** holds the presidency of the Council. Both institutions are about to adopt their positions, and the first political trilogue has been called. In reality the file is slower: in autumn 2026 the Parliament's committees were still working on their reports and the member states were still negotiating among themselves. Over two days, you will compress the rest of the procedure into one mandate phase and one trilogue.

You will not negotiate the real 122-article proposal. You will negotiate a **teaching text of thirteen articles** (the Commission proposal, a separate document), built around the five questions that divide the real negotiators. The result is entirely yours.

This factsheet gives you only the general situation and the rules. You should also study the Commission proposal and your personal role handout.

Educational purpose

This is a demanding scenario. You will practise:

- **Working on a legal text article by article.** You will read a regulation, propose amendments in precise wording and follow them in a four-column document.
- **Understanding the fight over who decides.** Many arguments in this file are not about what the rules say but about who applies them: the Commission, the member states, or both with the Parliament watching.
- **Balancing a team and an agenda.** Your institution has public goals. You also have private goals, and some of them pull against your own team.
- **Counting votes.** In the Council, two member states can block. In the Parliament, majorities have to be built group by group.
- **Weighing security, cost and rights.** Faster removal of risky equipment is safer and more expensive; stronger designation powers are more effective and easier to abuse.

The three institutions and the cast

Institution	**Roles**	**Votes?**
European Parliament	Greens/EFA (rapporteur), EPP, S&D, Renew Europe, Patriots for Europe	yes, by seats

Institution	Roles	Votes?
Council	Ireland (presidency), France, Germany, Finland, Czechia; optional: Poland	yes, one vote each
European Commission	Director-General (lead negotiator); optional: Legal Service	no; holds the pen, may oppose or withdraw

Each role is played by one participant. One or two facilitators run the simulation and never play a role: the **lead facilitator** keeps the four-column document, announces thresholds, counts votes and scores the team goals; the **second facilitator** runs the clock, the injects, the inject log and the reputation forms. The facilitators will tell you which roles are cast; the designed cast is eleven, with up to two optional roles. Each institution plays as a **team**: it shares three public goals. Each player also has **secret goals** on a confidential card.

The **rapporteur** (Greens/EFA) leads the Parliament's team and speaks for it in the trilogue. The **presidency** (Ireland) chairs the Council and speaks for it. The **Director-General** plays the Commission and presents compromise texts. The facilitators never chair: on day 1 the rapporteur and the presidency chair the hearings in turn; on day 2 the table decides at the opening who chairs which round, choosing among the Director-General, the rapporteur and the presidency. The chair keeps their role and vote.

The decision rules

Council

A text is adopted if **no more than one member state present votes against**: 4 of 5, 5 of 6 if Poland is cast, or 3 of 4 with a reduced cast. In other words, a text passes unless two states vote against it; three in favour, one against and one abstention is enough. Abstention counts as not against. This replaces qualified majority voting, which cannot be modelled meaningfully with five states. In practice: **two member states together can block.**

Commission opposition

If the Commission opposes the final text, the Council can adopt it only **unanimously** (every member state present votes in favour; abstention counts as against). This is a simplified version of Article 293 of the Treaty on the Functioning of the European Union. The Director-General announces the Commission's position (if the Legal Service is cast, after agreeing it with the Legal Service; if they disagree, the Director-General decides).

Parliament

Each political group votes as a bloc with its number of seats. A text is adopted with **361 seats in favour** (a majority of the 720 members). Groups that are not played (ECR 78, The Left 46, ESN 25 and the non-attached members) count as not in favour.

Group	**Seats**
EPP	188
S&D	136
Patriots for Europe	84
Renew Europe	77
Greens/EFA	53

Coalition	**Seats**	**Passes?**
EPP + S&D	324	no
EPP + S&D + Greens/EFA	377	yes
EPP + S&D + Renew	401	yes
EPP + S&D + Patriots	408	yes
EPP + Renew + Patriots	349	no
EPP + Renew + Greens/EFA + Patriots	402	yes
all groups except EPP	350	no

No majority is possible without the EPP. The facilitator will give you the table for a reduced cast.

Withdrawal

The Commission may withdraw its proposal at any time before the Council's final vote. The scenario then ends without an act.

Final votes and retry

After the final package, the Director-General announces the Commission's position; then the Council votes, then the Parliament. Both always vote, even if the other has already rejected the text. If either vote fails, the Director-General may present one revised package within 15 minutes, and both institutions vote again, the Council first. A second failure is final: no act.

How the two days work

Day 1: positions and mandates (about 3.5 hours)

Each institution reads the proposal, agrees its position on the five questions and prepares its five-minute hearing statement. The Commission presents its proposal, and the Parliament and the Council present their first positions in short hearings. Informal talks follow; the first inject arrives during them. At the end of day 1, the Parliament and the Council each vote on a **mandate**: their position on every article and on Annex I, written into the mandate template (Annex A): for each article "accept", "delete" or a full replacement wording; new articles and recitals in full wording. A mandate needs the same majority as a final text. If a mandate vote fails, the institution has ten more minutes to adjust and vote again. If it fails twice, that institution enters the trilogue without a mandate: each of its members sends the lead facilitator a filled mandate template the same evening, and its members negotiate individually.

Day 2: the trilogue (about 8 hours with breaks)

All three institutions meet at one table. After 60-second opening statements, they negotiate the questions in four rounds, usually starting with the easier ones (round 1: certification, scope and penalties; round 2: designation; round 3: phase-out; round 4: procedural rights and open issues); the table may change the order. Outside events (**injects**) arrive during the two days; the facilitators say at the briefing how many. Before the final package, everyone fills in the **reputation form**. The Commission then presents the final package, the lead facilitator reads out the consolidated text with the defaults applied, and the Council and the Parliament vote (see "Final votes and retry" above).

The four-column document

The trilogue works on a shared four-column document:

Commission proposal	**Parliament mandate**	**Council mandate**	**Compromise text**

The lead facilitator fills the first three columns after day 1 (template in Annex B) and posts the document to everyone the same evening. Articles where both mandates agree are marked green and copied into the compromise column as agreed text from the start; where an institution has no mandate, an article is green only if every individual position agrees with the other mandate. The rest of the compromise column is

written during the trilogue. The Commission tables compromise wording; anyone may propose wording, by handing it to the Director-General or the lead facilitator, who enters it with its author. Only the lead facilitator edits the document; you work in your own copies.

Text is **provisionally agreed** when the chair of the round asks for objections and the same simple thresholds as in the final votes are met: no more than one Council member present objects, and the Parliament groups that do not object together hold at least 361 seats; groups not played count as objecting. The Commission may object, but its objection does not count; its opposition power and the unanimity rule apply only to the final votes. Any provisional agreement, including a green article, can be reopened until the final vote.

The proposal has five recitals before Article 1. You may amend them or add your own. Recitals do not bind: team goals are tested on the articles and Annex I only; a secret goal that says "in a recital or an article" is met by either.

Default rule

Where no compromise text has been agreed for an article, a paragraph or an item of Annex I by the end of the final package, **the Commission text fills the gap**. The institutions then vote on the whole consolidated text, gaps included: the default never adopts anything by itself. If you cannot agree on the phase-out period, the text you vote on says 18 months.

Team goals (public)

Every team has three public goals: two about the content of the law and one about power. Each goal scores **0, 1 or 2 points** against the final text. If no act is adopted, **every team scores -5** instead.

Parliament

1. **Fair procedure (Article 9).** 2 points if Article 9 contains all three: a written statement of reasons; at least 20 working days for the vendor to respond; and a review of every designation at least every 36 months, or automatic lapse after at most 36 months. 1 point if it contains two of the three.

2. **Real protection (Articles 3 and 7).** 1 point if Annex I covers at least energy, health, drinking water, electronic communications networks, and cloud computing or data centre services. 1 point if the phase-out period for the most critical technologies is at most 24 months.

3. **A real say for the Parliament (Article 12).** 2 points if the Parliament gets a formal right to object to designations or to the list of critical technologies. 1 point if the Commission must report to or be heard by the Parliament before or after designations, without a right to object.

Council

1. **Keep the costs down (Articles 7 and 10).** 1 point if the phase-out period for most equipment is at least 36 months. 1 point if the maximum penalty is below 7% of turnover.

2. **A proportionate scope (Article 3).** 2 points if Annex I is limited to energy, drinking water, health and electronic communications networks, or fewer. 1 point for a middle solution: those core sectors plus up to three others, or a broader list where the phase-out applies only to the core sectors or only above a size threshold.

3. **Member states stay in control (Articles 6 and 8).** 1 point if designation requires the agreement of the member states (a Council or committee vote) before it takes final effect; a provisional designation that the member states must confirm counts. 1 point if member states may keep their own certification on national security grounds.

Commission

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.

How the tests read

- "Most critical technologies" and "most equipment": if the text has one phase-out period, it counts for both. If it is tiered, the shorter period counts for the most critical technologies and the longer one for most equipment.

- Sectors are counted by the numbered items of Annex I. An item counts as kept if any part of it stays in the annex. For the Council's scope test and similar tests, item 6 counts as a core sector only if it is reduced to electronic communications networks; cloud computing and data centre services otherwise count as one further sector.

- The penalty tests read the percentage figure written in Article 10.

- A “formal right to object” for the Parliament means a right to block designations, the list of critical technologies under Article 4 or amendments to Annex I. Being informed or heard is not a right to object.

- “No third country is named” counts any naming of a country, including a country named in a clause that protects allies.

- A test is met only by the text of the act. Speeches, joint statements and side agreements do not change the score of a team goal.

- When a test is unclear, the lead facilitator rules.

Secret goals and your personal score

Each player’s handout contains a confidential card with three secret goals: an easier one (1 point), a medium one (2 points) and a hard one (3 points). The hard goal often pulls against your own team. Secret goals score all or nothing. Goals that test the text score only if an act is adopted; goals that test something else (a vote, the reputation form) are scored as written on the card.

Records

Some goals are checked against records, not against the text. The second facilitator keeps the **inject log**: the time of each inject, every written amendment tabled in reaction to it and by whom, every joint statement and who agreed it, signed side agreements, written declarations and the vote record. A written amendment counts only if you hand it to the lead facilitator or the second facilitator before the deadline on your card. A **joint statement** is a short text agreed by the Director-General, the presidency and the rapporteur in reaction to an inject and read out to the whole room (after inject 1, at the opening of day 2); it is not part of the act. A **written declaration** is a short signed note handed to the second facilitator at any time. Nothing you only said counts.

You may lie about your card. Never show it before the reveal.

Your **personal score** is:

team score (-5 to 6) + secret goals (0 to 6) + reputation (-2 to 2)

There is one ranking of all players. Winning matters less than understanding why you scored what you scored: all the stakeholders are in very different positions and the simulation is decidedly not fair.

The reputation form

Shortly before the final package, every participant fills in a short confidential form and hands it to the second facilitator (questions 3 and 4 must name two different teams; a team of one or two players skips questions 1 and 2):

1. the most helpful member of your own team (not yourself);
2. the most problematic member of your own team (not yourself);
3. one other team you support in the media;
4. one other team you criticise in the media.

Reputation points:

- named most helpful by at least two teammates: +1;
- named most problematic by at least two teammates: -1;
- the Commission's players (a team of one or two) cannot score or lose these points;
- each team's media balance is its supports minus its criticisms. Members of the team with the highest balance get +1; members of the team with the lowest balance get -1. Teams that tie share the result; if all three tie, nobody gets anything.

The form represents the reputation that negotiators carry into their next file.

Injects

The facilitators represent the outside world: governments outside the EU, companies, the press. They will release news during both days. Injects never change a rule or a score, but some players may have reasons to react to them.

The reveal

After the final votes, the lead facilitator projects the consolidated final text, and all secret cards are turned face up. The lead facilitator scores the team goals on screen; each team may contest one item, and the lead facilitator rules at once. Then each player hands the scorecard page of their handout to a **verifier** from another team, assigned by the facilitators, who checks the secret goals against the final text, the inject log, the vote record and the reputation results (15 minutes) and reads out the total. You may contest one item;

the lead facilitator rules, following the intent of the goal. Then the totals go on the board, side agreements are read out, and the debrief begins.

Side agreements

You may make written, signed side agreements (for example, a promise to support another player on a later file, or a commitment outside the text of the act). They are not part of the law. Secret side agreements are allowed; give a copy to the second facilitator, and they will be read out after the game.

Etiquette

- Stay in role during the negotiation; step out of role only in breaks and in the debrief.
- Argue about positions, never about people.
- Anyone may call a **tap-out** at any time without giving a reason. The facilitator pauses the game.
- Lying about your goals is allowed. Lying about the rules or the text is not.
- **No recording:** the simulation is not recorded, by anyone. Notes are fine.
- **Out of the game:** one organiser, named at the briefing, is the contact for anything that happens outside the game during the two days, including the evening programme.
- **Rule zero:** the lead facilitator's ruling is final and follows the spirit of the rules rather than their letter.

(Read aloud at the start of day 1.)

Annex A: Mandate template

One per institution; it is your working copy on day 1 and the text you vote on at the end of day 1. Fill in every row. "Accept" means the Commission text stands; "delete" removes the article; otherwise give the full replacement wording. New articles and recitals go in full wording. The commentary is optional and does not bind.

Article	**Accept / delete / replace**	**Replacement wording (if any)**	**Commentary (optional)**
Recitals 1 to 5 (and any new ones)			

Article	**Accept / delete / replace**	**Replacement wording (if any)**	**Commentary (optional)**
Art. 1 Subject matter			
Art. 2 Definitions			
Art. 3 Scope			
Art. 4 List of critical technologies			
Art. 5 Coordinated risk assessment			
Art. 6 Designation of high-risk vendors			
Art. 7 Phase-out of designated technology			
Art. 8 Union security certification			
Art. 9 Rights of the vendor and review of designations			
Art. 10 Penalties			
Art. 11 Tasks and resources of ENISA			
Art. 12 Implementing measures			
Art. 13 Entry into force			
New articles (6a, 9a, …)			
Annex I Sectors (list the items kept, deleted or added)			

Adopted by the [Council / Parliament] on [date], [votes for / against / abstentions].

Annex B: Four-column document (template)

Kept by the lead facilitator. One row per article or paragraph; new articles are added in order (6a, 9a, and so on). Green rows are agreed from the start and copied into the fourth column.

Article	**Commission proposal**	**Parliament mandate**	**Council mandate**	**Compromise text**
Recitals 1 to 5 (and any new ones)				
Art. 1 Subject matter				
Art. 2 Definitions				
Art. 3 Scope				
Art. 4 List of critical technologies				
Art. 5 Coordinated risk assessment				
Art. 6 Designation of high-risk vendors				
Art. 7 Phase-out of designated technology				
Art. 8 Union security certification				
Art. 9 Rights of the vendor and review of designations				

Article	**Commission proposal**	**Parliament mandate**	**Council mandate**	**Compromise text**
Art. 10 Penalties				
Art. 11 Tasks and resources of ENISA				
Art. 12 Implementing measures				
Art. 13 Entry into force				
New articles (6a, 9a, …)				
Annex I Sectors (list the items kept, deleted or added)				