Europe and US divide once again over cyber security

Europe and the United States have unveiled differing approaches to tackling cyber security, threatening to create problems for companies operating across the two major trade blocs.

The US approach, which can be characterised as ‘voluntary’, was detailed in an Executive Order issued by President Barack Obama in February 2013, calls for voluntary sharing of information on cyber attacks between business and government.

The Order follows the failure in November 2013 — amid fierce opposition from businesses complaining about over-regulation — of the US Senate to approve administration-backed cyber security legislation.

The abandoned legislation would have increased information-sharing between intelligence agencies and private companies, with some privacy protections. It also would have set voluntary standards for businesses that control electric grids, water treatment plants and other essential facilities.

The approach is consider-
ably more flexible than that of newly proposed European legislation. Alongside an over-
arching Cybersecurity Strategy, the European Commission proposed a Directive with measures to ensure harmonised network and information security across the EU.

The new Directive makes it compulsory for all ‘market operators’, including utilities, transport and financial services businesses, as well as public authorities that make use of ‘network and information systems’.

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