

## Report on the results of the public consultations

### 1. Title of the draft act

Draft Decision "On the Approval of the National Cyber Security Certification Scheme"

### 2. Duration of consultations

Specify the overall duration of public consultations in terms of working days, including the opening and closing dates of public consultations; If the duration was shorter than 20 working days provided by law, give reasons for the shortening of the duration.

The draft decision "On the approval of the national cyber security certification scheme" **has not been published in RENJK**, but consultative meetings were held at the Authority on June 4-5, 2025, with interest groups.

### 3. Consultation method

List all the consultation methods used, such as electronic consultations (Electronic Registry, emails, websites, etc.), public meetings, meetings of advisory bodies..., and provide information on their timeline, duration, and deadlines. Explain how information on the open consultations was disseminated, how stakeholders were invited to contribute. Also include activities from the preliminary consultations if such have been arranged).

Regarding the draft decision "On the approval of the national cyber security certification scheme", by the Authority on 27.05.2025 the Authority published for consultation on its official website ([www.aks.gov.al](http://www.aks.gov.al)). Also, on 4 and 5 June 2025, the Authority organized consultative meetings on the draft decision at the premises of the KSSA, where representatives from critical and important information infrastructures (including the BoA, second-level banks, AKSHI, MIE, OST, etc.), companies that offer, produce ICT products and services, independent experts, representatives of the General Directorate of Accreditation and representatives of the State Market Surveillance Inspectorate as well as entities responsible for the implementation of this draft decision.

The interest groups were notified by the AKSK in written form, respectively with the letters no. 1955 prot, dated 30.05.2025, letter no. 1956 prot, dated 30.05.2026 "Invitation to participate in the public consultation of the draft management of the national cyber security certification scheme" as well as via email.

The main purpose of these meetings was to present and get acquainted with the draft decision "On the approval of the National Cyber Security Certification Scheme" by the participants as well as to provide comments and suggestions from their side. It is worth noting that the Authority has taken into consideration most of the comments and suggestions given by the DPA.

#### 4. Stakeholders involved

List all stakeholders, whether organisations or individuals, who have provided feedback/input to public consultations through different consultation methods, throughout the drafting process. Also mention the number and structure of stakeholders who attended public meetings or advisory body hearings.

Specify the stakeholders who participated in the working group for drafting the act.

The draft decision was proposed by the Prime Minister and drafted by the National Authority for Cyber Security (NSSA). Also, the AKSK has been consulted on the draft decision with an expert from CILC: Center for International Legal Cooperation.

During the consensus meetings held on 4-5 June 2025, the institutions that have forwarded comments and suggestions (electronically) are as follows:

- General Directorate of Accreditation (DPA)

##### 1. Overview of received comments with the justification of received/rejected comments

Group the received comments/proposals according to the issue they raised;

Group similar reviews together and list the stakeholders who raised them;

Explain what the decision was made and briefly explain the reasons for it.

Issue addressed	Comment	Stakeholders	Decision	Justification
Regarding definitions	<p>DIFFERENCES BETWEEN (ITSEF) AND OVK</p> <p><b>Aspects</b></p> <p>ITSEF (Information Technology Security Evaluation Facility)</p> <p>CAB (Conformity Assessment Body)</p>	DPA	Accepted	
	<p><b>Function</b></p> <p>Technical laboratory doing technical evaluation and product testing .</p> <p>The institution that oversees the certification process and issues the certificate.</p>			

	<p><b>Accreditation</b></p> <p>Accredited as a <b>testing laboratory</b> (according to ISO/IEC 17025).</p> <p><b>Work product</b></p> <p>Prepares the <b>Technical Evaluation Report (ETR)</b>.</p> <p><b>Relationship with authority</b></p> <p>It is not necessarily responsible for certification – report to the CAB or authority.</p> <p><b>Area of expertise</b></p> <p>In-depth technical safety assessment (penetration, analysis, testing).</p>	<p>Accredited as a <b>certification body</b> (according to ISO/IEC 17065).</p> <p>Use the ITSEF report to make the decision for <b>certification</b>.</p> <p>Reports to the <b>national certification authority</b> (p.sh. BSI, ANSSI).</p> <p>Legal/administrative compliance and certification management.</p>			
<b>Differences between the National Authority and the CSO</b>					

	<p><b>Conclusion:.</b></p> <p><b>Article 2 "Definitions"</b></p> <p>We suggest that the following be reformulated:</p> <p><b>The "certificate"</b> is as follows: "is a cyber security certificate issued under the cyber security certification scheme for ICT products....". For clarification, the phrase "bold" is added to the definition.</p> <p>The "Certifying Body" and the "Information Technology Security Assessment Body (ITSEF)" should be reworded specifically according to the definition given in the Regulation in question.</p> <p>In the context of regulation 482/2024 and the technical documentation of the EUCC scheme, it is not the duty of the certification bodies to carry out direct tests, nor in-depth technical inspections. They do not carry out testing, inspection, calibration activities but rely on ITSEF reports. Also, ITSEF cannot carry out certification activities. Therefore, and as a result, I am of the opinion that the definition given for "Certifying Body" as well as "Information Technology Security Assessment Body (ITSEF) are incorrectly expressed and should be reformulated. I suggest that the rewording be left specifically as expressed for both of these terminologies in European Regulation 482/2024</p>			
<p><b>Article 3</b> <b>"Evaluation Standards"</b></p>	<p>- Point 2, letter a), are the standards cited in this sentence given cumulatively or alternatively? Depending on the purpose, we suggest that the relevant regulation be made in order to make the way of implementation clearer.</p>	DPA	Accepted	

	<ul style="list-style-type: none"> <li>- Point 3, I suggest to reformulate "A certificate issued in accordance with the standards mentioned in point 1 of this article, is considered to have been issued according to the scheme and presumes conformity with a protection profile that meets the standards listed in point 2 of this article.</li> </ul>	DPA	Accepted	
	<ul style="list-style-type: none"> <li>- Point 4 should be reformulated in a similar way to point 3 for the part where the suggestion for reformulation has been given</li> </ul>	DPA	Accepted	
<b>Article 5</b> <b>"Methods of Certification of ICT Products"</b>	<ul style="list-style-type: none"> <li>- Point 1, letter b) should be reworded as follows: "including a protection profile as part of the ICT process...."</li> </ul>	DPA	Accepted	

<b>Article 7</b> <b>"Evaluation criteria and methods for ICT products"</b>	<ul style="list-style-type: none"> <li>- Point 1, letter ç, the word "application documents" shall be replaced according to the definition given in Article 2, "most recent Technical document"</li> </ul>	DPA	Accepted	
<b>Article 9</b> <b>"Information Necessary for Certification and Assessment"</b>	<ul style="list-style-type: none"> <li>- In points 3 and 4, the correct reformulation should be made regarding the provision of previous certification results by the applicants and their reuse by ITSEF. According to Regulation 482 this action is possible (allowed) but not mandatory. Therefore, in the context of the regulation, I suggest the reformulation of these articles in order not to define it as an obligation, a determination, but as an opportunity.</li> </ul>	DPA	Accepted	
<b>Article 13</b> <b>"Trademarks and Labels"</b>	<ul style="list-style-type: none"> <li>- Point 1 defines the placement of the mark as an obligation, while the regulation defines it as a flexible criterion using the phrase "may affix a mark and label" which makes this provision optional. I do not think that the EUCC scheme has a mandatory and absolute criterion for the placement of the trademark.</li> <li>- Point 4, letter ç) is set as an absolute criterion, while the regulation in question uses the terminology "where applicable" before the condition which means that it leaves it flexible to be judged on a case-by-case</li> </ul>	DPA	Accepted	

	basis depending on the conditions of the product (whether there has been a previous certification history, when the scheme requires it, or when the information adds value to cybersecurity)			
<b>Article 15</b> <b>"Revision of the Certificate"</b>	<ul style="list-style-type: none"> <li>- Point 2, letter c) to be reworded: "..... as well as to issue a new certificate with an identical field and an extended validity period". Clarification: replace the word "<b>extension</b>" with the word "<b>field</b>".</li> <li>- Letter ç) should be reworded using "different areas" instead of the phrase "other purpose"</li> </ul>	DPA	Accepted	
<b>Article 17</b> <b>"Evaluation Criteria and Methods"</b>	<ul style="list-style-type: none"> <li>- Point 1, letter b) replace the word "intended use" with "purpose of use". PS: it was also used in other countries during the draft act. I think that the new wording fits more closely to the context of the draft act.</li> </ul>	DPA	Accepted	
<b>Article 18</b>	I suggest that the phrase "in a complete and accurate form" be removed, the Regulation	DPA	Accepted	

Article 19, "Issuance of certificates for protection profiles" (no)	- Point 4, letter a) to reformulate "the national cyber security certifying authority <b>accredited as a certification body, or</b> "	DPA	Accepted	
Article 21. "Revision of a certificate for protection profiles"	To reflect the changes as if they were given to Article 15 in an identical way.	DPA	Accepted	
Article 24 "Additional Specific Requirements for a Certification Body"	<p>- Point 3 should be reworded to reflect that definition as provided by the regulation as follows: "The national cybersecurity certification authority shall draft an authorization report, which shall be subject to <i>inter-institutional review/peer review</i>.</p> <p><i>In the case of Albania, which is not a member of the EU, "mutual evaluation" will only be possible if it has a mutual recognition agreement and wants to become part of the mutual evaluation scheme!!</i></p> <p><b>Point 6 should be reworded:</b></p> <p><i>"for authorization purposes in the case of branches of notified European bodies, which want to operate in Albania, as authorized certification bodies for cyber security certification, they must be accredited by an accreditation body of an EU member state and a member of the European Accreditation Organization. In</i></p>	DPA	Declined	Article 24 has been drafted in accordance with the provisions of the European Commission Implementing Regulation No. 2024/482, as amended.



	<i>this case, the "Accreditation Certificate" of these bodies should cover the functioning/activity of this body in the Albanian territory for the relevant field".</i>			
Article 25, "Additional or specific requirement for an ITSEF"	Similarly, the amendments and suggestions should be reflected as if they were given in Article 24, respectively for points 4 and 7 of the article.	DPA	Declined	Article 25 has been drafted in accordance with the European Commission Implementing Regulation No. 2024/482, as amended.
Article 26 "National Cyber Security Certification Body"	Point 4, letter b) is not very understandable what it means to "enforce the obligations of manufacturers or providers of products, services,,,,etc. "?	DPA	Accepted	
Article 30	<ul style="list-style-type: none"> <li>- Will anything be foreseen regarding ENISA's announcement on the suspension of certificates after becoming an EU member state?</li> </ul>	DPA	Declined	The draft act regulates the national certification scheme in the current institutional and legal framework. Any notification obligation

				to ENISA will derive directly from the European legal framework after the accession of the Republic of Albania to the European Union and does not need to be specifically foreseen at this stage.
<b>Article 37, "Vulnerability Impact Analysis Report"</b>	" Points 5, 6 and 7 where the words "vulnerability is not remaining" or "remaining vulnerability" should be replaced respectively with "vulnerability is not tolerable", "intolerable vulnerability"	DPA	Declined	The terminology "vulnerability" and "residual vulnerability" has been used in accordance with the provisions and terminology provided in Law no. 25/2024, "On Cyber Security",
<b>In Chapter IX "EVALUATION OF THE OPPOSITION OF THE CERTIFYING BODIES",</b>	<b>In Chapter IX "EVALUATION OF THE OPPOSITION OF THE CERTIFYING BODIES",</b> the terminology "evaluation of the opposition" is mentioned in many provisions. I suggest that this terminology be replaced with "Mutual Evaluation".	DPA	Declined	The same line as that of the EU has been maintained .

