

An abstract graphic featuring a network of white dots connected by thin white lines, set against a dark blue background. The network forms a series of interconnected triangles and polygons, resembling a molecular structure or a data network.

# **Antitrust Compliance Guidelines**

## EU Common Criteria Information Sharing and Analysis Centre

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# 1. Purpose of the antitrust compliance guidelines

The EU Common Criteria Information Sharing and Analysis Centre (EUCC ISAC) is an international non-profit association dedicated to fostering collaboration, harmonization, and excellence in cybersecurity certification. It provides essential input to key entities - including the ECCG subgroup for EUCC maintenance (EsEm), the European Commission, ENISA, and Member States - to support the ongoing development and maintenance of the EUCC scheme. The EUCC ISAC is among other things an association of public and private companies and recognizes the importance and impact of competition law.

The EUCC ISAC policy is to conduct its activities in strict compliance with applicable antitrust laws. EUCC ISAC's activities must not lead towards a restriction of competition between members, nor must meetings of members organized or supported by the EU CC ISAC be used by members to discuss or coordinate market behavior resulting in a restriction of competition. More generally, the platform offered by the EUCC ISAC to its members must not be misused for activities prohibited by antitrust laws.

In this context, the EUCC ISAC has prepared and adopted the following Antitrust Compliance Guidelines which are not intended and should not be understood as being comprehensive.

## 2. General principles

Antitrust laws are intended to preserve competition by, among other things, prohibiting agreements between companies, decisions by associations of companies and concerted practices which have as their object or effect the prevention or restriction of competition. Antitrust offences are subject to severe sanctions. Trade associations, which bring together competitors, are subject to particular antitrust scrutiny.

The EUCC ISAC Members should particularly keep in mind that infringements to antitrust laws can be committed not only by agreements or decisions but also by concerted practices which do not need to be formal. This may include the mere communication of information as well as any kind of informal, verbal or non-verbal, understandings between competitors.

## 3. Do's and don'ts

Guidelines presented below in the form of Do's and Don'ts highlight the most basic antitrust principles applying to the EUCC ISAC activities. Each EUCC ISAC Member should familiarize with its responsibilities under antitrust laws and should consult with legal counsel whenever there is a question involving specific situations, interpretations, or advice.

## Meetings rules

DO's	DON'Ts
<ul style="list-style-type: none"> <li>✓ Circulate agendas in advance and adhere to such prepared agendas for all meetings.</li> <li>✓ Freely exchange: <ul style="list-style-type: none"> <li>- Non-strategic information (e.g., quality);</li> <li>- Public information, available to the same conditions (in terms of costs of access) to all market players including customers.</li> </ul> </li> </ul> <p>REPORTING RULES:</p> <ul style="list-style-type: none"> <li>✓ Ensure that comprehensive minutes are taken and object to minutes that do not accurately reflect the discussions and actions taken. Minutes must be communicated to the secretariat that keeps records of the necessary documents.</li> <li>✓ Have a document retention program which clearly sets out which records are kept and for what period of time.</li> <li>✓ Ensure that communications of the different EUCC ISAC Technical Groups are addressed to all the participating members at the same time including the secretariat.</li> </ul>	<ul style="list-style-type: none"> <li>X Do not discuss or exchange information on commercial sensitive topics including, but not limited to the following: <ul style="list-style-type: none"> <li>- Pricing strategies or product pricing;</li> <li>- Terms and conditions of sale including discounts and allowances, credit terms, etc.;</li> <li>- Production levels or capacity;</li> <li>- Limitation of technical development or investment;</li> <li>- Allocation of sales territories, markets or customers;</li> <li>- Market shares;</li> <li>- Submitted bids or intentions to bid;</li> <li>- Preventing anybody from gaining access to any market or customer for goods and services;</li> <li>- Refusals to deal or do business with competitors, vendors or suppliers; and,</li> <li>- Ongoing litigation or threatened litigation.</li> </ul> </li> <li>X Do not hold unscheduled or informal meetings whether held in conjunction with regular EUCC ISAC meetings or not. Even the appearance of any discussion, communication or exchange of information that appears to be leading to restraints on competition of any kind should be carefully avoided.</li> <li>X Do not hold side discussions with a restricted number of EUCC ISAC Members which exclude the secretariat and/or the Committee director.</li> </ul>



# About us

The EU Common Criteria Information Sharing and Analysis Centre (EUCC ISAC) is an international non-profit association dedicated to fostering collaboration, harmonization, and excellence in cybersecurity certification.

The EUCC ISAC acts as a central hub for collaboration between public and private stakeholders, ensuring the effective and consistent implementation of the EU Common Criteria (EUCC) certification scheme. It provides essential input to key entities—including the ECCG subgroup for EUCC maintenance (EsEm), the European Commission, ENISA, and Member States—to support the ongoing development and maintenance of the EUCC scheme. We aim to maintain state-of-the-art practices by providing technical interpretations, methodologies, attack quotations, and an up-to-date attack catalogue.

EUCC ISAC | Avenue de Broqueville, 66 - 1200 Brussels – Belgium | [contact@ccisac.eu](mailto:contact@ccisac.eu)