

Cabinet of Vice-President ANSIP - Minutes of Meeting

MEETING CONCLUSIONS

Title	Meeting with Huawei representatives
Date	11/01/2019
Participants	Ext : [REDACTED], [REDACTED] COM: LOONELA Vivian, [REDACTED], [REDACTED]
Issues raised & follow-up	<p>[REDACTED] wanted to have some context on the VP's declaration on Huawei during the Artificial intelligence press conference and how for them to address this problem. The other reason of the meeting was to determine whether an official meeting with their Vice-President and the VP Ansip could be organized.</p> <p>In term of background they were aware that concerns from the European Commission and M.S. exist. One the one hand this flows from the fact that Huawei is seen as Chinese company closely linked to the Chinese government and they can live with this fact. On the other hand the allegations on security breach are more problematic for them because these are mixing several issues: Huawei's CEO jailed in Canada, spying allegation of Chinese company abroad for the Chinese Government and finally the Chinese internal law allegedly making backdoors mandatory.</p> <p>Vivian argued that the VP Ansip is responsible for DSM. In that DSM a cornerstone is the principle of Trust. The question of backdoor is the archetype of trust issues that VP Ansip continuously tackled, he made allegation on several companies, not only Huawei. This no backdoor policy is a continuation of its previous position as PM of Estonia and in the EC.</p> <p>Allies of the EC and M.S. submitted information of national security concerns.</p> <p>[REDACTED] stated that an analysis of the Chinese law on cybersecurity has been conducted by an independent lawyer in China and vetted in United Kingdom. The main point is that China's counter espionage or cybersecurity laws aren't extra-territorial. Independent studies have been provided by independent consultancies, Ernest and Young in the NL but also in the UK.</p> <p>As for the contentious art 7 of the counterespionage law, the scope is very narrow in its ambit: it applies only in China (no extraterritoriality) and need to be performed pursuant to certain specific/clearly identified processes.</p> <p>They additionally underlined that in any case, Intelligence Legal purposes backdoors exist in the EU M.S. legal frameworks.</p> <p>They continued by stating that Huawei is only a data processor, not a data controllers in the EU. Very strict and restrictive contracts exist between them and Telco. Very strict and regulated framework.</p> <p>For national security concerns, separations between core networks and the rest is technically feasible.</p> <p>In some countries (e.g. in France) they refuse to allow Huawei in the core network infrastructures.</p> <p>In New Zealand Huawei demonstrated the possibility even on 5G to separate</p>

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efficiently between core networks and the rest of the network infrastructure. Huawei has insurance mechanisms to create trust *inter alia* the creation of security centers in the UK that was launched 8 years ago, Bonn (Germany) and Canada. They also have voluntary OB report for transparency purposes. Their strategy regarding cybersecurity is focused on certification with for example BSI and ANSI . On the top of the already existing centers, an additional one will open in Brussels as well. Their PR strategy isn't to react to the press accusations. They don't want to share security concern to the public to protect their consumer's interest.

Vivian underlined that these aren't only press accusations but that M.S. are also sending the E.C. messages on security concerns.

██████████ stated that the EC has always been the cool-headed institution always acting on the base of factual information. Yet no evidence has been given by the M.S. to Huawei. He stressed that Huawei has not global solutions for a political problem, but they are ready to provide technical answers to specific question.

██████████ asked what could be the next step.

Vivian said that the first step would be for them to turn to the M.S. national authorities to exchange information.

VP Ansip was invited for a meeting with Huawei VP and to the 5th of March opening of the new Huawei Brussels security center even though chances for him to participate are thin.