EUROPEAN EXTERNAL ACTION SERVICE

Security Measures for EU Classified Information

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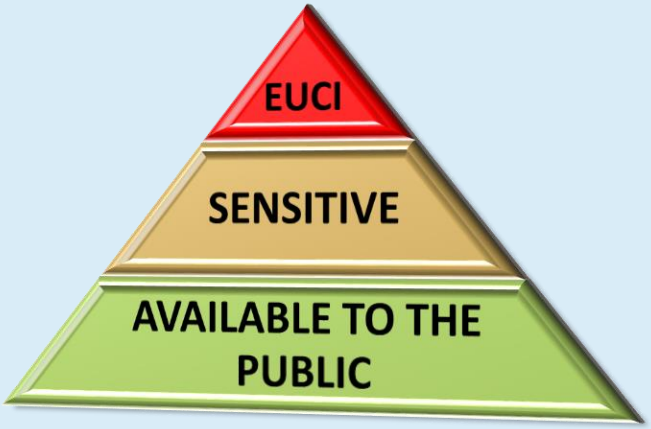
These slides accompany the explanation of the acquis to Albania and North Macedonia and can only be used for that purpose. Their content is subject to further development of the acquis and interpretation by the Court of Justice of the European Union.

EU Classified Information

‘EU classified information’ (EUCI) means any information or material designated by a EU security classification, the unauthorised disclosure of which could cause varying degrees of prejudice to the interests of the European Union or of one or more of the Member States.

Article 2



Classification levels / markings

TRES SECRET UE/EU TOP SECRET	TS-UE/EU-TS
SECRET UE/EU SECRET	S-UE/EU-S
CONFIDENTIEL UE/EU CONFIDENTIAL	C-UE/EU-C
RESTREINT UE/EU RESTRICTED	R-UE/EU-R

Legal Basis

Council Decision of 23 September 2013 on the security rules for protecting EUCI (2013/488/EU) henceforth: **Council Security Rules**

- lays down the basic principles and minimum standards of security for protecting EUCI
- *(Art. 12)* Sharing EUCI with Union institutions, bodies, offices and agencies [where security measures are deemed equivalent]
- (*Art. 13*) foresees the possibility of exchanging classified information with 3rd States and international organisations

Measures for protecting EUCI

- Personnel security
- Physical security
- Management of classified information
- Protection of EUCI handled in communication & information systems
- Industrial security

Frameworks governing the Exchange of Classified Information

- Council determines the need to exchange classified information;
- framework is put in place to define reciprocal rules on the protection of classified information

  — **Security of Information Agreement (SIA)**

  — **Administrative Arrangement (AA)**

Exchange of Classified Information: CSDP Operations

If neither frameworks exists, EUCI generated for the purposes of a CSDP operation may be exchanged under:

— a framework participation agreement (FPA),
— an ad hoc participation agreement, or
— an ad hoc administrative arrangement.

- 3rd state / international orgs. ensures that its personnel seconded to any operation will protect EUCI in accordance with the Council's security rules

- If a SIA is subsequently concluded, it supersedes the above

Frameworks governing the Exchange of Classified Information

Security of Information Agreement (SIA)

Concluded by the Union with third States or international organisations on security procedures for exchanging and protecting classified information

Administrative Arrangement (AA)

Entered into by the Secretary-General on behalf of the GSC (subject to approval by the Council)
for the release of EUCI classified RESTREINT UE/EU RESTRICTED.

Conditions

SIAs and AAs contain **provisions to ensure EUCI released is protected** appropriately to its classification level and according to minimum standards no less stringent than those laid down in the Council Security Rules

The Council decides on **a case-by-case basis** to release EUCI to a 3rd State or international org. according to its nature and content, the recipient's need-to-know, and the measure of advantage to the Union.

If the originator is not the Council, the GSC seeks the **originator's prior written consent**

Assessment visits: to assess effectiveness of the security measures in place in a third State or international organisation for protecting EUCI.

Security of Information Agreements (SIA)

- provide for **technical implementing arrangements** agreed between EU / 3rd State or international org.
- no **electronic exchange** of EUCI unless explicitly agreed
- **registry** designated in each party as main point of entry/exit for classified information exchanges
- **assessment visits** conducted in mutual agreement

Administrative Arrangements (AA)

- generally, to exchange EUCI **RESTREINT UE/EU RESTRICTED**
- **urgent need** → Council may decide on AA for information of higher classification
- Administrative Arrangements generally take the form of an **Exchange of Letters**
- no **electronic exchange** of EUCI unless explicitly agreed
- **assessment visit** conducted **+ report** reviewed by the Council Security Committee <u>before</u> EUCI is released to 3rd State / international org.

Equivalence of Security Classifications (examples)

EU	Albania	North Macedonia
CONFIDENTIEL UE/EU CONFIDENTIAL	KONFIDENTIAL	Доверливо DOVERLJIVO
RESTREINT UE/EU RESTRICTED	I KUFIZUAR	Интерно INTERNO

SIA: Republic of North Macedonia

Agreement between the Republic of North Macedonia (in the Agreement as: the Former Yugoslav Republic of Macedonia) and the European Union on the security procedures for the exchange of classified information

Agreement signed: March 25, 2005

Entry into force: August 1, 2005

Implementing arrangements: March 29, 2007

Security inspection: October 8-9, 2008

SIA: Republic of Albania

Agreement between the Council of Ministers of the Republic of Albania and the European Union on security procedures for exchanging and protecting classified information

Agreement signed: March 3, 2016

Entry into force: September 1, 2016

Implementing arrangements: 25 July 2019

Security inspection: in planning

Thank you

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