

COUNCIL OF THE EUROPEAN UNION

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INFORMATION NOTE

From: General Secretariat of the Council
To: Delegations
Subject: Exchange of EU classified information (EUCI) with third States and international organisations

1. Delegations will find attached for information details of agreements concluded by the EU and of administrative arrangements entered into by the Secretary-General of the Council under which EU classified information (EUCI) may be exchanged with third States and international organisations:

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- 2. The agreements or arrangements listed in Annexes I, II and III provide the necessary guarantees for the protection of EUCI released to third parties relating to any area of the Union's activity. The tables in these annexes list the documents which constitute the basis for exchanging EU classified information with each third State or international organisation, and indicate the maximum level of EUCI which may be exchanged. Where electronic transmission of EUCI is possible, the maximum level releasable in this way is also indicated. However, specific conditions usually apply which may vary from agreement to agreement. These can be verified with the GSC Information Assurance Office.
- 3. In addition, specific agreements or arrangements more limited in scope have been concluded with a number of third States. Annex IV lists the agreements concluded for an indefinite period with third States taking part in CSDP crisis management operations. Annex V lists ad hoc agreements or arrangements of limited duration with third States which allow the release of EUCI in specific operational contexts.
- 4. Should any need arise exceptionally for EUCI to be released to any third State or international organisation not covered by existing agreements or arrangements, the procedure for doing so, involving consultation of the Council Security Committee and a decision by COREPER, is set out in the Council's security rules¹, Annex VI, Section VI.
- 5. This note cancels and replaces doc. 12619/11. Regular updates will be provided by the Secretariat as new agreements enter into force or arrangements are entered into.

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Council Decision 2011/292/EU of 31 March 2011, OJ L 141, 27.5.2012, p. 17

A. PERMANENT SECURITY OF INFORMATION AGREEMENTS WITH THIRD STATES

The tables below give details of permanent security of information agreements with third States which have entered into force and under which exchange of classified information may take place.

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AUSTRALIA		
Agreement		
Signature	13.1.2010	
Publication	OJ L 26, 30.01.2010, p. 31	
Entry into force	01.7.2011	
Exchange of notes verbales following entry	doc. 6205/12	
into force of the Lisbon Treaty		
Implementing Arrangements		
Date agreed	23.5.2011	
Document reference	12492/11	
Most recent security inspection	1-4.3.2010	
Release of EUCI		
Date from which exchange of EUCI effective	1.7.2011 (doc. 12494/11)	
Maximum level releasable	TRES SECRET UE/EU TOP SECRET	
Maximum level releasable electronically	RESTREINT UE/EU RESTRICTED	
Delegation of release authority to SG	20.6.2011 (doc. 10918/11)	

BOSNIA AND HERZEGOVINA		
Agreement		
Signature	5.10.2004	
Publication	OJ L 324, 27.10.2004, p. 16	
Entry into force	1.5.2006	
Exchange of notes verbales following entry	doc. 6207/12	
into force of the Lisbon Treaty		
Implementing Arrangements		
Date agreed	27.7.2010	
Document reference	12939/10	
Most recent security inspection	10, 23-25.11.2010	
Release of EUCI		
Date from which exchange of EUCI effective	30.8.2010 (doc. 14381/10)	
Maximum level releasable	RESTREINT UE/EU RESTRICTED	
Maximum level releasable electronically	RESTREINT UE/EU RESTRICTED	
Delegation of release authority to SG	20.6.2011 (doc. 10918/11)	

CROATIA		
Agreement		
Signature	10.4.2006	
Publication	OJ L 116, 29.4.2006, p. 74	
Entry into force	1.11.2006	
Exchange of notes verbales following entry	doc. 6211/12	
into force of the Lisbon Treaty		
Implementing Arrangements		
Date agreed	29.10.2007	
Document reference	15403/07	
Most recent security inspection	6-7, 14.10.2010	
Release of EUCI		
Date from which exchange of EUCI effective	12.11.2007 (docs. 15400/07 and 11536/11)	
Maximum level releasable	SECRET UE/EU SECRET	
Maximum level releasable electronically	RESTREINT UE/EU RESTRICTED	
Delegation of release authority to SG	20.6.2011 (doc. 10918/11)	

FORMER YUGOSLAV REPUBLIC OF MACEDONIA		
Agreement		
Signature	25.3.2005	
Publication	OJ L 094, 13.4.2005, p. 39	
Entry into force	1.8.2005	
Exchange of notes verbales following entry	doc. 7620/12	
into force of the Lisbon Treaty		
Implementing Arrangements		
Date agreed	29.3.07 (revised version)	
Document reference	8578/07 (revised version)	
Most recent security inspection	8-9.10.2008	
Release of EUCI		
Date from which exchange of EUCI effective	1.8.2005	
Maximum level releasable	SECRET UE/EU SECRET	
Maximum level releasable electronically	RESTREINT UE/EU RESTRICTED	
Delegation of release authority to SG	20.6.2011 (doc. 10918/11)	

ICELAND		
Agreement		
Signature	12.06.2006	
Publication	OJ L 184, 6.7.2006 p. 35	
Entry into force	01.03.2007	
Exchange of notes verbales following entry	doc. 6218/12	
into force of the Lisbon Treaty		
Implementing Arrangements		
Date agreed	22.02.2007	
Document reference	6882/07	
Most recent security inspection	6-8.09.2011	
Release of EUCI		
Date from which exchange of EUCI effective	01.03.2007 (doc. 6909/07)	
Maximum level releasable	CONFIDENTIEL UE/EU CONFIDENTIAL	
Maximum level releasable electronically	RESTREINT UE/EU RESTRICTED	
Delegation of release authority to SG	20.6.2011 (doc. 10918/11)	

ISRAEL		
Agreement		
Signature	11.6.2009	
Publication	OJ L 192, 24.7.2009, p.64	
Entry into force	1.11.2010	
Implementing Arrangements		
Date agreed	11.6.2009	
Document reference	11956/09	
Most recent security inspection	29.11-02.12.2009	
Release of EUCI		
Date from which exchange of EUCI effective	24.11.2010 (doc. 17105/10)	
Maximum level releasable	SECRET UE/EU SECRET	
Maximum level releasable electronically	None	
Delegation of release authority to SG	20.6.2011 (doc. 10918/11)	

LIECHTENSTEIN		
Agreement		
Signature	6.7.2010	
Publication	OJ L 187, 21.7.2010, p. 2	
Entry into force	1.8.2010	
Implementing Arrangements		
Date agreed	26.7.2010	
Document reference	14383/10	
Most recent security inspection	18-20.5.2010	
Release of EUCI		
Date from which exchange of EUCI effective	8.10.2010 (doc. 14831/10)	
Maximum level releasable	SECRET UE/EU SECRET	
Maximum level releasable electronically	CONFIDENTIEL UE/EU CONFIDENTIAL	
Delegation of release authority to SG	20.6.2011 (doc. 10918/11)	

MONTENEGRO		
Agreement		
Signature	13.9.2010	
Publication	OJ L 260, 2.10.2010, p. 2 and	
	OJ L 317, 03.12.2010, p. 44	
Entry into force	01.12.2010	
Implementing Arrangements		
Date agreed	10.2.2011	
Document reference	10925/11	
Most recent security inspection	8-10.9.2010 and 2.3.2011	
Release of EUCI		
Date from which exchange of EUCI effective	08.6.2011 (doc.11453/11)	
Maximum level releasable	RESTREINT UE/EU RESTRICTED	
Maximum level releasable electronically	RESTREINT UE/EU RESTRICTED	
Delegation of release authority to SG	20.6.2011 (doc. 10918/11)	

NORWAY		
Agreement		
Signature	22.11.2004	
Publication	OJ L 362, 9.12.2004, p. 29	
Entry into force	1.12.2004	
Exchange of notes verbales following entry	doc. 7024/12	
into force of the Lisbon Treaty		
Implementing Arrangements		
Date agreed	22.10.2004	
Document reference	6944/05	
Most recent security inspection	27-28.9.2005	
Release of EUCI		
Date from which exchange of EUCI effective	1.12.2004	
Maximum level releasable	TRES SECRET UE/EU TOP SECRET	
Maximum level releasable electronically	CONFIDENTIEL UE/EU CONFIDENTIAL	
Delegation of release authority to SG	20.6.2011 (doc. 10918/11)	

SWITZERLAND		
Agreement		
Signature	28.4.2008	
Publication	OJ L 181, 10.7.2008, p. 58	
Entry into force	1.6.2008	
Exchange of notes verbales following entry	doc. 6222/12	
into force of the Lisbon Treaty		
Implementing Arrangements		
Date agreed	10.7.2008	
Document reference	12037/08	
Most recent security inspection	20-21.5.2008	
Release of EUCI		
Date from which exchange of EUCI effective	18.7.2008 (doc. 11367/08)	
Maximum level releasable	SECRET UE/EU SECRET	
Maximum level releasable electronically	CONFIDENTIEL UE/EU CONFIDENTIAL	
Delegation of release authority to SG	20.6.2011 (doc. 10918/11)	

UKRAINE		
Agreement		
Signature	13.06.2005	
Publication	OJ L 172, 5.7.2005, p. 84	
Entry into force	01.02.2007	
Implementing Arrangements		
Date agreed	13.10.2005	
Document reference	16037/05 + COR 1	
Most recent security inspection	26-28.4.2005	
Release of EUCI		
Date from which exchange of EUCI effective	02.02.2007 (doc. 6471/07)	
Maximum level releasable	RESTREINT UE/EU RESTRICTED	
Maximum level releasable electronically	None	
Delegation of release authority to SG	20.6.2011 (doc. 10918/11)	

UNITED STATES OF AMERICA			
Agreement			
Signature	30.4.2007		
Publication	OJ L 115, 03.05.2007, p. 30		
Entry into force	30.4.2007		
Implementing Arrangements			
Date agreed	18.07.2007		
Document reference	12142/07		
Most recent security inspection	5-6.4.2007		
Release	Release of EUCI		
Date from which exchange of EUCI effective	26.07.2007 (doc. 12233/07)		
Maximum level releasable	TRES SECRET UE/EU TOP SECRET		
Maximum level releasable electronically	CONFIDENTIEL UE/EU CONFIDENTIAL		
Delegation of release authority to SG	20.6.2011 (doc. 10918/11)		

B. AGREEMENTS UNDER NEGOTIATION OR NOT YET IMPLEMENTED

The table below lists agreements with third States which have not yet been concluded or are not yet implemented. EU classified information cannot yet be exchanged on a systematic basis with these States.

Third State concerned	Status of the agreement
Canada	Negotiating mandate approved by the Council on 21.10.2003 (doc. 13819/03). Under
	negotiation.
Turkey	Negotiated but not yet approved by the Council.
Russian Federation	Agreement signed on 01.6.2010 and published in OJ L 155, 22.6.2010, p.57. Negotiations on the implementing arrangements are ongoing.
Serbia	Agreement signed on 26 May 2011, published in OJ L 216, 23.8.2011, p. 2. Pending entry into force of the Agreement and the outcome of the security inspection. Most recent security inspection: 7-9.12.2011 (Belgrade)

A. PERMANENT SECURITY OF INFORMATION AGREEMENTS WITH INTERNATIONAL ORGANISATIONS

The table below gives details of the permanent security of information agreements with international organisations which have entered into force and under which exchange of classified information may take place.

NATO		
Agreement		
Signature	14.3.2003	
Publication	OJ L 080, 27.3.2003, p. 36	
Entry into force	14.3.2003	
Exchange of notes verbales following entry into	doc. 6201/12	
force of the Lisbon Treaty		
Implementing Arrangements		
Date agreed	3.6.2003	
Document reference	10006/03	
Most recent security inspection	28.4.2009	
Release of EUCI		
Date from which exchange of EUCI effective	3.6.2003	
Maximum level releasable	TRES SECRET UE/EU TOP SECRET	
Maximum level releasable electronically	SECRET UE/EU SECRET	
Delegation of release authority to SG	20.6.2011 (doc. 10918/11)	

ICC		
Agreement		
Signature	10.4.2006	
Publication	OJ L 115 of 28 April 2006, p. 50	
Entry into force	1.5.2006	
Implementing Arrangements		
Date agreed	31 March 2008	
Document reference	8349/1/08 REV 1	
Most recent security inspection	24.1.2008	
Release of EUCI		
Date from which exchange of EUCI effective	7 April 2008 (8410/08)	
Maximum level releasable	RESTREINT UE/EU RESTRICTED	
Maximum level releasable electronically	None	
Delegation of release authority to SG	20.6.2011 (doc. 10918/11)	

ESA		
Agreement		
Signature	18.7.2008	
Publication	OJ L 219, 14.8.2008, p. 59	
Entry into force	1.8.2008	
Exchange of notes verbales following entry into	doc. 6214/12	
force of the Lisbon Treaty		
Implementing Arrangements		
Date agreed	29.8.2008 ²	
Document reference	12839/08	
Most recent security inspection	12.7.2007	
IA follow-up visit	16-19.01.2012	
Release of EUCI		
Date from which exchange of EUCI effective	10.9.2008 (doc. 13308/08)	
Maximum level releasable	TRES SECRET UE/EU TOP SECRET	
Maximum level releasable electronically	SECRET UE/EU SECRET ³	
Delegation of release authority to SG	20.6.2011 (doc. 10918/11)	

Revised version was approved by the Council Security Committee on 15 June 2012 and is expected to be approved by the ESA Council later in 2012.

The EU and ESA will agree on a case-by-case basis that a given communication and information system may be used for transmitting, storing and processing classified information provided by the other Party.

B. PERMANENT SECURITY OF INFORMATION AGREEMENTS WITH INTERNATIONAL ORGANISATIONS UNDER NEGOTIATION

International organisation concerned	Status of the agreement
OCCAR	Negotiating mandate approved by the Council
	on 15.6.2009 (doc. 10582/09). Negotiations concluded on 6 June 2012. Agreement to be
	approved by the Council shortly (doc.
	11393/12).

A. PERMANENT ADMINISTRATIVE ARRANGEMENTS

The tables below give details of permanent administrative arrangements governing the exchange of EUCI with international organisations. Such administrative arrangements allow as a general rule for the exchange of EUCI at level RESTREINT UE/EU RESTRICTED.

UNITED NATIONS			
Letter of SG/HR			
Document	8753/05, 16008/04, 13820/1/03 REV 1		
Date sent	2.12.2003, 22.12.2004, 7.6.2005		
Letter of Under-Secretary-General for Peacekeeping Operations			
Document	14616/04, 8557/05, 11556/05		
Date sent	4.11.2004, 11.4.2005, 20.7.2005		
Most recent security inspection	16.12.2009		
Release	Release of EUCI		
Date from which exchange of EUCI effective	29.3.2006		
Maximum level releasable	RESTREINT UE/EU RESTRICTED		
Maximum level releasable electronically	RESTREINT UE/EU RESTRICTED		
	(only to DPKO)		
	(doc.12094/06)		
Delegation of release authority to SG	20.6.2011 (doc. 10919/11)		

B. ADMINISTRATIVE ARRANGEMENTS UNDER NEGOTIATION OR NOT YET IMPLEMENTED

Permanent administrative arrangements are being sought with the **OSCE** (cf. doc. 13820/1/03 REV 1), the **African Union** (cf. doc. 11244/05) and **Eurocorps** (cf. doc. 11586/12).

FRAMEWORK AGREEMENTS WITH THIRD STATES FOR THEIR PARTICIPATION IN CSDP CRISIS MANAGEMENT OPERATIONS

The tables below give details of the framework participation agreements with Canada, Turkey, Serbia, New Zealand and Albania, which allow the exchange of EUCI up to any classification level relating to military or civilian CSDP crisis management operations. This is based on the undertaking, set out in the agreements, that the third States in question will apply the Council's Security Rules¹ as far as the handling of EUCI is concerned. No electronic transmission of EUCI is permitted. Delegation of release authority to the High Representative² is usually given in the Council Decision³ launching each specific operation.

CANADA Framework Participation Agreement		
		Signature
Publication	OJ L 315, 1.12.2005 p. 21	
Entry into force	01.12.2005	
Release of EUCI		
Maximum level releasable	To be decided by the Council when adopting the legal act establishing each specific operation	
Maximum level releasable electronically	None	

TURKEY		
Framework Participation Agreement		
Signature	29.06.2006	
Publication	OJ L 189, 12.07.2006 p. 17	
Entry into force	01.08.2007	
Release of EUCI		
Maximum level releasable	To be decided by the Council when adopting the legal act establishing each specific operation	
Maximum level releasable electronically	None	

Before the entry into force of the Council's Security Rules on 27 May 2011: the Council's Security Regulations.

Before the entry into force of the Treaty of Lisbon: to the Secretary-General/High Representative.

Before the entry into force of the Treaty of Lisbon: in the Joint Action.

SERBIA Framework Participation Agreement	
Publication	OJ L 163, 23.6.2011, p. 2
Entry into force	Provisional application as from the date of signature (Art. 16.2)
Release	of EUCI
Maximum level releasable	To be decided by the Council when adopting the legal act establishing each specific operation
Maximum level releasable electronically	None

NEW ZEALAND		
Framework Participation Agreement		
Signature	18.4.2012	
Publication	To be published in the OJ shortly	
Entry into force	1.5.2012	
Release of EUCI		
Maximum level releasable	To be decided by the Council when adopting the legal act establishing each specific operation	
Maximum level releasable electronically	None	

ALBANIA			
Framework Participation Agreement			
Signature	5.6.2012		
Publication	To be published in the OJ shortly		
Entry into force	Provisional application as from the date		
	of signature (Art. 16.2)		
Release of EUCI			
Maximum level releasable	To be decided by the Council when adopting the legal act establishing each specific operation		
Maximum level releasable electronically	None		

AD HOC AGREEMENTS OR ARRANGEMENTS WITH THIRD STATES FOR THEIR PARTICIPATION IN CSDP CRISIS MANAGEMENT OPERATIONS

European Union Police Mission (EUPM) in Bosnia and Herzegovina (BiH)

The Council Decision on EUPM allows the release of EUCI generated for the purposes of the operation up to the level of RESTREINT UE/EU RESTRICTED, based on the undertaking, set out in each agreement, that the third State in question will apply the Council's Security Rules⁷ as far as the handling of EUCI is concerned. No electronic transmission of EUCI is permitted.

Third State	Agreement	Publication
Switzerland	Agreement between the European Union and the	OJ L 239, 25.9.2003,
	Government of the Swiss Confederation, represented by	p. 14
	the Federal Department of Foreign Affairs, on the	
	participation of Switzerland in the European Union Police	
	Mission (EUPM) in Bosnia and Herzegovina (BiH)	
Turkey	Agreement between the European Union and the Republic	OJ L 239, 25.9.2003,
	of Turkey on the participation of the Republic of Turkey	p. 35
	in the European Union Police Mission (EUPM) in Bosnia	
	and Herzegovina (BiH)	
Ukraine	Agreement between the European Union and Ukraine on	OJ L 239, 25.9.2003,
	the participation of Ukraine in the European Union Police	p. 38
	Mission (EUPM) in Bosnia and Herzegovina (BiH)	

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Before the entry into force of the Council's Security Rules on 27 May 2011: the Council's Security Regulations.

European Union military crisis management operation in Bosnia and Herzegovina (Operation ALTHEA)

The participation agreements listed for ALTHEA allow the release of EUCI generated for the purposes of the operation up to any classification level, based on the undertaking, set out in each agreement, that the third State in question will apply the Council's Security Rules⁸ as far as the handling of EUCI is concerned. No electronic transmission of EUCI is permitted.

Third State	Agreement	Publication
Albania	Agreement between the European Union and the Republic of Albania on the participation of the Republic of Albania in the European Union military crisis management operation in Bosnia and Herzegovina (Operation ALTHEA)	OJ L 65, 11.3.2005, p. 35
Chile	Agreement between the European Union and the Republic of Chile on the participation of the Republic of Chile in the European Union military crisis management operation in Bosnia and Herzegovina (Operation ALTHEA)	OJ L 202, 3.8.2005, p. 40
FYROM	See permanent security of information Agreement in Annex I	
Switzerland	See permanent security of information Agreement in Annex I	
Turkey	See framework participation Agreement in Annex IV	_

Before the entry into force of the Council's Security Rules on 27 May 2011: the Council's Security Regulations.

EU Police Mission in the Palestinian Territories (EUPOL COPPS)

The Council Decision on EUPOL COPPS allows the release of EUCI generated for the purposes of the operation up to the level RESTREINT UE/EU RESTRICTED, in accordance with the Council's Security Rules⁹. No electronic transmission of EUCI is permitted.

Third State	Agreement
Canada	See framework participation Agreement in Annex IV

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Before the entry into force of the Council's Security Rules on 27 May 2011: the Council's Security Regulations.

European Union Police Mission in Afghanistan (EUPOL AFGHANISTAN)

The Council Decision on EUPOL AFGHANISTAN allows the release of EUCI generated for the purposes of the operation up to CONFIDENTIEL UE/EU CONFIDENTIAL. The participation Agreements allow for the release of EUCI based on the undertaking, set out in each agreement, that the third State in question will apply the Council's Security Rules¹⁰ as far as the handling of EUCI is concerned. No electronic transmission of EUCI is permitted.

Third State	Agreement	Publication
Canada	See framework participation Agreement in Annex IV	
Croatia	See permanent security of information Agreement in Annex I	
Norway	See permanent security of information Agreement in Annex I	
New Zealand	Agreement between the European Union and New Zealand on the participation of New Zealand in the European Union Police Mission in Afghanistan (EUPOL AFGHANISTAN)	OJ L 274, 18.10.2007, p. 18 OJ L 290, 8.11.2007, p. 22

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Before the entry into force of the Council's Security Rules on 27 May 2011: the Council's Security Regulations.

European Union Rule of Law Mission in Kosovo, EULEX KOSOVO

The Joint Action establishing the EULEX KOSOVO mission allows the release of EUCI generated for the purposes of the mission up to the relevant classification level respectively for each of the participating third parties.

Third State	Agreement
Canada	See framework participation Agreement in Annex IV
Croatia	See permanent security of information Agreement in Annex I
Norway	See permanent security of information Agreement in Annex I
Switzerland	See permanent security of information Agreement in Annex I
Turkey	See framework participation Agreement in Annex IV
United States of America	See permanent security of information Agreement in Annex I

European Union military operation to contribute to the deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast (Operation Atalanta)

The Joint Action establishing the operation Atalanta allows the release of EUCI generated for the purposes of the mission up to the relevant classification level respectively for each of the participating third parties and in accordance with the Council's Security Rules¹¹.

Third State	Agreement	Publication
Croatia	See permanent security of information Agreement in Annex I	
Norway	See permanent security of information Agreement in Annex I	
Ukraine	See permanent security of information Agreement in Annex I	
Montenegro	See permanent security of information Agreement in Annex I	

Before the entry into force of the Council's Security Rules on 27 May 2011: the Council's Security Regulations.

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