



Brussels, 29 March 2017
(OR. en)

7790/17

CSC 72

'I' ITEM NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee (Part 2)
Subject: *Ad hoc* release of classified documents to the Court of Auditors

1. In the context of an audit of the CSDP Mission EUCAP Sahel Niger - Operational Plan (OPLAN), the Court of Auditors has requested to the EEAS the release of three classified documents originated in the GSC :
 - Note from the Council to the PSC (ST 10002/16 of 10/06/2016, classified RESTREINT UE/EU RESTRICTED);
 - Note from the Council to the PSC (ST 11107/15 of 22/07/2015, classified RESTREINT UE/EU RESTRICTED);
 - Note from the General Secretariat of the Council to Delegations (ST 5433/13 of 21/01/2013, classified RESTREINT UE/EU RESTRICTED).

These documents relate to the Operational Plan (OPLAN) of the Mission referred to. An authorisation for an *ad hoc* release is required as there are no arrangements in place for sharing classified information with the Court of Auditors.

2. On 14 February 2017, the Committee gave a positive recommendation for the release to the Court of Auditors of the three classified documents relating to the Operational Plan (OPLAN) of the CSDP Mission EUCAP Sahel Niger, all classified at the level RESTREINT UE/EU RESTRICTED.

 3. In the light of the above, Coreper is requested to authorise the *ad hoc* release of the three classified documents relating to the Operational Plan (OPLAN) of the CSDP Mission EUCAP Sahel Niger, all classified at the level RESTREINT UE/EU RESTRICTED, on the understanding that the statement of undertaking to protect EU classified information released by the EEAS to the Court of Auditors (in Annex) will ask the Court of Auditors representatives to protect the classified documents in accordance with the security rules of the EEAS.
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**STATEMENT OF UNDERTAKING TO PROTECT EU CLASSIFIED INFORMATION
DISCLOSED BY THE EEAS**

Information classified at the level RESTREINT UE/EU RESTRICTED recorded in documents:

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is exceptionally disclosed to the Court of Auditors under the current circumstances in the context of audit of CDSP Missions for consultation in either the premises of the EEAS HQ or European Commission premises in Luxemburg, following the completion of an ad hoc release procedure in consultation with Member States.

Before the information is disclosed, the designated representative of the Court of Auditors undertakes in writing, by signing this document and handing it over to the EEAS representative or the European Commission representative¹, to protect EU classified information in accordance with the EEAS security rules² or the Commission security rules³. He/she in particular:

- has a relevant need-to-know;
- has been briefed by the EEAS and has acknowledged, by signing this document, the responsibility to protect EU classified information in accordance with the EEAS security rules above;
- will not use this information for purposes other than those for which they have been released to the Court of Auditors or for purposes other than those established by the originator;
- will not disclose this information to third parties without the prior written consent of the EEAS;
- will not copy or print any information disclosed.

A competent EEAS or European Commission staff member will be present for the whole duration of the consultation.

[SURNAME] [Name] is the designated representative of the Court of Auditors competent to access this classified information on behalf of the Court of Auditors.

Place, date _____ Signature _____

¹ Depending on the premises in which the information is consulted

² Decision HR DC(2013)0006 of 19.04.2014 - Official Journal of the European Union C 190, 29.6.2013, p.1.

³ Commission Decision (EU, Euratom) of 13.03.2015 - Official Journal of the European Union L 72, 17.3.2015, p.53.