



Council of the
European Union

Brussels, 6 February 2015

6001/15

CSC 28

INFORMATION NOTE

To: Council Security Committee (CSC)

Subject: Consistency in the use of EUCI classification markings

1. At its meeting on 21 May 2014 the Council Security Committee (CSC) examined the classification markings used by all the EU agencies and bodies handling EU classified information (EUCI). The CSC noted that there was a variety of solutions regarding the languages used, EU/EU designators and originator identifiers. Moreover, it also noted that the wording of markings of sensitive non-classified information used by the EU agencies and bodies often creates confusion with EU classification markings.
2. In the light of the above, the CSC issued a formal recommendation regarding the consistency in the use of EUCI classification markings and the need to clearly distinguish EUCI from sensitive non-classified information¹.

¹ Doc. 12960/14.

3. The CSC Chair sent a letter on 11 September to the directors of the agencies and bodies handling EUCI concerning CSC recommendation regarding the consistency in the use of EUCI classification markings. Letters were sent to the European Asylum Support Office (EASO), European Union Agency for Network and Information Security (ENISA), the European Union's Judicial Cooperation Unit (EUROJUST), the European Defence Agency (EDA), the European Agency for the operational management of large-scale IT systems in the area of freedom, security and justice (eu-LISA), European Global Navigation Satellite Systems Agency (GSA), the European Agency for the Management of Operational Cooperation at the External Borders (FRONTEX) and the European Union Satellite Centre (SatCen). The template of the letter is enclosed in Annex I.
 4. Some EU agencies and bodies have responded to the letter (see Annex II). The compilation consists of the letters from EDA, EUROJUST, FRONTEX and GSA. The entities supported the aim of the CSC initiative.
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Council of the European Union
General Secretariat
Council Security Committee
The Chair

Brussels, 11 September 2014

Subject: Consistency in the use of EUCI classification markings and the need to distinguish EUCI from sensitive non-classified markings

Dear Sir,

At its meeting on 21 May 2014 the Council Security Committee (CSC) examined the classification markings used by all the EU agencies and bodies handling EU classified information (EUCI). The CSC noted that there was a variety of solutions regarding the languages used, EU/UE designators and originator identifiers. Moreover, it also noted that the wording of the markings of sensitive non-classified information used by the EU agencies and bodies often creates confusion with EU classification markings.

In the light of the above, the CSC decided to issue a formal recommendation regarding the consistency in the use of EUCI classification markings and the need to clearly distinguish EUCI from sensitive non-classified information (see doc. 12960/14 enclosed).

I would urge you to give these issues appropriate consideration within your organisation given the desire of the Council and Member States to apply a consistent approach to ensure effective information sharing and avoid misunderstandings when such information is shared with EU Member States. It is our collective interest for the EU family to share the common objective of ensuring a coherent and comprehensive framework for producing and handling EUCI in line with the Declaration for the Council minutes by the Council, the Commission and the High Representative of the Union for Foreign Affairs and Security policy on the protection and handling of EUCI by EU agencies, bodies or offices.

If your staff have further questions on these issues, they should contact Mr Ulrich van Essen, Head of Protection of EUCI Unit in the GSC's Security Office (urlich.vanessen@consilium.europa.eu).

Yours sincerely,
David GALLOWAY

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Brussels, 8 September 2014

12960/14

CSC 195

RECOMMENDATION

from:	Council Security Committee (CSC)
Subject:	Consistency in the use of EUCI classification markings

Introduction

1. Following an examination of classification markings used by all EU agencies and bodies handling EUCI, the Council Security Committee noted a great variety of languages used, EU/UE designators and originator identifiers. Moreover, the CSC also noted that the wording of the markings of sensitive non-classified information used by the EU agencies and bodies often creates confusion with EU classification markings.
2. When the Council's security rules for protecting EUCI were revised in 2013, the Council, the Commission and the High Representative of the Union for Foreign Affairs and Security Policy underlined the need for a comprehensive and coherent general framework within the EU for the protection of classified information expressed in the *Declaration (for the Council minutes) on the protection and handling of classified information*¹.

¹ Doc. 12433/13 ADD I.

3. The Council, the Commission and the High Representative also agreed a declaration stating that they will endeavour to ensure maximum consistency in the application of security rules regarding the protection of EUCI by them by EU agencies and bodies. In particular, the Council and the Commission will ensure that, where such EU agencies and bodies [...] are established, the entity in question applies a level of protection for creating and managing classified information which is equivalent to that afforded by the security rules of the Council or the Commission, as appropriate. The GSC Security Office and the Commission's Security Directorate are available to provide guidance when requested regarding implementation of the Council's or the Commission's security rules in the internal organisation of such agencies and bodies.

Recommendation on EUCI markings

4. In the light of a detailed examination of the situation regarding the use of classification markings, EU/UE designators and originator's identifiers, the Council Security Committee recommends that stakeholders should take all possible steps to the effect that EU classified information created in accordance with the applicable security rules is marked in a consistent way so that it is identifiable as such among the EU family. This includes using standard bilingual EUCI markings accompanied by the EU/UE designator (to indicate it is EUCI) and, where necessary, an originator identifier.
5. All stakeholders should also ensure that markings used in confidentiality rules governing handling of sensitive non-classified information must be sufficiently different to avoid any misleading confusion with EUCI classification markings.
6. The Security Committee is of the opinion that harmonisation of EUCI classification markings will bring practical benefits by ensuring the correct identification and handling of EUCI by all holders and helping to distinguish EUCI from sensitive non-classified information.



Chief Executive

Brussels, 22 September 2014

Mr David Galloway
Council Security Committee Chairman
General Secretariat of the Council
Rue de la Loi, 175
BE-1048 Brussels

Subject: Consistency in the use of EUCI classification markings and the need to distinguish EUCI from sensitive non-classified markings

Your ref.: DGA/SSCIS/050/14

Dear Mr Galloway,

David,

I am pleased to inform you that the formal recommendation given by the Council Security Committee (CSC) at its meeting on 21 May 2014 and expressed in your letter of 11 Sep 2014 regarding consistency in the use of classification markings used by EU agencies and bodies handling EU classified information (EUCI) are fully implemented by the European Defence Agency (EDA), as you might already know from the Protection of EUCI Unit of the General Secretariat of the Council (SGC) Security Directorate.

Indeed, in the EDA Security Instructions, and in all Security Aspect Letters and Security Classification Guides of classified contracts, it is clearly mentioned the need of using the appropriate classification markings when creating EUCI in accordance with article 2 of the Council Decision of 23 Sep 2013 on the security rules for protecting EU classified information (2013/488/EU). Furthermore, EUCI created by EDA bear the originator identifier "EDA" alongside or below every occurrence of its security classification markings. In this respect, three (3) EDA templates were incorporated in the CSC document MD 42/14 "Handling of classified information by EU agencies and bodies".

Moreover, I fully agree with you in the need to give these issues appropriate consideration, and I give you assurance that EDA will continue applying a consistent approach to ensure effective information sharing avoiding misunderstanding when such information is shared with EU Member States

Yours sincerely,

Claude-France Arnould

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P.O. Box 16183 – 2500 BD The Hague • The Netherlands

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Mr David Galloway
Deputy Director-General DG A SSCIS
General Secretariat of the Council of the EU
175, Rue de la Loi
1048 Brussels
BELGIUM

The Hague, 22 September 2014

Eurojust approach to consistency in the use of EUCI classification markings

Dear Mr Galloway,

Thank you for your letter dated 11 September 2014.

Eurojust recognizes the importance of having a consistent approach among EU institutions and agencies regarding the use of EUCI classification markings and the need to distinguish EUCI from sensitive non-classified markings.

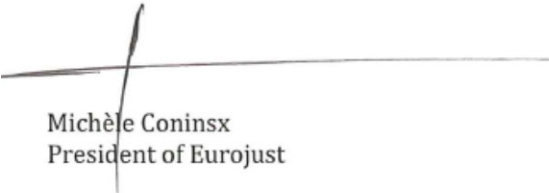
Please be assured that Eurojust is taking the necessary steps to fulfil the recommendations of the Council Security Committee. Eurojust's Security Committee has already addressed this matter by proposing an amendment to Eurojust's Security Rules to be adopted by the College in its forthcoming management board meeting on 14 October 2014.

Among the foreseen changes is the adoption of the classification levels: *TRES SECRET UE/EU TOP SECRET*; *SECRET UE/EU SECRET*; *CONFIDENTIEL UE/EU CONFIDENTIAL*; and *RESTREINT UE/EU RESTRICTED*. Where information or material classified in accordance with these levels originates from Eurojust, it shall bear an additional marking, '*Eurojust*', below the classification marking.

Moreover, all information and material classified *CONFIDENTIEL UE/EU CONFIDENTIAL* and above, or at an equivalent level as set out in the table of equivalence of security classifications contained in the Appendix to Eurojust's Security Rules, shall be registered by the Eurojust Registry as it arrives or leaves Eurojust.

I hope to have informed you sufficiently about the steps envisaged by Eurojust and to have assured you that the matter is being addressed.

Yours sincerely,



Michèle Coninsx
President of Eurojust

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Page 1 of 1



EUROJUST

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D140249

Mr David Galloway
Deputy Director-General DG A SSCIS
General Secretariat of the Council of the EU
175, Rue de la Loi
1048 Brussels
BELGIUM

The Hague, 12 December 2014

Adoption of new Eurojust approach to consistency in the use of EUCI classification markings


Dear Mr Galloway,

Further to my letter dated 22 September 2014 with the subject *Eurojust approach to consistency in the use of EUCI classification markings*, I would like to inform you that on 2 December the College of Eurojust adopted an amendment to Eurojust's Security Rules with the changes outlined in my letter.

I hope you consider this amendment satisfactory. To ensure their correct implementation, an internal practical guidance note on the classification of information was annexed to the College Decision.

Please contact us should you require further information.

Yours sincerely,



Michèle Coninsx
President of Eurojust

Mr. David Galloway
The Chair, Council Security Committee
Council of the European Union
General Secretariat

Warsaw, 17 September 2014

Your ref: DGA/SSCIS/055/14
Our ref: **2102/18.09.2014**
Please quote when replying.

Consistency in the use of EUCI classification markings and the need to distinguish EUCI from sensitive non-classified markings

Dear Mr Galloway,

Frontex implements consistently the regulatory framework for protection of EUCI, as defined in Article 11d (1) of the Frontex Regulation (Regulation 2007/2002 as last amended):

The Agency shall apply the Commission's rules on security as set out in the Annex to Commission Decision 2001/844/EC, ECSC, Euratom of 29 November 2001 amending its internal Rules of Procedure. Those rules shall apply, inter alia, to the exchange, processing and storage of classified information.

In this context, Frontex applies the Commission's classification markings for the EUCI created by the Agency, as required.

Frontex markings for sensitive non-classified information are clearly distinguishable from the EUCI markings and in line with the requirements as set out in Art 11d (2) of the above mentioned regulation:

The Agency shall apply the security principles relating to the processing of non-classified sensitive information as set out in the Decision referred to in paragraph 1 of this Article and as implemented by the Commission.

I would like to use the occasion to highlight the excellent cooperation in the security domain and in particular on the protection of EUCI between the General Secretariat of the Council and Frontex.

Yours sincerely,



Gil Arias
Executive Director a.i.



European
Global Navigation
Satellite Systems
Agency

Prague, 06 November 2014
GSA/2014/SD/KM/D205785

Mr David GALLOWAY
Chair, Council Security Committee
Council of the European Union
General Secretariat
Rue de la Loi 175
B-1048 Brussels

Your Ref: DGA/SSCIS/056/14, SG814/11413, dd. 11 September 2014.

Subject: consistency in the use of EUCI classification markings and the need to distinguish EUCI from sensitive non-classified markings.

Dear Sir,

Further to your letter referenced above and the formal recommendation of the Council Security Committee regarding the consistency in the use of EUCI classification markings and the need to distinguish EUCI from sensitive non-classified markings, I confirm that both letter and recommendation are given full consideration by GSA. The Agency adheres fully the collective interest for the EU family to share the common objective of ensuring a coherent and comprehensive framework for producing and handling EUCI in line with the Declaration for the Council minutes by the Council, the Commission and the High Representative for Foreign Affairs and Security policy on the protection and handling of EUCI by EU Agencies, bodies or offices.

European GNSS Agency
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European
Global Navigation
Satellite Systems
Agency

In application of art 22 of the Regulation (EU) n° 512/2014 of the European Parliament and the Council of 16 April 2014, amending Regulation (EU) n° 912/2010, setting up the European GNSS Agency (GSA), I would like to mention that GSA applies the Commission's security rules regarding the protection of EUCI.

As most of the classified documents have the European Commission as originator, the Agency will apply the bilingual EUCI markings at the same time the European Commission starts using these bilingual markings.

Sensitive but non classified documents are marked according to the Commission Security Notice SN01 on the use and application of markings.

For more information, Mr Jiri SULC, GSA Central Security Office Manager, can be contacted (Jiri.sulc@gsa.europa.eu, tel.: +420 234 766 768).

Yours sincerely,

Carlo des Dorides

Executive Director
