



Council of the
European Union

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CSCI 113

INFORMATION NOTE

From: General Secretariat of the Council
To: Delegations
Subject: Implementation of the Common approach on sharing EUCI - Lightweight Arrangements with the European Defence Agency

The European Defence Agency (EDA) is the first EU agency covered by the Common approach on sharing EUCI with EU institutions, agencies and bodies¹. In the Annex Delegations will find for information an exchange of letters constituting the Lightweight Arrangements for sharing EUCI between the General Secretariat of the Council (GSC), the European Commission (EC), the European External Action Service (EEAS), on the one part and the EDA on the other. The Arrangements took effect on 20 June 2018.

¹ doc. 6074/17



Council of the European Union
General Secretariat
Directorate-General Administration
Directorate of Safety and Security

S6818/05414

The Director

Brussels, 19 June 2018
SEC-091/18

Mr Jorge Domecq
Chief Executive
European Defence Agency
Rue des Drapiers, 17-23
1050 Bruxelles

Subject: Lightweight arrangement for implementation of the Common approach on sharing EU classified information

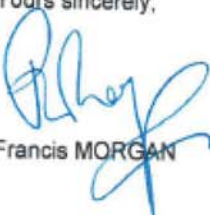
Dear Mr Domecq,

Please find enclosed the Arrangement for sharing EU classified information between the General Secretariat of the Council, the European Commission, the European External Action Service, on the one part, and, the European Defence Agency on the other, signed by the respective Directors.

Your positive reply will constitute the new framework for sharing EUCI, hence the implementation process of the common approach will be finalised.

I look forward to hearing from you.

Yours sincerely,



Francis MORGAN

ANNEX

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1/1



EUROPEAN COMMISSION



Council of the European Union
General Secretariat



EUROPEAN EXTERNAL
ACTION SERVICE

Arrangement for sharing EU classified information between the General Secretariat of the Council (GSC), the European Commission (EC), the European External Action Service (EEAS), on the one part, and, the European Defence Agency (EDA) on the other

The purpose of this Arrangement is to lay down the conditions under which EUCI may be shared by the GSC, the EC and the EEAS with EDA. It does not address the sharing of personal data. It is without prejudice to other arrangements between the GSC, the EC or the EEAS and EDA with regard to other forms of cooperation. It does not enable EDA to disclose EUCI shared under this Arrangement to third parties (including any other EU institution, agency, office or body) without the prior written consent of providing participant.

On 17 February 2017, the Council approved a Common Approach on sharing EUCI with EU institutions, agencies, offices and bodies.¹

EDA has security rules in place that enable it to handle and protect EU classified information ("EUCI"). This was confirmed by means of a joint assessment visit² to EDA on 13 December 2017.

In order to facilitate the sharing of EUCI between the GSC, the EC and the EEAS, on the one part, and EDA on the other, we would like to propose the following:

- that EUCI up to the level SECRET UE/EU SECRET may be shared in hard copy³;
- that EUCI up to the level RESTREINT UE/EU RESTRICTED may be shared electronically.

Each of the participants will protect the information shared under this Arrangement in accordance with its respective security rules on protecting EUCI.^{4 5 6 7}

In particular, the participants will respect the principles of need-to-know and originator consent, and will observe any additional security markings decided by the originator.

¹ Council document 6074/17 of 8 February 2017.

² Inspection report 6163/18 (R-UE/EU-R): Report on the security arrangements for protecting EU classified information (EUCI) at the European Defence Agency (EDA).

³ Hard copy also includes portable data carriers, removable media.

⁴ European Defence Agency Security Instructions, Issue 6 of 1.7.2011.

⁵ Council Decision 2013/488/EU of 23 September 2013 on the security rules for protecting EU classified information, OJ L 274, 15.10.2013, p. 1.

⁶ Commission Decision (EC, Euratom) 2015/443, OJ L 72, 17.3.2015, p.41 and Commission Decision (EU/Euratom) 2015/444, OJ L 72, 17.3.2015, p. 53.

⁷ Decision of the High Representative of the Union for Foreign Affairs and Security Policy of 19/09/2017, OJ C 126, 10.04.2018, p.1.

The participants will notify each other immediately of any proven or suspected compromise of EUCI shared under this Arrangement. They will cooperate duly in any investigation and inform each other of the results.

For the purpose of this Arrangement, hard copy RESTREINT UE/EU RESTRICTED level information may be sent directly to the intended recipient. Information classified CONFIDENTIEL UE/EU CONFIDENTIAL and above will be sent via the Registries indicated below:

- (a) as regards the GSC, correspondence will be sent through the
Chief Registry Officer of the GSC
Classified Information Office/ Bureau des Informations Classifiées
Rue de la Loi 175
B-1048 Brussels
- (b) as regards the EC, correspondence will be sent through the
EUROPEAN COMMISSION
Secretariat-General
Central EUCI Registry (CENTRE)
Office: BERL 04/242
200, rue de la Loi
B-1049 Brussels
- (c) as regards the EEAS, all correspondence will be sent through the
Chief Registry Officer of the EEAS:
EEAS Central EUCI Registry
EEAS CORT 06/P395
Rond Point Schuman 9A
B-1046 Brussels
- (d) as regards EDA, all correspondence will be sent through the
European Defence Agency
Central EUCI Registry
Rue des Drapiers 17-23
B-1050 Brussels

Classified information will be shared electronically with the GSC, the EC, the EEAS and EDA using offline encryption (ACID and ZED!, Chiasmus and Filkrypto) for RESTREINT UE/EU RESTRICTED level information.

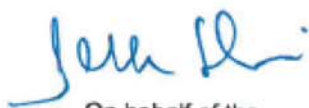
The EEAS Central EUCI Registry is also to be put in copy of any RESTREINT UE/EU RESTRICTED level information shared electronically with the EEAS.

The participants will notify each other of any changes to their rules that could affect the protection of EUCI under this Arrangement.

This Arrangement may be reviewed for consideration of possible amendments at the request of any of the participants. Any amendment to this Arrangement will be made in writing and will be signed by the relevant authorities of the participants.

If any of the participants considers it necessary to terminate this Arrangement, it may do so by notifying the other participants six months in advance of the effective date of termination. In such a case, all EUCI shared pursuant to this Arrangement will continue to be protected in accordance with the provisions set forth herein.

Should the above meet with your approval, I have the honour to propose that the present letter and your reply constitute an Arrangement which will take effect from the date of your reply.



On behalf of the

European Commission



On behalf of the
General Secretariat of the
Council of the EU



On behalf of the
European External
Action Service

Chief Executive

Mr Francis Morgan
Council of the European Union
General Secretariat / Directorate of
Safety and Security
Rue de la Loi 175
1048 Brussels
Belgium

Ref: EDA201806097/CSD/RG

Brussels, 20 June 2018

~~Dear Mr. Morgan~~

Dear Mr. Morgan,

I am pleased to approve the terms of the Arrangement for sharing EU classified information (EUCI) between the General Secretariat of the Council (GSC), the European Commission (EC), the European External Action Service (EEAS), on the one part, and the European Defence Agency (EDA) on the other, as set out in Annex to your letter of the 19 June 2018.

As clarified with your services, this approval does not enable GSC, EC, EEAS to disclose EUCI generated by EDA to third parties (including any other EU institution, agency, office or body) without the prior written consent of the EDA.

In line with your proposal, the Arrangement in Annex to your letter will take effect from the date of signature of the present letter.

Jorge

Yours sincerely,

Jorge Domecq

Jorge Domecq