



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 19 September 2007**

**13059/07**

**CSC 28  
PESC 1067  
JAI 467**

**INFORMATION NOTE**

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

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1. Delegations will find attached for information details of all security agreements or administrative arrangements under which EU classified information (EUCI) may be exchanged with third parties:

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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 Infosec 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 ESDP 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 document 14125/02.
5. This note cancels and replaces doc. 7778/07. Regular updates will be provided by the Secretariat as new agreements enter into force or arrangements are concluded.

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## A. PERMANENT SECURITY AGREEMENTS WITH THIRD STATES

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

<b>NORWAY</b>	
<b>Agreement</b>	
Signature	22.11.2004
Publication	OJ L 362, 9.12.2004, p. 29
Entry into force	1.12.2004
<b>Implementing Arrangements</b>	
Date agreed	22.10.2004
Document reference	6944/05
Most recent security inspection	27-28.9.2005
<b>Release of EUCI</b>	
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
Delegation of release authority to SG/HR	21.12.2004 (doc. 16082/04)

<b>FORMER YUGOSLAV REPUBLIC OF MACEDONIA</b>	
<b>Agreement</b>	
Signature	25.3.2005
Publication	OJ L 094, 13.4.2005, p. 39
Entry into force	1.8.2005
<b>Implementing Arrangements</b>	
Date agreed	13.6.2005, 29.3.07 (revised version)
Document reference	10123/05, 8578/07 (revised version)
Most recent security inspection	24-25.5.2005 (Infosec 16-17.5.2006)
<b>Release of EUCI</b>	
Date from which exchange of EUCI effective	1.8.2005
Maximum level releasable	SECRET UE
Maximum level releasable electronically	RESTREINT UE
Delegation of release authority to SG/HR	14.2.2006 (doc. 5010/06)

<b>UKRAINE</b>	
<b>Agreement</b>	
Signature	13.06.2005
Publication	OJ L 172, 5.7.2005, p. 84
Entry into force	01.02.2007
<b>Implementing Arrangements</b>	
Date agreed	13.10.2005
Document reference	16037/05 + COR 1
Most recent security inspection	26-28.4.2005
<b>Release of EUCI</b>	
Date from which exchange of EUCI effective	02.02.2007 (doc. 6471/07)
Maximum level releasable	RESTREINT UE
Maximum level releasable electronically	None
Delegation of release authority to SG/HR	19.03.2007 (doc. 6521/07)

<b>ICELAND</b>	
<b>Agreement</b>	
Signature	12.06.2006
Publication	OJ L 184, 6.7.2006 p. 35
Entry into force	01.03.2007
<b>Implementing Arrangements</b>	
Date agreed	22.02.2007
Document reference	6882/07
Most recent security inspection	8-9.11.2005
<b>Release of EUCI</b>	
Date from which exchange of EUCI effective	01.03.2007 (doc. 6909/07)
Maximum level releasable	CONFIDENTIEL UE
Maximum level releasable electronically	RESTREINT UE
Delegation of release authority to SG/HR	16.04.2007 (doc. 7312/07)

<b>UNITED STATES OF AMERICA</b>	
<b>Agreement</b>	
Signature	30.4.2007
Publication	OJ L 115, 03.05.2007, p. 30
Entry into force	30.4.2007
<b>Implementing Arrangements</b>	
Date agreed	18.07.2007
Document reference	12142/07
Most recent security inspection	5-6.4.2007
<b>Release of EUCI</b>	
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
Delegation of release authority to SG/HR	18.9.2007 (doc. 12040/07)

## **B. AGREEMENTS UNDER NEGOTIATION OR NOT YET IMPLEMENTED**

The table hereafter 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.

<b>Third State concerned</b>	<b>Status of the agreement</b>
Canada	Under negotiation
Russian Federation	
Turkey	Negotiated but not yet approved by the Council
Swiss Confederation	Approved by the Council but not yet signed
Bosnia and Herzegovina (OJ L 324, 27.10.2004, p. 16)	Entered into force but the actual exchange of classified information is pending finalisation of implementing arrangements
Croatia (OJ L 116, 29.04.2006, p. 74)	

## A. PERMANENT SECURITY AGREEMENTS WITH INTERNATIONAL ORGANISATIONS

The table hereafter gives details of the permanent security agreement with NATO, which has entered into force and under which exchange of classified information may take place.

<b>NATO</b>	
<b>Agreement</b>	
Signature	14.3.2003
Publication	OJ L 080, 27.3.2003, p. 36
Entry into force	14.3.2003
<b>Implementing Arrangements</b>	
Date agreed	3.6.2003
Document reference	10006/03
Most recent security inspection	26.4.2005
<b>Release of EUCI</b>	
Date from which exchange of EUCI effective	3.6.2003
Maximum level releasable	TRES SECRET UE/EU TOP SECRET
Maximum level releasable electronically	TRES SECRET UE/EU TOP SECRET
Delegation of release authority to SG/HR	27.3.2003 (doc. 7588/03)

## B. AGREEMENTS UNDER NEGOTIATION OR NOT YET IMPLEMENTED

The table below lists agreements with international organisations which have not yet been concluded or are not yet implemented and under which EUCI cannot yet be exchanged on a systematic basis.

<b>International organisation concerned</b>	<b>Status of the agreement</b>
European Space Agency (ESA)	Under negotiation. An administrative arrangement exists (see page 7 below).
International Criminal Court (ICC)	Cooperation and assistance agreement (OJ L115 of 28 April 2006, p. 50) also covering the exchange of classified information has entered into force, but actual exchange is pending finalisation of implementing arrangements.

**A. PERMANENT ADMINISTRATIVE ARRANGEMENTS WITH INTERNATIONAL ORGANISATIONS**

The tables hereafter give details of permanent administrative arrangements with international organisations governing the exchange of EUCI. With the exception of Europol, such administrative arrangements allow the exchange of EUCI at level RESTREINT UE only.

<b>EUROPOL</b>	
<b>Letter of SG/HR</b>	
Document	12332/1/05 REV 1
Date sent	30.9.2005
<b>Letter of Director of EUROPOL</b>	
Document	14050/05
Date sent	26.10.2005
Most recent security inspection	23 April 2007
<b>Release of EUCI</b>	
Date from which exchange of EUCI effective	26.10.2005
Maximum level releasable	SECRET UE
Maximum level releasable electronically	None
Delegation of release authority to SG/HR	23.07.07 (11827/07)

<b>EUROPEAN SPACE AGENCY<sup>1</sup></b>	
<b>Letter of SG/HR</b>	
Document	13820/1/03 REV 1
Date sent	2.12.2003
<b>Letter of Director-General of ESA</b>	
Document	12059/04
Date sent	25.8.2004
Most recent security inspection	20 and 27.1.2005, 11-13.7.07
<b>Release of EUCI</b>	
Date from which exchange of EUCI effective	17.3.2005
Maximum level releasable	RESTREINT UE
Maximum level releasable electronically	None
Delegation of release authority to SG/HR	23.07.07 (11827/07)

<sup>1</sup> Negotiations are underway to seek to replace this administrative arrangement with ESA by a fully-fledged security agreement (see page 6 above); in the meantime the administrative arrangement continues to apply.

<b>UNITED NATIONS</b>	
<b>Letter of SG/HR</b>	
Document	8753/05, 16008/04, 13820/1/03 REV 1
Date sent	2.12.2003, 22.12.2004, 7.6.2005
<b>Letter of Under-Secretary-General for Peacekeeping Operations</b>	
Document	14616/04, 8557/05, 11556/05
Date sent	4.11.2004, 11.4.2005, 20.7.2005
Most recent security inspection	18-19.10.2005
<b>Release of EUCI</b>	
Date from which exchange of EUCI effective	29.3.2006
Maximum level releasable	RESTREINT UE
Maximum level releasable electronically	RESTREINT UE (only to DPKO) (doc.12094/06)
Delegation of release authority to SG/HR	23.07.07 (11827/07)

**B. ADMINISTRATIVE ARRANGEMENTS PROPOSED BY THE EU BUT NOT YET IN PLACE**

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



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

- A. The tables hereafter give details of the framework participation agreements with Canada and Turkey, which allow the exchange of EUCI up to any classification level relating to military or civilian ESDP 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 Regulations as far as the handling of EUCI is concerned. No electronic transmission of EUCI is permitted. Delegation of release authority to the SG/HR is usually given in the Joint Action launching each specific operation.

CANADA	
Framework Participation Agreement	
Signature	24.11.2005
Publication	OJ L 315, 1.12.2005 p. 21
Entry into force	01.12.2005
Release of EUCI	
Maximum level releasable	Any level
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	Any level
Maximum level releasable electronically	None

- B. A Framework participation agreement has been signed with **Ukraine** (OJ L 182, 13.7.05, p. 29) but has not yet entered into force.
- C. The framework participation agreements with **Norway** and with **Iceland** have been superseded, as far as the exchange of EUCI is concerned, by fully-fledged security agreements (see Annex I).

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

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

The agreements listed for EUPM<sup>2</sup> allow the release of EUCI generated for the purposes of the operation up to the level of RESTREINT UE, based on the undertaking, set out in each agreement, that the third State in question will apply the Council's Security Regulations as far as the handling of EUCI is concerned. No electronic transmission of EUCI is permitted.

<b>Third State</b>	<b>Agreement</b>	<b>Publication</b>
Iceland	Agreement between the European Union and the Republic of Iceland on the participation of the Republic of Iceland in the European Union Police Mission (EUPM) in Bosnia and Herzegovina (BiH)	OJ L 239, 25.9.2003, p. 5
Norway	Agreement between the European Union and the Kingdom of Norway on the participation of the Kingdom of Norway in the European Union Police Mission (EUPM) in Bosnia and Herzegovina (BiH)	OJ L 239, 25.9.2003, p. 32
Switzerland	Agreement between the European Union and the Government of the Swiss Confederation, represented by the Federal Department of Foreign Affairs, on the participation of Switzerland in the European Union Police Mission (EUPM) in Bosnia and Herzegovina (BiH)	OJ L 239, 25.9.2003, p. 14
Turkey	Agreement between the European Union and the Republic of Turkey on the participation of the Republic of Turkey in the European Union Police Mission (EUPM) in Bosnia and Herzegovina (BiH)	OJ L 239, 25.9.2003, p. 35
Ukraine	Agreement between the European Union and Ukraine on the participation of Ukraine in the European Union Police Mission (EUPM) in Bosnia and Herzegovina (BiH)	OJ L 239, 25.9.2003, p. 38

<sup>2</sup> For Canada's participation in the operation, the EU and Canada have agreed on the provisional application of the draft Agreement between the European Union and Canada on the participation of Canada in the European Union Police Mission (EUPM) in Bosnia and Herzegovina (BiH) (see 12644/1/02 REV1 and telexes No T6043EN of 19 December 2002 and T6067EN of 20 December 2002).

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

The agreements listed for ALTHEA allow the exchange 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 Regulations 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
Argentina	Agreement between the European Union and the Argentine Republic on the participation of the Argentine Republic in the European Union military crisis management operation in Bosnia and Herzegovina (Operation ALTHEA)	OJ L 156, 18.6.2005, p. 22
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
Morocco	Agreement between the European Union and the Kingdom of Morocco on the participation of the Kingdom of Morocco in the European Union military crisis management operation in Bosnia and Herzegovina (Operation Althea)	OJ L 34, 8.2.2005, p. 47
Switzerland	Agreement between the European Union and the Swiss Confederation on the participation of the Swiss Confederation in the European Union military crisis management operation in Bosnia and Herzegovina (Operation ALTHEA)	OJ L 20, 22.1.2005, p. 42

## European Union Police Mission in Afghanistan (EUPOL AFGHANISTAN)

The administrative arrangements listed for EUPOL AFGHANISTAN allow the exchange of EUCI generated for the purposes of the operation up to the level of RESTREINT UE, based on the undertaking that the third States in question will apply the Council's Security Regulations as far as the handling of EUCI is concerned. No electronic transmission of EUCI is permitted.

Third State	Administrative arrangement
Croatia	Exchange of letters: <ul style="list-style-type: none"><li>- letter of 29.6.07 signed by SG/HR Javier Solana;</li><li>- reply of 4.7.07 signed by Branko BARIČEVIĆ, Ambassador at the Mission of the Republic of Croatia to the European Communities</li></ul>
New Zealand	Exchange of letters: <ul style="list-style-type: none"><li>- letter of 29.6.07 signed by SG/HR Javier Solana;</li><li>- reply of 4.9.07 signed by Peter KENNEDY, Ambassador at the Mission of New Zealand to the European Union</li></ul>

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