



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 30 March 2007

8125/07

**CSC 14
PESC 391
JAI 173**

"I/A" ITEM NOTE

From : The General Secretariat
To : COREPER/Council

No. prev. doc. : 13819/03

Subject : Agreement between the European Union and the Government of the United States of America on the security of classified information
– Approval of the decision concluding the agreement

1. On 4 December 2003, the Council authorised the Presidency, assisted by the SG/HR, to open negotiations in accordance with Articles 24 and 38 TEU with the United States of America in order to conclude an agreement on security procedures for the exchange of classified information on the basis of the model in doc. 13819/03.
2. Following a positive reply by the US on 18 February 2004 to the proposal by the SG/HR dated 23 December 2003 to launch negotiations, these were conducted at technical level between representatives of the SG/HR and the US Government; the Commission was associated with these negotiations.
3. On 23 March 2007, the US authorities signalled their agreement to the text of the draft as set out in the annex to the draft Council decision concluding the agreement (doc. 8085/07). The text of this draft agreement is in line with the negotiating mandate, taking account of other security of information agreements already concluded by the Council.

4. The Council's Security Committee issued a positive opinion on this text on 29 March 2007. The Working Party of Foreign Relations Counsellors confirmed agreement on the draft text at its meeting on 29 March 2007.

 5. In light of the above, the Council, subject to confirmation by Coreper, is invited to approve the decision concerning the conclusion of the agreement between the European Union and the Government of the United States of America on the security of classified information set out in doc. 8085/07 ¹.
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¹ The decision exists in all languages, but English is the sole authentic version of the agreement. Translations of the text of the agreement will be published in the Official Journal.