



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 25 April 2012**

**9188/12**

**LIMITE**

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**‘T’ ITEM NOTE**

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From: The Security Committee

To: COREPER (Part 2)

Subject: Authorisation to release EU classified information to third States and international organisations in the context of the EU Crisis Management Exercise Multi Layer 2012 - ML 12

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1. The Exercise Specifications (EXSPEC) for EU Crisis Management Exercise Multi Layer 2012 - ML 12, approved by the Council on 27 February 2012<sup>1</sup>, provide for a number of third States and international organisations to be involved in the exercise through consultation, observation and information procedures, both prior to and during the conduct phase.
2. Some of the information to be provided to those third States and international organisations in this context will be classified in accordance with the Council's Security Rules<sup>2</sup> or will be covered by the obligation of professional secrecy in accordance with the Council's Rules of Procedure<sup>3</sup>.

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<sup>1</sup> See doc. 6690/12, in particular points 25 to 37

<sup>2</sup> Council Decision 2011/292/EU of 31 March 2011 on the security rules for protecting EU classified information (OJ L 141, 27.5.2011, p. 17)

<sup>3</sup> Council Decision 2009/937/EU of 1 December 2009 adopting the Council's Rules of Procedure (OJ L 325, 11.12.2009, p. 35)

3. While some of the third States and international organisations in question have concluded a security of information Agreement with the EU or an administrative arrangement with the Secretary-General of the Council, others do not have a framework in place allowing for the exchange of classified information with the EU.
4. The Council Security Committee has decided to recommend that the Council authorise the High Representative to release such information to those third States and international organisations which do not have an appropriate framework in place with the EU. The Council should define specific limitations for such authorisation.
5. In accordance with Article 12 and Annex VI, section VI, of the Council's Security Rules, if the Security Committee issues such a recommendation, the matter shall be referred to COREPER, which shall take a decision.
6. Given the above, COREPER is invited to:
  - (a) authorise the High Representative to release to the third States and international organisations referred to hereafter, both prior to and during the conduct phase of the ML 12 exercise, EU classified information generated for the purposes of the exercise, subject to the following limitations:
    - (i) concerning Albania, Canada, China, India, Japan, Russia, Serbia and Turkey, this authorisation should be limited to exercise information and documents relevant to consultations with them and classified no higher than RESTREINT UE/EU RESTRICTED, subject to appropriate arrangements to be agreed between the High Representative and those States;
    - (ii) concerning the African Union and the OSCE, this authority should be limited to exercise information and documents appropriate to their role as observers and classified no higher than RESTREINT UE/EU RESTRICTED, subject to arrangements to be agreed between the Security Directorate of the European External Action Service and local representatives of those international organisations;

- (b) authorise the High Representative to release to the third States and international organisations referred to in subparagraph (a), both prior to and during the conduct phase of the ML 12 exercise, EU unclassified documents relating to the Council's deliberations with regard to the exercise and covered by the obligation of professional secrecy pursuant to Article 6(1) of the Council's Rules of Procedure;
- (c) authorise the High Representative to release to Algeria, Egypt, Jordan, Lebanon, Libya, Morocco, the Occupied Palestinian Territory and Tunisia (Mediterranean partners), as well as to Armenia, Azerbaijan, Belarus, Georgia and Moldova (Eastern partners), during the conduct phase of the ML exercise, EU unclassified documents relating to the Council's deliberations with regard to the exercise and covered by the obligation of professional secrecy pursuant to Article 6(1) of the Council's Rules of Procedure.
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