



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 22 March 2013

7791/13

**CSC 33
PESC 332
JAI 230**

INFORMATION NOTE

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

1. Delegations will find attached for information details of agreements concluded by the EU and of administrative arrangements entered into by the Secretary-General of the Council under which EU classified information (EUCI) may be exchanged with third States and international organisations:

Annex		Page
I	Permanent security of information agreements with third States	3
II	Permanent security of information agreements with international organisations	12
III	Permanent administrative arrangements	15
IV	Framework agreements with third States for their participation in CSDP crisis management operations	17
V	<i>Ad hoc</i> agreements with third States for their participation in CSDP crisis management operations	19

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 Security Office (Protection of EUCI Unit).
3. Annex IV lists the framework agreements concluded with third States to govern their participation in present or future CSDP operations. Annex V lists *ad hoc* agreements concluded for the purposes of a third State's participation in a specific CSDP operation.
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 the Council's security rules¹, Annex VI, Section VI.
5. This note cancels and replaces doc. 17811/12.

¹ Council Decision 2011/292/EU of 31 March 2011, OJ L 141, 27.5.2012, p. 17

A. PERMANENT SECURITY OF INFORMATION AGREEMENTS WITH THIRD STATES

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

Third State	Page
Australia	4
Bosnia and Herzegovina	4
Croatia	5
Former Yugoslav Republic of Macedonia	5
Iceland	6
Israel	6
Liechtenstein	7
Montenegro	7
Norway	8
Serbia	8
Switzerland	9
Ukraine	9
United States of America	10

AUSTRALIA	
Agreement	
Signature	13.1.2010
Publication	OJ L 26, 30.01.2010, p. 31
Entry into force	01.7.2011
Exchange of notes verbales following entry into force of the Lisbon Treaty	doc. 6205/12
Implementing Arrangements	
Date agreed	23.5.2011
Document reference	12492/11
Most recent security inspection	1-4.3.2010
Release of EUCI	
Date from which exchange of EUCI effective	1.7.2011 (doc. 12494/11)
Maximum level releasable	TRES SECRET UE/EU TOP SECRET
Maximum level releasable electronically	RESTREINT UE/EU RESTRICTED
Delegation of release authority to SG	20.6.2011 (doc. 10918/11)

BOSNIA AND HERZEGOVINA	
Agreement	
Signature	5.10.2004
Publication	OJ L 324, 27.10.2004, p. 16
Entry into force	1.5.2006
Exchange of notes verbales following entry into force of the Lisbon Treaty	doc. 6207/12
Implementing Arrangements	
Date agreed	27.7.2010
Document reference	12939/10
Most recent security inspection	10, 23-25.11.2010
Release of EUCI	
Date from which exchange of EUCI effective	30.8.2010 (doc. 14381/10)
Maximum level releasable	RESTREINT UE/EU RESTRICTED
Maximum level releasable electronically	RESTREINT UE/EU RESTRICTED
Delegation of release authority to SG	20.6.2011 (doc. 10918/11)

CROATIA	
Agreement	
Signature	10.4.2006
Publication	OJ L 116, 29.4.2006, p. 74
Entry into force	1.11.2006
Exchange of notes verbales following entry into force of the Lisbon Treaty	doc. 6211/12
Implementing Arrangements	
Date agreed	29.10.2007
Document reference	15403/07
Most recent security inspection	6-7, 14.10.2010
Release of EUCI	
Date from which exchange of EUCI effective	12.11.2007 (docs. 15400/07 and 11536/11)
Maximum level releasable	SECRET UE/EU SECRET
Maximum level releasable electronically	RESTREINT UE/EU RESTRICTED
Delegation of release authority to SG	20.6.2011 (doc. 10918/11)

FORMER YUGOSLAV REPUBLIC OF MACEDONIA	
Agreement	
Signature	25.3.2005
Publication	OJ L 094, 13.4.2005, p. 39
Entry into force	1.8.2005
Exchange of notes verbales following entry into force of the Lisbon Treaty	doc. 7620/12
Implementing Arrangements	
Date agreed	29.3.07 (revised version)
Document reference	8578/07 (revised version)
Most recent security inspection	8-9.10.2008
Release of EUCI	
Date from which exchange of EUCI effective	1.8.2005
Maximum level releasable	SECRET UE/EU SECRET
Maximum level releasable electronically	RESTREINT UE/EU RESTRICTED
Delegation of release authority to SG	20.6.2011 (doc. 10918/11)

ICELAND	
Agreement	
Signature	12.06.2006
Publication	OJ L 184, 6.7.2006 p. 35
Entry into force	01.03.2007
Exchange of notes verbales following entry into force of the Lisbon Treaty	doc. 6218/12
Implementing Arrangements	
Date agreed	22.02.2007
Document reference	6882/07
Most recent security inspection	6-8, 27.09.2011
Release of EUCI	
Date from which exchange of EUCI effective	01.03.2007 (doc. 6909/07)
Maximum level releasable	CONFIDENTIEL UE/EU CONFIDENTIAL
Maximum level releasable electronically	RESTREINT UE/EU RESTRICTED
Delegation of release authority to SG	20.6.2011 (doc. 10918/11)

ISRAEL	
Agreement	
Signature	11.6.2009
Publication	OJ L 192, 24.7.2009, p.64
Entry into force	1.11.2010
Note verbale following entry into force of the Lisbon Treaty	doc. 7049/13
Implementing Arrangements	
Date agreed	11.6.2009
Document reference	11956/09
Most recent security inspection	29.11-02.12.2009
Release of EUCI	
Date from which exchange of EUCI effective	24.11.2010 (doc. 17105/10)
Maximum level releasable	SECRET UE/EU SECRET
Maximum level releasable electronically	None
Delegation of release authority to SG	20.6.2011 (doc. 10918/11)

LIECHTENSTEIN	
Agreement	
Signature	6.7.2010
Publication	OJ L 187, 21.7.2010, p. 2
Entry into force	1.8.2010
Implementing Arrangements	
Date agreed	26.7.2010
Document reference	14383/10
Most recent security inspection	18-20.5.2010
Release of EUCI	
Date from which exchange of EUCI effective	8.10.2010 (doc. 14831/10)
Maximum level releasable	SECRET UE/EU SECRET
Maximum level releasable electronically	CONFIDENTIEL UE/EU CONFIDENTIAL
Delegation of release authority to SG	20.6.2011 (doc. 10918/11)

MONTENEGRO	
Agreement	
Signature	13.9.2010
Publication	OJ L 260, 2.10.2010, p. 2 and OJ L 317, 03.12.2010, p. 44
Entry into force	01.12.2010
Implementing Arrangements	
Date agreed	10.2.2011
Document reference	10925/11
Most recent security inspection	8-10.9.2010 and 2.3.2011
Release of EUCI	
Date from which exchange of EUCI effective	08.6.2011 (doc.11453/11)
Maximum level releasable	RESTREINT UE/EU RESTRICTED
Maximum level releasable electronically	RESTREINT UE/EU RESTRICTED
Delegation of release authority to SG	20.6.2011 (doc. 10918/11)

NORWAY	
Agreement	
Signature	22.11.2004
Publication	OJ L 362, 9.12.2004, p. 29
Entry into force	1.12.2004
Exchange of notes verbales following entry into force of the Lisbon Treaty	doc. 7024/12
Implementing Arrangements	
Date agreed	22.10.2004
Document reference	6944/05
Most recent security inspection	27-28.9.2005
Release of EUCI	
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/EU CONFIDENTIAL
Delegation of release authority to SG	20.6.2011 (doc. 10918/11)

SERBIA	
Agreement	
Signature	26.5.2011
Publication	OJ L 216, 23.8.2011, p. 2
Entry into force	1.8.2012
Implementing Arrangements	
Date agreed	20.4.2011
Document reference	7096/13
Most recent security inspection	7-9.12.2011 and 13.7.2012
Release of EUCI	
Date from which exchange of EUCI effective	14.3.2013 (doc. 7607/13)
Maximum level releasable	RESTREINT UE/EU RESTRICTED ²
Maximum level releasable electronically	None
Delegation of release authority to SG	20.6.2011 (doc. 10918/11)

² Without prejudice to the release of EUCI of higher classification levels in the framework of CSDP operations in which Serbia participates or is invited to participate.

SWITZERLAND	
Agreement	
Signature	28.4.2008
Publication	OJ L 181, 10.7.2008, p. 58
Entry into force	1.6.2008
Exchange of notes verbales following entry into force of the Lisbon Treaty	doc. 6222/12
Implementing Arrangements	
Date agreed	10.7.2008
Document reference	12037/08
Most recent security inspection	20-21.5.2008
Release of EUCI	
Date from which exchange of EUCI effective	18.7.2008 (doc. 11367/08)
Maximum level releasable	SECRET UE/EU SECRET
Maximum level releasable electronically	CONFIDENTIEL UE/EU CONFIDENTIAL
Delegation of release authority to SG	20.6.2011 (doc. 10918/11)

UKRAINE	
Agreement	
Signature	13.06.2005
Publication	OJ L 172, 5.7.2005, p. 84
Entry into force	01.02.2007
Note verbale following entry into force of the Lisbon Treaty	doc. 7043/13
Implementing Arrangements	
Date agreed	13.10.2005
Document reference	16037/05 + COR 1
Most recent security inspection	26-28.4.2005
Release of EUCI	
Date from which exchange of EUCI effective	02.02.2007 (doc. 6471/07)
Maximum level releasable	RESTREINT UE/EU RESTRICTED ³
Maximum level releasable electronically	None
Delegation of release authority to SG	20.6.2011 (doc. 10918/11)

³ Up to CONFIDENTIEL UE/EU CONFIDENTIAL in the context of Ukraine's participation in operation EUNAVFOR Atalanta.

UNITED STATES OF AMERICA	
Agreement	
Signature	30.4.2007
Publication	OJ L 115, 03.05.2007, p. 30
Entry into force	30.4.2007
Note verbale following entry into force of the Lisbon Treaty	doc. 7051/13
Implementing Arrangements	
Date agreed	18.07.2007
Document reference	12142/07
Most recent security inspection	5-6.4.2007
Release of EUCI	
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/EU CONFIDENTIAL
Delegation of release authority to SG	20.6.2011 (doc. 10918/11)

B. AGREEMENTS UNDER NEGOTIATION OR NOT YET IMPLEMENTED

The table below 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.

Third State concerned	Status of the agreement
Canada	Negotiating mandate approved by the Council on 21.10.2003 (doc. 13819/03). Under negotiation.
Turkey	Negotiated but not yet approved by the Council.
Russian Federation	Agreement signed on 01.6.2010 and published in OJ L 155, 22.6.2010, p.57. Exchange of notes verbales following entry into force of the Lisbon Treaty (doc 7054/13). Negotiations on the implementing arrangements are ongoing.

A. PERMANENT SECURITY OF INFORMATION AGREEMENTS WITH INTERNATIONAL ORGANISATIONS

The table below gives details of the permanent security of information agreements with international organisations which have entered into force and under which exchange of classified information may take place.

NATO	
Agreement	
Signature	14.3.2003
Publication	OJ L 080, 27.3.2003, p. 36
Entry into force	14.3.2003
Exchange of notes verbales following entry into force of the Lisbon Treaty	doc. 6201/12
Implementing Arrangements	
Date agreed	3.6.2003
Document reference	10006/03
Most recent security inspection	28.4.2009
Release of EUCI	
Date from which exchange of EUCI effective	3.6.2003
Maximum level releasable	TRES SECRET UE/EU TOP SECRET
Maximum level releasable electronically	SECRET UE/EU SECRET
Delegation of release authority to SG	20.6.2011 (doc. 10918/11)

ICC	
Agreement	
Signature	10.4.2006
Publication	OJ L 115 of 28 April 2006, p. 50
Entry into force	1.5.2006
Implementing Arrangements	
Date agreed	31 March 2008
Document reference	8349/1/08 REV 1
Most recent security inspection	24.1.2008
Release of EUCI	
Date from which exchange of EUCI effective	7 April 2008 (8410/08)
Maximum level releasable	RESTREINT UE/EU RESTRICTED
Maximum level releasable electronically	None
Delegation of release authority to SG	20.6.2011 (doc. 10918/11)

ESA	
Agreement	
Signature	18.7.2008
Publication	OJ L 219, 14.8.2008, p. 59
Entry into force	1.8.2008
Exchange of notes verbales following entry into force of the Lisbon Treaty	doc. 6214/12
Implementing Arrangements	
Date agreed	17.10.2012 (revised version)
Document reference	16528/12 (revised version)
Most recent security inspection	16-19.1.2012 (Information Assurance)
Release of EUCI	
Date from which exchange of EUCI effective	10.9.2008 (doc. 13308/08)
Maximum level releasable	TRES SECRET UE/EU TOP SECRET
Maximum level releasable electronically	SECRET UE/EU SECRET ⁴
Delegation of release authority to SG	20.6.2011 (doc. 10918/11)

⁴ The EU and ESA will agree on a case-by-case basis that a given communication and information system may be used for transmitting, storing and processing classified information provided by the other Party.

B. PERMANENT SECURITY OF INFORMATION AGREEMENTS WITH INTERNATIONAL ORGANISATIONS UNDER NEGOTIATION

International organisation concerned	Status of the agreement
OCCAR	Agreement was signed and entered into force on 27.7.2012 and was published in OJ L 229, 24.8.2012, p. 2. Negotiations on the implementing arrangements are ongoing.

A. PERMANENT ADMINISTRATIVE ARRANGEMENTS

The tables below give details of permanent administrative arrangements governing the exchange of EUCI with international organisations. Such administrative arrangements allow as a general rule for the exchange of EUCI at level RESTREINT UE/EU RESTRICTED.

UNITED NATIONS	
Letter of SG/HR	
Document	8753/05, 16008/04, 13820/1/03 REV 1
Date sent	2.12.2003, 22.12.2004, 7.6.2005
Letter of Under-Secretary-General for Peacekeeping Operations	
Document	14616/04, 8557/05, 11556/05
Date sent	4.11.2004, 11.4.2005, 20.7.2005
Most recent security inspection	16-17.12.2009
Release of EUCI	
Date from which exchange of EUCI effective	29.3.2006
Maximum level releasable	RESTREINT UE/EU RESTRICTED
Maximum level releasable electronically	RESTREINT UE/EU RESTRICTED (only to DPKO) (doc.12094/06)
Delegation of release authority to SG	20.6.2011 (doc. 10919/11)

B. ADMINISTRATIVE ARRANGEMENTS UNDER NEGOTIATION OR NOT YET IMPLEMENTED

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

An administrative arrangement with **Eurocorps** (cf. doc. 5372/13) took effect on 17 December 2012. The exchange of classified information under that arrangement is pending the outcome of an assessment visit to be conducted shortly.

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

The tables below give details of the framework participation agreements with Canada, Turkey, New Zealand and Albania, which allow the exchange of EUCI up to any classification level relating to military or civilian CSDP crisis management operations. This is based on the undertaking, set out in the agreements, that the third States in question will handle EUCI in accordance with the Council's Security Rules. No electronic transmission of EUCI is permitted. Delegation of release authority to the High Representative is usually given in the Council Decision establishing 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	To be decided by the Council when adopting the legal act establishing each specific operation
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	To be decided by the Council when adopting the legal act establishing each specific operation
Maximum level releasable electronically	None

NEW ZEALAND	
Framework Participation Agreement	
Signature	18.4.2012
Publication	OJ L 160, 21.6.2012, p. 2
Entry into force	1.5.2012
Release of EUCI	
Maximum level releasable	To be decided by the Council when adopting the legal act establishing each specific operation
Maximum level releasable electronically	None

ALBANIA	
Framework Participation Agreement	
Signature	5.6.2012
Publication	OJ L 169, 29.6.2012, p. 2
Entry into force	Provisional application as from the date of signature (Art. 16.2)
Release of EUCI	
Maximum level releasable	To be decided by the Council when adopting the legal act establishing each specific operation
Maximum level releasable electronically	None

AD HOC AGREEMENTS WITH THIRD STATES FOR THEIR PARTICIPATION IN CSDP CRISIS MANAGEMENT OPERATIONS**European Union military crisis management operation in Bosnia and Herzegovina (Operation ALTHEA)**

The *ad hoc* participation agreements listed for ALTHEA allow the release 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 handle EUCI in accordance with the Council's Security Rules. 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
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

European Union Police Mission in Afghanistan (EUPOL AFGHANISTAN)

The Council Decision on EUPOL AFGHANISTAN allows the release of EUCI generated for the purposes of the operation up to CONFIDENTIEL UE/EU CONFIDENTIAL. The participation Agreement mentioned below allows for the release of EUCI based on the undertaking that the third State will handle EUCI in accordance with the Council's Security Rules. No electronic transmission of EUCI is permitted.

Third State	Agreement	Publication
New Zealand	Agreement between the European Union and New Zealand on the participation of New Zealand in the European Union Police Mission in Afghanistan (EUPOL AFGHANISTAN)	OJ L 274, 18.10.2007, p. 18 OJ L 290, 8.11.2007, p. 22