



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 4 March 2013

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LIMITE

**CSC 22
JAI 176
PESC 246**

NOTE

From	The General Secretariat
To:	Delegations
Subject:	Security of information agreement between the EU and the United States of America - <i>Note verbale</i> addressed by the General Secretariat of the Council to the United States of America

Delegations will find attached a copy of a *note verbale* addressed by the General Secretariat of the Council to the United States of America regarding the consequences of the entry into force of the Lisbon Treaty for the security of information Agreement between the EU and the United States of America¹. The effect of this *note verbale* is, in particular, that the United States of America is made aware that the provisions of the Agreement also apply to the European Council, including its President, the High Representative and the European External Action Service, in addition to the Council, the General Secretariat of the Council and the Commission.

¹ OJ L 115, 3.5.2007, p. 30



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**COUNCIL OF THE EUROPEAN UNION
GENERAL SECRETARIAT**

NOTE VERBALE

The General Secretariat of the Council of the European Union presents its compliments to the United States of America and has the honour to refer to the entry into force, on 1 December 2009, of the Treaty of Lisbon amending the Treaty on European Union and the Treaty establishing the European Community. The Ministry of Foreign Affairs of the United States of America was notified of this entry into force on 27 November 2009.

As from 1 December 2009, the European Council became an EU institution, a President of the European Council has been elected and the High Representative of the Union for Foreign Affairs and Security Policy has been appointed by the European Council; the High Representative presides over the Foreign Affairs Council and is one of the Vice-Presidents of the Commission. The Council has adopted a decision on the organisation and functioning of the European External Action Service ("the EEAS").

As a consequence, the General Secretariat of the Council of the European Union has the honour to notify the United States of America that the provisions of the Agreement between the European Union and the government of the United States of America on the security of classified information, signed on 30 April 2007, will continue to apply accordingly to the handling of classified information by the EU institutions and entities concerned. The exchange of classified information between the United States of America and the EU institutions and entities concerned will remain fully covered by the said Agreement.

Furthermore, the General Secretariat of the Council of the European Union has the honour to notify the United States of America, in accordance with Article 20(2) of the said Agreement, that Council Decision 2001/264/EC of 19 March 2001 adopting the Council's security regulations has been replaced by Council Decision 2011/292/EU of 31 March 2011 on the security rules for protecting EU classified information, which entered into force on 27 May 2011 (published in the Official Journal of the European Union L 141, 27.5.2011, p. 17).

The General Secretariat of the Council of the European Union avails itself of this opportunity to renew to the United States of America the expression of its highest consideration.

Brussels, 10 September 2012



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